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Martha's Vineyard Commission

Land Use Planning Committee

Notes of the Meeting of May 22, 2017

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

Commissioners Present: Linda Sibley; Trip Barnes; Richard Toole; Rob Doyle; Fred Hancock; Ben Robinson.

MVC Staff Present: Paul Foley and Adam Turner.

DRI 675 – Franklin St./ Westman Historic Demolition – Post-Public Hearing Review

Present for the Applicant: William Westman

Proposal: To be permitted to demolish a house in Tisbury built in at least 1850 (possible earlier) and rebuild on the same footprint a similar style house on the footprint with dormers and a 816 sf addition.

Location: 29 Franklin St., Vineyard Haven, MA (Map 7N Lot 5 – 0.115 acres)

Purpose: To review the project, discuss the offers and possible conditions, consider the benefits and detriments and decide whether or not to make a recommendation to the full Commission to deny, approve, or approve with conditions.

Discussion:

- **Paul Foley** showed revised plans that reflected the requests of the Tisbury Historical Commission to lower the ridge height of the addition on the expanded footprint and make the dormer smaller in addition to the other changes the Applicant has already made. The dormer was made smaller on the south side facing Center Street and visible from Franklin. The dormer on the north side where the expansion is facing the neighbors remained the same.
- **Linda Sibley** clarified that the Applicant was essentially agreeing to accept the conditions of the Tisbury Historical Commission. The Applicant clarified that was his intention.
- Paul Foley reminded the LUPC that their first decision was whether to allow the demolition of the historic structure at all.

Discussion of Benefits and Detriments:

- **LUPC** thought the overall project was a benefit because the new house would be in keeping the original style and replace the historic but dilapidated building.
- **Wastewater and Groundwater:**
 - With respect to wastewater and groundwater the LUPC finds that the project is neutral.
- **Open Space; Natural Community & Habitat:**
 - With respect to open space the LUPC finds that the proposal is not applicable.
- **Night Lighting & Noise:**
 - With respect to night lighting the LUPC finds that the proposal is not applicable. The LUPC recommended that the MVC typical language on lighting should be applied to this project as a condition.
 - With respect to noise the LUPC finds that the proposal is a neutral.
- **Traffic & Transportation:**
 - With respect to traffic and transportation the LUPC finds that the proposal is neutral.

- **Scenic Values:**
 - With respect to scenic values the LUPC finds that the proposal is a benefit because the proposed building will be an improvement over the dilapidated structure and that the design of the building is in keeping with the historic building and neighborhood.
- **Character & Identity:**
 - With respect to character and identity the LUPC notes that it is a shame that the building was left to rack and ruin. However the finds that the project is a benefit because the replacement retains the character.
- **Impact on Abutters:**
 - With respect to impact on abutters the LUPC finds that the proposal is a benefit.
- **Affordable Housing:**
 - With respect to housing the LUPC finds that the proposal has no impact.
- **Impact on Services & Burden on Taxpayers:**
 - With respect to impact on services and burden on taxpayers the LUPC finds that the proposal is a benefit because it will generate increased property tax for the town.
- **Conforms to Zoning and DCPC Regulations:**
 - With respect to zoning the LUPC notes that the Building Inspector stated at the Public Hearing that though there is some case law that supports the notion that willful demolition may constitute an abandonment of pre-existing non-conforming setbacks it has been the practice in town to allow reconstruction on pre-existing non-conforming footprints through a Special Permit from the Zoning Board of Appeals.
- **Is Essential in view of the Alternatives?**
 - With respect to whether the project is essential in view of the alternatives the LUPC finds that it is.

Motion: Fred Hancock made a Motion to recommend to the Full Commission that the MVC approve the demolition of the existing structure as long as the replacement building is built according to the revised plans and with the conditions listed in the Tisbury Historic Commissions letter. The Motion was seconded by Rob Doyle.

Discussion:

- **Ben Robinson** said he was not a fan of the new smaller dormer. He also said that he has an issue with the proposed use of PVC in the trim, fascia, soffit and frieze boards. He noted that this material is not allowed in the Historic District.
- **Fred Hancock** said this building is not in the Historic District.
- **Ben Robinson** pointed out that the MVC has an environmental mandate and should be a leader when it comes to environmental responsibility.
- **Richard Toole** said he agrees that Ben's concern is a valid concern but that perhaps right now in this case is not the time to establish a precedent without a policy.
- **William Westman** clarified that it was his impression that the PVC trim was environmental because it was made from recycled milk bottles.
- **Ben Robinson** said that Polyvinylchloride (PVC) is not environmentally sound and they are not getting the material from recycled milk bottles.
- **Fred Hancock** said he did not think we should make the applicant jump through hoops.

- **Ben Robinson** asked what hoops Fred believed we were putting the applicant through. In his opinion the environmental question is much more important than the style of the house. As far as he is concerned this is just a “simulacra” of what was there before.
- **William Westman** clarified that he would not use PVC if no one else did.
- **Ben Robinson** said that he did not like the look of the new dormer. It was an obvious rush job that did not get thought through.
- **William Westman** clarified that he would be willing to do either dormer.
- **Linda Sibley** asked the LUPC if they were okay with either dormer or something in between.
- **LUPC** was fine with either dormer or something else based on the recommendations of the Tisbury Historical Commission.

Amendment to Motion: Fred Hancock amended his Motion to recommend to the Full Commission to allow either of the dormers as long as the result is not substantially different from what is showing on the plan and is in keeping with the recommendation of the Tisbury Historical Commission. The amendment to the Motion was seconded by Rob Doyle.

- **Ben Robinson** made a Motion to amend the Motion to recommend adding that the Commission should consider the materials with regard to impact on the environment.
- **Fred Hancock** declined to allow the amendment to the Motion.
- **Richard Toole** said he would like some research into the PVC product. Is there an alternative that is more environmentally sound?
- **Ben Robinson** said there are a wide variety of wood products that could be used. He noted that the PVC has to be painted as well. The life cycle of PVC is a bad product for the planet. It makes no sense to allow this “simulacra” building and not make it environmentally sensitive.

The Motion passed 4-1 with one abstention.

Yeas: FH, TB, RD & RT

Nay: BR

Abstain: LS