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## Minutes of the Commission Meeting Held on October 19, 2017 Old Whaling Church, Baylie's Room 89 Main Street, Edgartown, MA

### IN ATTENDANCE

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Commissioners: (P= Present; A= Appointed; E= Elected)

P Gail Barmakian (A-Oak Bluffs)	- Michael Kim (A-Governor)
P Trip Barnes (E-Tisbury)	P Joan Malkin (A-Chilmark)
P Christina Brown (E-Edgartown)	P Katherine Newman (A-Aquinnah)
- Peter Connell (A-Governor; non-voting)	P Ben Robinson (A-Tisbury)
P Robert Doyle (E-Chilmark)	P Doug Sederholm (E-West Tisbury)
P Josh Goldstein (E-Tisbury)	P Linda Sibley (E-West Tisbury)
P Fred Hancock (E-Oak Bluffs)	P Ernie Thomas (A-West Tisbury)
P Leonard Jason (A-County)	P Richard Toole (E-Oak Bluffs)
- James Joyce (A-Edgartown)	P James Vercruysse (E-Aquinnah)

Staff: Adam Turner (Executive Director), Bill Veno (Senior Planner), Paul Foley (DRI Planner, Christine Flynn (Economic Development and Affordable Housing Planner), Mike Mauro (Senior Transportation Planner), Dan Doyle (Transportation Planner).

**Chairman James Vercruysse** called the meeting to order at 7:00 p.m.

### 1. EDGARTOWN STOP & SHOP EXPANSION – EDGARTOWN DRI 429-M2 CONTINUED PUBLIC HEARING

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Commissioners Present: G. Barmakian, T. Barnes, C. Brown, R. Doyle, J. Goldstein, F. Hancock, L. Jason, J. Malkin, K. Newman, B. Robinson, D. Sederholm, L. Sibley, E. Thomas, R. Toole, J. Vercruysse.

For the Applicant: Geoghan Coogan, David Taglianetti, Lisa Davis, Randy Hart

**Linda Sibley**, Public Hearing Officer, opened the Continued Public Hearing. She stated that she has rehabilitated herself by watching the Public Hearing of September 14, 2017 on TV and has signed the appropriate documents as required by the MVC.

**Gail Barmakian** stated that she has also rehabilitated herself and has watched the Public Hearing of September 14, 2017 on TV and has signed the appropriate documents as required by the MVC.

#### 1.1 Staff Report

**Paul Foley** presented the following:

- The offers and responses to Commissioner's questions have been received from the applicant.
- The applicant will donate \$50,000 annually to the Dukes County Housing Authority (DCRHA) and will continue their workforce housing provisions. They will also pay the one-time \$26,670 affordable housing mitigation fee to the DCRHA.
- The proposal is to construct approximately 17,432 sf of additions to the existing 25,259 sf main Stop & Shop Supermarket building (a total of 42,691 gsf), plus the demolition and reconstruction of a slightly larger Rockland Trust Bank building, and significant site work. The proposal also includes new loading bays.

- The applicants will be installing a bus shelter for the VTA.
- The applicants shall schedule truck deliveries between 7:00 a.m. and 12:00 p.m. daily, and shall normally keep the truck doors closed after 12 noon. There may be occasional deliveries between 12:00 p.m. and 9:00 p.m. There will be no deliveries between 9:00 p.m. and 7:00 a.m.
- Key concerns include: Noise issues for residential abutters where the new loading docks would be located; impervious surfaces; and the impact on Upper Main Street with the new consolidated egresses.
- The applicant plans to increase signage in the parking area.
- With the current traffic flow, there is a potential for backup onto Upper Main Street at the western driveway. People exiting the bank, the row of Stop & Shop parking closest to Upper Main Street, and the back parking field would need to use the same area to leave. One potential alternative would be to block off the exit from the front row of parking, which would increase the queuing space in and out. It removes the conflict point near the street, and it would also save a bank of mature trees; however, 10 parking spaces would be lost. The potential alternative plan was shown.
  - **Doug Sederholm** asked if the MVC Traffic Planner has looked at this alternative.
  - **Paul Foley** said it was looked at today, but has not yet been fully vetted.
- The roof mounted mechanicals and the noise levels will be addressed by Stop & Shop.
- Correspondence has been received from Margie Sweeney who felt the building was too large, Gail Croteau who was in favor of the project but was concerned about the traffic, and the Edgartown Affordable Housing Committee who was neither for nor against the project.

## **1.2 Applicants' Presentation**

**Geoghan Coogan** presented the following:

- The applicants have responded to the Commissioner's questions.
- With regards to the idea of moving the store to the airport, a grocery store in the downtown area is vital; it supports and anchors the town. It is within walking distance and is available by mass transit. From a transportation standpoint, people are not at the airport, they are downtown. Moving the Stop & Shop out of town has been considered and studied over the years. If it were to be developed, managing the traffic would be difficult. The relocation idea is not on the table.

**David Taglianetti** presented the following:

- The site layout plan was reviewed.
- Two rain gardens have been added to the western portion of the site. They will help control the stormwater flow, reduce impervious areas, and add green space.
- A sidewalk has been added to the eastern side of the store.
- ADA access ramps onto the new sidewalk have been added to the handicap parking spaces on the eastern side of the building.
- Pedestrian access from Upper Main Street has been improved, so pedestrians can walk across through the parking lot on a marked sidewalk directly into the new entrance to the store.
- There are wider parking spaces. It was a concern of the Town, and the front row of spaces along Upper Main Street are now 10 feet wide.
- 178 parking spaces were proposed, but now with the introduction of the additions (sidewalk, rain gardens, and 10 foot wide spaces), there would now be 164 total spaces.
- Signage and striping will be added to not block the intersection.
- The bank was addressed, and the site perspectives were shown from Upper Main Street. The elevations were shown for the front and rear, facing Upper Main Street and facing the west parking field within Stop & Shop. Landscaping has been added.



### 1.3 Commissioner's Questions

There was a discussion about the reconfigured entrances.

- **Katherine Newman** said when the MVC noted the concerns about the reconfigured parking circulation, the applicants said there would be a stop sign at the end of the parking area closest to the street; but in her experience, when someone pulls out to make a left turn, it blocks the crosswalk and incoming cars. Will the stop sign be effective?
- **David Taglianetti** said it is the way the intersection operates today, and it would be improved. Some drivers will obey and some won't.
- **Gail Barmakian** suggested a speed bump to encourage people to not violate the stop sign, and to slow them down.
- **Randy Hart** said a speed bump would cause more issues than it solved.

There was a discussion about delivery service.

- **Katherine Newman** said with regards to Pea Pod, the applicants have said the service is on the Island, but expanding it won't help traffic during peak hours. She thought that people would pay to avoid the store during peak season and that it would add service to the Island.
- **Linda Sibley** said it doesn't have to be Pea Pod, but that any delivery service would suffice.
- **Katherine Newman** said a delivery service would add to the Island and it could help with the traffic issue.
- **Lisa Davis** said a warehouse would be needed to operate a delivery service, and that does not exist at this store. The current Pea Pod is from off-island, so it is dependent on the ferry and is not an efficient means of operation. It is really complicated. There is not a consistent amount of use and the logistics are complicated.
- **Linda Sibley** noted that a delivery service is for further discussion at a later time, not as part of the public hearing.

There was a discussion about traffic.

- **Joan Malkin** asked if it would be feasible to offer incentives to customers to encourage them to shop outside of the peak hours to help with traffic.
- **Gail Barmakian** said changing the location of the first entrance across from Pinehurst Road mitigates some of the traffic issues, but creates others. She was not completely comfortable with it.
- **Randy Hart** said that various studies have been done regarding this area with direct recommendations to consolidate the two western driveways into a single one, and to place the driveway across from Pinehurst Road. The information was taken from those studies and implemented them. Currently, there are three points of access in a limited area, which creates conflict points. There is an element of confusion when someone turns on their blinker, is it for the first or second drive? The plan consolidates the movements and provides separation from pedestrians and the bus stop. However, it may cause more backup.
- **Linda Sibley** said the person coming out of Pinehurst Road going into Stop & Shop may cause an issue. How will a person get across the street in the new configuration? People may drive half way across the road and stop.
- **Randy Hart** said drivers would have to wait for a gap in traffic. There is an element of courtesy on the Island. However, this configuration offers another option, drivers can take a right out of Pinehurst Road and go in the eastern driveway.
- **Christina Brown** said in reading the traffic study there was a 45% increase in peak summer hours. Is that correct?
- **Randy Hart** said that figure is from the MVC staff.

- **Dan Doyle** said of the roughly 400 trips per hour, using the ITE estimates, it was a 48% addition. But, there are confines to the Island geography. The projections from the first expansion in 1989 have not yet been met. It is an additional 4 trips per minute.
- **Adam Turner** and **Keri Pyke** said it is an additional 4 trips per minute in the peak hour. Those volumes are conservative; and have not yet reached what was previously projected. There are other factors to take into account, including the consolidation of the pharmacy into the grocery store, which was not taken into account.
- **Linda Sibley** said the confusion over the 40% increase arises from lack of context. It is not 40% more traffic on the road as a whole, but instead an increase in the trips generated by the Stop & Shop, which is different. She asked what impact the increased Stop & Shop traffic would have on Upper Main Street.
- **Keri Pyke** said she would have to calculate that.
- **Joan Malkin** asked what the additional wait time would be.
- **Randy Hart** said the analyses do not allow for wait time calculations because of the existing traffic in the area. He used conservative numbers: 220 trips to and from the site during peak hour, divided between the two driveways. 70 of the 200 trips would be people exiting the western driveway, which equates out to approximately one trip per minute throughout the 60 minute peak hour period. One trip per minute would cause an increase in the wait time, but it is a modest increase and there is no way to quantify it. At other intersections where there isn't as much activity, that calculation would be much more feasible.
- **Fred Hancock** asked if traffic on Pinehurst Road would increase after the realignment.
- **Keri Pyke** said she did not expect more people to use Pinehurst Road.
- **Doug Sederholm** said he uses that route daily, and he did not feel it would be used more.
- **Christina Brown** said that lots of people just go to the pharmacy or just to the Stop & Shop, and asked if that was taken into account.
- **Randy Hart** said there were assumptions that the pharmacy would add traffic to the store, but people who would go to both were not taken into account because the current projections were so high. He did not think the traffic volumes presented would be reached.
- **Linda Sibley** said the applicants have provided a conservative approach, and that is really saying it would be the worst case scenario.
- **Randy Hart** said that is correct.
- **Doug Sederholm** said it is common sense that there would be increased traffic volume for this site with the expansion. Within the last 20 years it has increased, and with the exception of Five Corners, it is the worst spot on the Island in peak summer. It is unbearable. Is it possible to reach a tipping point where everything stops?
- **Randy Hart** said he did not think this project would be the catalyst for that. The numbers proposed are fictitious in his opinion. The projections say it would change dramatically, but realistically he does not think the proposed numbers would be realized.
- **Keri Pyke** responded to Linda Sibley's earlier question and said that the weekday evening would be a 13% increase over the existing traffic on Upper Main Street, and on Saturday it would be 8%.
- **Linda Sibley** said that is the percentage of traffic on the road being contributed to the expansion.
- **Randy Hart** said upon the condition that the numbers would be met.
- **Gail Barmakian** said the biggest issue is in the summer on beach days. It is usually in the morning for peak traffic, and also at the end of the day. Was that assumed?
- **Randy Hart** said numbers were observed and recorded throughout the day.



- **Geoghan Coogan** said overall there is a traffic problem in the area, but it is not only a Stop & Shop problem; it is an Island problem, like Five Corners. The Stop & Shop team will work with the Town to look at the entire corridor, and will participate in discussions for improvement.
- **Christina Brown** said a long time ago, Edgartown envisioned back service roads behind the stores as Upper Main Street developed. Has that been considered or is it on the radar?
- **Geoghan Coogan** said no, and there is no place to put a road.
- **James Vercruyse** said if there is anything that can be done or offer to help reduce traffic it will help for deliberation and decision.

There was a discussion about energy efficiency.

- **Ben Robinson** addressed the idea of solar on the old part of the building. He said that there would certainly be an energy increase with the expansion, and thought that Stop & Shop should think a lot about solar to decrease that energy increase. The applicants have stated that the existing roof would be overstressed for solar, and he would like better clarification on that. How was it determined that the roof would be overstressed?
- **Tom Scott** is the architect and he said he had conversations with the structural engineer. Every joist on the roof would need to be doubled, and the girders would have to be increased. It would be a very significant project, and the store would not be able to remain open during construction.
- **Ben Robinson** asked if the technical specifications and information could be provided in writing.
- **Linda Sibley** said the applicant would be making the new building solar ready, and will install the panels if they make sense financially. She suggested that anything that provides solar energy would be considered a benefit to the MVC.
- **Joan Malkin** said especially since an increase in the overall energy use would be considered a detriment.
- **Lisa Davis** said that solar credits are expiring for the State, so that plays into it. All of the HVAC units would be replaced, so the entire building old and new would be more energy efficient.
- **Ben Robinson** asked if an energy audit was done.
- **Lisa Davis** said there was an energy analysis that compares the theoretical baseline to the energy savings.
- **Samira Ahmadi** said that an energy analysis was done for the whole building. A peak increase in energy use is not expected. The comparison still needs to be done. There might be a small increase, but it would not be significant.
- **Joan Malkin** asked if that could be put in writing.
- **Samira Ahmadi** said yes.

**Gail Barmakian** asked if composting had been discussed. **Lisa Davis** said it was, and is done with local farmers. Stop & Shop is always looking to do that, and it is included in the original proposal.

**Trip Barnes** said a cellar could provide 16,000 sf, and a lot of inventory could be placed in the basement. The way the Island is growing, he guessed the applicants would be back in ten years to tear down and rebuild. The building will be longer and wider, and a basement could be beneficial.

There was a discussion about seasonal employees.

- **Joan Malkin** asked how long the seasonal employees work for Stop & Shop.
- **Lisa Davis** said approximately three months.
- **Joan Malkin** said they join the union after 90 days, and asked if the benefits were comparable.
- **Geoghan Coogan** said the benefits are the same.

**Ben Robinson** said this store would represent a significant amount of where groceries are purchased. There needs to be more local supply, and he would like to see some creative solutions for that. **Geoghan**

**Coogan** said that there are local products currently in the store, but it is difficult to guarantee that they will approach Stop & Shop. He said that community outreach could be expanded.

#### **1.4 Public Testimony**

**Jim Carter** is the owner of the Clarion Inn and he was concerned about the parking situation. He had conversations with the Stop & Shop representatives a few months ago. As the project has moved forward, the number of parking spaces has decreased. He was curious as to the ratio between the number of required parking spaces and the square footage of retail floor space.

- **David Taglianetti** said the proposal now includes 164 spaces for the expansion, and he did not see that decreasing. There are currently 161 spaces.
- **Jim Carter** said that is increase of only three spaces.
- **Linda Sibley** asked if the Clarion Inn shared parking spaces with the Stop & Shop.
- **Jim Carter** said yes, and the right of way is also shared.
- **Adam Turner** asked if Mr. Carter was concerned people would park in the Inn's lot because there would not be enough parking provided.
- **Jim Carter** said yes, and we also park today in Stop & Shop because the ratios are not enough.
- **Robert Doyle** asked if there was an agreement with Stop & Shop to use their parking spaces.
- **Jim Carter** said there was.
- **Linda Sibley** said the MVC traffic planner would address this issue.
- **Christina Brown** asked what the experience has been over the last couple of summers.
- **Jim Carter** said he forwarded pictures to Geoghan Coogan. The lot behind Shiretown Meats fills up, and he has seen people with shopping carts going to the back of the Inn.
- **David Taglianetti** said that spaces are not currently striped in the back parking lot and often not utilized. What affects overflow is they have one entry way on the east side of the store. The west parking field doesn't get used. With the new configuration, it will provide better use of the available parking and should help alleviate the existing situation.
- **Jim Carter** asked what would happen to the easement for the 20 parking spaces on Upper Main Street if the road is expanded. It has been talked about, and it could be made into three lanes. What would happen to those spaces?
- **David Taglianetti** said the green space would get narrower and the spaces won't necessarily be lost.
- **Linda Sibley** asked what would happen if the right of way was lost.
- **David Taglianetti** said the front parking field could be reconfigured to move the parking spaces out of the State right of way.

**Sheila Bresnehan** asked what would happen to the current loading dock. **David Taglianetti** said it would stay as it is.

**James Abdu** asked what would happen when the machinery degrades. Studies have shown that there are effects on the sound levels, and right now the proposal just barely meets the State noise allowance. The report says the equipment will start to degrade.

- **Geoghan Coogan** said that question can't be answered right now.
- **Linda Sibley** said she would like to know what Stop & Shop intends to do if the store does not meet the State noise level.
- **David Taglianetti** said it would have to be corrected with more mitigation techniques.
- **James Abdu** asked if the Commission would require that the State noise allowance be met.
- **Fred Hancock** said it could be conditioned by the MVC to meet the noise reduction target.



- **Josh Goldstein** said based on his experience as a business owner, he would imagine it would be in Stop & Shop's best interest to replace or repair the equipment to perform to the best efficiency.

**Nancy Angus** said there is a small swatch of forestation on west side of the concept plan. Will everything west of that remain wooded? **David Taglianetti** said it would, and showed the plan.

**Vincent Mandarano** lives behind where the new addition and loading dock would be. A home was recently built and the woods were taken down behind the current loading dock, and the difference in noise is noticeable. The new loading dock will be heard. The Stop & Shop representative met with him. He asked what the number of trucks loading and unloading per day would be, and if it was anticipated to increase with the expansion. He also asked if the unloading would occur throughout the day, if the existing loading dock would be used, and inquired about the traffic flow.

- **David Taglianetti** said that currently there are 5-6 truck deliveries in the summer and 2-3 trucks in the winter. There would be one additional trailer per day on average with the expansion. The trucks would be divided evenly between the loading docks on the east and west sides of the building. The dry goods trucks would use the existing loading dock on the east, and the refrigerated trucks would use the new loading dock. He showed the traffic flow on the site plan.
- **Vincent Mandarano** said it would be about 8 trucks per day. He asked if the trucks leave after they were unloaded. Is there a timeframe?
- **Lisa Davis** said there are ferry time slots, so the deliveries are on a fairly regular schedule. The refrigeration trucks have to remain on, but should be able to unload within 30-60 minutes, and once unloaded they do not need to idle. Today, the trucks are idling longer because there is not enough space to unload.
- **Tom Scott** said that refrigeration and freezers would be added to the store.
- **Doug Sederholm** asked how many non-Stop & Shop trailers are there. During the site visit there were quite a number of trucks idling.
- **Lisa Davis** said there are as many as 15-25 per day, and Stop & Shop has very little control over them. They deliver to multiple stores on the Island. During the site visit, the trailers were being unloaded, which is why they were idling.
- **Doug Sederholm** asked how many are refrigerated trucks?
- **Lisa Davis** said about half to one third. The vast majority of refrigerated product is Stop & Shop brand, and is on the company's trucks.
- **Randy Hart** said it was his understanding that in the summer, many of the trucks have to come back more than once a day because there is a lack of shelf space.
- **Doug Sederholm** summarized that there would be 6-8 Stop & Shop trucks and 20 plus vendor trucks.

**Vincent Mandarano** asked for clarification on the location of the sound attenuation wall.

- **David Taglianetti** said the 12 foot sound attenuation wall would start at the corner of the new loading dock and extend along the property line to the corners of the property on both sides.
- **Gail Barmakian** asked if the applicant could compare the effectiveness of the wall to the loss of trees.
- **David Taglianetti** said that would have to be modeled, but was not sure what else could be done for the sound. There is an existing operation on the site today with no mitigation. The proposed project offers a sound attenuation wall to help mitigate the noise.
- **Geoghan Coogan** said he is not an engineer, but a wall built for sound deafening purposes is much better than a tree in the winter with no leaves.

**Nancy Angus** said 12 trucks would be added to the west side, where there are currently no trucks. In the best case scenario, the trucks unload in 30 minutes, there would still be 6 or 7 hours a day between 7:00 a.m. and 9:00 p.m. when the trucks would be running.

- **Lisa Davis** said there is a difference between Stop & Shop trailers and panel trucks.
- **Geoghan Coogan** said it would take 30-60 minutes to unload the trailer and there would be 3-4 Stop & Shop refrigerated trucks. The other trucks would be vendor trucks, that certainly do not take 30 minutes to unload.

**Renee Clermont** asked if the pharmacy and sundries at the Triangle would be closed once it moved to the Stop & Shop location.

- **David Taglianetti** said the Triangle location would be closed.
- **Renee Clermont** asked if it was possible to get community consensus on whether the pharmacy should be combined with the store. Right now, it is possible to avoid traffic to get to the pharmacy. She would rather see the space inside the Stop & Shop proposed for the pharmacy be used for something local. She added that she would move her business to another pharmacy if she had to go into the store. She also asked if the main entrance coming out across from Pinehurst Road would be the same width as it is now.
- **David Taglianetti** said it is 24 feet and would not be changed.
- **Renee Clermont** said the stop sign is redundant because drivers have to stop to take a left to go onto Upper Main Street, which is a difficult turn, and she suggested making it wider. The area is pretty congested, and there would be more traffic coming from the bank and the back parking lot. She would love to see the bus and pedestrians moved out of the intersection altogether.

### 1.5 Commissions' Discussion

**Linda Sibley** asked the applicant how long they felt they needed to keep the written record open. **Doug Sederholm** said the applicant has not yet presented a closing statement.

There was a discussion about Stop & Shop's housing plan.

- **Christina Brown** said she thought it would be useful for the public to hear about Stop & Shop's housing plan.
- **Geoghan Coogan** said Stop & Shop currently rents or provides housing for all employees who need it. It costs about \$700,000-\$800,000 per year. The proposal includes the payment of the MVC affordable housing mitigation fee of \$26,670, and additional annual payments of \$50,000 to the Dukes County Regional Housing Authority. Pre-expansion, there was over \$900,000 committed to house the employees on Martha's Vineyard. The investment is large and will get larger. For the long range, Stop & Shop would like to build housing so there is a longer term plan, the stability of permanent housing.
- **Doug Sederholm** said that \$600,000 to \$900,000 was invested, and the employees are only charged \$25 per week.
- **Christina Brown** asked if in the future employees will continue to have housing arranged by Stop & Shop.
- **Geoghan Coogan** said they will.

### 1.5 Applicants' Closing Statement

**Geoghan Coogan** said a lot of time was spent on this project. This project evolved from the Tisbury project that was vetted. The benefits of this store would be positive.

There was a discussion about closing the public hearing.

- **Linda Sibley** asked how long MVC staff would need to respond to some of the questions and concerns.



- **Adam Turner** said he thought the applicants might need some time.
- **Geoghan Coogan** said no more than a week was necessary.
- **Ben Robinson** asked if all of the exterior materials could be specified on the elevations.
- **Geoghan Coogan** said yes.
- **Gail Barmakian** asked if the energy report could be done in a week.
- **Geoghan Coogan** said yes.
- **Linda Sibley** and **Adam Turner** suggested keeping the written record open until October 27, 2017.

**Linda Sibley**, Public Hearing Officer, closed the Public Hearing with the written record open until 5:00 p.m. on October 27, 2017.

**James Vercruysse**, Chairman, recessed the meeting at 8:35 p.m. and reconvened at 8:45 p.m.

## **2. OAK BLUFFS TOWN HALL-OAK BLUFFS DRI 678 DELIBERATION AND DECISION**

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*Robert Doyle, Josh Goldstein, Leonard Jason and Doug Sederholm excused themselves from the meeting*

*Commissioners Present: G. Barmakian, T. Barnes, C. Brown, F. Hancock, J. Malkin, K. Newman, B. Robinson, L. Sibley, E. Thomas, R. Toole, J. Vercruysse.*

### **2.1 Staff Report**

**Bill Veno** presented the following:

- The Public Hearing was closed on September 28, 2017 with the written record left open until October 10, 2017.
- The LUPC met, and the Benefits and Detriments draft was based on the LUPC meeting and the recommendations.
- The LUPC recommended that the Commission approve the proposed development based upon their findings.
- Also included in the information was the clarification and answers to questions from the public hearing.
- A letter was received from the Oak Bluffs Road and Byways Committee.
- Material specifications addressing Ben Robinson's questions were also received.

### **2.2 Deliberation**

There was a discussion about Traffic and Transportation.

- **Fred Hancock** said the traffic summary is more detailed than identified in the Benefits and Detriments. He suggested a more concise report by shortening it to end at line 52.
- **Gail Barmakian** said she did not understand lines 43-53. It does not come to a conclusion or have a finding.
- **Fred Hancock** said that is why he is suggested stopping the Benefits and Detriments at line 52.

There was a discussion about the rain gardens and drainage.

- **Adam Turner** said the drainage plan was examined and it was determined that rain gardens would be appropriate. He showed the suggested location on the site plan. The drainage plan is okay, but he would like the conditions to add a couple of rain gardens.
- **Linda Sibley** said all of a sudden rain gardens are the coolest thing, but what happens in a draught, would it all die?

- **Adam Turner** said the Conservation Commission was tasked to come up with tolerant plants. All rain gardens in New England have the same issue, and they have proven to work.
- **Gail Barmakian** said there is a rain garden across from the Town Landing and it survives and flourishes.
- **Adam Turner** said information has been posted on the MVC web site.
- **Linda Sibley** said she did not know that there was a list of wet and dry tolerant plants.

***Fred Hancock moved and it was duly seconded to change two vegetative areas into vegetative rain swales. Voice vote. In favor: 11. Opposed: 0. Abstentions: 0. The motion passed.***

There was a discussion about parking.

- **Adam Turner** said it was also discussed if the two street parking space areas should be angled spaces.
- **Gail Barmakian** said angled spaces would force people to back into a two-way street and over a sidewalk; she proposed that the parking be parallel. More spaces would be lost, but it would be easier to get out without having to back into traffic.
- **Fred Hancock** said he thought perpendicular parking would be possible, but did not like parallel.
- **Gail Barmakian** asked how many spaces would be lost with parallel parking.
- **Fred Hancock** said about half.
- **Gail Barmakian** said there are currently six parallel parking spaces in front, and four spaces would be added with perpendicular or angled parking. Are those four spaces necessary?
- **Ben Robinson** said there may not be six parallel spaces after the addition of the sidewalks.
- **Linda Sibley** said she would assume they could do what they want since the Town is going to review it.
- **Richard Toole** said the Planning Board would review.
- **Fred Hancock** said there are a lot of people using that parking area for things, such as getting permits and short term parking.
- **Linda Sibley** asked if it would be appropriate to allow the Town to decide on perpendicular or parallel parking, but not angled.

***Christina Brown moved and it was duly seconded to condition the parking on School Street and to allow with approval from the Town to do either perpendicular or parallel parking at this site.***

- **Fred Hancock** suggests allowing them to do perpendicular, parallel or angled parking.
- **Christina Brown** said she wanted to leave her motion as stated. If the Town finds it difficult, they can come back and ask for a modification.
- **Fred Hancock** said if we say they can do parallel it is only for people going down the street and it only works in one direction. It is the same issue as angled parking so we should say to leave it to the Town rather than micro-managing it.
- **Ben Robinson** said why not say that the Oak Bluffs Planning Board review can determine.

***Voice vote. In favor: 2. Opposed: 9. Abstentions: 0. The motion did not pass.***

***Joan Malkin moved and it was duly seconded that the final decision for design of the parking on School Street be determined by the Planning Board.***

- **Linda Sibley** suggested saying the Town.
- **Joan Malkin** amended her motion to say as determined by the Town.

***Voice vote. In favor: 10. Opposed: 1. Abstentions: 0. The motion passed.***

**Ben Robinson** said he addressed not using PVC exterior trim. The interior floors should also consider the interior floor where carpet and vinyl are proposed. Vinyl is not easily recycled and has a short time span. Wood floors would be better for the environment, the user, and better aesthetically. Wool carpet is far



superior to synthetic carpet. Nylon and synthetic fibers require the use of adhesives and fire retardants. It is a public building, not private. The architects did not address the issue.

***Ben Robinson moved and it was duly seconded to use wood floors and wool carpet on the interior and no PVC trim on the exterior.***

- **Richard Toole** said the reason they are in the current building is because the last building was considered a "sick building."
- **Fred Hancock** said the MVC has never specified interior materials in a building. It is totally different than anything done before. It is unfair to the applicant and to the Town at this point to specify materials with the financial plan already in place for the building. At this point, their plan is a good plan.
- **Gail Barmakian** agreed with Fred Hancock. Especially with regards to the budget for the project. There should be an exception for a municipality.
- **Ben Robinson** asked how sick days and town employee health benefits count as an impact to the Town.
- **Christina Brown** said she thought it was a good idea to specify interior materials because the MVC took the project as a DRI because the Oak Bluffs Town Hall serves people from other towns as well. There is some responsibility for everyone going in and out of Town Hall. The MVC has some responsibility to look at materials if they are unhealthy, as suggested. Should we take a breath and receive more information on the health issue.
- **Katherine Newman** said perhaps it should be taken that into consideration for the future and make it a consideration, but not a condition at this point of the project.
- **Linda Sibley** said the MVC has repeatedly asked our attorneys if a project is of regional impact, the Commission has purview over all aspects of it, but on the other hand it could cost more, which is something to consider. This Building Committee has been very thoughtful and has received Town approval.
- **Ernie Thomas** said before he could vote on the motion he would like specific recommendations and history. He did not think the materials can be conditioned without concrete information.
- **Richard Toole** said this issue came up before and he agrees that it should be a strong recommendation, but that is as far as we should take it at this point.

***Voice vote. In favor: 1. Opposed: 7. Abstentions: 3. The motion did not pass.***

***Ben Robinson moved and it was duly seconded that the MVC strongly recommend that the applicant look at and move forward to seek healthy alternatives with regards to materials. Voice vote. In favor: 10. Opposed: 1. Abstentions: 0. The motion passed.***

**Fred Hancock** said that because it is a replacement building with the existing uses on the site, the MVC should sunset the DRI, especially since the Town Library is also on this site so if there were changes they would not have to come back.

***Fred Hancock moved and it was duly seconded that the DRI status sunsets upon the issuance of the Certificate of Occupancy of the building.***

- **Linda Sibley** agrees and supports Fred Hancock's motion as the Town should not have to be put in that position.
- **Gail Barmakian** asked if the DRI is not sunset and if it comes back to the MVC, couldn't the MVC dismiss it?
- **Fred Hancock** said if they wanted to rearrange the parking or do a bump out on the building that is above the threshold, they would have to come to the MVC for approval for the Town Hall as well as the Library.
- **Gail Barmakian** said this is a DRI and that would be saying the MVC doesn't want to see it anymore, so it is admitting that the MVC really didn't need to see it.

- **Joan Malkin** said if the project was a proper DRI, they would have to come back to the MVC. The only reason this project wouldn't, is because of what it is.
- **Fred Hancock** said if examined carefully, the project does not meet the standards of the MVC Checklist.

***Voice vote. In favor: 5. Opposed 6. Abstentions: 0. The motion did not pass.***

### **2.3 Benefits and Detriments**

***Linda Sibley moved and it was duly seconded to approve as presented with the approved conditions.***

#### **Benefits**

The Commission finds that the proposed development at this location is appropriate in view of the available alternatives in that it keeps Town Hall offices at the location occupied for over fifteen years and combined with the adjacent Town Library creates a municipal "campus" that is conveniently located within a low traffic volume neighborhood but accessible by public transportation.

The Commission finds that the proposed development would have a mostly positive impact upon the environment relative to other alternatives.

- **Wastewater and groundwater:** The Commission notes that the new fixtures would use water more conservatively. The Commission also notes that the project creates more impermeable surface but that more surface storm water will be captured on site in subsurface catchment basins to recharge the groundwater.
- **Energy and Environmental Building:** The Commission notes that the new construction will be LEED eligible and the roof prepared for the future installation of solar panels that could exceed the building's electrical demand.
- **Night Lighting and Noise:** The Commission notes that the applicant has testified that only external security lighting that is required by building code and in all regards shall be Dark Sky compliant. The Commission finds that the noise after completion should be similar to the existing conditions, with a potential increase of voices and cars near the Pacific Avenue and School Street intersection due to the added parking and main floor meeting room.

The Commission finds that the proposed development would have a mostly beneficial effect upon other persons and property.

- **Traffic and Transportation:** The Commission finds that the project is not expected to generate significantly increased traffic and that there is ample parking in the vicinity for heavy meeting days.
- **Scenic Values, Character and Identity:** The Commission finds that the project's increased building mass is compatible in character with adjacent multistory buildings to the north and south and that the exterior materials of the new building reflect both the shingled siding and the stone walls of the adjacent buildings. The gabled dormers and standing-seam metal roof provides the new Town Hall building individuality within the building vernacular of the community.
- **Impact on Abutters:** The Commission finds that the new facility will house the same municipal services but with additional meeting space and room for growth.

The Commission finds that the proposed development would have beneficial impacts on the provision of municipal services or burden on taxpayers in making provision therefore. The Commission notes that the proposed building will be more efficient and addresses space needs for municipal employees and the citizens they service. The configuration of the building and the site layout provides multiple access points and circulation options. Oak Bluffs citizens have already voted to support and fund the project.



The Commission finds that the proposed development would use efficiently and not unduly burden existing public facilities (other than municipal) or those that are to be developed within the succeeding five years. The Commission notes that the project has been on the Town's Capital Improvements Plan for several years.

The Commission finds that the proposed development would not contravene land development objectives and policies developed by regional and state agencies.

#### Detriments

**Wastewater and Groundwater:** There is little attempt to capture the "first flush" of a storm event with bio-swailes or rain gardens which could provide additional filtration of containments before entering the subsoil, nor is any of the roof runoff captures for irrigation use.

**Impact on Abutters:** The biggest impact on abutters may be from increased vehicle and pedestrian activity associated with the additional parking along School Street and Pacific Avenue and the main floor meeting space. The Commission notes that the temporary offices during construction will increase activity and noise to the adjacent location.

#### Neutral

The Commission finds that the proposed development would have no impact upon the supply of needed low and moderate income housing for Island residents.

**Open Space, Natural Community and Habitat:** The Commission finds that the Applicant's plans for several grassed and traditional landscaped areas distributed around the structure misses an opportunity to create more varied islands of habitat that might encourage a more diverse array of fauna.

#### Summary

After careful review of the plan and its attendant submittals and the testimony presented by the applicant and others and the addition of conditions as offered, the Commission has concluded that the probable benefits of this proposed development in this location exceed its probable detriments.

- The Commission finds that the proposed development would be consistent with the land development objectives of the Commission. The requested project as a whole advances the Commission's land development objectives as outlined in the Island Plan adopted by the Commission in December 2009.
- The Commission finds that the proposed development is consistent with municipal development ordinances and by-laws to the best of the Commission's knowledge. The Commission finds that the project is a permitted use (municipal) in the R-1 Zoning District.
- The Commission finds that the site is not within any Districts of Critical Planning Concern.

**Bill Veno** reiterated the approved conditions.

- To turn the existing vegetation in two locations into two rain gardens.
- The Town is to approve the reconfiguration of the parking on School Street.
- The Commission is strongly recommending the use of healthy materials.

**Roll call vote. In favor: G. Barmakian, T. Barnes, C. Brown, F. Hancock, J. Malkin, K. Newman, B. Robinson, L. Sibley, E. Thomas, R. Toole, J. Vercruysse. Opposed: none. Abstentions: none. The motion passed.**

There was a discussion about creating a committee for building material(s) review.

- **Linda Sibley** asked if the MVC was going to create a committee to look at materials.
- **James Vercruysse** said he would appoint interested parties to investigate this at a future MVC meeting.
- **Ben Robinson** said there is information to pull from, it has already been done.

- **Katherine Newman** said suggested that Ben Robinson give a quick presentation to educate the rest of the Commissioners.
- **Joan Malkin** said once a document is done to be approved by the MVC all of that is included.
- **Gail Barmakian** said the MVC should also look at net energy use, as everything is increasing.

### 3. NEW BUSINESS

Commissioners Present: G. Barmakian, T. Barnes, C. Brown, R. Doyle, J. Goldstein, F. Hancock, L. Jason, J. Malkin, K. Newman, B. Robinson, D. Sederholm, L. Sibley, E. Thomas, R. Toole, J. Vercruysse.

#### 3.1 Executive Director Report


Adam Turner presented the following:

- He commended the MVC staff for working hard on two big projects to get done right away: the Oak Bluffs Town Hall and Stop & Stop.
- Carbon footprints and low impact development needs to be examined further. There was a seminar last week, and perhaps the Commissioners could attend in the future.
- He thanked the Commissioners for coming out to three meetings held consecutively.

The meeting was adjourned at 9:35 p.m.

#### DOCUMENTS REFERRED TO DURING THE MEETING

- DRI 429-M2 Edgartown Stop & Shop Offers – October 13, 2017
- Draft DRI #429 M4 Stop & Shop M2 (regarding Affordable Housing Offers and MVC Staff Recommendations)
- Appendix: Stop & Shop 2018 Workforce Housing Budget
- Stop & Shop Applicant's Responses to Commissioners Questions
- DRI 678 Oak Bluffs Town Hal Reconstruction Draft Benefits and Detriments based on Recommendation by the LUPC on October 10, 2017
- Letter to the MVC from Oak Bluffs Roads and Byways Committee, Dated October 6, 2017
- Response from Ben Robinson regarding materials, including exterior and interior choices, Dated October 10, 2017, Subject: OB Town Hall
- Email from Antonia Kenny, Dated October 6, 2017 regarding finishes for the Oak Bluffs Town Hall
- DRI 678 – Oak Bluffs Town Hall Project, Clarifications and Questions, Dated October 5, 2017

  
Chairman

12-21-17  
Date

  
Clerk-Treasurer

12-21-2017  
Date