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Martha's Vineyard Commission

Land Use Planning Committee

Draft Notes of the Meeting of February 23, 2009

Held in the Stone Building, New York Avenue, Oak Bluffs. 5:30 P.M.

Commissioners Present: Linda Sibley (Chair); John Breckenridge; Chris Murphy; Ned Orleans.

MVC Staff Present: Paul Foley; Mark London; Bill Wilcox; Mike Mauro

2. Island Wood Works (DRI 311-M2) Modification Review

Applicant: Michael Ryan (Island Wood Works); Kristin Cook

Guest: Ken Barwick (Tisbury Building Inspector)

Staff Report:

- Paul Foley gave a staff report. The property was a DRI in 1989 when James Rogers applied to build the 2-unit 6400 square foot building. The MVC approved the proposal with conditions including that the building be restricted to wholesale business.
- In February 2008 Rickard Bakery came before the MVC to locate their bakery in the other half of the building. The side where Island Wood Works is located was the home of Baynes Electric.
- The proposal is to build a mezzanine level within an existing 3,200 sf building for storage of wood. The mezzanine would be approximately 1600 sf and would be used for the storage of wood for milling. The existing building ceilings are approximately 25 feet high. There would be no retail sales from the property.

Discussion:

- Mark London noted that if the new floor area is considered active space then this would be a mandatory referral because it is adding more than 1,000 sf resulting in more than 2,000 sf. The new version of the DRI Checklist exempts passive space. The old one does not.
- Chairman Sibley said that the old version was ambiguous about active and passive. We can discuss that. She would be likely to argue that this is active. However, the point here is that the project is already a DRI, so the question is whether the change of use is an increase in intensity of use that requires a public hearing.
- Commissioner Murphy asked if when this comes before the Town for a Special Permit will they review noise and dust.
- Ken Barwick said that under the Special Permit they review noise, dust, odors, anything that may have a negative impact on the surrounding neighborhood.
- Commissioner Breckenridge asked whether the new proposal would have more or less trucks.
- Michael Ryan said it should be less than it was.
- Commissioner Breckenridge noted that Baynes had a bunch of trucks. When you have a milling operation in the heat of the summer and open the windows it could be noisy.
- Michael Ryan said that actually they will not have a fork lift and will be carrying them up the stairs
- Mark London said that there are two issues. One is the change of use, the other is the new floor space.
- Commissioner Orleans asked about the surrounding land uses.

- Ken Barwick noted the many businesses on Evelyn Way such as the lighting store, BFI, MV Electric, and Trip Barnes Moving. There is residential is on the east. There is a residence on the corner of Cook Street and one next to this. The immediate residential neighbor operates a landscaping business out of his property.
- **Ned Orleans made a Motion that this does not require a public hearing which was duly seconded by Chris Murphy.**
- Chairman Sibley said that she agrees. The checklist says adding 1,000 sf resulting in more than 2,000 sf but in this case they are already over that and have been reviewed as a DRI, plus the town will be looking at the noxious stuff. I anticipate that we would say fine.
- She asked who owns the building. The building is owned by Morton Rosenberg.
- Commissioner Breckenridge said he agrees but wanted to explore the noise issue a little more. He asked what size trucks wood deliveries would arrive on.
- Michael Ryan said his operation is not that big, probably a 20 foot flat bed.
- Commissioner Murphy said that this would be a reduction of what was here before.
- Chairman Sibley said that by being able to handle this material on site he is reducing the activity and the number of trips that would be required. This is not in the retail front row. It's in a de-facto light industrial area.
- Michael Ryan said they he does not plan to have any containers.
- Chairman Sibley said that we have a motion that this is not a significant change.
- **The LUPC voted unanimously to recommend to the full Commission that this is not a significant change and does not require a public hearing review as a Development of Regional Impact.**
- **Ned Orleans made a motion to recommend to the full commission to approve the change. This was duly seconded by Chris Murphy and voted unanimously by the LUPC.**
- Chairman Sibley had one more question and asked the Applicant what becomes of the wood.
- Michael Ryan said that he mills the wood to make cabinets and staircases for his home building company.