1. **Wastewater, Groundwater, Flooding, and Risk from Other Natural Hazards**

1.1 **Stormwater Management:** The applicant shall submit a final stormwater management plan for review and approval by the MVC Land Use Planning Committee prior to the issuance of a building permit. The stormwater plan shall include:

- narrative and calculations for impermeable areas,
- volumes and rates of runoff,
- proposed containment of rainwater runoff from the roof of the building,
- clarification of how overflow will be handled in relation to the fact that the Town’s Wastewater Treatment Plant is only authorized by EPA to take domestic wastewater,

All stormwater shall be managed on-site. A plan will be submitted for approval by all local permitting authorities and shall be a condition for approval of a building permit.

1.2 **Risk from Other Natural Hazards**

- The building shall be designed to meet the 8th Edition of the Massachusetts State Building Code and its amendments, which references the 2009 IBC and any local codes or ordinances that are applicable.

2. **Open Space and Landscaping**

2.1 **Landscaping Plan:** The Applicant has produced a final landscape plan pursuant to the Martha’s Vineyard Commission Landscape design policy. The landscaping plan shows plant species, quantities, and locations, and includes an implementation timetable. The Town of Edgartown Planning Board shall approve this plan before construction.

2.2 **Maintenance of Landscape:** All fertilizers shall be slow-release, water-insoluble nitrogen source types. No synthetic pesticides including herbicides, fungicides and/or insecticides shall be used in the maintenance of landscaping. All landscaping plans and maintenance shall conform to UMass Amherst Extension Center’s Best Management Practices. All landscape shall be maintained as shown on the plan, in perpetuity.

3. **Night Lighting, Noise**

3.1 Exterior lighting shall be limited to external sign illumination, security lighting, and emergency lights required by code, which are downward-shielded to prevent light spilling off the property. There shall be no flood lighting.

3.2 All exterior lighting – except for security lighting, which shall be on motion detectors – shall be on timers and shall be turned off during the day as well during the night from one hour after the store closes at night to one hour before it opens in the morning.

3.3 A final exterior lighting plan shall be submitted to and is subject to the approval of the MVC LUPC prior to the issuance of a CO. It may be incorporated into the final landscaping plan.

3.4 There shall be no formal or informal activities on the property that exceed the Commonwealth of Massachusetts Department of Environmental Protection’s Noise Control Regulation 310 CMR 7.1 0 at all boundaries of the property or that exceed any applicable Town of Edgartown noise regulations.

3.5 Noise emanating from mechanical cooling or ventilation systems shall be controlled by sound baffling panels, similar to a Kinetics Noise Control tongue and groove sound barrier wall panels.
3.6 Noise emanating from trucks backing up early in the morning shall be controlled by Stop & Shop staff under the supervision of the Store Manager with measures such as requiring that any trucks parked overnight back in so they can leave in the morning without backing up.

3.7 A Sound attenuation wall of 12’ in height shall be constructed in accordance with the plans submitted.

4. **Energy, Green Building**

4.1 **LEED:** The proposal shall be designed and built according to that design to attempt to accomplish certification in accordance with LEED certified level of compliance with the USGBC 2009 LEED-NC for Retail v3.0, which equates to a minimum of 40 LEED scorecard points.

4.2 **Solar Roof:** The new portion of the roof will be designed to accommodate PV’s for future installation. Stop & Shop is participating in the Massachusetts Community Solar Farm which is a Community Shared Solar (CSS) project. Twenty-five locations, including the Edgartown store will participate in this CSS. This is a shared solar PV system that provides benefits – such as electricity, net metering credits, and return on investment – to multiple participants. The CSS project is hosted by NRG which leases a suitable parcel of land which is supported by multiple participants who invest in the project or purchase the electricity or net metering credits generated. CSS offers an alternative for those who cannot install solar on their own property.

4.3 **Waste Management:** The applicant shall install recycling bins at convenient locations inside and outside the building and maintain them regularly. All kitchen oils shall be recycled and given to a supplier of bio-diesel when feasible and as necessary. Dumpsters shall be located inside the Truck Docks as shown on the Plans. The Trash Compactor shall be operational during store hours only.

5. **Traffic and Transportation**

5.1 **Deliveries:** The applicant shall schedule truck deliveries and waste removal to the best of their ability, between 7 a.m. and noon daily and shall normally keep the truck dock doors closed after noon. However, there may be occasional deliveries between noon and 9 p.m. There shall be no deliveries between 9 p.m and 7 a.m. Stop & Shop employees shall manage and be present for all deliveries. Refrigerated trucks will run as required during unloading and shall be turned off upon completion of unloading.

5.2 **Bicycling:** The applicant shall provide and maintain bike racks within the parking areas, and shall provide information about alternative means of transportation to customers and employees such as by posting signs indicating alternative means of transportation for customers and employees at several public and employee areas around the site.

6. **Scenic Values**

6.1 **Building Design:** Final architectural plans and details, to be substantially the same as the plan approved by the Commission, shall be submitted for the review and approval of the MVC Land Use Planning Committee before a Building Permit is issued.

7. **Economy and Employment**
7.1 Uses: Stop & Shop shall be used as a grocery supermarket as the existing supermarket is used as of the date of these offers. Sales items shall be similar to those offered in the Edgartown Stop and Shop location the existing Edgartown Stop and Shop location, and similar to Cronig’s Supermarket.

7.2 Public Restrooms: The applicant shall install and maintain restrooms inside the store which shall be open to the public when the store is open, in order to provide an important amenity to shoppers and visitors.

8. Low-Income, Moderate-Income, and Workforce Housing

8.1 Affordable Housing Contribution: The applicant shall provide the following financial contributions to affordable housing:

i. $26,670.00 shall be donated to the Dukes County Housing Authority in accordance with the Martha’s Vineyard Commission’s Affordable Housing Policy.

ii. $50,000.00 shall be donated to the Dukes County Housing Authority on an annual basis or until such time as the applicant purchases permanent housing or constructs housing.

In the event the applicant constructs or acquires housing, an amount equal to $10,000.00 shall be deducted from the annual contribution for each unit of housing acquired or constructed. In other words, if the applicant constructs or acquires five permanent residences on Martha’s Vineyard, the annual monetary mitigation to the DCHA shall cease.

8.2 Workforce Housing: Stop & Shop shall continue to provide, during their ownership of the store, housing units for employees of both Stop & Shop stores on Martha’s Vineyard, either permanent year-round housing or seasonal housing as required. If an applicant or existing employee has housing, Stop & Shop does not seek or provide housing for such employees. In January of each year the applicant will supply the MVC with its then current housing stock list, in the form substantially the same as provided to the MVC during the permitting process, along with its Annual Workforce Housing Budget. The MVC may, in conjunction with the applicant, randomly choose up to five (5) of that year’s existing rental housing accommodations to verify compliance with this offer. The information provided to the MVC shall remain confidential.

9. Construction Process

9.1 Construction Management Plan: A complete Construction Management Plan shall be submitted for the review and approval of the Martha’s Vineyard Commission Land Use Planning Committee before issuance of a building permit.

* Local, licensed qualified and insured subcontractors will be encouraged to bid.
* A full construction management plan shall be submitted to the building commissioner prior to issuance of a building permit.

10. Modifications to this Decision

10.1 Required MVC Approval: The applicant shall not alter the design or use of the premises from the approved plan, uses, and operating conditions without the approval of the Martha’s Vineyard Commission.
DRI #429 M4 Stop & Shop M2:

A. The following Affordable Housing offers, for DRI #429 Stop & Shop M2, are in compliance with the MVC’s Affordable Housing Policy:

1. According to the MVC Affordable Housing Policy, the recommended monetary mitigation for a project totaling 17,835 square feet is $26,670. The applicant has offered to provide a one-time monetary mitigation of $26,670 to the Dukes County Regional Housing Authority.

2. The applicant has also offered $50,000 annual payment to the Dukes County Regional Housing Authority (DCRHA) or until such time Stop & Shop can purchase land and build its own housing. For each housing unit that Stop and Shop Builds or owns, the annual mitigation to the DCRHA shall decrease by $10,000 per year. In other words, if Stop and Shop purchases or builds five homes, which could contain multiple bedrooms per unit, on Martha’s Vineyard the monetary mitigation to DCRHA shall cease.

3. The Applicant has submitted a 2018 Workforce Housing Annual Budget which has a total housing budget of $948,195 for 131 existing employees at the Edgartown and Tisbury Stop & Shop Stores. The following is a summary of the 2018 Workforce Housing Budget:
   - The two Stop & Shop stores rents 27 houses throughout the Island
   - $948,195 /131 beds = $7,238 as an average housing subsidy for each employee
   - Please see the appendix for the 2018 Workforce Housing Budget

B. Staff would recommend the following conditions for annual reporting and verification purposes:

1. For the life of the project, the current provision of year-round and seasonal workforce housing be continued by the applicant.

2. Each January, the applicant shall submit its Annual Workforce Housing Budget to the MVC. The MVC shall select 5 of the 27 house leases as well as the leases for the individual employees within those homes to be verified by MVC Staff or MVC’s Land Use Planning Committee.

3. The $26,670 dollars shall be paid in full to the DCRHA prior to the Building Inspector’s issuance of a Certificate of Occupancy.

4. Each January, the applicant shall submit a copy of a letter and check made out to the DCRHA in the amount of $50,000 to the MVC. The monetary mitigation shall be utilized for the purposes of creating new Affordable Housing opportunities throughout the Island. The annual monetary mitigation to the DCRHA shall cease, only if, the applicant has developed or purchased five homes for the purpose of workforce housing on the Vineyard.
   - The first payment of $50,000 shall be paid in full to the DCRHA prior to the Building Inspector’s issuance of a Certificate of Occupancy. Annual payments shall continue on the same date of the first payment each year to DCRHA.

5. In anticipation of the 25 – 35 new employees, the applicant is given two options:
   a. The applicant shall provide housing for new workers in proportion to the existing workforce housing (See Appendix) or
   b. The applicant might develop or acquire five (5) newly acquired homes, as referenced in condition item #4, shall have capacity for a minimum of ten new employees.

6. For options 5 (a) or (b):
   - Each January, the new house leases for the previous year shall be submitted annually and verified by MVC Staff or MVC’s Land Use Planning Committee.

7. These possible Offers and Conditions apply to Edgartown Stop and Shop only.