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Martha's Vineyard Commission

Land Use Planning Committee

Notes of the Meeting of February 8, 2010

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

Commissioners Present: Linda Sibley; Chris Murphy, Christina Brown; Ned Orleans; Fred Hancock; John Breckenridge, Kathy Newman; Pete Cabana.

MVC Staff Present: Mark London; Paul Foley; Bill Wilcox; Mark Mauro, Chris Flynn

Audience: Bob Starks and Mike McCourt (Edgartown Planning Board)

NOTE: This set of Notes only contains one of the three projects reviewed on February 8

1. DRI 311-M3 Rickard Retail

Applicant: Kathryn and Michael Rickard

Project Location: 114 Cook Street, Tisbury, Map 22-C, Lot 5 (0.61 acres)

Proposal: To provide a 200 sf retail section in a 3,200 sf bakery. The original DRI Decision for DRI 311 said that the ... "building shall be restricted to wholesale business".

Project History: The property was a DRI in 1989 when James Rogers applied to build the 2-unit 6,400 square foot building. The MVC approved the proposal with conditions including that the building be restricted to wholesale business.

- Paul Foley gave the staff report and showed slides of the site. One concern is that you cannot really estimate traffic based on square footage or employees because this is so small. Estimating by square foot or employees would not take into account what the traffic on this one-lane windy road would be like if this suddenly became the new hot spot. He used the old Humphrey's up-island as an example.
- Linda Sibley asked if they are planning on selling sandwiches
- Gates Rickard said that they are just doing bread right now. They would like to do sandwiches or soups if they could, but right now it is just breads. The majority of their space is for bread production. They have packaging in there too. The retail is in the front third of the building on one side. They are only allowed to produce food in two of the spaces as determined by the Board of Health. If they were going to do sandwiches they would have to sacrifice some other part of the business.
- John Breckenridge pointed out that when the MVC approved this originally there was not supposed to be any retail.
- Gates Rickard said that the traffic is very minimal. They went to the Board of Health and Building Inspector and tried to figure out if we were allowed to have retail. He couldn't remember and the Building Inspector said it would be fine.
- John Breckenridge said that then they didn't reference the decision.
- Gates Rickard answered no they did not.
- John Breckenridge said that even though it is only 200 square feet it could be bigger. The advertisement was a half page ad obviously in expectation of building a popular spot. Here is an

expectation and hope by the applicant for busy business. I think we should look at some of the possibilities.

- Gates Rickard said their main intention is not to have a booming retail so much as branding. They tend to sell high end pastries and breads. They hope to expand out wards to another space with more visibility some day. They got a good deal for half page ad in the Times during the holiday season.
- Ned Orleans asked if their pricing is the same as the stores they supply.
- Gates Rickard said no because they did not want to undersell their clients. However they do offer more variety than they do to their clients.
- Mark London said that when we talked to Mrs. Rickard there was no indication of a bigger operation. If you are saying it is going to be a sandwich place that is different. If it is a factory outlet with a small retail area that is 10% of floor area for products manufactured there is one thing. Opening it up to other products is another.
- Linda Sibley said that if all they are selling is the breads and pastries they make on site and sell elsewhere then it is no big deal. If you were to start making sandwiches then you could start getting serious business. We have to decide whether this is a significant change.
- **Chris Murphy made a Motion to recommend to the full Commission that this is a significant change. This was duly seconded by Christina Brown.**
- Linda Sibley told them that they can still make the argument of why you expect it will not generate a lot of traffic.
- Kathy Newman wondered if this is a test case. Would this be through the summer? Is there a plan to have a retail space elsewhere?
- Gates Rickard said they have thought about a retail space in downtown Edgartown or Vineyard Haven.
- Fred Hancock suggested they might consider making it a seasonal condition.
- Kathy Newman said she heard the applicant say this is not an ideal location for retail.
- Linda Sibley said that still doesn't answer the question of whether there will be a lot of traffic.
- Chris Murphy suggested that if we agree that this has to go to a hearing maybe we could generate a traffic scope. If it is really successful then there could be a problem.
- Linda Sibley added that we are not asking them to cease and desist. Chris is asking us to recommend a public hearing as a DRI. We should look at the ITE (Institute of Traffic Engineers) trip estimates and see what they say. Maybe they are only going to have 25 trips a day.
- Christina Brown said it would be good to hear form the community because it is a changing neighborhood. We owe it to the town to hold a hearing.
- Linda Sibley said that personally she would be open that this is not a significant change if they were to promise not to sell sandwiches and coffee.
- Gates Rickard said that they are not allowed to have seating.
- Bill Wilcox said that the property is partly in the Tashmoo watershed. The proposal probably wouldn't increase the nitrogen loading at all.
- Linda Sibley said that if we have a public hearing it gives us an opportunity to nail down exactly what will be in there. She reminded the applicant that he will have another possibility to convince the full Commission that this is not a substantial change.
- **The LUPC Voted 6 to 1 in favor of the Motion to recommend the full commission that this is a significant change requiring a public hearing as a DRI (LS was one vote against). There was one abstention (KN)**