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Martha's Vineyard Commission Land Use Planning Committee Notes of the Meeting of September 27, 2010

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

1. Oak Bluffs Fishing Pier (DRI 628) Traffic Scope

Commissioners for this project: Linda Sibley, Pete Cabana, Chris Murphy, Fred Hancock, John Breckenridge, Brian Smith, and Ned Orleans

Present for the Applicant: Douglas H. Cameron (Dept. Fish & Game), Michael Dutton (O.B. Town Administrator)

MVC staff for this project: Jo-Ann Taylor, Mark London, Mike Mauro

Project Location: Sea View Avenue Extension, Oak Bluffs, Map 9, Lot 58

Proposal: To construct and maintain a pile-supported, ADA-accessible public shore fishing pier. Linda Sibley chaired the O.B. Fishing Pier segment of the meeting.

Linda Sibley noted that it is customary to not charge filing fees to other governmental bodies, but to rather charge only for expenses such as postage and advertizing.

John Breckenridge moved, Fred Hancock seconded, and it was voted unanimously to recommend to the full MVC that filing fees not be charged for the project review, but to bill the applicants for postage and advertizing expenses.

Mike Mauro presented the draft Scope for a Traffic Study. There was discussion of trip generation, parking and MVC staff involvement.

- MVC staff will ask OBPD if there were traffic disturbances during the recent kids' derby and will ask Derby officials for a count of registrants. Chris Murphy noted that there was a little knot of traffic at drop-off time, with everything cleared out by 9 a.m.
- ITE does not have a trip generation category for a fishing pier. Doug Cameron noted that there are five other fishing piers in MA, with the Bass River, Yarmouth, pier being the busiest. He has seen at the most ten people fishing there (adding that he is usually not there on weekends.) Chris Murphy suggested that the Edgartown Harbor Dept. and EPD should have info on usage for Memorial Wharf that should be relevant. It may be hard to separate the fishing from other uses, but the Harbor Master should have an idea of fishing use.
- Mike Mauro noted a record of traffic counts on Sea View Avenue and that new counts were collected last week.
- Linda Sibley noted that the draft scope includes comparison with an alternate location, presumably on the other side of the ferry pier. Mark London noted that the comparison should include impacts regarding through traffic (south of SSA) compared with destination traffic (proposed location north of SSA). Impacts should include ferry arrival and departure traffic.

- John Breckenridge asked for a range for count of parking spaces....within ¼ mile?...within ½ mile? Mike Mauro stated that the project vicinity includes the downtown area, and Peter Cabana suggested that it should be expanded. Linda Sibley noted that it may be difficult to park at night. Mark London said that there should be an explanation of how many walk and how many drive. Mike Dutton asked if the parking should be focused on accounting for the heaviest use. Doug Cameron noted that use from 6-9 .a.m. will be different than use between 2-6 p.m., e.g. The time of heaviest use should be considered.
- Parking is not allowed within the park property at Waban, other than for fireworks and Illumination Night. Parking is allowed on the street as marked throughout downtown, with time restrictions as marked. An event such as a tournament would need town approval, and a fee could be charged to cover expenses.
- **Chris Murphy moved, John Breckenridge seconded, and it was voted unanimously to approve the scope of the transportation study. MVC staff will provide the data and work with the applicants to produce the study.**
- Jo-Ann Taylor reminded everyone of the site visit on October 5 at 8:30 a.m. and the public hearing on October 7 at 7:15 p.m. Chris Murphy suggested floats marking the proposed and an alternate location. John Breckenridge suggested asking a named Conservation Commission member to attend in order to answer questions about related projects such as the seawall.
- Paul Foley noted that the site visit had been scheduled at high tide when it might have been more informative if the site visit was at low tide so Commissioners could see how shallow the water is. He said he would submit photos of the site at low tide.

The meeting segment for this project concluded at 6:10 p.m.

2. Big Sky Tents Building (DRI 618-M)

Applicant: Jim Eddy of Big Sky Tents; Reid Silva (Engineer/Agent)

Project Location: 90 Dr. Fisher Road, West Tisbury Map 21 Lot 12 (1.01 acres). The property was the subject of a Form A that divided Lot 12 into 3 one-acre parcels.

Proposal: To build a 9,600 sf (footprint) building on Dr. Fisher Way in the West Tisbury Light-Industrial District to house a tent and party rental business.

Commissioners Present: Chris Murphy (Acting Chair); Ned Orleans; Pete Cabana; Brian Smith; and John Breckenridge.

MVC Staff Present: Paul Foley and Mark London.

Audience: Pete Brannen (MV Gazette).

2.1 Offers and Conditions:

- Paul Foley distributed a revised copy of the applicant's offers which showed in handwriting the offers that had been clarified at the last public hearing.
- Reid Silva looked them over and said they were accurate. He added that Jim wants a building. He is not married to one particular design or the details. He is willing to do what it takes to make the neighborhood happy.

- **John Breckenridge made a Motion that the architecture and the landscaping should come to the LUPC instead of the full Commission. Ned Orleans duly seconded the Motion which passed unanimously.**
- John Breckenridge noted that one of the offers says that there will be no washing of dishes at the site. He thought it should be more specific and say pots and pans.
- Brian Smith suggested we use the words "rental equipment".
- Paul Foley read an e-mail from Bill Veno, who feels that:
 - The offers regarding the removal of vegetation are vague. At the least, they should be required to flag-off the area within 20 feet of the centerline of both Pine Tree Road and come back if they find they need to remove any vegetation within this buffer...
 - The offer indicating they might place a berm along the Dr. Fisher Road frontage to better screen the parking area should also try to retain vegetation...
 - Passive energy-saving measures of sky lights could be employed. If light pollution from such is a concern, there could be sliding shades...
- Mark London added that sky lights should cut down on the need for lighting.
- Reid Silva said that the intention was for translucent panels under the eaves but they do not want to impact the barn look or add light pollution to the area. The hours of operation are 7:00 am to 7:00 pm so there should not be too much need for lighting.
- The offer that was switched from Monday through Saturday to Monday through Sunday should just say "every day".
- There was a discussion of whether the hours should be to 6:00 pm but that was not felt to be necessary. Reid Silva added that they are not going to be working 7 am to 7 pm everyday but they want to the ability to work until 7:00 pm if they have to without getting phone calls.
- Reid Silva should work with Paul Foley on the clarified wording of the final offers.
- The last added sentence to the Wastewater offers about returning to the LUPC should be struck.
- The easement with Bizarro will have to be done before the issuance of a building permit.
- It was agreed that the reference to the architectural details should specify the objectives, namely.
 - The building will be designed with doors, windows, and details resembling a typical West Tisbury barn, in order to minimize the building's visual impact on the neighborhood.
 - The design shall include windows and/or skylights or translucent panels to reduce energy use by allowing daylighting of the interior, while minimizing the impact of lighting on abutters.
- **John Breckenridge made a Motion to approve the offers as clarified. This was duly seconded by Peter Cabana and passed unanimously.**

2.2 Benefits and Detriments:

- The committee discussed the project's benefits and detriments, as summarized in the following table.

Big Sky Tents Building (DRI 618-M) – Summary of Benefits and Detriments - draft

	Benefits	Detriments
Overall	<ul style="list-style-type: none"> • This project in a light industrial area will provide a transition and buffer between the industrial uses on one side and the residential uses on the other. 	<ul style="list-style-type: none"> • This project will bring activity, traffic, and noise to a presently vacant site, but it should be relatively modest compared to other permitted uses.
Wastewater	<ul style="list-style-type: none"> • The project will have an enhanced denitrification system. • There should be minimal impact, especially compared to other industrial uses allowed on the property. 	
Open Space	<ul style="list-style-type: none"> • This will restore some of the vegetation to the property in that most of the trees had been removed by the previous owner 	
Lighting; Noise	<ul style="list-style-type: none"> • The project is consistent with the light industrial areas. • There are limits on the lighting and hours of operation. 	<ul style="list-style-type: none"> • This project will bring lighting and noise to a property that now has none. • However, these should be less that could have been possible with other permitted uses.
Traffic	<ul style="list-style-type: none"> • The easement to the Bizarro property should reduce truck traffic on Pine Hill Road. 	<ul style="list-style-type: none"> • There will be an increase in truck traffic, though less than could have been possible with other permitted uses.
Scenic Character	<ul style="list-style-type: none"> • The building and operation should have a relatively limited impact compared to other permitted uses and to the nearby heavier industrial uses such as the adjacent large landscaping and garbage operations. 	<ul style="list-style-type: none"> • The building will be much larger than the residential buildings in the adjacent zone, though the barn look could mitigate this to some extent. • The building should help screen the large compost pile.
Impact Abutters	<ul style="list-style-type: none"> • The easement to the Bizarro property should reduce traffic on rural roads and easement and the building will buffer the compost pile. 	<ul style="list-style-type: none"> • There will be traffic, noise, and visual impacts on nearby residences, though these should be relatively modest compared to other permitted uses.

2.3 Recommendation on Project Approval

John Breckenridge made a Motion to recommend to the full Commission to approve the project with the offers as clarified. The Motion was duly seconded by Ned Orleans and passed 4-1. Chris Murphy, John Breckenridge, Ned Orleans, and Brian Smith voting in favor and Pete Cabana voting against. Adjourned 7:00.