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## **Martha's Vineyard Commission**

### **Land Use Planning Committee**

### **Minutes of the Meeting of January 23, 2005**

Held in the Stone Building, New York Avenue, Oak Bluffs.

Commissioners Present: LUPC Chairperson Christina Brown, Ned Orleans, Chris Murphy, John Best, John Breckenridge, Linda Sibley

MVC Staff Present: Mark London, Bill Veno, Bill Wilcox

Chairman Brown opened the meeting at 5:35 pm.

## **2. Woodland Business Center (DRI 39M) Pre-Hearing Review**

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Present for the Applicant: Sam Dunn, owner

Also Present: Henry Stephenson, Tisbury Planning Board

Project Location: State Road, Tisbury.

Proposal: Construction of a Commercial Building.

Commissioners noted that this has been a DRI since 1976, and all changes since then are subject to Commission review. This could include the recent construction of the gazebo, the other exterior changes to the buildings, exterior lighting, and changes to the access and parking layout.

Sam Dunn explained the project.

- He bought the complex last year and has carried out many renovations and additions, without adding to the enclosed floor area. He has made these renovations in good faith with building permits. He hoped that the Commission would consider the investment that he had put into these improvements.
- The entrance layout has been that way for many years. He beautified it by building a planter.
- He is making two separate applications, in that the ownership of the parcels affected is somewhat different. This application is for a new commercial building to replace the old greenhouse; he is most anxious to proceed with this quickly. He is also making a separate application for a new 5000 sq. ft. building towards the rear of the property but realizes that it might take longer to process this larger project.
- He agreed to go directly to a public hearing on the first proposal, without going through the process of a concurrence review.

Henry Stephenson indicated that the Planning Board would like to pursue a connecting road at the rear of the property that could eventually go from the Merchants' Mart to Cronigs. This would

be convenient to shoppers and would be good for business in that it would increase visibility of stores at the rears of the properties, and would facilitate movement from one place to another, without having to go out onto State Road. It would also relieve traffic on State Road.

Sam Dunn said he was open to exploring this possibility. However, he was concerned about the safety of transforming interior parking lots into thoroughfares, about people using his parking lot and then shopping in other stores. He noted that this connection would have to go across the Cotterell property at the rear. It was suggested that the Tisbury Planning Board, the MVC, and the property owners work together to pursue this possibility.

Mark London presented various possible scopes of traffic study.

***Linda Sibley moved and it was duly seconded that LUPC accept traffic scope Option B for the first (greenhouse) application and option C for the second application.***

The meeting adjourned at 7:00 p.m.

Possible Conditions - Water Resource Related:

1. The Applicant will enter into a maintenance contract with the denitrifying wastewater system manufacturer or a certified wastewater treatment plant operator on an annual basis to assure that the system is maintained in optimum operational condition. A copy of the contract shall be provided to the OB Board of Health and the MVC.
2. The contract shall require quarterly wastewater system inspection, maintenance, sampling and testing until 4 consecutive tests meet the required total nitrogen concentration, at which time the frequency will be reduced to annual.
3. The Applicant shall provide inspection reports to the OB Board of Health and MVC on a quarterly basis by April 15, July 15, October 15 and January 15. These reports shall indicate whether the system is operating according to specifications and shall include any incident reports or service calls required outside the regular inspections. The reports shall include the certified lab analyses on laboratory stationery, a copy of the chain of custody for the samples.
4. The effluent samples shall be collected at the D-box on a quarterly basis and sent to a certified lab to determine Total Nitrogen by nitrate, nitrite and TKN analyses.
5. Total nitrogen shall not exceed 19 milligrams per liter. After four quarters where the total nitrogen is 19 mg/l or less, the testing and maintenance may move to an annual basis, beginning 6 months after the last of the quarterly tests meeting the nitrogen limit.
6. If an annual test fails to meet the 19 mg/l limit, the Applicant may re-test within 21 days to obtain a satisfactory effluent concentration result. If however the second analysis fails to meet the 19 mg/l limit, the O&M and testing schedule will return to a quarterly interval as outlined above.
7. The Applicant will upgrade or replace the denitrification system should the system fail. A decision that the system has failed may be made by the MVC or the OB Board of Health based on any of the following:
  - Failure to report within 30 days of required dates.
  - Failure to achieve required 19 mg/l total nitrogen concentration for four consecutive quarters after a two-year period.
8. The grease trap will be inspected quarterly and pumped a minimum of two times per year.
9. The stormwater disposal system shall be installed as shown on the plans dated\_\_\_\_\_.