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Martha's Vineyard Commission

DRI # 344-M2 V.N.A. to Wright/Robinson Bldg. MVC Staff Report – 2011-10-05

1. DESCRIPTION

- 1.1 Applicant:** Amy Houghton (V.N.A. Director of Development); Bob Tonti (CEO of VNA); Chris Alley (SBH Engineer)
- 1.2 Project Location:** Breakdown Lane, Tisbury Map 22-A Lot 4.6 (0.48 acres)
- 1.3 Proposal:** To locate the Vineyard Nursing Association in a single 7,600 sf building.
- 1.4 Zoning:** B-2 Commercial in Tisbury. A small corner of the parcel lies in Oak Bluffs in a Residential zone.
- 1.5 Local Permits:** Building Department for permits to gut an existing building and to renovate it; Planning Board reviews parking of 20 or more spaces as a Site Plan Review; ZBA for Parking Special Permit for any off-site parking spaces (the ZBA may allow up to one-third reduction in required spaces and up to half of required parking spaces to be met on other properties in the B-II District within 1/10th of a mile); PB for Special Permit for paving in the Zone 2; Fire Inspector for Fire Notification and Suppression System; Board of Health for review of the waste system. Local boards have not reviewed plans yet.
- 1.6 Surrounding Land Uses:** Business and residential
- 1.7 Project History:** The property was approved with conditions in 1991 by the MVC to construct a commercial building. The Applicant at the time was Richard T. Wright. In 1992 the MVC amended the DRI 344 Decision to change the affordable housing offer from providing one residential unit for staff to making a payment of \$5,500 to the D.C.R.H.A. The other conditions were on containing any toxic and hazardous materials on site; sharing the cost of constructing a screening fence; and restricting the use of the rental spaces to non-high traffic generating businesses. The Vineyard Nursing Association was located in the 1928 building at the old Hospital but left there in June 2006 in order for the new Hospital to be built. They have moved twice since.
- 1.8 Project Summary:**
- The Vineyard Nursing Association would like to purchase and locate their operations in a single 7,600 sf building on Breakdown Lane in the B-2 Commercial District in Tisbury.
 - The building has a 5,600 sf footprint with several lofts on the second floor.
 - The building currently houses Julie Robinson Interiors. The building also housed the Craven Gallery within the last couple of years.
 - This property would cost the V.N.A. about \$1,000,000 less to purchase than the building they are currently occupying and considering purchasing.
 - The Tisbury-Oak Bluffs town line cuts through the property. Most of the property being in Tisbury. The Tisbury section is zoned commercial the Oak Bluffs section is residential.
 - The Zone 2 area of contribution also cuts through the property. This property and the one in which the VNA currently operates are both in the Tashmoo watershed.
 - The VNA provides needed health services to the island community.

2. ADMINISTRATIVE SUMMARY

- 2.1 **DRI Referral:** September 22, 2011
- 2.2 **DRI Trigger:** Once a DRI Always a DRI.
- 2.3 **Pre-Application meeting with staff:**
- 2.4 **LUPC:** May 16, 2011; August 19, 2011
- 2.5 **Site visits: October 6, 2011**
- 2.6 **Public Hearing:** To be determined if necessary on October 6, 2011.

3. PLANNING CONCERNS

3.1 Some Key Issues

- **Parking:** Is there sufficient parking for the proposal?
- **Nitrogen loading:** The site is in a nitrogen impaired watershed. What measures will the applicant take to minimize nitrogen loading?

3.2 Environment

- **Vegetation:** Currently the site is mostly building and parking with some vegetation. Along the edges. The Town is proposing to build a public parking area adjacent to this property as access for the bike path and a truck turnaround. The current plan would involve quite a bit of loss of vegetation.
- **Habitat:** This is not an NHESP Habitat.
- **Landscaping:** The Applicants would create a planted buffer between their front parking area and Breakdown Lane.
- **Open Space:**
- **Lighting:** No plan for additional lighting yet.
- **Noise:**
- **Energy/Sustainability:**
- **Waste Management:**
- **Water:**
- **Wastewater / Stormwater:**
 - MVC Staff is still waiting for septic design plans.
 - The 0.48-acre site is located in the Tashmoo Pond watershed, a nitrogen impaired pond within the MVC Water Quality Policy. In the Policy, development projects are allowed 5.6 kilograms of loading per acre. Thus, the site carries a nitrogen allowance of 2.7 kilos per year.
 - The site is partially in the Zone 2 Area of Contribution for a Tisbury well **and within the Tisbury Water Protection Overlay District.**
 - **The existing commercial structure is served by a septic tank and leaching pit designed in 1991 with a design capacity of 810 gpd.**
 - **The VNA proposes to change the use of the property from a retail/storage facility to office space. Being unable to meet the target nitrogen loading rate for the Tashmoo Watershed of 5.6 kg/ac/yr, several options have been investigated:**
- **OPTION I: Connection to Municipal Sewer System**

- **Connection to the Tisbury sewage treatment facility via a sewer main would eliminate wastewater disposal on site leaving only the runoff nitrogen load of about 1.5 kg/ac/yr, well below the target loading rate. Assuming waste water plant treatment to 3 mg/l, and plant effluent discharge into the Tashmoo Watershed, the total nitrogen loading rate is about 4.6 kg/ac/yr, still below the target rate. This option requires approval at the Tisbury Town Meeting next April. The sewer main to be installed by the VNA would be sized to carry the future load from the neighborhood.**
- **OPTION IV: Bio-Barrier De-nitrification**
 - **Bio-Microbics, The manufacturer of the FAST de-nitrification system which makes up the majority of the on-site systems on the island has received from DEP piloting approval for a new type of on-site de-nitrification. Under this approval, 15 units are allowed to be installed in the State and monitored and tested in order to develop data to justify expanded use of the system. Although this system is new to small on-site use in Massachusetts, the technology is not new. The design effluent strength of the system is 5 mg/l which is supported as a reasonable number by testing data at facilities throughout the US. At this effluent concentration, the wastewater nitrogen loading rate for the proposed project is 5.2 kg/ac/yr, (less than the MVC target loading rate for the watershed). The addition of runoff load brings the total nitrogen loading rate to 6.7 kg/ac/yr, slightly more than the 5.6 kg/ac/yr target. If land were to be set aside as nitrogen credit land using this system, only 0.1 acre would be needed.**
 - **After discussions with the MVC staff and VNA staff, the VNA would propose that OPTION I, sewer connection, remain the preferred solution and that OPTION IV, Bio-Barrier De-nitrification be considered the backup solution. Final resolution will not be known until after the April 2012 Tisbury Town Meeting. As the VNA plans to move into the facility in March of 2012, they request a grace period from the move in date to either installation of and connection to the sewer line under OPTION I or installation of the Bio-Barrier system under OPTION II during which they would use the existing system referenced above. In either case, VNA is willing to set aside in escrow \$50,000.00 for the construction of either option.**

3.3 Transportation

- **Access:** The site is on Breakdown Lane in Tisbury. Currently the front of the property is dirt with open access along the entire Breakdown Lane frontage. Preliminary plans show a more formal parking arrangement with an entrance and an exit in the front and an exit in the back.
- **Parking:**

- The Town of Tisbury Zoning Bylaw may require about 45 parking spaces, which would not be met by the proposal.
- The town Zoning Board of Appeals could reduce the minimal parking requirements by up to one-half.
- There is currently room for 23 cars to park. The Applicants are looking at creating more spaces on site through better design and off-site parking options.
- **The Applicant states that the actual parking requirements of the VNA are asymmetrical in that they require 15 to 20 spaces for normal operations but have a need for up to 45 spaces for a weekly meeting lasting an hour or two. Current on-site parking is undefined and although it may meet the normal operating needs of the VNA it would not support their weekly meeting and does not meet the By-Law requirement for either the existing or proposed use.**
- **The VNA proposes to define on-site parking as shown on the site plan which will more than meet their normal load and the Town of Tisbury has taken adjacent property and will develop a public parking area which will cover the required overflow for their weekly meeting. Additionally, parking spaces in the neighborhood are being investigated for lease to the VNA.**
- **Traffic Summary:**

3.4 Affordable Housing

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3.5 Economic Impact

- The V.N.A., a non-profit provider of medical services, could save almost \$1,000,000 by purchasing and renovating this building as opposed to the building they are currently occupying and considering purchasing.

3.6 Scenic Values

- **Streetscape:** The site is not visible from a main road though it may be slightly visible when the "Connector" road is built.
- **Building Massing:** No change in the building massing is proposed.
- **Architectural Detailing:**
- **A.D.A. Accessibility**

3.7 Local Impact/Abutters

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4. CORRESPONDENCE

4.1 Town Officials:

4.2 Island Organizations:

4.3 Public: