



BOX 1447, OAK BLUFFS, MASSACHUSETTS, 02557, 508-693-3453,  
FAX 508-693-7894 INFO@MVCOMMISSION.ORG WWW.MVCOMMISSION.ORG

## **Martha's Vineyard Commission**

### **Land Use Planning Committee**

# **Notes of the Meeting of November 30, 2009**

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

*Commissioners Present: Linda Sibley; Christina Brown; John Breckenridge; Ned Orleans; Pete Cabana*  
*MVC Staff Present: Mark London; Paul Foley; Bill Wilcox; Mike Mauro; Chris Flynn*

#### **1. DRI 620 Morning Glory Farm**

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**Applicant:** Morning Glory Farm; Simon Athearn; James A. and Deborah F. Athearn.

**Project Location:** Morning Glory Farm, Meshacket Road, Edgartown Map 28 Lot 224.1 (7.62 acres)

**Proposal:** The proposal is to remove parts of the existing Morning Glory Farm stand and then rebuild, reorganize, and expand the current commercial operation. The total farm stand size would be an estimated 3,186 square feet including an additional 900 square foot greenhouse that would be adjacent and accessible to the farm stand.

#### **Presentation:**

- Simon Athearn presented the proposal. The farm has needed this needed this for many years. The proposal is driven by the need for more room for displays and the clogged existing situation.
- They estimate and are planning for a 20% increase in total sales.
- They are forced to keep produce in refrigerators in the back of the building. They will be eliminating the smaller refrigerators in the back and moving that produce to display or larger refrigerators accessible to the front. Moving the smaller refrigerators will create more workspace in the back.
- The greenhouse will be 20' by 40' and will have retail display. They don't have the greenhouse designed yet. It will be traditional. They come as kits.
- The barn in the back of the main farm stand will remain. That's where employee housing is.
- The main building of the farm stand now will be moved to the back corner of the same lot. They are siting it between two garages for storage temporarily. In the future they may use it for employee housing.
- Deborah Athearn added that it is hard for them to give up the old farm stand but the designs to expand just didn't work and there is a lot of rot underneath.

#### **Commissioner Questions:**

- Several commissioners made suggestions about plans and images they would like to see to better understand the proposal such as superimposing the proposed over the existing, showing the parking area and circulation, and showing the vegetation on the plans and perspectives
- John Breckenridge asked if the greenhouses are going to have retractable roofs.
- Simon Athearn answered no, but there will be hinges. There might be a shade cloth area.
- He added that for the parking they already have been permitted with removing the first entry and taking down the greenhouse.

- Jim Glavin added that there are actually quite a few trees between the road and the proposed new greenhouse, it would probably disappear. Simon said that they have created a map of the trees that they did not bring today.

### **Traffic:**

- Linda Sibley asked if there was any reason not to approve the traffic scope of study which was similar to the one the LUPC originally approved in May.
- Mike Mauro (MVC Transportation Planner) added that he would look at the trip generation numbers and the estimated 20% increase in retail sales. He added that the sight lines are adequate. Staff earlier did a 5 year analysis of accidents. The first driveway is being eliminated. Circulation is something we may want to look at.
- John Breckenridge asked about the distance from the new (second) access to the West Tisbury Road and how many cars can back up before it gets to the road.
- Paul Foley said the distance is about 160 feet and added that the internal circulation situation is such that there is more room so that cars should not be backing up onto Meshacket Road at all, unless someone goes in the wrong way of the one way circulation.
- Ned Orleans suggested that the applicants should show at the public hearing how they will mark the internal circulation to ensure that cars go the right way.
- Regarding both trip generation for traffic and nitrogen loading, Mark London said that. We usually don't use the applicant estimates for how much business will increase, we usually go by square footage. A key question in this case relates to the existing and proposed greenhouse. If the existing greenhouse is ignored and the new greenhouse is counted, it could be argued that the total of retail space is going from about 1,000 sf to 3,000 sf. If the new greenhouse is ignored as retail space, the total retail area doubles. If both the existing and new greenhouses are counted as retail space, the total retail area goes down.
- Simon Athearn said it certainly is not apples to apples when comparing retail space to the greenhouse.
- Linda Sibley noted that they have intense retails and less intense retail. They should provide the numbers for the existing retail and point out that they are shrinking that aspect.
- Simon Athearn added that the greenhouse is growing space, which, though visited by customers to a degree, is different than the rest of the store space.
- Deborah Athearn pointed out they already have a lot of outdoor retail space during summer.
- Ned Orleans said he has trouble believing that if they double their space they will double their sales.
- Linda Sibley noted that they have said that the space they have now is constraining their sales. They cannot fit them in the way it is now. At some point it gets so acutely crowded it drives people away.
- Simon Athearn said that they still want the farm stand to feel cozy. Deborah Athearn added that they definitely need more room to display produce. They had a terrible time displaying what they already have.

### **Wastewater:**

- Simon Athearn asked if we include the greenhouse space as retail are we adding to the amount of space that will be used to make the calculation for wastewater.
- John Breckenridge asked if the size of the commercial kitchen is expanding. It is. He then asked if that changes the calculation for wastewater.

- Bill Wilcox answered yes. He says that the applicants engineer (Sourati) used a number of 400 gallons a day. Title 5 says to double that. Bill took the proportionate area increase in the bakery and kitchen combined to estimate the increase in wastewater.
- John Breckenridge said that just because you increase the commercial kitchen size it must assume that more can be done. He then asked if the kitchen was designed with a grease trap and nitrogen reduction.
- Jim Glavin said that there is a grease trap but no nitrogen removal.
- Bill Wilcox said that the MVC policy requires that any increase must be mitigated. There are two parts to the policy, use basic nitrogen reduction and no net increase. The basic nitrogen reduction part of the policy calls for using techniques such as innovative alternative wastewater treatment and keeping the landscape at 10% or less of the lot area. These techniques are geared toward residential use rather than for a farm stand. The other part of the policy says that for existing development that exceeds the nitrogen limit for the watershed, there should be no increase in the load. Mark London said that the current interim policy does not have draconian requirements in ponds that have not had their nitrogen limits established by the Mass Estuaries project. His interpretation of the policy is that we should come with a numeric average of what would be generated by existing agriculture uses, regardless of what they are actually generating because we could not know and they are not permanently limited to these levels. They can potentially get credited with mitigation if they are locking in to a best management practice where there is no protection at this time.
- Linda Sibley added that we also say that underlying all of our policies is our mission to balance the benefits and detriments.
- Bill Wilcox suggested that we only address the nitrogen overage. One way would be wastewater treatment in some form such as composting toilets or drip irrigation. The other would be to convert synthetically fertilized fields to organically fertilized fields.
- Mark London said that it is a gain for the MVC to get an applicant to lock in permanently to a best management practice.
- John Breckenridge asked why we are looking at the whole 7-acres when the only thing changing is the farm stand.
- Bill Wilcox added that mitigation is further complicated by the fact that organic management is being done on separate parcels. On this lot there is 1.25 to 1.5 acres that are currently farmed and there are another 2 acres that are now woods that could potentially be farmed.
- Simon Athearn said that they have been steadily converting their acreage across the island to organic. The blueberry patch is being fertilized synthetically. I think we could offer to change that to organic. We are also looking at other spots, such as the cow pasture parcel, on a separate parcel that we would be willing to convert to organic. I have that at 1.52 acres. We will consider making that change as mitigation.
- Bill Wilcox said that each small parcel makes a big difference. The estimate for the nitrogen load from synthetic row crops is about 13 kilos per acre. It goes down to 2 for organic.
- Deborah Athearn asked if the lawn around the farm stand is counted on the nitrogen calculations. They have a lawn area that is certified as a "Vineyard Lawn". They would expect that any additional grass area would not be watered and not use synthetic fertilizer. We can give you a count of the acreage if you want.
- Bill Wilcox said that would be helpful. Christina Brown added that a chart of nitrogen loading sources would be really helpful.

- Linda Sibley said that the MVC Water Policy Committee should get together to figure out how to deal with the farming aspects of DRI projects.
- Mark London said what we need is not a change of policy, but is a clarification of the interpretation of the existing policy.
- Bill Wilcox added that we need a committee to be appointed.
- Christina Brown said it would be helpful to have some visuals.
- Simon Athearn said that if there are any visuals that the MVC needs they would be happy to produce whatever they can because they want this done next spring.
- Linda Sibley said that one thing that is not mentioned is the question of pesticides. I assume you do not use herbicides. I understand it is hard to grow thing without pesticides. Are you using
- Simon Athearn said that on their own fields they call it "morganic" (7 acres) on which there are no synthetic pesticides used or fertilizers. They do use organic pesticides, particularly on the sweet corn. They are certified to apply pesticides.
- Bill Wilcox explained that when it comes to pesticides it depends on the particular pesticide and such things as whether it binds to the soil, is it water soluble, what kind of soil is it.

### **Energy**

- Pete Cabana said that they should talk to the Cape light Compact and explain what they are doing; they may have some advice for them. He then asked if they are thinking of putting in any photo voltaic and suggested that they may want to consider putting in the conduits for the future. He asked if they are still thinking about a wind turbine.
- Simon Athearn said that they were already permitted by the town for the wind turbine but it lapsed. They asked for an extension which they were told would be granted but have not seen it yet.
- Pete Cabana said it would be good to know what sustainability measure they are achieving and include it in their presentation.
- Mark London noted that they have to build to code and the energy code so they could potentially expand their season.
- Simon Athearn said that they have no intention of expanding the season.
- Christina Brown suggested that they may not want to promise that they want to close because in the future things could change.
- Simon Athearn added that they heat the building self sufficiently.

### **Affordable Housing:**

- The applicant would like to create 4 dormitory rooms for employee housing as a second phase to be implemented within five years or so. If the applicant is not able to create the housing then the applicant would provide the recommended monetary mitigation with interest to an Island housing entity.
- John Breckenridge said it seems like five years is a big window.
- Christina Brown noted that they said that they would pay it with interest.
- Christine Flynn said that the mitigation would be about \$2,500. We should put a trigger in the Decision.
- Christina Brown said she thinks it is a good offer.

### **Economic Impact:**

- Christina Brown asked how many additional employees they will have.

- Deborah Athearn said that at their peak this year there were 76 employees. About 80% of those were part time. Simon added that they do turn people away for work because they can't always find housing.
- Christina Brown asked if there has been a shift to more vineyard based employees.
- Deborah Athearn said that they have a lot of employees with families on the island.

### **Traffic:**

- **Christina Brown made a Motion to outline the traffic scope dated November 30 and that the applicant should work with our staff traffic planner.** We need a well done study. **Pete Cabana seconded the Motion which was approved unanimously.**
- Simon Athearn said that they have offered to extend their footpath, which currently stops at the entry. They are offering to extend their footpath across their property about 200 feet on the west side of Meshacket to West Tisbury road.
- Mark London added that we talked about the landscape but they should show landscaping within the parking area as well as an overlay of proposed and existing.
- Jim Glavin added that he knows the traffic lane is wider than it needs to be.
- Mark London asked Paul Foley and Mike Mauro to work with the designer to help with the standards of width for those lanes.
- Simon Athearn said that they are planning on putting some trees down the pedestrian walkway. They also want some downcast solar landscape lights.

### **A Site Visit was scheduled for Thursday December 10 at 8:30 am**

Adjourned 6:57