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Martha's Vineyard Commission

Land Use Planning Committee

Notes of the Meeting of December 4, 2017

Stop & Shop Third Post Public Hearing Review

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

Commissioners Present: Linda Sibley; Joan Malkin; Christina Brown; Ben Robinson; Fred Hancock; Kathy Newman; Trip Barnes (arrived 6:40)

MVC Staff Present: Paul Foley; Adam Turner; Bill Venio.

1. Project – DRI 429-M2 Edgartown Stop & Shop – Post-Public Hearing Review

Applicant: WJG Realty Trust; Stop & Shop is a subsidiary of Ahold USA; Geoghan Coogan (Attorney).

Present for the Applicant: Geoghan Coogan, Lisa Davis (Project Consultant); Dave Taglianetti (VHB); Randy Hart (VHB).

Proposal: The construction of an approximately 15,952 sf addition to the existing approximately 25,259 sf Stop & Shop Supermarket (41,211 gsf) with associated site work.

Location: 245 Upper Main Street, Edgartown Map 20A Lots 15.11, 15.12, 57.1, 57.2, 57.3, 58, 59, 87.1, and 87.2 (162,017 sf/ 3.72 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.

Architecture:

- Richard Toole said that he was glad someone brought up Nantucket. This should look more like that.
- Fred Hancock noted that the MVC Built Environment Policy says that the mass of large buildings should be broken up to appear as a series of smaller buildings.
- Ben Robinson said that his concern with the architecture is that it is not architecture at all. What they have presented represents suburbia and has no relation to the Vineyard at all.
- Kathy Newman thought that the colors, materials and details are much nicer on Nantucket.
- Ben Robinson asked how we could get them to produce a better looking store similar to Nantucket.
- Fred Hancock thought you could do it in a condition.
- Linda Sibley recalled that Dave Taglianetti had described it as being what you expect a grocery store to look like.
- Geoghan Coogan noted that there is an offer that final details would come back to LUPC.
- Fred Hancock thought the final design should come back to LUPC for preliminary review but should be voted on by the full Commission.
- Joan Malkin thought that there were two issues relative to the appearance. One is the massing and the other is the architectural details.
- Linda Sibley asked if anyone present wanted to defend the existing design as presented. No.
- She asked Adam and Ben to work on language to condition the appearance to be improved.

Discussion on Re-opening public hearing:

- Linda Sibley suggested that the architecture issue on its own is big enough and was not really discussed at the public hearing that she thinks we should consider re-opening the public hearing.
- Christina Brown said she had that feeling too. People are saying they want a new store but that they want to be proud of it.
- Geoghan Coogan said that we had two public hearings and nobody spoke about architecture.
- Linda Sibley said this and the other issues (easement, noise, open space...) together add up.
- Fred Hancock said that he does not think we have to re-open but that the architecture needs to come back to the full Commission.
- Ben Robinson asked if the architecture came back to the full Commission could the public speak.
- The answer was no.
- Linda Sibley related that once in the past when they were working out the conditions to a big project someone pointed out that good decisions should make common sense.
- Adam Turner said it was important that we get through this.
- Christina Brown asked if we should even discuss the architecture side it was not really discussed at the public hearing. Does that preclude the discussion?
- Joan Malkin said that we should not deduce too much from the public not speaking.
- Ben Robinson suggested it was fine for us to review and discuss the plans that were presented.
- Linda Sibley said that Eric Wodlinger once said that if you have a concern about something it has to have been presented.

Economics and Local Economy:

- Adam Turner noted that Stop & Shop pays over \$100,000 a year in taxes.
- Joan Malkin said that all in all there is a benefit but do the increased footprint and the new uses (florist, deli, pharmacy, etc...) have the potential to create a negative impact on local businesses.
- She added that she thought the offer on local produce was very passive. She would like to see a proactive program and dedicated shelf space.
- Ben Robinson said he want Stop & Shop to partner with local producers.
- Joan Malkin thought we should have a condition that calls for a definitive plan to return to LUPC detailing local partnerships. She would like to see a commitment.
- Fred Hancock thought it should be more of a suggestion.
- Adam Turner said that the Stop & Shop in Saybrook, Connecticut has a producing fair.
- Linda Sibley asked what if they come back with a plan we do not like.
- Adam Turner asked who are we to tell them what they should sell.
- Ben Robinson said he sees it as us trying to build a resilient economy.
- Linda Sibley asked the LUPC again if they thought we should re-open the public hearing. We cannot get more information from them at this point and it seems like a lot to condition without more information.
- Christina Brown noted that someone asked “Who are we” and proceeded to read from Chapter 831 the section about the MVC responsibility to support sound local economies.
- Fred Hancock asked if we had a restaurant in front of us would we tell them what to serve.
- Ben Robinson suggested that it’s a matter of scale.
- Christine Flynn said that if it is important to the customers they should demand it.

- Christina Brown said she liked what Ben Robinson said about getting to Stop & Shop to work with us and that the appropriate place for that discussion is a public hearing.
- Christine Flynn noted that the deli and bakery have existing for 20 years.
- Joan Malkin said that they are adding use and increasing the size significantly.
- Christine Flynn said we had not provided any evidence that these new uses could impact local business.
- Christina Brown noted that we did not look at it. There was a bakery at the Triangle that went out of business that some thought was due to not being able to compete with Stop & Shop. She noted that in 1989 we allowed the A&P to sell beach chairs but not to sell any hardware.
- Adam Turner said we need to move on to get through this. The people at the Edgartown public hearing said that they want this new stuff.
- Ben Robinson noted that it cuts both ways. If they sell local stuff they might impact the local sellers. He wants to see is them buying locally produced items.
- Joan Malkin said that what her idea is not to mandate them to sell anything, she simply wants them to propose an aggressive local program.
- Trip Barnes apologized for being late but he had a Tisbury CPC Meeting. He heard the end of the discussion on locally products and he noted somebody already does that, Morning Glory Farm. If the prices are right and the product is good they will sell them.
- Joan Malkin said she would like to see them bulk sales and bottle refills. She wants them to be good citizens and they should come back with a plan detailing the efforts they are willing to make.

Landscaping:

- Joan Malkin asked what happens if the State decides they want to change Upper Main Street and the front landscaping gets taken away and the parking in front that is partly on Mass DOT land.
- Adam Turner said the applicant could still get to 20% Open Space.
- Christina Brown said it appears they want to remove and replace all of the trees on Upper Main Street and the hedge. She noted that the hedge is a very effective screen. She also noted that part of the problem is a history on the part of Stop & Shop of not maintaining the landscape. She added that out Landscape Policy calls for a tree every eight (8) parking spaces.
- Trip Barnes added that a bunch of these trees on the plan are going to get taken out by trucks. They are going to have a tough time getting to that new loading dock. They will be backing in on the blind side for the driver which is difficult.

Continued discussion on re-opening the public hearing:

- Linda Sibley reiterated that she thought all of these issues together constitute a sufficiently substantial change to re-open the public hearing.
- Christina Brown asked if we could re-open the public hearing on specific subjects.
- Linda Sibley said it is cleaner to just re-open.
- There was some discussion whether the Public Hearing Officer could unilaterally decide that the public hearing needs to be re-opened or if the full Commission had to decide.
- Richard Toole made a Motion to recommend to the full Commission that the public hearing for the Stop & Shop expansion should be re-opened. Christina Brown seconded the Motion. The Motion passed 5 (LS,CB, RT, JM, BR) to 2 (FH & TB)
- Linda Sibley said that there would be a benefit to re-opening the public hearing because we could more fully discuss the following issues with the Applicant:
 - Architecture; Open Space; Local Produce; and Abutters' Issues such as noise and setbacks.
- The public hearing was re-opened and tentatively agreed to be scheduled on January 11, 2017.