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Martha's Vineyard Commission

Land Use Planning Committee

Draft Minutes of the Meeting of April 24, 2006

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

Commissioners Present: Christina Brown, Mimi Davisson, John Breckenridge, Jim Athearn, Carlene Condon, Jim Powell, Kathy Newman, Chris Murphy.

MVC Staff Present: Mark London, Paul Foley, Srinivas Sattoor, Oceana Rames

Press: Max Hart

1. Dunkin' Donuts (DRI 525-M) Concurrence Review

Present for the Applicant: Richard DeAngelis (Lawyer), Fred Fernandes (Principal owner)

Project Location: 86 Beach Road, Vineyard Haven, MA Map 9-C Lot 11 (0.91 acres)

Proposal: To replace "Wrap and Roll" with a Dunkin' Donuts franchise.

Chairman Brown opened the meeting at 5:30

Applicant Presentation

Richard DeAngelis presented the proposal:

- Fred Fernandes operates 3 Dunkin' Donuts in Needham with wife and daughter. Also once owned one in Framingham.
- There are presently three uses on this site: Shell gas station, Medicine Shoppe pharmacy, and Wrap and Roll sandwich shop.
- Mr. DeAngelis has copy of Town Decision in 2000 allowing Wrap n Roll that was made after the MVC voted it as a non-concurrence.
- Mr. Fernandes is proposing to use same space (825 sf) as Wrap and Roll as a full time year-round business with 3 employees.
- The applicant wants to keep some shelf space for lottery ticket sales.
- Applicant talked to Mr. Packer who will remove above ground tanks that will free some space for parking. That site plan is not ready for presentation tonight.
- There used to be a ferry, a Jet Ski rental among other businesses that have been discontinued on the site. Packer plan for pier is cruise and charter boats, limiting the number of people who would be getting on and off compared to a daily ferry.
- The donut shop would be open 5 am to 11 pm 7 days a week with 2-3 fulltime employees.
- Existing parking is about 11 spaces. There are 7 delineated parking spaces. Employee parking will be off-site.

- There will be no preparation of food on the site. Donuts and sandwiches will be prepared at a central kitchen in Canton MA. That kitchen supplies 110 franchises around the state.
- Applicant will restrict himself to one delivery a day (earlier he had suggested two deliveries a day). Bagels will be baked on site to finish off.
- Met with Tisbury PB in Dec. Went over the intent of their by-law. They were most concerned with avoiding significant exterior changes to the building. The applicant will leave it the same except remove ice machine, install new ramp to meet A.D.A. standards, and install a new anodized door. Will leave glazing as is and repair and restore trim. Applicant is not opposed to rethinking building improvements.
- The last Dunkin' Donuts project Mr. Fernandes was in had two other businesses and was clapboarded, with down lighting. Applicant is willing to study building improvements with direction from MVC.
- The interior: Proposing to switch the service area to back of space. Would have less counter space. No seating inside or out, would be an entirely take out operation.
- Facilities manager said that D.D. has a policy for policing on an hourly basis for trash and litter. Project would have a dumpster on site.
- Mr. Fernandes has home in Oak Bluffs. If petition were granted Mr. Fernandes would relocate year-round to island.
- In 2000 the MVC did not require a full traffic study or public hearing. Mr. DeAngelis doesn't see why this operation would be more popular than the last one. Would like to be treated the same as the Wrap and Roll six years ago.
- The applicant has provided a traffic scope.

Discussion

Hours of Operation

- Wrap and Roll hours of operation are 6 to 6.
- The Pharmacy is open 9-6 Mon-Fri. So they don't have as much crossover.
- Dunkin' Donuts hours will be 5 am to 11 pm 7 days a week with peak hours between 6-10 in the morning.

Deliveries

- Commissioners had several questions:
 - What kind of delivery truck? Where delivered? Is there a potential for conflict with gas delivery.
 - With Wrap and Roll you are looking at one delivery a week as opposed to every day with this proposal.

Building Improvements

- Proposal would be improve around the front including the pharmacy. It's up to Mr. Packer about the Shell façade.
- Applicant got the impression that the exterior was not an area the local boards wanted to go. Applicant again stated they are willing to make building improvements.

Parking

- Employee parking will be off-site. Pharmacy rents an office nearby from Mr. Packer. They are parking on northwest corner of site now. Don't know about Shell.
- There will be no drive through facility.
- The Waterfront / Commercial Zoning District limits parking and car related surfaces to 10% lot coverage. This site appears to be well beyond that.

Signage/Site Furniture

- There is a small sign on a post. Applicant indicated they were only going to change the Wrap and Roll sign to Dunkin' Donuts.
- The picnic tables in the back corner of the lot apparently showed up with the ferries. Tisbury PB thinks it would be nice to have an area to sit near the water. They would have to work with Mr. Packer on that.

Tisbury Planning Board

Tony Peak, Chairman, Tisbury Planning Board

- The issues at the time when Wrap and Roll came before the Board in 2000 were cooking, wastewater, and grease traps.
- No businesses in there have done any cooking on site.
- Board of Health had an issue with seating. Wrap and Roll has a few counter seats.
- Waterfront/Commercial District requires Site Plan Review and has guidelines. The guidelines ask that you stay with the general materials and look of what is there now.
- Planning Board has concern that as part of a chain they have a tendency to use the standard company look.
- Mr. Fernandes has stated a willingness to clean the site up. Currently the front windows have a logo that Mr. Fernandes said he would not replace with a DD logo.
- Applicant has said they will improve the safety lighting. They have talked about installing downward-shielded wall sconce lighting.
- When the PB said they wanted no change in the exterior they meant they did not want the typical Dunkin' Donuts cookie cutter building.
- LUPC asked if the PB has an opinion as to whether this should be a full DRI?
 - There is a fear that since this a brand name it might do better than Wrap and Roll and might lead to more traffic. Any site work has to be done with Mr. Packer.
- The MVC in making a recommendation has to determine whether it has regional impact. If a traffic study determines an increase in traffic can the PB change and/or deny the project based on traffic? TP does not think the Town could base a denial on traffic.

LUPC Recommendation

- LUPC unanimously recommends that the project needs a full DRI review
 - Based on longer hours of operation, visibility as a gateway, the likelihood that a popular franchise will attract a lot more visitors than Wrap and Roll, and considering that the probability that the Hospital will be rebuilding in place, traffic will be a major issue.

Traffic Scope

- The applicant hired Bill Scully to prepare a traffic scope for the project.
 - The only change is that the study in May will be for all months.
- The LUPC approved the applicants traffic scope with the following additions:
 - Commissioners would like to see a diagram of flow and add some wording about the in and out flow.
 - With a dirt surface you need to have a way to show the parking spots and directional signs.
 - The manual turning movement section in traffic scope should also show what happens between 12 noon and 3 pm (lunchtime).
 - Also add empirical info from other Dunkin' Donuts operations.
 - It should have off-peak season numbers.

The meeting was adjourned at 6:40 pm