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Martha's Vineyard Commission Land Use Planning Committee

Notes of the Meeting of January 9, 2012

Held in the Stone Building, New York Avenue, Oak Bluffs. 5:30 p.m.

MVC Commissioners Present:; Doug Sederholm; Chris Murphy; Linda Sibley; Fred Hancock; John Breckenridge; Christina Brown; Kathy Newman; Pete Cabana and Ned Orleans.

MVC Staff Present: Paul Foley; Bill Veno; Sheri Caseau; and Mike Mauro

The LUPC reviewed three projects on January 9, 2012. These are notes for only one of them.

Documents referred to during the meeting

- LUPC Agenda of January 9, 2012
- Offers from Sam Dunn dated December 5, 2011 for the Tisbury Marketplace Theater
- MVC Minutes from the meetings of November 17, 2011 and December 9, 2011.
- Tisbury Farm Market Staff Report 2012-01-09
- Big Sky Tents (DRI 618-M) Conditions from MVC Decision.
- Big Sky Tents proposed architectural plans.

2. Tisbury Farm Market (DRI 631-M) Modification Review

Applicant: Elio Silva, d/b/a Tisbury Farm Market

Project Location: 412 State Road Map 22-A Lot 9 (1.01 acres)

Proposal: To modify a 2011 MVC DRI Decision to now include the demolition of the concrete-block building in the back (5,360 sf) to be reconstructed as a two-story, 35 foot tall building with a basement .

Purpose: To review the project and decide whether or not to make a recommendation to the full Commission as to whether this is a significant change to the approved DRI requiring a public hearing review as a Development of Regional Impact.

Presentation:

- Elio Silva said his engineer, George Sourati, said the red concrete block building should be replaced. Elio was going to do it someday but George has convinced him it should be now.
- He said the retail space is actually being reduced by about 300 square feet. The footprint is about the same. There would be a basement and second floor for storage.
- Doug Sederholm summarized the differences between what the MVC approved and this proposal:
 - The concrete block building being replaced does not have a basement or second floor.
 - So the overall net increase is about 8,000 sf.
 - The second floor will be storage so there will be no customers, office, or storage there.
- Sheri Caseau said that with composting toilets the nitrogen loading is not an issue but she would like to see a storm water plan.
- Paul Foley said that the DRI 631 Decision says that they must produce a storm water plan able to handle a 25-year storm event but that no deadline is given.

- Doug Sederholm said that it is implied that the plan would be submitted before the building is built.
- John Breckenridge said that by adding a second floor it increases the visibility.
- Elio Silva said he is inclined to do a steel seamed roof because the energy efficiency is higher. He said the siding will most likely be cedar shingles unless he can convince the LUPC to accept concrete shingles. The back side of the building facing the gravel pit will be steel siding.
- Christina Brown said we need a clear plan in writing form the applicant. She also asked whether the increase in square footage requires an increase in affordable units.
- **Chris Murphy made a Motion to recommend to the full Commission that this is a significant change to the approved DRI and rises to the level of requiring a public hearing review as a DRI. The Motion was duly seconded by Ned Orleans.**
- Christina Brown said she disagrees.
- Chris Murphy said that there is a perception out there that Elio got away with something the first time around. He said he also thinks that adding 8,000 square feet triggers a mandatory DRI review.
- Christina Brown said that the MVC is often seen as overdoing reviews sometimes.
- Doug Sederholm said the issue is whether replacing the existing building with a bigger building requires DRI review.
- Pete Cabana said he thinks a new big building with a visual impact should go to public hearing.
- Kathy Newman asked what Elio's timing is and if we decided it needs a DRI review can we do it quickly.
- Elio Silva said that he has been in negotiations. He needs to get out of where he is now and he doesn't have much time. He can't get a price and a bid until he knows he can go forward.
- ***The LUPC had a split vote (4-4) on the Motion so no recommendation was made either way.***
- Staff was directed to go ahead and advertise a public hearing for the earliest date in case the full Commission decides to send it to a public hearing.