



BOX 1447, OAK BLUFFS, MASSACHUSETTS, 02557, 508-693-3453,
FAX 508-693-7894 INFO@MVCOMMISSION.ORG WWW.MVCOMMISSION.ORG

Martha's Vineyard Commission

DRI # 631-M Tisbury Farm Market

MVC Staff Report – 2012-02-09 – Modification

Note: New information is printed in bold type.

1. DESCRIPTION

- 1.1 Applicant:** Elio Silva, d/b/a Tisbury Farm Market
- 1.2 Project Location:** 412 State Road Map 22-A Lot 9 (1.01 acres)
- 1.3 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 .
- 1.4 Zoning:** B-2 Commercial. Min lot size for multi-unit mixed use buildings is 20,000 sf, with 100 foot frontage; the maximum height is 35'.
- 1.5 Local Permits:** Building Department for permits to demolish existing buildings and to construct new ones; 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); ZBA for Outdoor Display; PB for Special Permit for more than three apartment units; Fire Inspector for Fire Notification and Suppression System; Board of Health for review of the waste system.
Local boards have not reviewed plans yet except the ZBA who would not grant any reduction in required parking spaces (51). Any permits previously issued would be re-reviewed due to the substantial change.
- 1.6 Surrounding Land Uses:** Businesses; gravel pit; Tisbury Park and Ride
- 1.7 Project History:** The site has been the site of previous DRI review for a Gas Station.
- In 1999 the MVC denied a proposal for a gas station and automotive repair shop (DRI 489 - Vineyard Service Center) on the 412 State Road property (Tisbury Map 22-A Lot 9).
 - On May 25, 2000 the MVC approved a modified plan (DRI 489-1) with the gas/fueling and inspection station elements removed from the automotive repair shop.
 - On June 15, 2000 the MVC approved a modification to the DRI 489-1 Decision (DRI 489-1M) which modified a few conditions on lighting and hours.
 - On October 19, 2000 the MVC approved a modification to the DRI 489-1 Decision (DRI 489-1M2) which modified the second floor and parking layout.
 - On July 2, 2001 the MVC approved a modification to the DRI 489-1 Decision (DRI 489-1M2-T) which modified a condition requiring quarterly inspections by BOH to be annual.
 - On August 2, 2001 the MVC denied a modification to the DRI 489-1 Decision (DRI 489-1M3) which sought to construct a retail fuel distribution facility with the previously approved automotive repair shop.
 - On September 26, 2001 the MVC approved a modification to the DRI 489-1 Decision (DRI 489-1M4), which is not spelled out in the Modification, about delineation of parking.

- On October 3, 2002 the MVC denied a new proposal on the property (DRI 489-2) to construct a gas station with 3 fueling pumps.
- In 2011 The MVC approved DRI 631 for a 7,400 sf grocery with four 1-br apartments.

1.8 Project Summary:

- The proposal is to consolidate two small grocery operations into a single site.
- The proposal is to **demolish both** existing buildings at 412 State Rd. and rebuild larger
- **The new footprint would be 11,120 sf with the porch (9,220 sf w/o porch)**
- **The approved footprint was smaller, 10,060 sf with the porch (8,760 w/o)**
- **The existing footprint is 5,800 sf (there was a gap between the two buildings that is being filled).**
- **Total interior space (not including porch but with the third floor attic) would be 29,040 gsf.**
- **The existing buildings gross square footage is 6,700 sf.**
- The new ground level would house a grocery store and bakery in 9,220 square feet.
- The retail area would be slightly smaller (300 sf) than the approved DRI 631 grocery.
- The grocery would have a commercial kitchen and bakery.
- The second floor would house four one-bedroom apartments (front building) and offices (back building) in 7,700 sf.
- The basement would be 9,120 sf of storage and mechanicals.
- There would be a 3,000 sf attic in the front part of building.
- **The concrete block building being replaced does not have a basement or second floor. The proposed building footprint has been increased in the southwest corner in the rear. The overall net increase is about 10,000 gsf bigger than the approved DRI 631.**
- **The second floor of the back will be storage so there should be no customers, office, or active storage such as a stock room.**
- There would be a 10 foot wide covered porch along the publically accessible sides of the building (north and east) comprising 1,900 square feet.
- The new building would be up to 35' feet high.
- The property is currently 1.01 acres in area.
- The applicant has indicated that he has transferred a 10 foot wide strip along High Point Lane to the Town to facilitate construction of the Tisbury Connector Roads.
- **For comparison Cronig's Supermarket has a 22,517 sf footprint with a sales floor of 16,140 sf (not including Healthy Additions) on 2.44 acres with 127 parking spaces.**

2. ADMINISTRATIVE SUMMARY

- 2.1 DRI Referral:** The modification has not been referred. The Applicant presented his modification to the MVC knowing it would require MVC Review. The Tisbury Building Inspector referred the original proposal based on a letter of intent. He has not seen plans.
- 2.2 DRI Trigger:** 1.2 (Previous DRI's); 3.1A (Development of Commercial – 2,000 sf); 3.1b (Development of Commercial – Mixed-Use); 4.2 (Demolition in a Commercial District).
- 2.3 Pre-Application meeting with staff:** January 5, 2012.
- 2.4 LUPC:** January 9, 2012.

2.5 Site visits: February 9, 2012

2.6 Public Hearing: Determined to be necessary January 19, 2012; **February 9, 2012**

3. PLANNING CONCERNS

3.1 Some Key Issues

- Traffic: Will the modification increase traffic?
- Parking: **The parking layout showing 51 spaces has functionality problems.**
- Streetscape: **Many of the mature trees are lost with the new parking plan.**
- Intensity of Use: **The plan is ambitious and packs a lot onto one acre.**

3.2 Environment

- **Vegetation:**
 - The revised parking plan with 51 spots will eliminate several of the existing mature trees. DRI 631 had been conditioned to:
 - **Preservation of at least the major trees shown on the preliminary landscape plan submitted on April 28, 2011, including measures to protect them during construction and to maintain them in good health afterwards.**
 - **Retention of as many other mature trees as possible.**
- **Some of the trees that would be retained would not have much room to grow.**
- The granting of the thin strip of land along High Point Lane to the Town for the Connector Road would result in the loss of several trees screening the property.
- **Habitat:** Not in an NHESP designated habitat.
- **Landscaping:** A detailed Landscape Plan has not been submitted yet.
- **Open Space: The plan does not leave much room for open space.**
- **Lighting:** The only exterior lighting would be downward shielded lights in the ceiling of the porch overhang.
- **Noise:**
- **Energy/Sustainability: The applicant is looking into leasing the roof for solar panels and would build the roof in order to be able to hold them.**

3.3 Water:

- **Wastewater / Stormwater:**
 - **The calculations for the approved DRI 631 were very close to the limit and are listed below but also had two pages of appendices.**
 - The 1.01-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 5.7 kilos per year.
 - The Policy allows a 50% increase in the load limit for "In-Town Smart Growth" projects. If allowed, this would increase the limit on the property to 8.6 kilos per year.

- **The nitrogen load from the proposed project using composting toilets to zero out the nitrogen load from the apartments and from the public restroom will be in the range of 13 to 18 kilograms of nitrogen.**
- **If the remaining “grey water” is discharged to drip irrigation disposal, the load should decrease by another 50%.**
- **If all runoff is discharged to properly sized grassy swales, stormwater would add about 0.8 kilos. The final load would be in the range of 8.2 to 19.5 kilos of nitrogen per year.**
- **If the property is used as proposed and the additional storage area is not actively used the project will meet the load limit with the smart growth bonus.**

3.4 Transportation – Char. Crevo of C3 Consulting prepared the Traffic Study (**DRI 631**)

- **Access:** The property has two curb cuts. One access is from State Road and the other is on High Point Lane.
- **Site Access: MVC DRI 631 was conditioned that: “if High Point Lane becomes part of the connector road system linking to the Edgartown-Vineyard Haven Road, there shall be no left turn from the property onto High Point lane.**
- **Parking/ Site Layout:**
 - The new parking proposal with 51 spots was designed to meet the requirements of the Tisbury Zoning Bylaw.
 - The MVC DRI 631 Decision required that: *the applicant shall show at least 30 on-site parking spaces on the plan.*
 - **MVC Staff feel the parking layout showing 51 spaces has functionality problems.**
 - **Trucks would have limited maneuverability.**
 - **The parking behind the building would require backing out onto High Point Lane. These parking spaces are not realistically useable on a daily basis.**
 - **Parking spaces in the loading dock are unconventional.**
 - **The snaking section of the lot should be one way.**
 - **The viability of the remaining trees is in doubt.**
- **Safe Sight Distance:** Sight distances are within AASHTO standards.
- **Public Transportation:** VTA Route Number 2 and Route Number 3 pass by the site. Route Number 10 terminates at the Tisbury Park & Ride facility.
- **Trip Generation:**
 - **The estimated daily trip generation for the approved DRI 631 was 614 trips per day.**
 - **The additional 8,000 sf of storage/warehouse is expected to generate an additional 28 trips, which will not have a significant impact.**

3.5 Affordable Housing

- The Applicant is proposing 4 one-bedroom apartments.
- The Applicant has indicated that two will be year-round housing dedicated to staff.

3.6 Economic Impact

- The retail grocery store will be year-round and operate seven days a week.
- The grocery store's hours of operation are from 7:00 a.m. to 7:00 p.m. Monday – Saturday and from 8:00 a.m. – 5:00 p.m. on Sunday. The store may extend the hours of operation from 6:00 a.m. – 8:00 p.m. during the summer.
- There are currently 28 full time and 12 part time year-round workers.
- The applicant anticipates that combining the stores will result in a reduction of staff to 20 full time and 8 part time employees.

3.7 Scenic Values

- **Streetscape: The latest plans show a significant number of mature trees will be lost to parking.** The plan for the Connector Roads would result in enlarging High Point Lane including a strip of land that the applicant is transferring to the town. This would result in loss of buffering vegetation along High Point Lane;
- **MVC DRI 631 Decision requires that there should be a vegetated buffer of at least 10 feet to screen the parking from what will become an important road.** If major trees were to be removed, it would significantly impact the streetscape.
- **Building Massing: The new buildings would be significantly larger in mass than the existing building but occupy essentially the same footprint making this a significant infill development.**
- **Architectural Detailing:** The design harmonizes with the character of the area and the Vineyard in general with traditional windows, doors, and porch.
- **A.D.A. Accessibility: The building would be A.D.A. accessible.**

3.8 Local Impact/Abutters

- **Should be minimal.**

4. CORRESPONDENCE –

4.1 **Town Officials:**

4.2 **Island Organizations:**

4.3 **Public: On February 9, 2012 e-mails were received in support of Tisbury Farm Market from the following: A. Wise; B. Resnick; C. Buehler; D. Benedetto; D. Porter; H. Feldman; K. Feiffer; K. Gibbs; M. Maida; N. Baker; S. Silverman.**