10 State Road Modification
DRI 622-M

Martha’s Vineyard Commission
April 7, 2022
10 State Road Modification

Owner/Applicant: 10 State Road Condo Main; Joe Grillo

Permits: Possibly conservation commission approval for tree cutting in the floodplain

Checklist: 8.2b (Disturbance within an area of archaeological significance; 1.3D (Previous DRI)

Modification review

LUPC: 3/21/22 – Voted to make no recommendation, and ask for any recommendations from PAL/MHC.
Additions to the record since 3/21/22

• Revised proposal / written narrative
• Additional photos
• Public Archaeology Lab recommendations
Checklist

8.2 Archaeology

Any Development that proposes:

a. the Division or Subdivision of Land that is identified by any state, federal or local agency as being of archaeological significance

   – Mandatory Referral Requiring MVC Concurrence

b. any disturbance (e.g. excavation, digging, drilling, vegetation removal) to the surface of any land described in a. above

   – Mandatory Referral Requiring MVC Concurrence
Project history

2005: Property was the subject of a retroactive concurrence review following the clearing of trees within a documented archaeological resource area known as the Vincent Site.

- The Tribal chairperson at the time raised concerns that further disturbance of the site could destroy its integrity, and asked that an intensive archaeological study be conducted.

- The Commission voted to remand the project to the town, based on the applicant’s agreement to do the following:

  - Only remove the tree stumps that were already cut at the rear of the property, fill the holes, cap the cleared area with clean fill three feet deep, and revegetate the area.
  - To the greatest extent possible, protect the archaeological resources on the property, including written notice to the MVC and Tribe at least 10 days before any proposed work that might affect the resources, including removal of stumps, and carry out the work under the supervision of a Tribal representative, if provided.
  - Submit any future plans to the MVC, including the possibility of creating a parking lot, or any other work that would require excavation or digging.
**Project history**

**2012:** MVC approved DRI 622 in 2010, allowing the construction of a 5,655 ft\(^2\) three-story mixed-use building on the site, in addition to an existing 1,920 ft\(^2\) building.

Review included an intensive archaeological survey by the Public Archaeology Lab, which assessed the extent of previous disturbance and presence of artifacts within that part of the Vincent Site.

- Revealed no intact deposits or potentially significant archaeological resources, but such materials could exist in the untested areas.

- Recommended among other things that if the project could not avoid disturbance below the level of observed midden soils, then additional excavation may be needed; that the applicant should develop an archaeological monitoring plan; and that a professional archaeologist should be present for any ground disturbance or excavation.
Project history

2022: DRI 710 (redevelopment of the abutting Edu Comp property at 4 State Road), which is currently under review, involved a similar intensive survey by PAL in October 2021. That survey revealed a large number of artifacts but no potentially significant archaeological deposits, and made similar recommendations as for 10 State Road.

Easement:

• A recorded easement exists between 4 and 10 State Road, but the existing driveway that both properties have shared does not align directly with the easement.

• An informal agreement in recent years has allowed 10 State Road to continue to use the existing driveway, and to egress across the Edu Comp site to the east.

• Efforts by the applicant for DRI 710 to formalize the existing arrangement as part of that proposal were unsuccessful, and he has decided to enforce the recorded easement instead, setting up a temporary barrier that prevents at least one tenant at 4 State Road from accessing the back portion of the parking lot.

• Aligning the driveway with the recorded easement and restoring access to the lot at 10 State Road will require removing five trees that currently stand in a median area west of the existing driveway.
Approximate location of barriers and trees.
Revisions/clarifications

• No disturbance of protected soil (only fill)
• Existing wooden barrier will be removed, with shallow regrading and hardener
• Series of stone walls and surrounding fill would be removed
• Trees will be removed and stumps ground to surface level
• Trees to me removed include Norway maples, a hemlock, and a a small ornamental tree
Planning concerns

**Cultural Resources**

The project site is within a sensitive archaeological area known as the Vincent Site, which has been surveyed at various times in the past.

The PAL recommendations for 10 State Road in 2010 noted that additional archaeological excavation may be needed if disturbance below the level of observed midden soils cannot be avoided, but it is not clear if the current proposal would involve excavation to that depth. (PAL noted in 2010 that the depth of fill on the portion of the site where the trees are located was deeper than expected.)

Further input from PAL has been provided.
PAL recommendations (Senior Archaeologist Holly Herbster)

• The deepest areas of fill are in the northern part of the site.
• Proposal involves minimal ground disturbance, and is entirely within filled soils (depths of 4-6 feet).
• As long as ground disturbance is limited to a depth of 4 feet, no intact soils or archaeological deposits will be disturbed.
• Wampanoag Tribe Historic Preservation Office should be given an opportunity to review and comment on the plans and confirm whether additional archaeological study is warranted.
• THPO representative should be invited to monitor any ground-disturbing work to ensure that no archaeological site disturbance occurs.
• MassHistoric review and concurrence is not required.
Planning concerns

**Stormwater and Drainage:**
The Tisbury Conservation Commission may review the proposal in regard to stormwater impacts, but a stormwater management plan has not yet been provided.

**Traffic and Transportation:**
The proposal would restore tenant access to the back portion of the parking lot at 10 State Road, which is currently blocked.

The proposal would align with plans for the Edu Comp site at 4 State Road, including the enforcement of the recorded easement, but those plans have not been fully reviewed by the MVC, since the project is currently on hold pending an independent traffic study. (A public hearing has been continued to April 14.)