



LAND USE PLANNING COMMITTEE
May 17, 2004
Minutes

The Land Use Planning Committee of the Martha's Vineyard Commission met at 5:30 P.M., Monday, May 17, 2004, in the Olde Stone Building, New York Avenue, Oak Bluffs.

Present: MVC Chairman James Athearn, LUPC Chairman Christina Brown, MVC Commissioners Richard Toole, Bob Schwartz, Ned Orleans, Paul Strauss, Kathy Newman, John Best, Linda Sibley, Linda DeWitt, John Breckenridge and Andrew Woodruff; MVC staff Executive Director Mark London, DRI Coordinator Jo-Ann Taylor, DRI Analyst Paul Foley, and Christine Flynn. Present for the Applicants: Gerald Sullivan, Moira Fitzgerald, Mark Hutker, Carol Hunter, James Moffett. Others: Deborah Medders, Walter Kennedy, Sheryl Schrader, and V.F. (see attendance sheet)

Chairman Christina Brown opened the meeting at 5:30 P.M.

4 CAUSEWAY ROAD - DRI # 574, Pre-Public Hearing Review

Proposal: Construction of Construction of a 3,728 ft² (footprint) office building, to include 8 office units of 708 ft² - 1,254 ft²; reversion of existing residence from office use to residential use; per plans dated May 10, 2004, landscaping plan dated May 3, 2004 and lighting illustrations, all received on May 17, 2004.

Gerald Sullivan (owner) and Moira Fitzgerald (architect) appeared regarding the project. **Moira Fitzgerald** presented the revised plans, revised to include 8 office units, rather than the 5 office units and 3 residential units that had been previously proposed. She explained other revisions, many in response to previous Commissioner comments:

- Stairs are proposed to be narrower, rather than a square, in order to maximize apparent gap between masses
- Roof height at corner dropped; tower dropped
- Landscaping plan submitted; courtyard to be paved with brick or bluestone
- Existing structure would be offered as a 3-BR rental, preferably to teachers or municipal employees; in place of the 4 bedrooms previously offered in the new building;
- Garage remains in the plan; for the owner's use, not for the rental
- Lighting illustrations presented

In response to Commissioner questions, she provided calculations as follows:

- Lot size is 24,300 ft²
- Office spaces 708 ft² up to 1254 ft² (for the 2-story office)
- Buildings would cover 20% of the lot.

Regarding affordable housing, **Mark London** noted that the affordable housing proposal should be presented as a clear commitment, by the hearing date. **Gerald Sullivan** will work on that.

Gerald Sullivan explained that the exclusion of proposed apartments was because he was advised that insurance for the mixed-use building would be \$15,000, compared to \$4,500 for straight commercial use. He added that he had heard objections from prospective tenants about toys on the stairs, etc., and noted that the Town requires a special permit for the mixed use. **Ned Orleans** asked if he had done a market study. **Gerald Sullivan** replied that he had just asked around for prospective tenants.

Regarding the design;

James Athearn said that the previously proposed tower, dropped from the plan, would be OK with him.

Maira Fitzgerald said that the design would maximize solar gain, and that the trim would probably be cedar (yet to be determined).

Mark London noted that the larger size from the original plan had been intended for affordable housing that is no longer included in the proposal and that context drawings should be produced.

Regarding the proposed sidewalk,

Andrew Woodruff asked if the sidewalk was proposed in concert with the Town. **Maira Fitzgerald** replied that it is proposed for the applicant's property only. **Andrew Woodruff** suggested talking to DPW about a link.

Richard Toole suggested linking up with the park.

Christina Brown asked if the applicant would offer an easement for people to get down to the park.

Moira Fitzgerald said that the proposed sidewalk would connect the interior.

Regarding trees,

Gerald Sullivan said that the trees along State Road are to remain (he had previously proposed replacing them with new plantings.)

Andrew Woodruff asked for clear identification of trees to be removed and trees to remain, for the hearing.

Christina Brown opened the discussion to members of the public.

Deborah Medders asked about a guarantee that the building would be used for offices and not retail, and about traffic. **Christina Brown** responded that an approval would be only for what is proposed; they would have to come back for something else. **Gerald Sullivan** said that he intends to work with the neighbors.

Regarding, parking;

Linda DeWitt questioned whether 18 parking spaces would be enough

Richard Toole questioned whether 18 would be too many; suggesting a more pedestrian-friendly site.

John Best said that the employees in the offices would need access to their cars for work-related trips.

BRYAN WALKER/PACIFIC COTTON - DRI #579, Post-Public Hearing Review

Mark Hutker, Carol Hunter and James Moffett, Mark Hutker and Associates Architects, represented the applicant.

<p>Richard Toole made a motion to approve the project as presented. James Athearn seconded.</p>

Richard Toole suggested letting the Town of Tisbury regulate demolition, etc.

James Athearn asked what happens if they don't, and questioned follow-through and communication with contractors.

Ned Orleans said that MVC should be concerned with results and let the Town be concerned with process; it would be an insult to the Town.

Linda Sibley suggested that, if the Town doesn't have a mechanism, the MVC could say something like "...must....to the satisfaction of X..."

John Best noted, regarding the applicant's proposed schedule, that Christmas to New Year's is not as important as the Twelve Days of Christmas in early December. He suggested a condition that "...the schedule must be addressed with the Town in a manner to minimize interference with retail..".

Mark London suggested the ZBA. **Jo-Ann Taylor** said that she was advised by the ZBA office that ZBA would not be addressing scheduling. Her conversations with the Town offices, including the Town Manager, had suggested DPW, but she hadn't confirmed this with DPW (no one answering phone). **Linda Sibley** suggested adding the Building Department and the Police Chief.

John Breckenridge asked if police details would be required. **Carol Hunter** responded that they would have a police detail for anytime when traffic would be impeded.

Christina Brown said that the condition could read "Applicant must prepare a demolition and construction schedule, to minimize disturbance to the public; to the satisfaction of DPW, Building Department and Police Chief". **Jo-Ann Taylor** will confirm with town offices, who should be included.

Mark Hutker said that he is concerned that the condition would attempt to create an approval process that doesn't exist, with no formal procedures set out.

Linda Sibley said that the hearing is closed, and debate would not be appropriate.

Sheryl Shrader said that she approves of the project, but is concerned about traffic; also concerned about the impact on her foundation and her stone wall.

Linda Sibley suggested polling the group about a possible schedule condition; **Richard Toole** would like to accept the applicant's offer for mitigation of commotion during demolition and construction.

Linda Sibley would like a condition.

James Athearn would send him to the town boards "to the satisfaction of..."

Kathy Newman would like a condition.

Linda Sibley made a motion to include a condition regarding scheduling of demolition and construction;

1.to the satisfaction of(as discussed); or
2. MVC provide a schedule; or
3. accept applicant's offer of a schedule.

Kathy Newman seconded.

Ned Orleans said that the condition would not be necessary.

Richard Toole would be comfortable with the first option.

There was consensus to include option one as a condition.

Christina Brown noted that the applicant has offered \$2,744 plus keeping the apartments rented for the season or year 'round, and to reserve the smallest for employees as needed. The applicant will name a recipient of the proposed funds, by the anticipated vote date of May 20. **Linda Sibley** questioned the employees use "as needed". It was agreed that the offer should read "when needed".

Richard Toole amended his motion to reference approval with conditions.
James Athearn amended his second. The motion was approved.

The meeting was adjourned at 7:10 P.M.

jat