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Martha's Vineyard Commission Land Use Planning Committee

Minutes of the Meeting of October 18, 2004

The Land Use Planning Committee of the Martha's Vineyard Commission met at 5:30 P.M., Monday, October 18, 2004, in the Olde Stone Building, New York Avenue, Oak Bluffs.

Commissioners Present: Christina Brown (LUPC Chairman), James Athearn (MVC Chairman), Ned Orleans, Megan Ottens-Sargent, Kathy Newman, Paul Strauss, Richard Toole, John Best

MVC Staff: Mark London (Executive Director), Jo-Ann Taylor (DRI Coordinator), and Srinivas Sattoor (Transportation Planner)

Chairman Christina Brown opened the meeting at 5:40 P.M.

4 CAUSEWAY ROAD - DRI # 574-2, MID-PUBLIC HEARING REVIEW

Present for the Applicant: Moira Fitzgerald, architect and Gerald Sullivan, owner.

Proposal: A flexible plan presented (no date) October 18, 2004.

1. New building at the rear of the property with either:
 - a. nine office units, or
 - b. four housing units with no office units (two-story apartments), or
 - c. four housing units with five office units (second floor apartments over the offices), or
 - d. a mixture of housing and office units, not exceeding four housing or nine office units within the proposed/allowed square footage
2. A new building at the front of the property, which would be either:
 - a. one office unit, or
 - b. one two-bedroom residence
3. Existing converted barn, presently the law office, which would be either:
 - a. one office unit, or
 - b. one single family residence.
4. Either the existing house or the new building along the front of the property would always be a residence/housing.

Thus, the proposal is for flexibility of use within these ranges:

- a. a maximum of 10 office units and one housing unit/house and
- b. a maximum of five housing units

There was consensus to review only the maximum estimates, namely the maximum residential use for septic flow and maximum office use for traffic impacts.

LUPC reviewed comments by MVC consultant Charles Creevo, C3 Consulting Group, dated October 18, 2004 (see project file), in which he noted from the December 2003 Revised TIA that some elements were deferred to a later date if required, with the agreement of LUPC on March 15, 2004. He noted that the trip generation rates in the Applicant's Addendum 3 represent an increase of about 87% in the daily total at the project site, and suggested that LUPC should now ask for calculation of LOS at nearby intersections and on adjacent roadway segments to determine the significance of the projected increases. He suggested traffic counts also. He recommended that the MVC request the Applicant to provide an updated TIA (rather than a new addendum), including but not limited to existing conditions, future no-build conditions, future build conditions and contributions of future year traffic by other area project proposals. MVC staff transportation planner Srinivas Sattoor concurred with the recommendations.

There was some discussion of the issue of how far the proposed impacts have deviated from the proposal for which LUPC waived the expanded traffic study. Moira Fitzgerald said that the numbers provided in the applicant's documents may not be accurate. She will ask the applicant's consultant to verify the numbers.

There was consensus that LUPC would be satisfied with a simple addendum with the revised numbers, and would continue to waive the requirement for more sophisticated LOS studies, so long as updated figures are in the same order of magnitude as the previous proposal (i.e. do not reflect more than a 20% increase in potential trip generation of the October 18 proposal compared with the proposal associated with the Traffic Impact Assessment Revision 1, dated December 2003, construction of an 8,021 square foot multi-use building).

Moira Fitzgerald presented plans revised slightly since the October 7 public hearing:

- Eliminating the elevator tower, instead proposing outdoor access to the elevator, reducing the overall length proposed on the north side by 6' and proposing height of the back building 2.5' taller than the existing office.
- The proposal includes 7,270 square feet net area new construction, and 8,838 square feet including the existing building. Coverages would include 12.7% for the main building, 3.8% for the new smaller building, 20.6% for all buildings, 22% for parking, 58% open space. The flexible plan would include up to 10 offices and one house.
- She raised the issue of conformity of the proposed setback of 4-11' on the north side if it were totally residential. [Note: Subsequent to the meeting, staff clarified that the setback requirements for residential use in the B-1 District are 20'(f), 10'(s) and 20'(r), according to the Tisbury Zoning By-Law. JAT].
- She presented a septic plan to be reviewed by MVC staff prior to the public hearing.
- She presented new landscaping plans, undated, including proposal for use of existing dirt walkway paved with brick or flagstone, and reminded Commissioners that the trees proposed for removal remain flagged from the last site visit.
- She had a phone conversation with the Fire Chief, who noted that there are no access issues because it is a corner lot, and that there is a fire hydrant on the corner and adequate water pressure. Moira Fitzgerald added that the applicant proposes to sprinkler the main building, even though the regulations only require sprinklers for buildings larger than 7500 square feet.

Other items touched on included:

- Potential to hook up to sewer service – not anticipated, due to limits set by Town
- Short term vs. long term rental of residential units – year 'round rental is proposed
- Potential detriment of using commercial space for residential, leaving less room for commercial growth
- Should MVC consider approving a flexible plan allowing the market to determine office vs. residential use?
- Possible further mitigation of visual impacts with respect to abutter to the north.

The Meeting was adjourned at 7:00 P.M.

jat