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Martha's Vineyard Commission

Land Use Planning Committee

Minutes of the Meeting of December 13, 2004

Commissioners Present: C. Brown (Chair), R. Toole, K. Newman, N. Orleans, B. Schwarz, J. Breckenridge, J. Best, J. Greene, M. Otten-Sargent.

Staff Present: M. London, C. Flynn, S. Sattoor, and P. Foley

Richard Toole opened the LUPC meeting at 5:40 p.m.

1. SOUTH MOUNTAIN COMPANY (DRI # 462-M2) – PRE-HEARING REVIEW

Present for the Applicant: John Abrams, Laurel Wilkinson.

The Applicant, John Abrams of South Mountain Company, explained the expansion he had planned and why he wants to do it. The South Mountain Company would like to make three additions to their building increasing the total square footage by 2,769 square feet. Currently the building is about 10,000 square feet. The three physical expansions would include: an 855 s.f. office expansion built over an existing first floor shop annex; a 414 s.f. addition to the first floor shop; and a 1,500 s.f. addition to the first floor storage area. The footprint of their building would increase by 1,914 square feet. They would also like to increase the number of full-time employees they are allowed on-site from 12 to 18. (They are limited by an MVC condition). Mr. Abrams explained that South Mountain has a number of employees in their 50's that would like to ultimately work in the shop rather than the field and that the Company was exploring ways of creating more design and information related positions as well as increasing in-house craftsmen jobs and exploring such things as a used building materials exchange. The applicant assured members that no retail would take place if the mill were to expand. There are currently 30 full time employees at South Mountain, eleven or twelve work full time on-site while the remaining employees usually work in the field.

DRI Coordinator Paul Foley gave a brief staff report that outlined the key planning issues that had been ascertained thus far. The impact of increased traffic on Stoney Hill Road was the chief concern. Other issues were how well the commercial use fit with the neighborhood and whether the applicant had fulfilled all of the conditions from the 1998 DRI 462 Decision. There was a question of one of the conditions relating to a buffer around an "old cellar hole". Mr. Abrams produced a letter from the West Tisbury Historical Commission that clarified that this condition had been fulfilled.

In regards to traffic, MVC staff installed traffic counters on Stoney Hill Road, Red Arrow Road (to South Mountain), and Rock Pond Road (to Island Co-housing). Based on these counts, MVC Transportation Planner Srinivas Sattoor estimates that South Mountain currently generates about 110 weekday trips and 38 Saturday trips. The proposed addition of 2,769 s.f. of office space is estimated to generate an additional 30 weekday trips. The existing South Mountain office contributes 19% of traffic on Stoney Hill Road during off-peak season (out of 571 total trips on Stoney Hill Road) and 10% during the peak seasons (out of an estimated 1,115 total trips). With the proposed additions, South Mountain is

projected to contribute 23% of the traffic on Stoney Hill Road during the off-peak season (An increase in share of 4%) and 12% of traffic on Stoney Hill Road during the peak season (An increase in share of 2%).

The proposal was forwarded by the West Tisbury Zoning Board of Appeals under sections 3.102a "Once a DRI always a DRI" and it was also referred under section 3.301b, "...additions totaling more than 1,000 square feet...resulting in total square footage of 2,000 feet or more." If the application were to be approved by the MVC, the West Tisbury Zoning Board of Appeals will hold a full public hearing on the application.

John Best moved and it was duly seconded that LUPC recommend not to concur with the referral.

Several commissioners said they thought it was a significant change and should go to public hearing. On the other side, a commissioner asked what are the regional impacts? He added that the original proposal went through the mill, that the company has a proven track record, and that it seemed like an unnecessary and expensive step to impose, especially considering that the Town was going to hold a public hearing on the proposal.

In response to the issue of regional impact, a commissioner noted that the expansion in and of itself was a trigger on the checklist and therefore should require a public hearing. Another commissioner noted that downtown, 2,000 square feet is a big deal, but that out at this site, it does not make much of a difference. Another commissioner added that the proposed expansion and new jobs could lead to an increase in noise. Another commissioner noted that as a commission we wrestle with the issue of growth in a rural area. She added that she felt it was better to err on the side of public hearing.

Voice vote on the motion. In favor: 5. Opposed: 3. Abstentions: 1. The motion carried.

Given that LUPC was split on the matter, it was agreed to expose all the issues to the Commission and let the full body decide.

After the vote, a commissioner requested that staff inquire of the local permitting board what their impression of the project was, whether they feel a full MVC hearing is necessary, and if there had been any complaints about the business.

There was a further question of whether the referral automatically has to go to public hearing due to the fact that it was forwarded based on two sections. The first section the item was referred under was 3.102a ("once a DRI always a DRI") requiring the concurrence of the Commission. It was also referred under section 3.301b, a mandatory referral. Mark London offered to consult counsel about the question.

The meeting adjourned at 6:40 p.m.

[Note from staff: After the meeting, Mark London checked with counsel who felt that the proposal should go to public hearing based on the general rule that the Commission should apply the more restrictive of two competing triggers.]