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## Martha's Vineyard Commission Land Use Planning Committee

### Notes of the Meeting of January 23, 2012

Held in the Stone Building, New York Avenue, Oak Bluffs. 5:30 p.m.

*MVC Commissioners Present: Doug Sederholm; Christina Brown; Fred Hancock; Katherine Newman; Brian Smith, and Ned Orleans.*

*MVC Staff Present: Paul Foley; Mark London; Bill Veno; Sheri Caseau; Chris Flynn; and Mike Mauro*

The LUPC reviewed three projects on January 23, 2012. ***These Notes are just for Town Provision.***

#### Documents referred to during the meeting

- LUPC Agenda of January 23, 2012
- DRI 636 Town Provision/Airport Liquor Staff Report
- DRI 635 MVTV offers
- DRI 635 MVTV Building Staff Report
- MVC Draft Minutes 2012/01/19
- DRI 321-M3 Cronig's Solar Staff Report

#### **1. Town Provision at the Airport (DRI 636) Pre-Public Hearing Review**

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**Applicant:** McWinery Inc. d.b.a. Town Provision Company. Brion McGroarty (Owner); Sean Murphy (Lawyer/Agent).

**Project Location:** 17 Airport Road, Edgartown, MA. Map 24-A Lot 1.16.

**Proposal:** To build a 2,700 sf addition to the Nectar's/Flatbread building near the airport to house a liquor store.

**Purpose:** To review the project and the proposed scope of the traffic study, schedule a site visit, and discuss when the project will be prepared for a public hearing.

#### **Introduction:**

- Sean Murphy presented the proposal:
  - The current location is on Mayhew Lane in downtown Edgartown.
  - They have a year-round license but there is no business downtown in winter.
  - They would like to relocate to the Nectar's-Flatbread building formerly the Hot Tin Roof where they would build a 2,700 sf addition.
  - They have no dedicated parking now but would have plenty at the airport.
  - The Applicant has an agreement with True North LLC, the owners of 17 Airport Road. Brion would become a partner in the real estate holding company but he would retain sole ownership of Town Provision.
  - The style would be similar to the existing building with a full basement.
  - The store would be open year-round 7 days a week in season (9 am to 9 pm) and 6 days a week off-season 9 am to 8 pm). When Nectar's has a show the store would close at 8.
  - The Flatbread Restaurant is seasonal serving lunch and dinner until October 31.

- Products would include beer, wine, spirits, snacks, ice, wine paraphernalia, glassware, and Martha's Vineyard products.

### **Discussion:**

- Mark London asked how this project was allowed by zoning.
- Christina Brown said that in Edgartown you can ask for a Special Permit to expand or alter a pre-existing non-conforming use. There is no definition of expansion or alteration. The description of the zoning district says that uses should be in harmony with other uses and not be more objectionable. She added that the MVC has always said that if a project can get a Special Permit then it can be considered as conforming to zoning.
- A discussion of the zoning district followed with a map passed around. The project is in the B-III Light Industrial and Service District. The entire airport and airport business park are within the B-III except for a small triangle of land that is designated the B-IV District. Christina Brown explained that the B-IV was created at a time when Edgartown was considering a dormitory at the airport and the area was set aside for a dormitory and /or fisherman.
- Sean Murphy said that this is in the B-III but not on the list of MVAC Business Park.
- Mark London said that some retail was proposed in this area before and was denied by the Planning Board.
- Linda Sibley added that this is not in the business park and that the airport views this area differently than the business park.
- A commissioner asked why the recommended affordable housing mitigation is so low (\$480). Chris Flynn explained that there is an agreement between the MVC and the MV Airport Commission (MVAC) that cuts the recommended mitigation by two-thirds.

### **Traffic Scope:**

- Kathy Newman asked Mike Mauro why the traffic scope recommends a professional traffic consultant be retained.
- Mark London answered that because it was a new building over 2,000 square feet and that it would likely generate more than the ITE estimated 120 trips per day.
- Christina Brown noted that other liquor stores don't have their own parking lots. Others pointed out that this was not correct.
- A technical memorandum prepared for the proposal by Gillon Associates of Norwood, Massachusetts estimated that that proposal would generate 8 weekday evening peak hour trips and 10 weekend evening peak hour trips. The memorandum estimates that the roadway can handle around 500 peak hour trips and thus this proposal would not yield any noticeable traffic impact.
- Linda Sibley said that it would be a destination business on its own. She wondered how to get a grip on the actual number of trips that would be generated.
- Sean Murphy said they expect a lot of business would be pass-by traffic that is going by the airport already stopping en route rather than people changing their course specifically to come here.
- Doug Sederholm asked how it compared size-wise to other liquor stores by comparison.
- Brion McGroarty said it would be comparable to Al's liquor store.
- Brian Smith noted that the Airport is designed for a lot of traffic and this would not be likely to add a lot compared to what the area can handle.
- ***Linda Sibley made a Motion to have staff review the technical memorandum and identify any areas that require supplemental information and have the Applicant add that information and any traffic mitigation measures. Brian Smith seconded the Motion. The Motion passed unanimously.***

**Further Discussion:**

- Mark London said the MVC would do the Level Of Service (LOS) analysis.
- Doug Sederholm asked if there was any other information required for the public hearing.
- Kathy Newman said she would like to hear more about the environmental aspects of the proposal such as energy measures.
- Sean Murphy said the plan is to have solar panels on the roof.
- A commissioner asked what other products the Applicant would be selling.
- Brion McGroarty said that products would include beer, wine, spirits, snacks, ice, wine paraphernalia, glassware, and Martha's Vineyard products. This would specifically not be a convenience store.
- Christina Brown went back to the affordable housing issue and suggested they might think about waiving the airport discount.
- Brion McGroarty said he would waive the airport discount. Sean Murphy said make it \$1,500. He said they would not build the project this summer.
- A site visit will be scheduled for the morning of the public hearing on February 16, 2012.