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# Martha's Vineyard Commission

## DRI #712 Shearer Cottage Expansion

### MVC Staff Report – 2021-12-23

#### 1. DESCRIPTION

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- 1.1 **Owner and Applicant:** Eric Van Allen, Chuck Sullivan (architect)
- 1.2 **Project Location:** 4 Morgan Ave. (Map 3, Lot 132), 7 Highland Ave. (Map 3 Lot 119), and 5 Morgan Ave. (Map 3, Lot 120), Oak Bluffs
- 1.3 **Proposal:** Expansion of the Shearer Cottage from six to 15 bedrooms.
- 1.4 **Zoning:** Residential 2 (R2)
- 1.5 **Local Permits:** Building permit, special permit, and site plan review
- 1.6 **Surrounding Land Uses:** Single-family homes in the R2 district, and protected land owned by East Chop Association.

**Project History:** Charles Shearer, a former slave and a professor at Hampton University, and his wife Henrietta, who was of partial Blackfoot Indian descent, first came to Martha's Vineyard in 1895. In 1903, they purchased a cottage with several lots on a hill abutting the Baptist Temple in Oak Bluffs, (then known as Cottage City). Henrietta sought to increase the family income by opening a laundry in a separate structure beside the cottage. In 1912, Shearer Cottage was fully established and became the first inn on Martha's Vineyard to cater to African Americans. In 1917, Henrietta passed away and the laundry business was closed, leaving only the cottage.

Guests in the early years were primarily business owners, politicians, lawyers, doctors, and intellectuals from Boston and other cities in the Northeast. Prominent African Americans who summered at Shearer Cottage included Reverend Adam Clayton Powell, Sr. and family, US Congressman and Mrs. Adam Clayton Powell, Jr., Henry Robbins (court stenographer for the Sacco-Vanzetti trial) and his wife, and many others. In addition, Lionel Richie and the Commodores performed their first concert at Shearer Cottage in the 1970s. Liz White (great-niece of Charles and Henrietta) established an African American summer theater, known as the Shearer Summer Theater, which ran from the 1940s to the 1960s.

The cottage is also well known for the many social and charitable groups it has hosted over the years, including the Martha's Vineyard Chapter of the National Association for the Advancement of Colored People (NAACP) and the Cottagers, and was listed in the Negro Motorist Green Book, a guide to places and services considered safe for African American travelers, which was published between 1936 and 1966. In 1997, the cottage was the first landmark to be designated on the African American Heritage Trail of Martha's Vineyard. The cottage guest book and other artifacts have been featured in an exhibit at the National Museum of African American History and Culture in Washington, DC.

The properties have remained in the family for more than 100 years. Efforts to renovate and expand the cottage began at least 20 or 30 years ago, when the owners attempted to obtain grant money for that purpose but were unsuccessful. The following history of renovations since 1903 has been provided by the applicant:

*4 Morgan Avenue was purchased by Henrietta and Charles Shearer in 1903. At that time, the*

property consisted of a single family home (the “Main House”). Soon after this purchase, a concrete slab was laid next to the Main House to operate an “open air” laundry business. In 1912, the Main House was renovated (presumably expanded) to include twelve guest bedrooms, several shared bathrooms and an industrial-quality kitchen facility. The laundry business closed in 1917 or soon thereafter.

After 1912, the property went through three significant changes. First, sometime between 1925 and 1930, the concrete slab originally used for the laundry business was enclosed and converted into several guest rooms and shared bathrooms (the “Bungalows”). Second, in the early 1950s, the Shearer family purchased 7 Highland Avenue (approximately 21,000 square feet of undeveloped land), which sits directly behind and abuts 4 Morgan Avenue. Soon after this second land purchase, the Main House was expanded onto 7 Highland Avenue to accommodate onsite laundry, storage and a staff bathroom. A two-room building was also constructed on 7 Highland Avenue directly behind the Main House (innkeeper quarters and additional storage). And finally, in or around 1970, the interiors of the main house and the bungalows were converted into six “efficiencies” equipped with kitchenettes and private bathrooms. The Inn ceased offering food and beverage services after this most recent renovation.

The Shearer family is not aware of any other major renovation or reconfiguration of the property.

**Project Summary:** The properties currently include two buildings – the main two-story cottage with three bedrooms, and a separate one-story building to the south with three rooms. The property across the street at 5 Morgan Ave. is currently used for parking. The main cottage will be gut-renovated, moved back slightly from the street, and expanded to the south, with a total of five bedrooms and a kitchen, and the separate one-story building will be demolished. A new two-story building with eight bedrooms (including a basement level) will be constructed immediately west of the main cottage, and a new one-story building with two bedrooms will be constructed immediately south of the main cottage. The new campus will extend onto 7 Highland Ave. to the west, which is also owned by the applicant. The western portion of the site will be regraded to allow for windows and doors on the basement level of the larger of the two new buildings. The total number of bedrooms on the properties will increase from six to 15, and the total square footage will increase from 3,061 ft<sup>2</sup> to 9,073 ft<sup>2</sup>, not including deck and porch space, which will increase from 906 ft<sup>2</sup> to 2,085 ft<sup>2</sup>.

The proposal was revised on Nov. 22 to no longer include events, and to clarify that use of the inn will be for overnight guests only.

## 2. ADMINISTRATIVE SUMMARY

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- 2.1 **DRI Referral:** Oak Bluffs Zoning Board of Appeals, August 3, 2021
- 2.2 **DRI Trigger:** 3.1b (Commercial construction of more than 3,500 ft<sup>2</sup>), 3.1h (Parking for 10 or more vehicles), 4.1c (Five or more dwelling units or rooms); mandatory review
- 2.3 **LUPC:** September 13, 2021
- 2.4 **Site Visit:** October 6, 2021
- 2.5 **Public Hearing:** October 14, November 18 (continued without testimony), December 2, 2021

## 3. PLANNING CONCERNS

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- 3.1 **Wastewater:** The property drains into Oak Bluffs Harbor, and the proposal includes an Innovative/Advanced (I/A) septic system capable of reducing nitrogen output to 12 mg/L. The

applicant has also offered that the inn will operate no more than eight months per year (six consecutive months, plus an additional two months as appropriate), and to hold no events onsite, other than regular use of the property by overnight guests. A septic plan dated Nov. 24, 2021, shows one 1,760 gallon-per-day (GPD) septic tank to serve 16 bedrooms, one 440 GPD tank and pump chamber to serve four bedrooms, and leaching field north of the proposed patio.

The adjusted nitrogen load limit for the Oak Bluffs Harbor watershed is 11.83 kg/acre/year, and the total area of the three lots involved is 0.751 acres, so the nitrogen load limit for the properties is 8.88 kg/year. The proposal for a 12 mg/L septic system and eight months (244 days) of operation with 15 bedrooms would create an approximate nitrogen load of 8.02 kg/year (accounting for lawn area and runoff), which is below the limit. A more advanced system capable of reducing nitrogen output to 8 mg/L could handle year-round operation, also with 15 bedrooms. Both scenarios would require regular testing to ensure the nitrogen reduction standards are being met.

- 3.2 Stormwater and Drainage:** The proposed new parking area will be permeable, and a large patio proposed for the area north of the main cottage will consist of permeable turfstone pavers. The total impervious surface area will increase from 4,409 ft<sup>2</sup> to 9,367 ft<sup>2</sup>.

A drainage plan (designed for a 25-year storm) shows drainage pits at three corners of the property, and a catch basin east of the proposed expansion. The applicant has stated that there would be little runoff into Morgan Ave., with all roof runoff deposited into the catch basin, and planting beds along the edge of the property to minimize direct drainage.

- 3.3 Energy:** The applicant has proposed all-electric and Energy Star-compliant mechanical equipment, as well as a 29.7 kW rooftop solar array to be installed within five years of reopening. Further information including the location of the panels and the projected monthly output, has been provided. The applicant has also offered to install two or three electric vehicle charging stations for overnight guests, with a goal of having one EV station per parking space within five years of reopening.

- 3.4 Traffic and Transportation:** There are currently 12 parking spaces across the street at 5 Morgan Ave., with 12 proposed, and an additional handicapped-accessible space at 4 Morgan Ave. Each guest unit (three two-bedroom units, six one-bedroom units, and three studios) would be assigned one parking space, and guest vehicles would be limited to one per unit. The applicant also plans to encourage guests to use alternate modes of transportation such as bikes and public transit, and will offer free bus passes to overnight guests. The applicant would maintain unpaved portions of Morgan, Church and Glenwood avenues around the property, as required by the town.

- 3.5 Health and Safety:** In response to concerns raised by the Oak Bluffs Planning Board and Zoning Board of Appeals regarding vital access to the property under MGL Chapter 41, Section 81M, Oak Bluffs Fire Chief Nelson Wirtz inspected the property in November and noted that some vegetation may need to be removed along the roads, but had no major concerns. Chief Wirtz planned to bring in a fire engine in December to evaluate the access, and conduct further analysis as needed.

- 3.6 Character and Identity:** The new buildings and exterior renovations will retain some features of the original structure, including cedar sidewall, double-hung windows, and decorative moldings.

However, certain historic features will be modified, including replacement of the large second-floor balcony with a smaller railing and double doors, replacement of the solid railing on the first-floor porch with a cross-fence design, and the addition of a second floor on the northern part of the building. The new buildings to the west and south will be visible from in front of the main cottage, including the gables and chimney of the building to the west (behind the cottage), which will be taller than the existing structure. An existing plaque donated by the Martha's Vineyard African American Heritage Trail will be relocated to Church Ave. (near the parking area), where Heritage Trail visitors can gather with views of the cottage. Renderings provided by the applicant show a neutral grey color scheme for the buildings, as compared to the current red buildings. The applicant plans to reuse/replicate the existing gable and post brackets throughout the campus.

- 3.7 Economic Development and Housing:** The cottage has recently accommodated overnight guests and private gatherings, including reunions, retreats, weddings, conferences, etc., by private invitation. As proposed, the expanded inn will offer daily, weekly, and monthly rates, and whole-house packages from May through October. The applicant has stated that the inn will also offer whole-house packages and daily rates to the extent practicable in the off-season. Food and beverage service was previously available to guests and others, but would now be limited to overnight guests.

The applicant estimates the addition of one or two new seasonal employees as a result of the expansion, with offsite housing for up to three employees from May through October. The offsite housing would be at an existing house located at 18 Wayland Ave. in Oak Bluffs, which is owned by the applicant's family and within walking distance. The property includes three bedrooms, 2.5 bathrooms, and private parking, and would likely be available for 3-5 years. The applicant has stated that they may purchase or rent a separate property as needed in the future.

*Staff review: Economic development*

The proposal is to expand a pre-existing, non-conforming commercial inn that operated seasonally with six guest rooms, a kitchen, and common areas, to a year-round inn with 15 guest rooms, a kitchen, and common areas in the R-2 District of Oak Bluffs.

- Shearer Cottage has operated since 1912.
- The cottage has been a family-run business with additional contract help such as laundry and landscaping services.
  - The applicant anticipates one or two new seasonal employees as a result of the expansion.
- The proposed project will have a septic system at the applicant's expense.
- The proposed expansion may not have a significant impact on town services such as police and fire, since the development is located in a densely developed residential area. All buildings will be up to current building and fire safety codes, which will be an improvement.
- The FY 2021 assessed values are as follows:
  - 4 Morgan Avenue: \$701,200
  - 5 Morgan Avenue: \$37,300
  - 7 Highland Avenue: \$435,600
  - Combined total: \$1,174,000

- It should be noted that the Oak Bluffs Town Assessor indicated that the current assessor maps and property boundaries to the above parcels are inaccurate but newly corrected maps will be available by December. The lot sizes are larger than what is currently shown in the assessor records.
- The triangular sliver between 7 Highland and 4 Morgan, assessed to the East Chop Association, is actually part of 7 Highland, so the two properties abut. 4 Morgan is also a bit larger, extending up to near the top of 7 Highland.
- MVC Staff will update the data from the assessor once the information becomes available.
- The FY 2021 property tax revenues are as follows:
  - 4 Morgan Avenue is \$5,322.88
  - 5 Morgan Avenue is \$274.90
  - 7 Highland Avenue is \$3,284.57
  - Combined total: \$8,882.35
- The proposed project will generate additional commercial Room Occupancy Tax income for the town of Oak Bluffs and the state.
- The proposed project will generate additional property tax for the town of Oak Bluffs due to the proposed renovation and expansion that will likely increase the value of the property.
- The proposed renovation and development will create a small number of new temporary jobs in the professional, technical, construction, and trade industries.

*Staff review: affordable housing*

The proposal is to renovate and expand a pre-existing, non-conforming inn from six to 15 guest rooms, with an expansion from 3,967 to 11,158 total square feet.

- According to the MVC DRI Housing Policy Monetary Mitigation Formula:
  - $11,158 - 3,967 = 7,191$  new additional square feet
  - $7,191 \times 3$  (Hotel Use)  $\times 8 = \$172,584$
- The applicant has offered to provide housing for up to three seasonal employees off-site, but the monitoring and enforcement would need to be conditioned.
- Staff would recommend waving the monetary mitigation in exchange for actual housing for employees.

**3.8 Noise and Lighting:** The proposal would increase the maximum number of overnight guests at one time from 18 to 30. The proposal was revised on Nov. 22 to no longer include events, and to clarify that use of the inn will be for overnight guests only.

**3.9 Lighting and Landscape:** A preliminary lighting plan shows parking light fixtures at six locations (at 5 and 7 Morgan Ave.), pathway lighting at nine locations, and wall-mounted lighting at 15 locations, with images of each fixture type provided.

A preliminary landscape plan shows native plantings and existing vegetation toward the rear of the property, with 28 oak, cedar, or holly trees (ranging in size from 7" to 26") slated for removal. The

applicant has stated that the intent is to increase vegetation along the property lines with abutting houses, which could serve as natural sound barriers. The applicant has also provided the following information:

*In keeping with the original landscape, ornamental plantings are proposed for the foundations of the new structures and along Morgan Avenue. Garden plants typical to the island will include summer blooming hydrangeas, roses, butterfly bush, vitex, and perennials. Screen plantings will be evergreen trees such as arborvitae. In the southwest corner of the property, native plantings are proposed adjacent to the existing woodland and will include species from the Polly Hill Arboretum Native Plant list, such as bayberry, arrowwood viburnum, highbush blueberry, and clethra. A complete planting plan will be submitted to the Commission as part of the building permit process.*

MVC staff has recommended the following:

- Only slow-release, water-insoluble nitrogen-source fertilizers may be used in the maintenance of landscaping.
- Landscape plans must use native or low-maintenance, drought-tolerant species that are non-invasive to minimize the application of nitrogen, pesticides and water to landscapes.
- Stormwater should be dispersed into natural vegetation and/or infiltration systems (e.g. vegetated swales, bio-swales, and rooftop vegetated areas).
- Strongly rooted shrubs should be considered, including along Morgan Ave., to help address runoff.

**3.10 Correspondence:** The MVC has received 41 letters from the public, mostly in support of the project, although a letter from the president of the East Chop Association raises concerns about the scale of the proposed expansion, and the potential effects on parking, traffic, roads, wastewater, lighting, and noise in the neighborhood. In addition to public correspondence, the Oak Bluffs Planning Board and Zoning Board of Appeals have submitted a letter outlining their criteria for the required site plan and special permit reviews.