

Safe Harbor Marina Modification DRI 258-M2

Martha's Vineyard Commission
July 14, 2022

Safe Harbor Marina

- Owner/applicant:** SHM Vineyard Haven, LLC (Chris Scott)
- Location:** 100 Lagoon Pond Road, Tisbury
- Proposal:** Removal of four existing buildings, construction of two new boat racks, relocation of existing boat racks, relocation of a fuel tank and wash shed (already completed), and construction of a boardwalk along the bulkhead
- Permits:** Demolition permit, Conservation Commission order of conditions
- Checklist:** 1.3D (Previous DRI)

Modification review

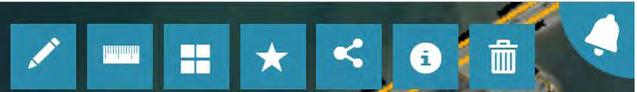
LUPC: 6/27/22 – Voted 6-0 to recommend public hearing

Site visit: 7/13/22



Tisbury, MA

Contact



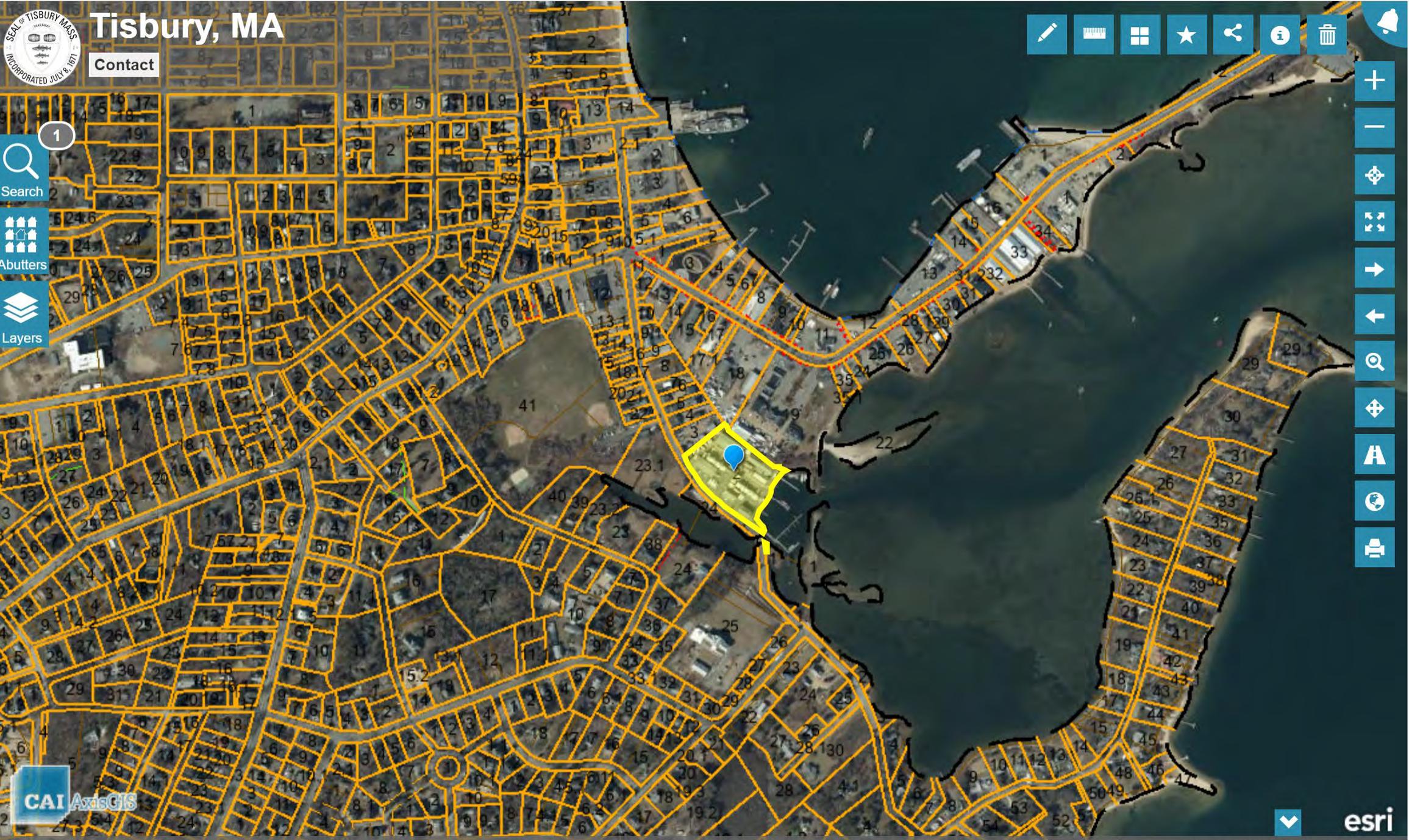
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Layers





Tisbury, MA

Contact



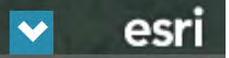
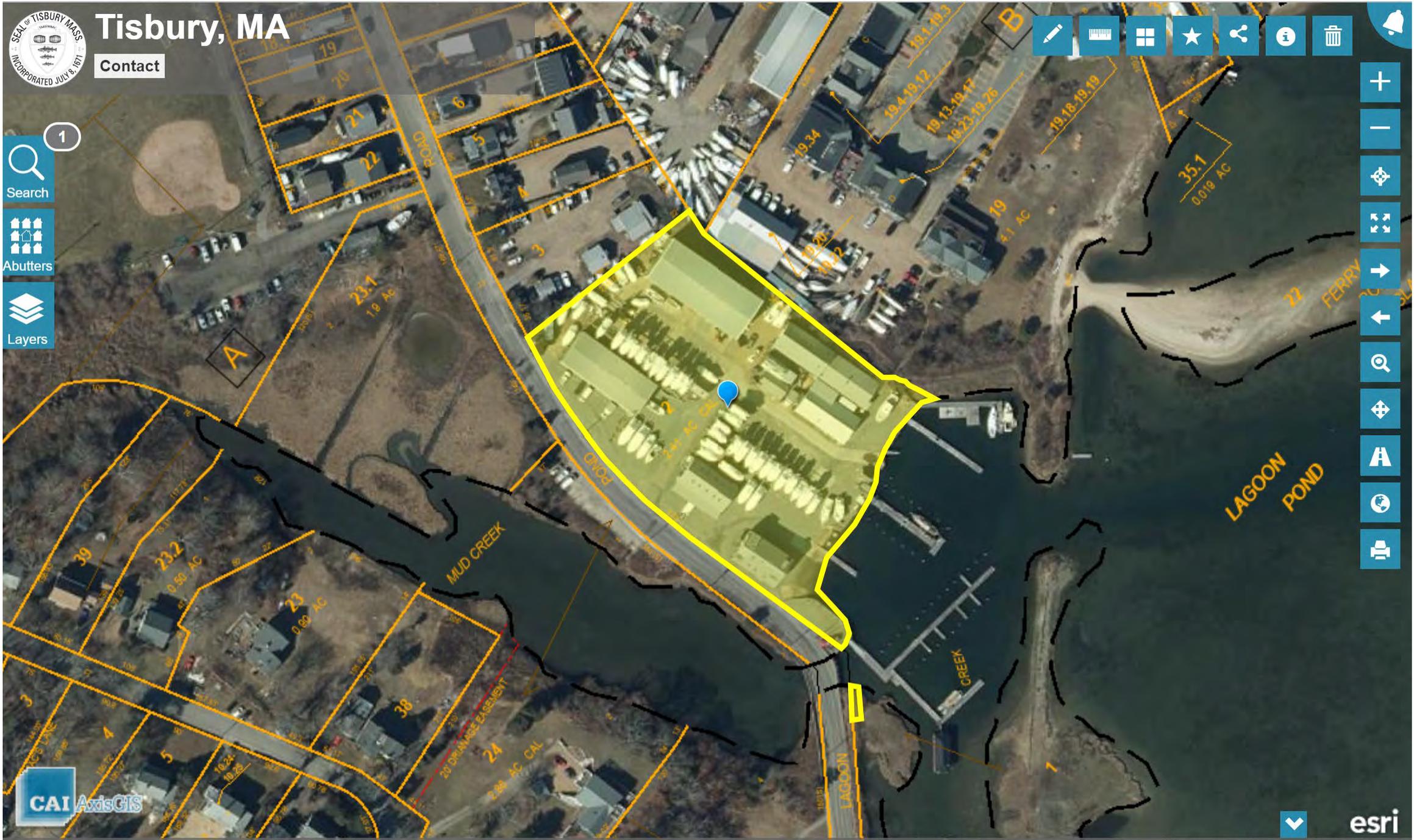
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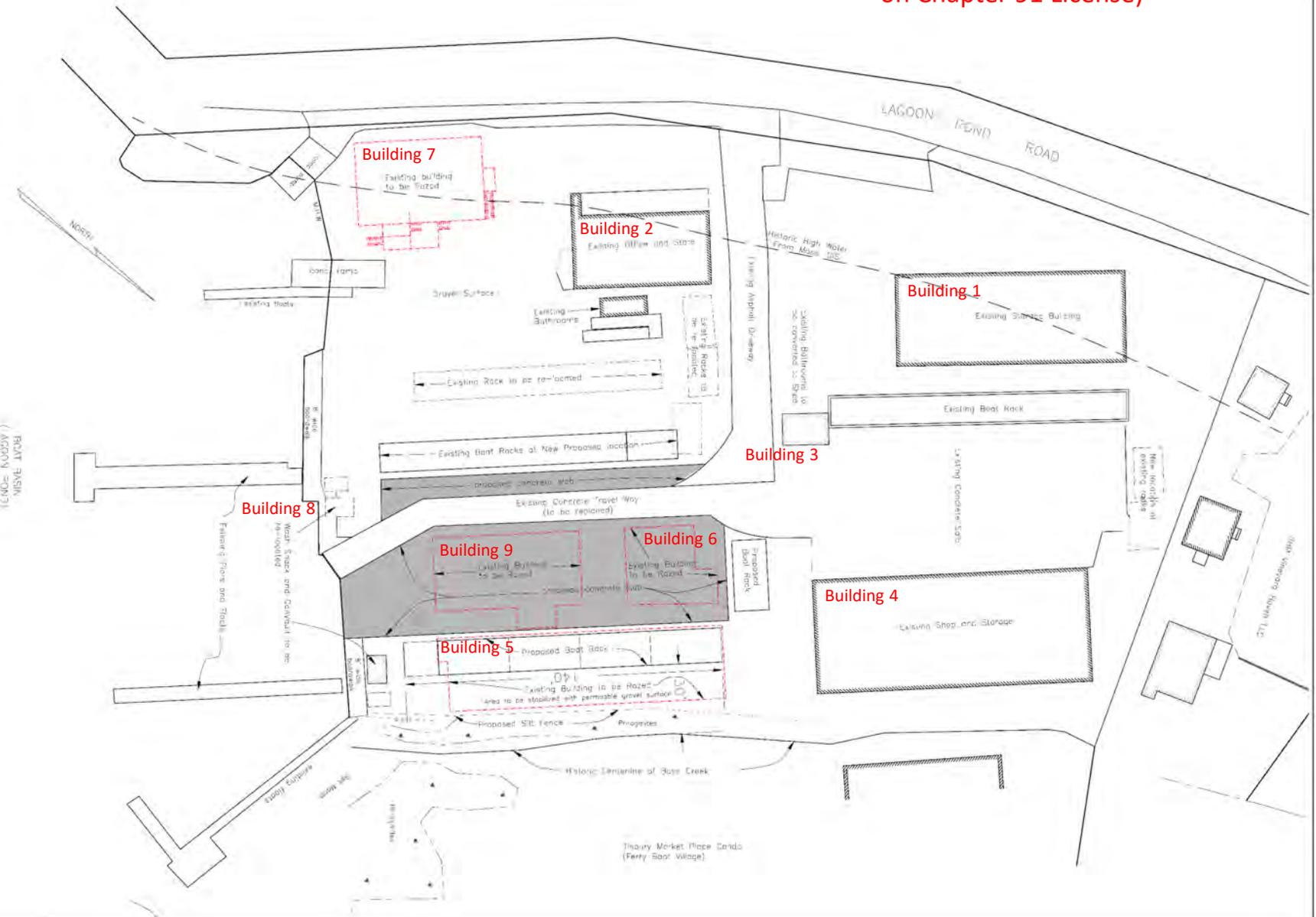
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Layers

Map navigation controls: zoom in (+), zoom out (-), home, full screen, pan, previous view, next view, search, location, street view, globe, print.



(Building numbers added, based on Chapter 91 License)



- The following is a summary of the information shown on this plan. The information is not intended to constitute a contract. The information is subject to change without notice.
- This plan shows the following:
1. To show (General) a building addition.
 2. To construct a total 2 new boat racks and a concrete existing boat rack.
 3. To construct a new concrete slab.
 4. To demolish the existing concrete slab and wall.
 5. To construct a concrete boat rack.

Site Plan for
Tisbury, Mass.
 Prepared for
SAFE HARBOR MARINAS
 Scale 1" = 20'
 December 8, 2021



Initial application

- Site plan
- Notice of Intent
- Application package
 - Response to staff questions
 - Property cards
 - DEP Chapter 91 License
 - Draft Building Acquisition and Removal Agreement
 - Drainage plan for new concrete pad
 - Parking plan
 - Sketch of SUP location
 - Proposed boat rack diagrams
 - Various use permits

Additions since LUPC

- Response to LUPC questions
 - List of tenants and where they will relocate
 - List of work already completed onsite
 - Plan and narrative for public access
 - Narrative regarding pollution controls and maintaining the health of Lagoon Pond
 - Clarity about winter storage of boats and plastic wrap
 - Rendering from Lagoon Pond Road
 - Total proposed boat rack capacity
 - Number of current and proposed boat slips
 - Existing and proposed impermeable area
 - Clarification about existing and proposed bathrooms
 - More specific housing proposal
 - Former uses of Building 7
 - Additional information about landscaping
- Minutes from Tisbury Concom hearing 1/18/22

Project history

- The MVC approved DRI 258 without conditions in 1987, allowing the construction of a 4,000 ft² building for boat work in the winter (Building 1). There were five other buildings already in place at the time, including one that had been relocated from elsewhere in Tisbury (Building 7).
- A proposal to raise Building 7 above the flood elevation was remanded to the town in 2014 (DRI 258-M).
- The marina currently offers rentable boat slips, six slips for repairs, boat storage, and shallow-water access to Lagoon Pond.
- The property includes piers, ramps, floats, piles, a bulkhead, concrete launch ramps, wooden decks, boat storage racks, fuel storage, and nine buildings.

	TYPE	USE	APPROXIMATE FOOTPRINT	ELEVATION	DATE
Building 1	Metal on concrete slab	Storage	4,000 ft ²	28'5"	1987
Building 2	Wood frame	Shop, storage, loft, rentals	1,900 ft ²	25'2"	1950
Building 3	Wood frame	Handicapped bathroom	280 ft ²	21'9"	2021
Building 4	Metal	Shop and storage, boat rack attached	6,000 ft ²	41'	1994
Building 5	Wood frame on concrete slab	Shop and storage	3,900 ft ²	25'4"	1950
Building 6	Wood frame on partial concrete slab	Shop and storage	1,200 ft ²	21'	2013
Building 7	Wood frame on piles, parking beneath	Office, storage, retail	2,000 ft ²	34'2"	1940
Building 8	Wood frame on blocks	Power washing machinery	100 ft ²	15'8"	?
Building 9	Wood frame on concrete slab	Shops and storage	2,200 ft ²	25'5"	1950

Project history

The following work has occurred on the property in recent years:

2013	Reconstructed Building 6 following a fire
2014	Raised Building 7
2017	Renovated Building 2
2021	Installed bathroom building
2021-2022	Replaced bulkhead
2022	Relocated and upgraded fuel tank and wash shed

Project history

- The applicant submitted a Notice of Intent for the currently proposed work to the Tisbury Conservation Commission in December 2021.
- The conservation commission opened a public hearing in January and referred the project to the MVC in February, noting that the project may result in an increased intensity of use of the piers and other boatyard facilities.
- A staff-applicant meeting was held in April, with additional material submitted in May.

Proposal

- Demolish buildings 5, 6, 7, and 9 (total footprint of 9,355 ft²).
- Install two new boat racks and relocate existing boat racks on the site.
- Pour new concrete slab (about 8,850 ft²).
- Relocate a ConVault fuel storage tank and wash shed on the site.
- Construct new boardwalks along the steel bulkhead.

Proposal

- The applicant has stated that the buildings to be demolished are in poor condition and no longer needed, and that the existing tenants will be leaving.
- The proposed concrete pad would allow for use of a forklift to store and retrieve boats.
- The project would increase the storage capacity of the boat racks by 40 boats.
- No new buildings, piers, or floats are proposed.

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Planning concerns

- Environment
- Traffic and transportation
- Scenic values
- Stormwater
- Housing and economic development
- Material use
- Wastewater
- Climate change resilience
- Landscape

Environment and wastewater

- The marina currently has 85 rack spaces for winter storage, and uses 50 spaces for summer valet service. The project will increase boat rack capacity by 40 spaces, with the potential to increase boat traffic on Lagoon Pond as well.
- The number of boats slips will remain at 56, but the number of slips used for the valet service will increase from six to 16.
- The marina can currently service and store boats only up to 30 feet, and the new boat rack and forklift operation will be able to accommodate boats up to 35 feet.
- The applicant has stated that in the past, about 10-15 customers might use the marina on a busy day in summer.
- A 1,000 gallon fuel tank has been replaced with a 6,000 gallon fuel tank, mostly for use in selling fuel to marina customers. Hazardous material and fuel storage permits, as well as the company's marine fueling permit and license to sell motor fuels, have been provided.

Environment and wastewater

- Nitrogen levels in Mud Creek area is typically more than double the Total Maximum Daily Load (TMDL) for the pond.
- Bacteria counts in the vicinity of the marina have led to frequent shellfish closures or conditional approvals by the Division of Marine Fisheries, including permanent closures since 2020. Mud Creek is also often closed to shellfishing.
- The marsh in that area is eroding, so staff recommends a no-wake requirement to preserve what remains.
- The project includes relocating a ConVault wash station to just south of the proposed boat rack, on the new concrete slab (this was completed in May 2022).
 - Used for pressure washing boats, with a drainage sock in the concrete slab to catch debris.
 - Water is filtered and reused for additional washing.
 - Any debris left over in the drainage tank is disposed off-Island as hazardous waste.
- The increase in boats onsite may also increase environmental impacts on the pond, including from boat paint, fuel/oils, solvents, and other waste entering the water.

Environment and wastewater

Potential benefits highlighted by the applicant:

Boats stored on racks:

- Do not require additional bottom paint
- Spend more time out of the water, including for washing
- Be safer during storms, and easier to monitor with more frequent inspections.

Safe Harbor pollution control efforts:

- Transition to low-copper, water-based paint for all vessels
- Piloting copper-free alternatives (which may have other impacts)
- Required to have a Stormwater and Pollution Prevention Plan under its EPA stormwater permit (including training, monthly site inspections, quarterly water sampling, and reports to the EPA)
- Spill Prevention, Control and Countermeasures Plan, which includes monthly inspections of the property

Environment and wastewater

The applicant also notes the following:

- *Overnighting on boats is not allowed*
- *Many of the boats are day boats and do not support overnighting*
- *No-discharge rules are strictly enforced*
- *Safe Harbor Vineyard Haven is currently working through the verification process to be certified as a Clean Marina*
- *Painting and maintenance activities are done inside, with work areas swept or vacuumed*
- *Rainwater is mainly contained through permeable surfaces*

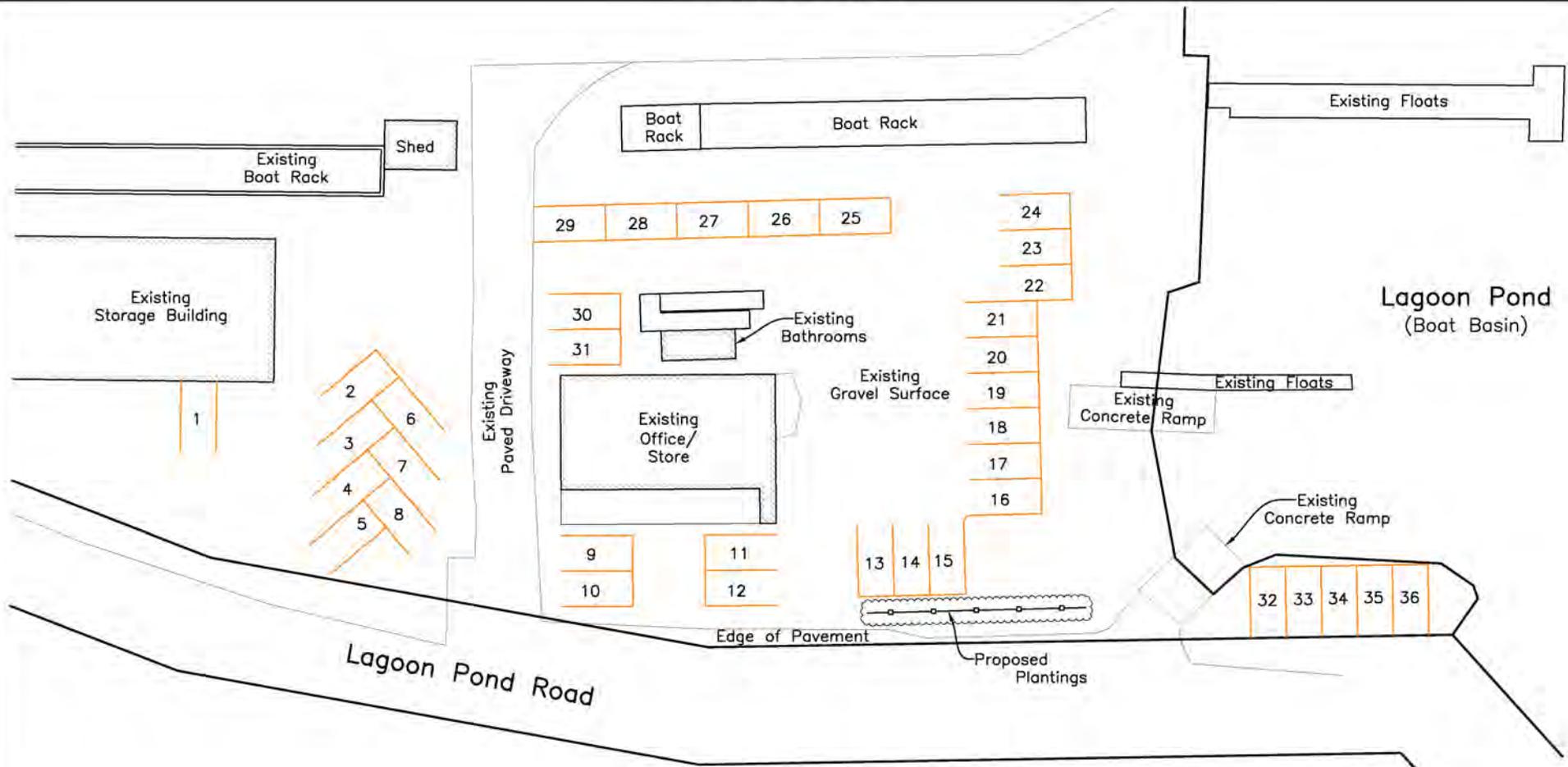
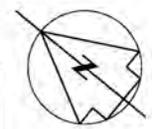
Environment and wastewater

- Boats would be stored both inside and outside in the winter, and protected with plastic shrink wrap.
- The applicant has stated that it began a shrink wrap recycling program this spring in conjunction with Bruno's and EL Harvey Waste Disposal and has recycled about 20 cubic yards of wrap so far. However, the effectiveness of the recycling process has not been verified.

Traffic and transportation

- The proposed increase in storage capacity may also lead to an increase in customer trips to and from the site, as well as additional employees, with potential impacts on traffic, including at 5 Corners to the north.
- Plans show an increase from about 20 to 31 parking spaces distributed around the property, including for marina members. The applicant has stated that the spaces will be delineated by concrete parking dividers.
- The applicant has stated that there would be enough space on the northern boundary of the lot for a proposed shared use path (SUP) that has been in discussion for several years, although a formal proposal has not been presented.
- The applicant does not expect the marina project to affect an existing footpath between Lagoon Pond Road and the Tisbury Marketplace.

Attachment E- Parking Plan



Parking Plan in
Tisbury, Mass.
Prepared for
Safe Harbor Marinas

May 9, 2022 Scale: 1"=30'

Note: Parking Spaces 10' x 20'

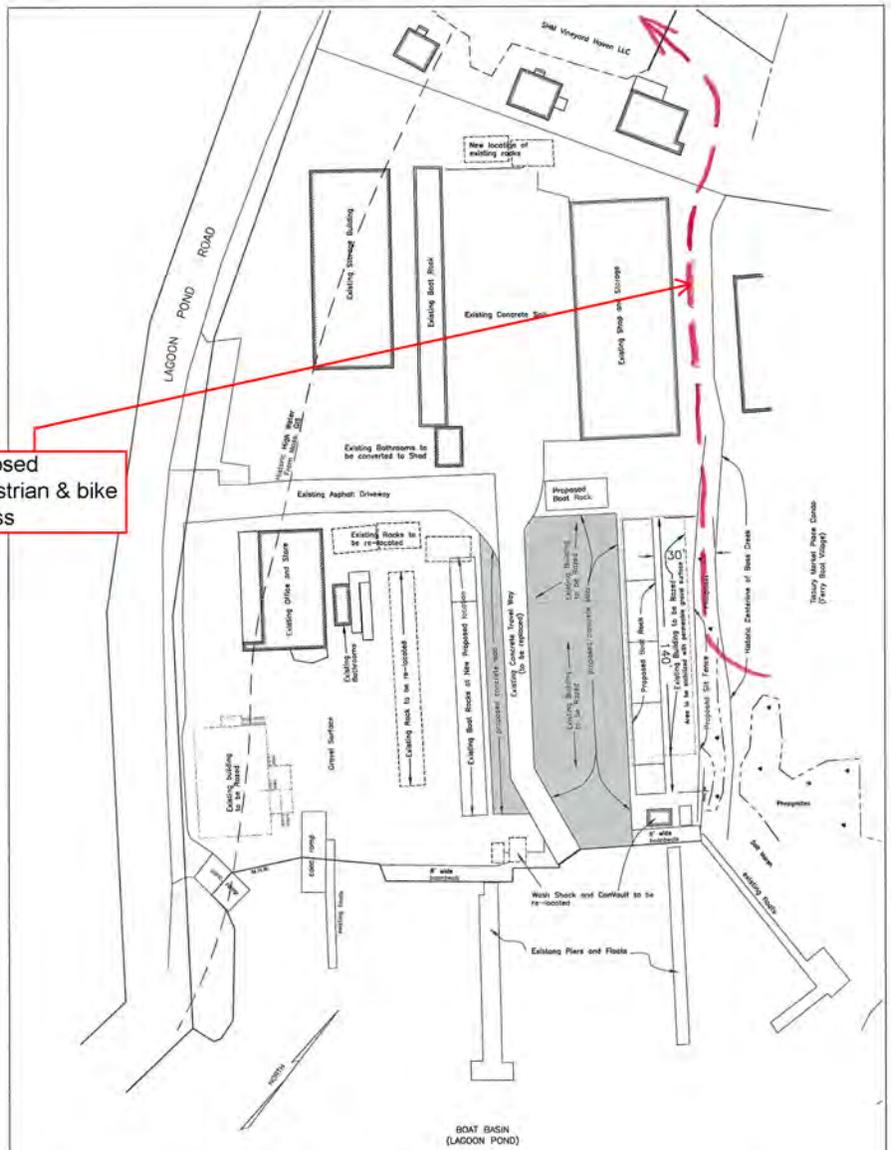
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LAND SURVEYING
& ENGINEERING

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P 508-673-3774 F 508-629-0440
VLSE-mail

LOB NO. 299

s:\survey\2\299-at marina\carlson\2021-07-19 safe harbors raise building & install racks.dwg

Site Plan



proposed pedestrian & bike access

The entire lot is within FEMA Flood Zone AE 10
The entire lot is within Lined Subject to Coastal Storms Flowage

- This Plan shows the following:
1. To Raise (Remove) & existing buildings
 2. To construct & install 2 new boat racks and re-locate existing boat racks
 3. To construct a new Concrete Slab
 4. Re-locate the Concrete Slab Deck and wash shed.
 5. To construct a boardwalk along the bulkhead

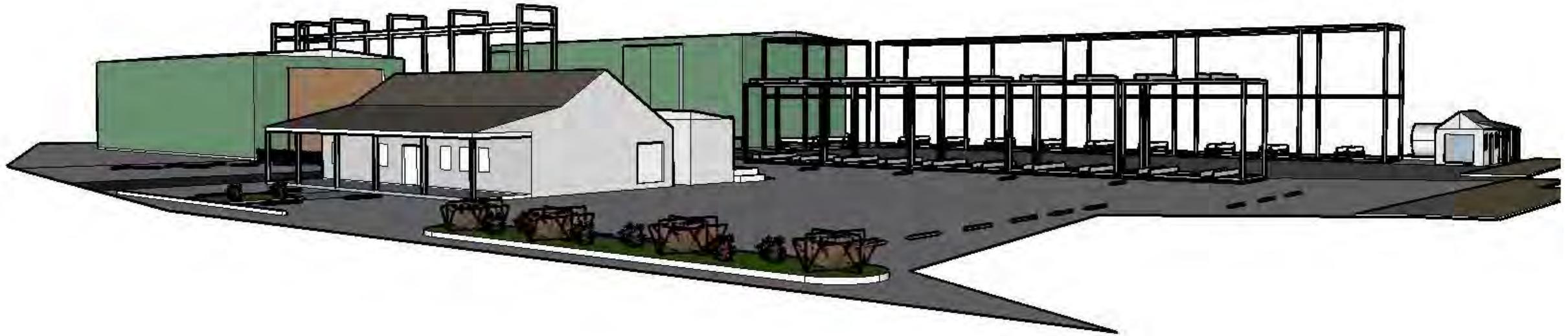
Site Plan in
Tisbury, Mass.
Prepared for
SAFE HARBOR MARINAS
Scale 1" = 20'
December 8, 2021

VINEYARD LAND SURVEYING & ENGINEERING
25 Doughty Street
PO Box 42
South Tisbury, MA 02576
508-335-2771 / 1-800-335-2771
10/21/21

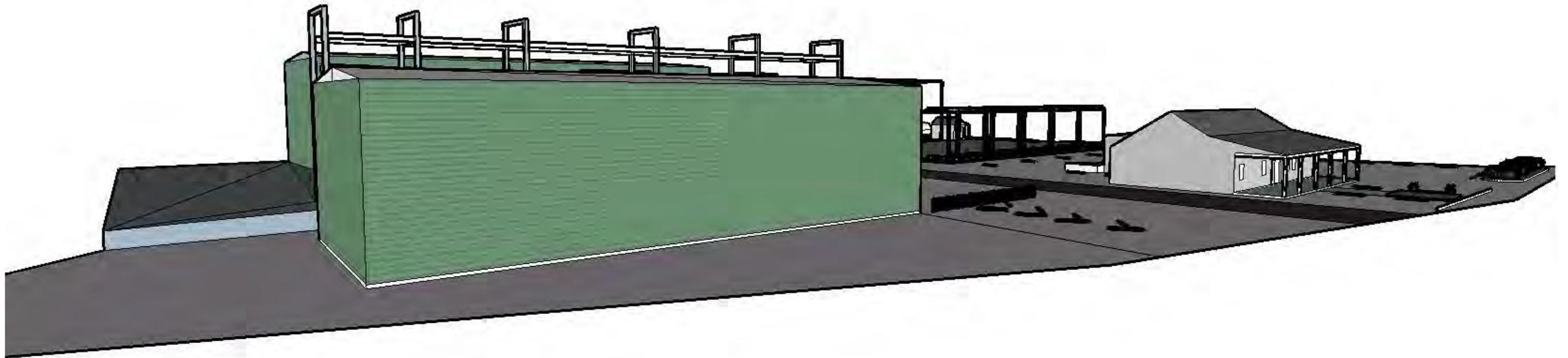
Scenic values

- The property is located in a picturesque area overlooking Mud Creek, Bass Creek, and Lagoon Pond.
- Highly visible from Lagoon Pond Road, and located between 5 Corners and the Martha's Vineyard Museum.
- Project would involve removing four existing buildings, relocating existing boat racks, and adding two new boat racks with an elevation of 38.15 feet (about 30 feet from ground level) and room for at least 38-40 boats. The elevations of the two existing racks are 38.1' and 20.6'. The maximum elevation allowed by the town is 40.77 feet.
- Storage capacity of the boat racks will increase by 40 boats, and the applicant hopes to store a higher percentage of boats in the racks, as opposed to on the ground. The marina currently stores about 150 boats on the property in the winter, and 80-90 in the summer.
- Two 8' wide boardwalks will be added to a new steel bulkhead along the pond.

SHM Vineyard Haven
100 Lagoon Pond Road
Rendering Looking North from Lagoon Pond Rd



SHM Vineyard Haven
100 Lagoon Pond Rd
Rendering Looking NE/E From Lagoon Pond Road



Public access

The applicant has stated the following in regard to current and proposed public access to the water, which is required under Chapter 91:

1. We currently **allow and promote walking** through and across the property to either access the water or get through to and from Beach Road and Lagoon Pond Road. There are **signs posted**, in accordance with our Chapter 91 License, at entrance to the property, at the water's edge at the corner of the basin closest to Lagoon Pond Rd.
2. We **supply a dingy dock** in the marina for lagoon pond mooring customer to access their boats.
3. We have **frequent visitors to the water's edge** feeding the ducks, launching paddle boards and kayaks to access the west arm of the lagoon.
4. We have always **kept dock access open and free in the winter months** for commercial shell fishing boats to tie up.
5. We **offer transient day dockage** if we have slips vacant.
6. We **offer transient mooring use** when moorings are vacant.
7. We have **frequent pedestrians using the bridge** that crosses over to the Tisbury Market Place and plan to keep that access open and viable for future use. (NOTE: We are unclear who owns the bridge and whose responsibility it is to keep it up. This last winter we propped it back up and fixed a few boards in an effort to keep any walkers from falling into the swamp)
8. We **promote and encourage use of our open space on the bulkhead**, with covered **picnic tables and chairs** to enjoy lunch or just watch the boats.
9. Our **continued efforts around the property** aim to create open access for boaters and the like to enjoy the water.

Stormwater

- Flooding has been an issue on Lagoon Pond Road.
- The project is subject to DEP stormwater standards and the applicant has indicated that the total impervious area on the property will decrease by about 1%.
- A drainage plan to handle runoff from a proposed concrete pad shows a 3,722 ft² gravel drainage area below the proposed boat rack, just northwest and downgradient of the slab. Drainage plan for rest of property is not specified.
- The applicant has stated that alternatives to concrete would not hold up to the weight of the marina equipment.
- A site plan showing water flow on the property has been provided, but a complete drainage plan for the property is still pending.

Housing and economic development

- The project will allow Safe Harbors to store and service more boats, as well as larger boats (35 feet compared to 30 feet).
- The forklift currently operates from 8AM-5PM from May 1 to Oct. 7 (seven days a week from Memorial Day to Labor Day, and five days a week otherwise).
- Current or recent tenants on the marina property include a cabinet maker, sign maker, and carpenter, all of whom would relocate offsite. The applicant has stated that two of the tenants have plans to relocate offsite, and one already has.
- The marina currently has 10-15 employees in the summer, and the project may lead to an increase in seasonal dock staff, an equipment operator, and possibly one or two mechanics.
- The applicant currently owns three cottages at 80 Lagoon Pond Road (total of three beds), and a three-bedroom house and three-bedroom apartment at 61 Lagoon Pond Road.

Housing and economic development

The following clarification was provided about the current offsite housing:

61 Lagoon Pond Rd

- *Front – 3 Bedroom Apartment – Vacant while we recruit for a new lead technician*
- *Rear – 3 Bedrooms – Housing 5 seasonal staff members*

80 Lagoon Pond Rd

- *Cottage 1 – Studio – Houses a Full Time Technician*
- *Cottage 2 – 1 Bedroom – Housing 1 full time employee*
- *Cottage 3 – 2 Bedroom – Housing 2 seasonal staff members*

The applicant has plans to remove Cottage 3 and construct two two-bedroom apartments to further support its year-round and seasonal workers, and is searching for an additional single-family duplex on the Island to house future year-round workers.

Planning concerns

Material use (construction)

- The applicant plans to transfer ownership of Building 7 to Jeffrey DuBard for reuse in another location. A draft Building Acquisition and Removal Agreement between the applicant and DuBard has been provided.

Climate resilience

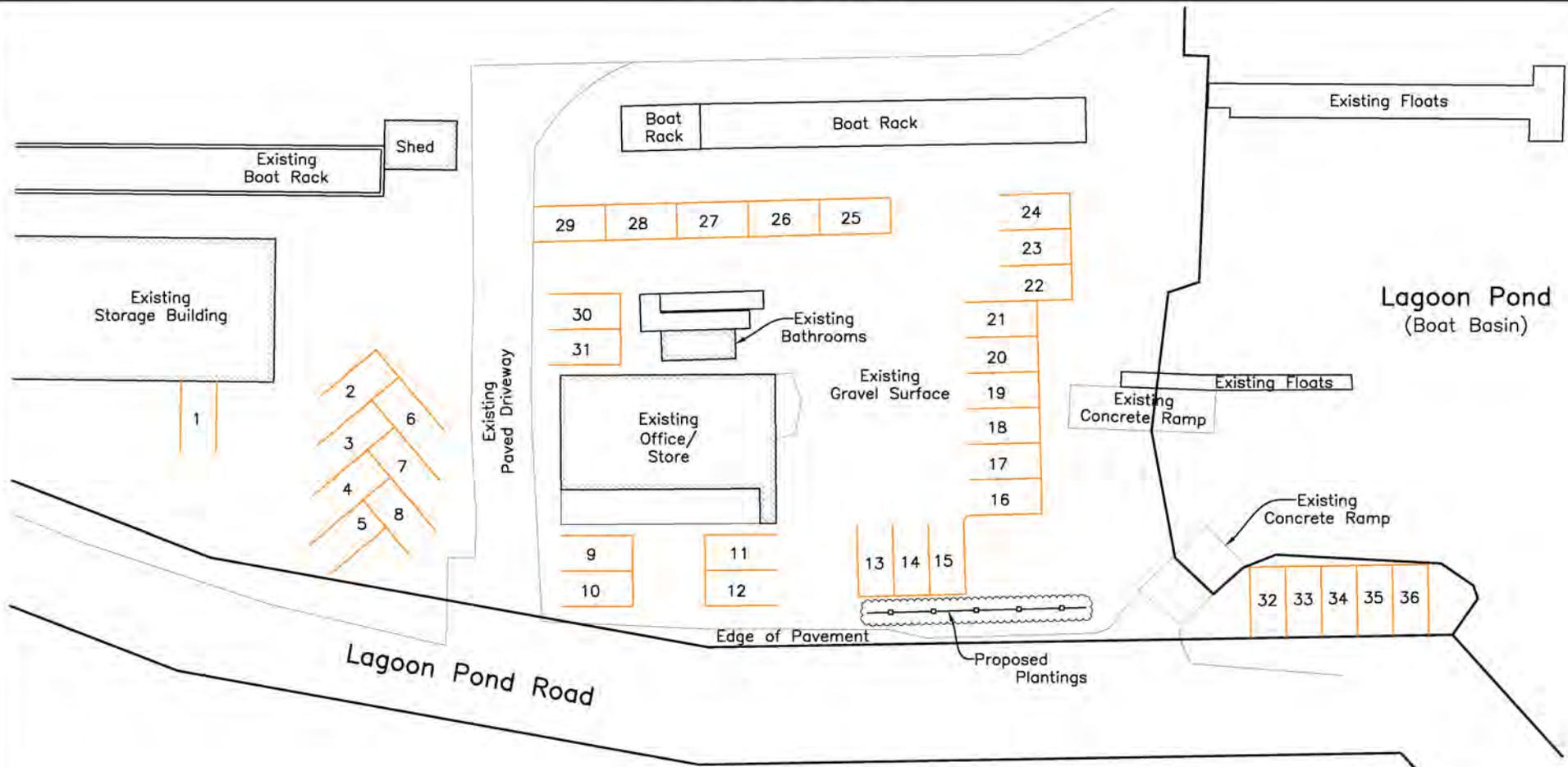
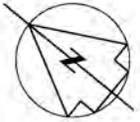
- The property is within the 100-year floodplain and FEMA AE flood risk zone and will experience increased flood risk in the future. The project does not specifically account for sea-level rise, although four buildings totaling 9,355 ft² will be removed from the floodplain.

Planning concerns

Landscape

- Existing landscaping consists of an area in front of Building 2 with roses and grasses, and several planters along the waterfront.
- The applicant has proposed a raised bed rimmed by cobblestones, along Lagoon Pond road where Building 7 is currently located, and another area along the northern property line, for native plantings. All other areas apart from the concrete pad would be covered with bluestone gravel or similar material.
- The proposed planter would contain native beach grasses, along with roses, beach pea, and shrubs
- The new boardwalks would have dock pedestal lighting with water spigots. (A lighting plan has not been provided.)

Attachment E- Parking Plan



Lagoon Pond
(Boat Basin)

Lagoon Pond Road

Parking Plan in
Tisbury, Mass.
Prepared for
Safe Harbor Marinas

May 9, 2022 Scale: 1"=30'

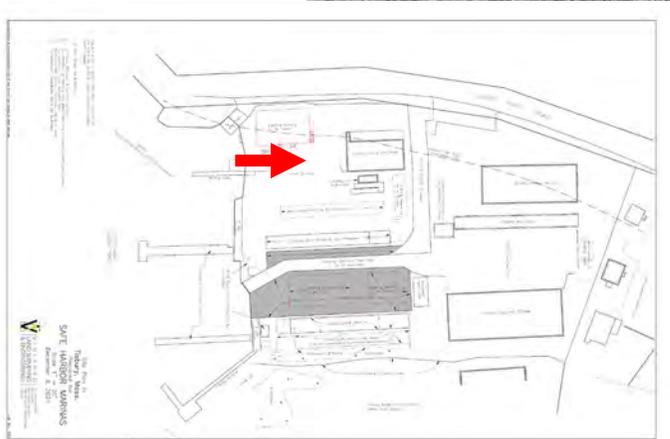
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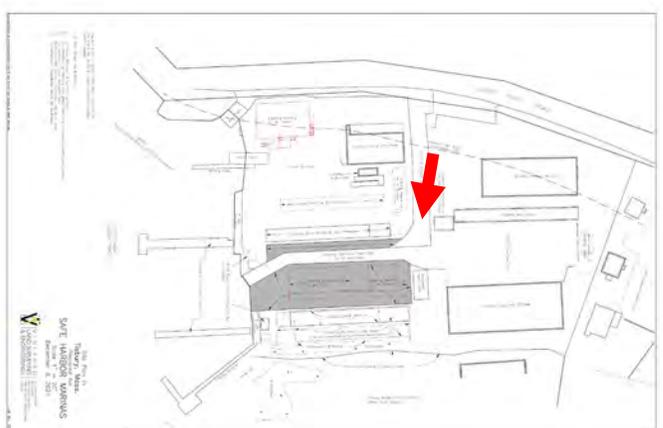
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LAND SURVEYING
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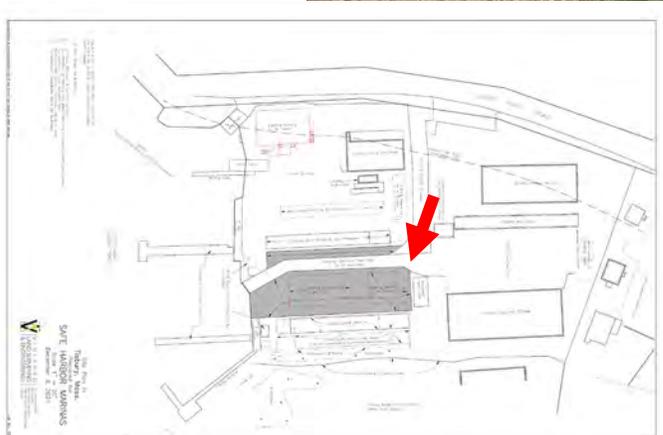
12 Courtyard Road
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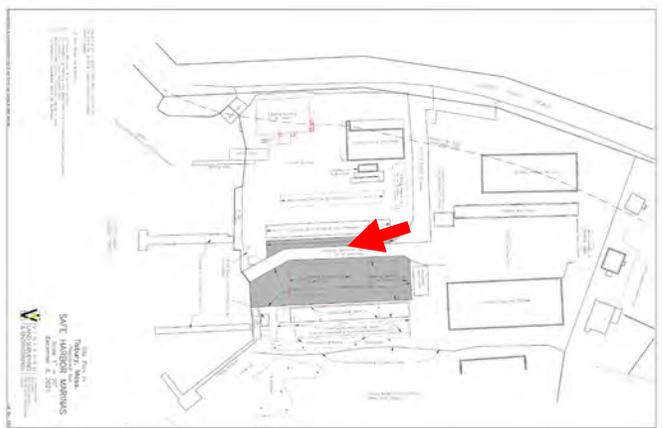
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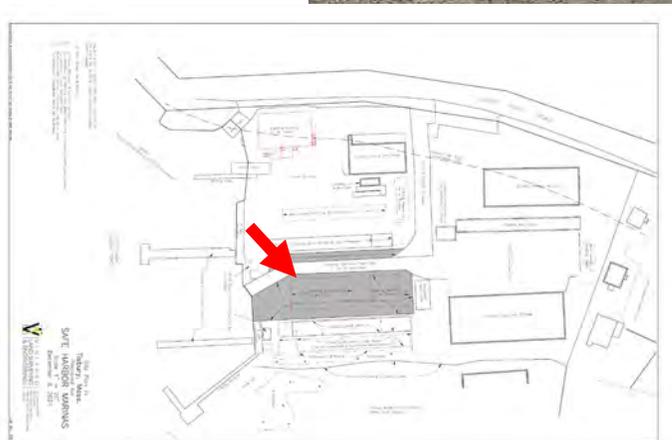
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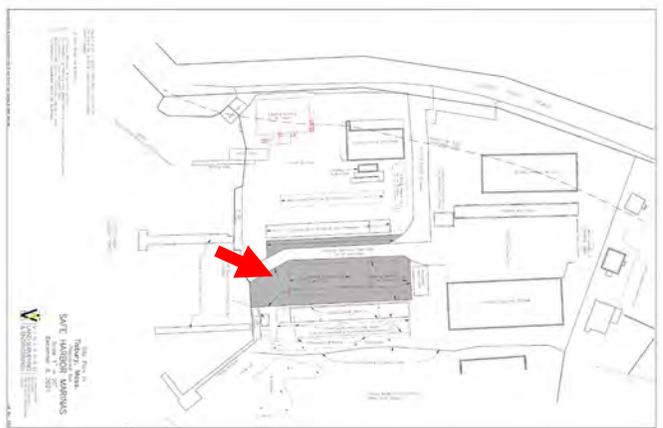


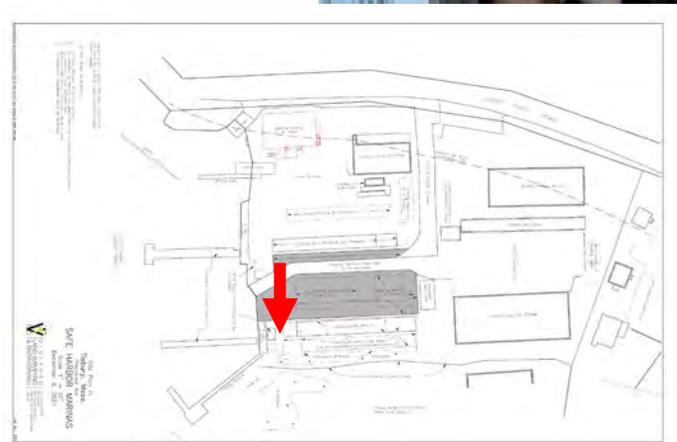


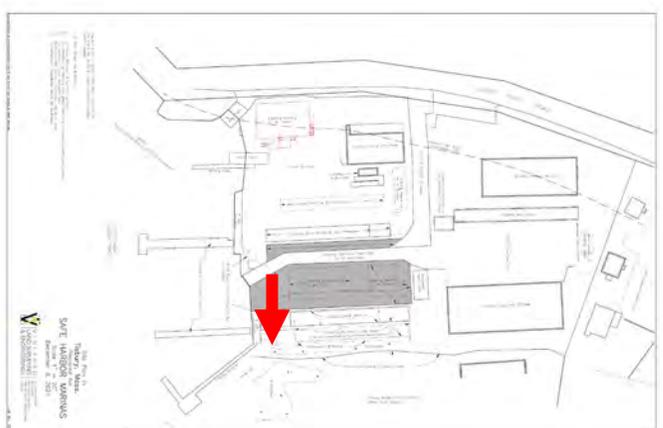


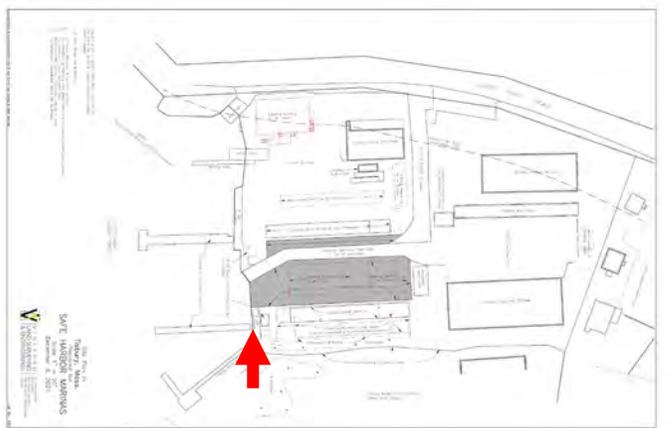


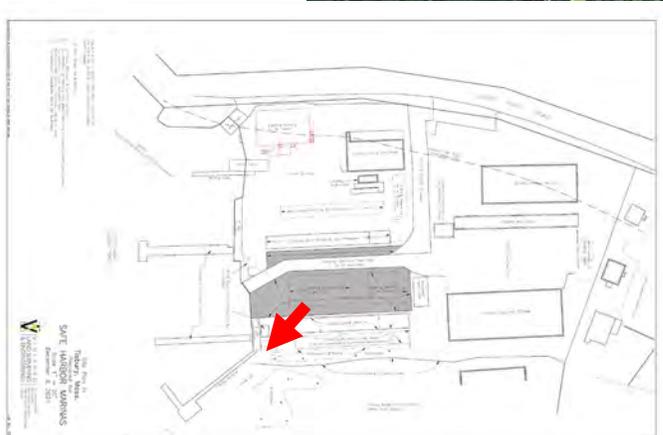


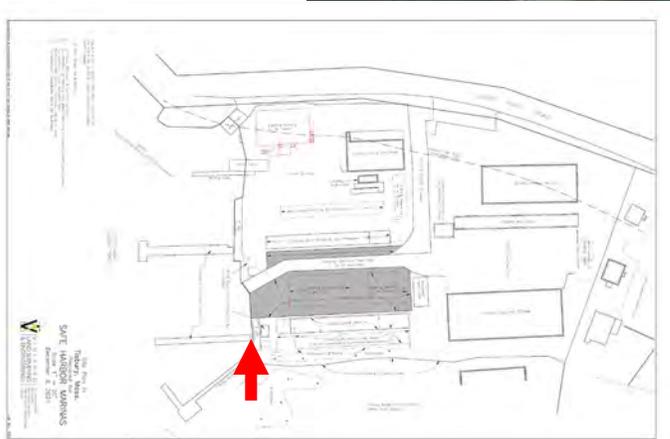


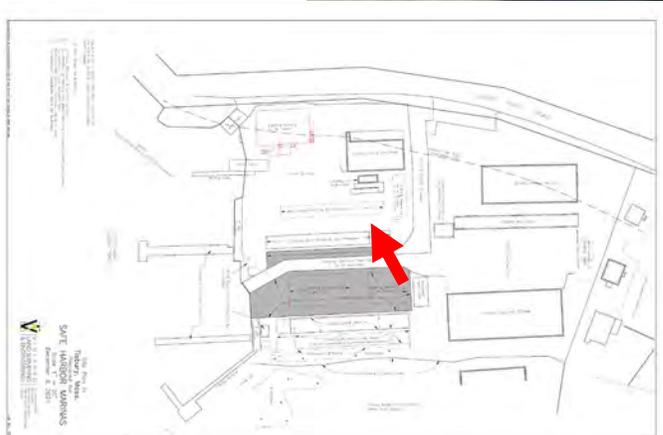


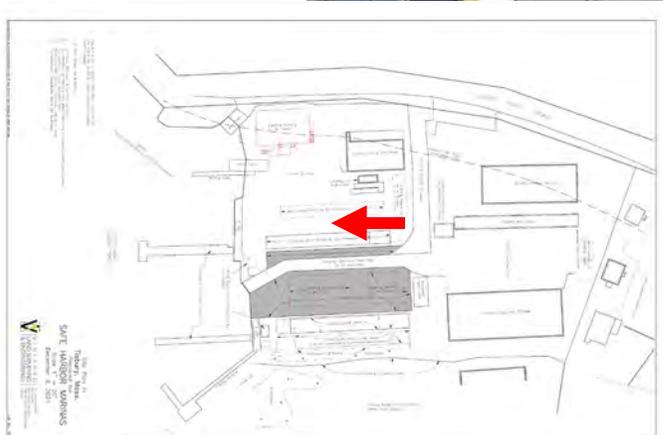


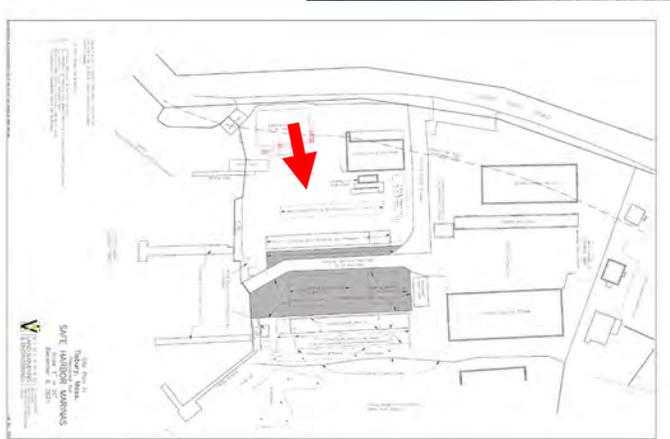


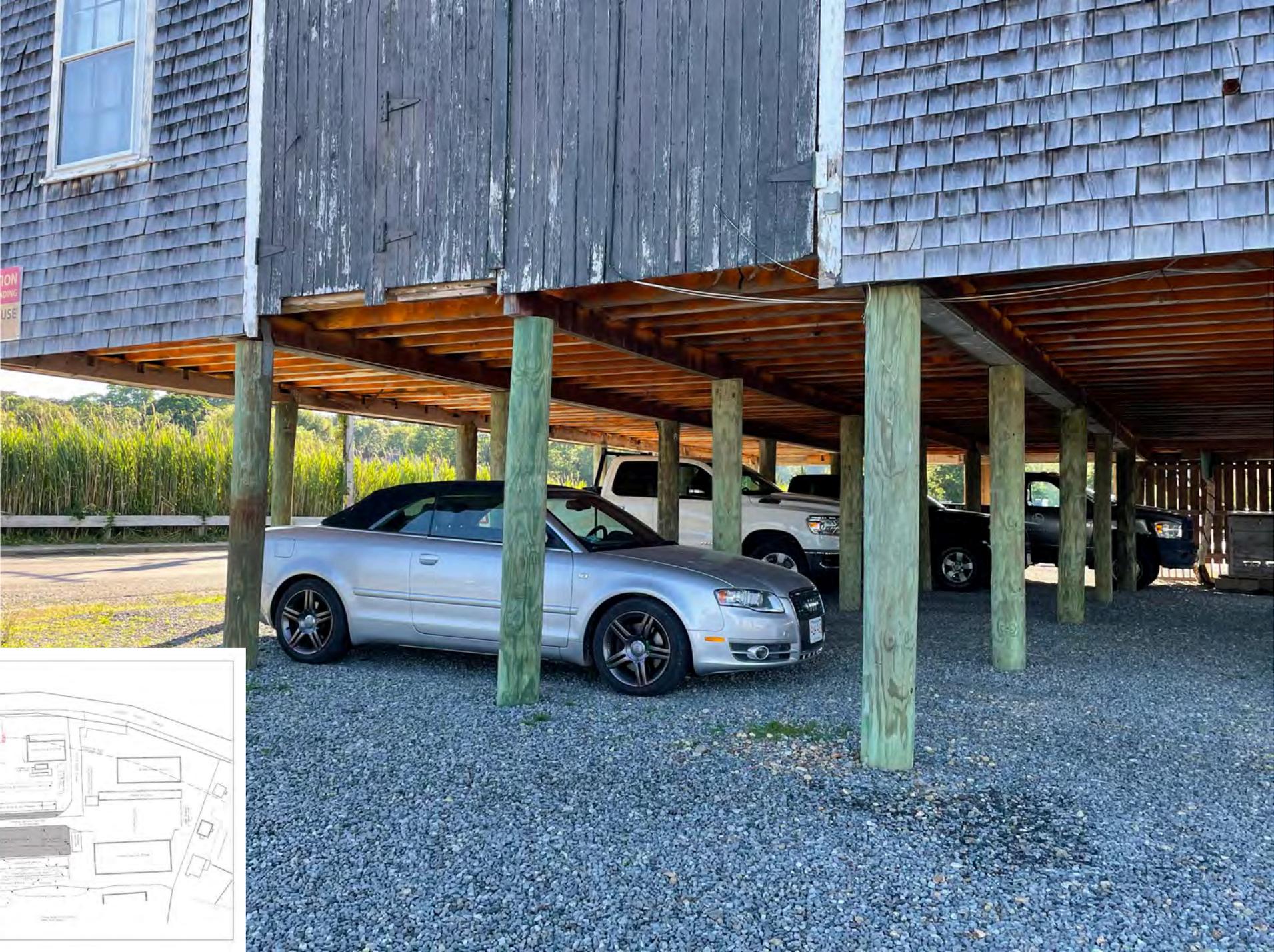




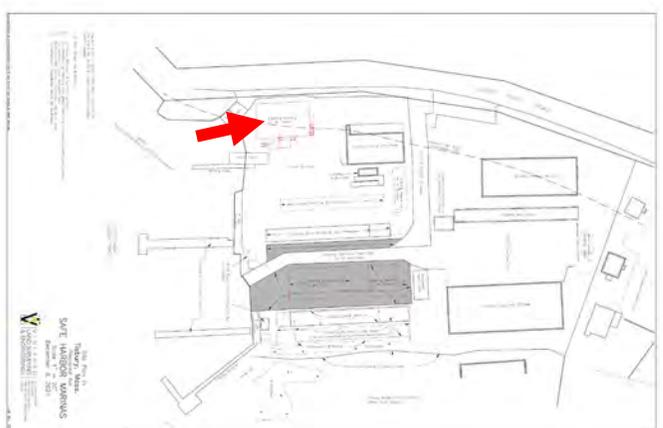


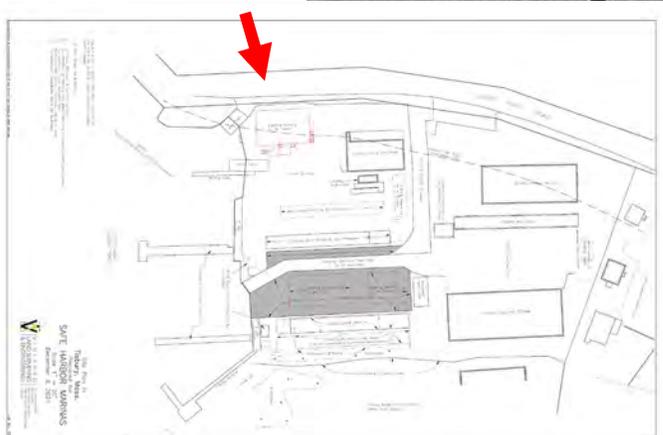






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