

Stone Bank Restaurant
DRI 674-M3

Land Use Planning Committee
Nov. 14, 2022

Stone Bank Restaurant

Applicant:	Sam Dunn
Owner:	Sam Dunn, Patrick Lyons (under purchase and sale agreement)
Proposal:	Modification of DRI 674-M to allow for a 70-seat outdoor restaurant with indoor kitchen
Permits:	Planning Board, ZBA, Wastewater Dept.
Checklist:	1.3D (Previous DRI)

Pre-hearing review

LUPC: 11/8/21, 6/21/22

Applicant offered to go straight to hearing last year, but proposal has been updated.

Traffic impact assessment completed in April.

Stormwater peer review completed in November.

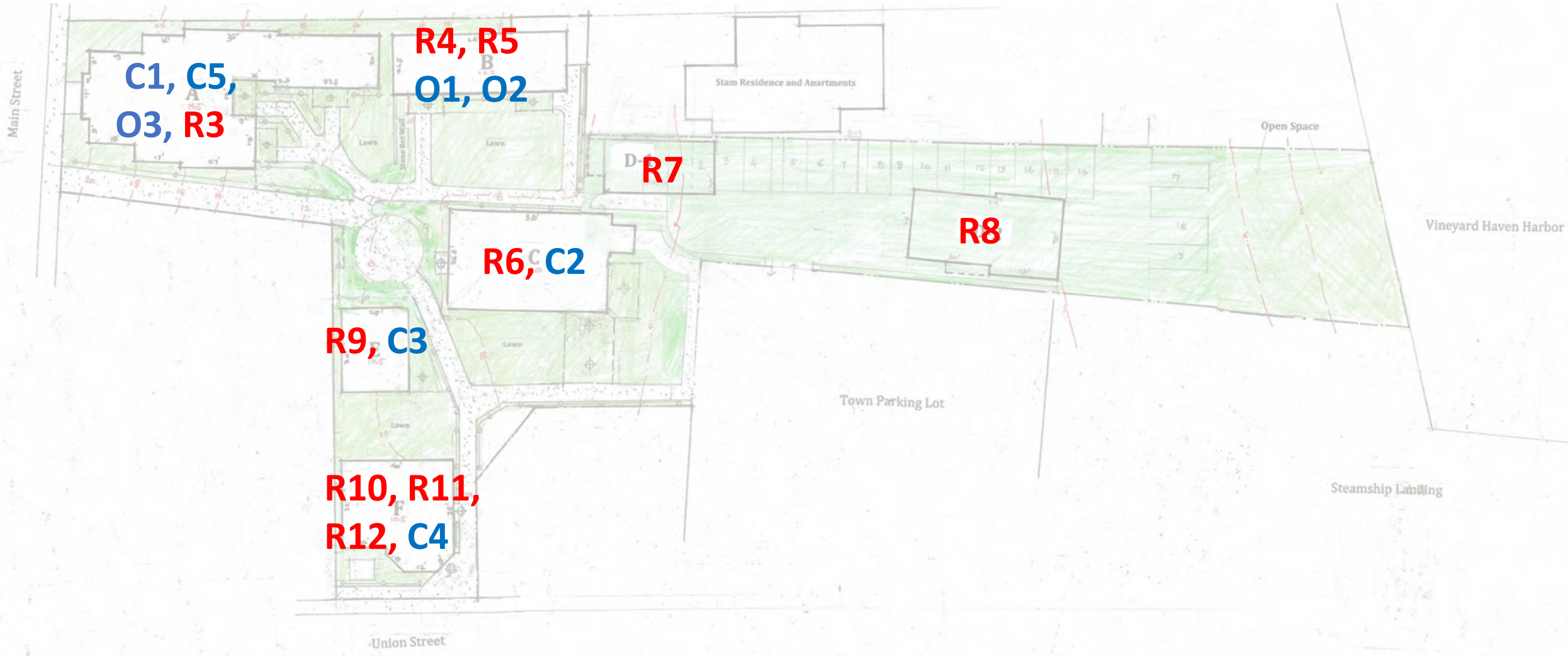
Stone Bank condo project is currently under construction

Site Plan as Approved



The buildings were relabeled during the town review, but the labels for this modification review are the same as for DRI 674-M.

Residential (R) and Commercial (C and O) Units as Amended



Project history

- The Old Stone Bank building on Main Street was designed by architect J. Williams Beal in 1905 and constructed by local stonemason James Norton using local field stones. Businessman and Tisbury resident William Barry Owen had purchased a controlling share in the property in 1904.
- The building is a notable example of the Romanesque and Bungalow styles.
- *A separate building on the site, previously used for drive-through banking, was constructed in 1910, with the drive-through portion constructed in 1988.*

Project history

- DRI 674 (2017): Removal and replacement of terra cotta tiles on the building (retroactive). *Denied; tiles were replaced in 2019.*
- DRI 674-M (2021): Renovation of two existing buildings and construction of five new buildings, with a total of 10 residential units and seven commercial units. *Approved and amended.*
 - All commercial units were to be for office or retail use, with any proposed changes requiring MVC approval.
- DRI 674-M2 (2021): Modification of Condition 2.1 to remove a 21-day limit on rentals for the residential units, and associated changes to the condominium Declaration of Trust and Master Deed. *Approved.*
- Condo document changes (2021): Revised provisions related to parking spaces, and various minor clarifications and corrections. *Approved by LUPC.*
- DRI 674-M4 (2022): Elimination of unit R6, addition of balcony on Building B, rooftop solar plan. *Partially approved – solar plan still pending.*

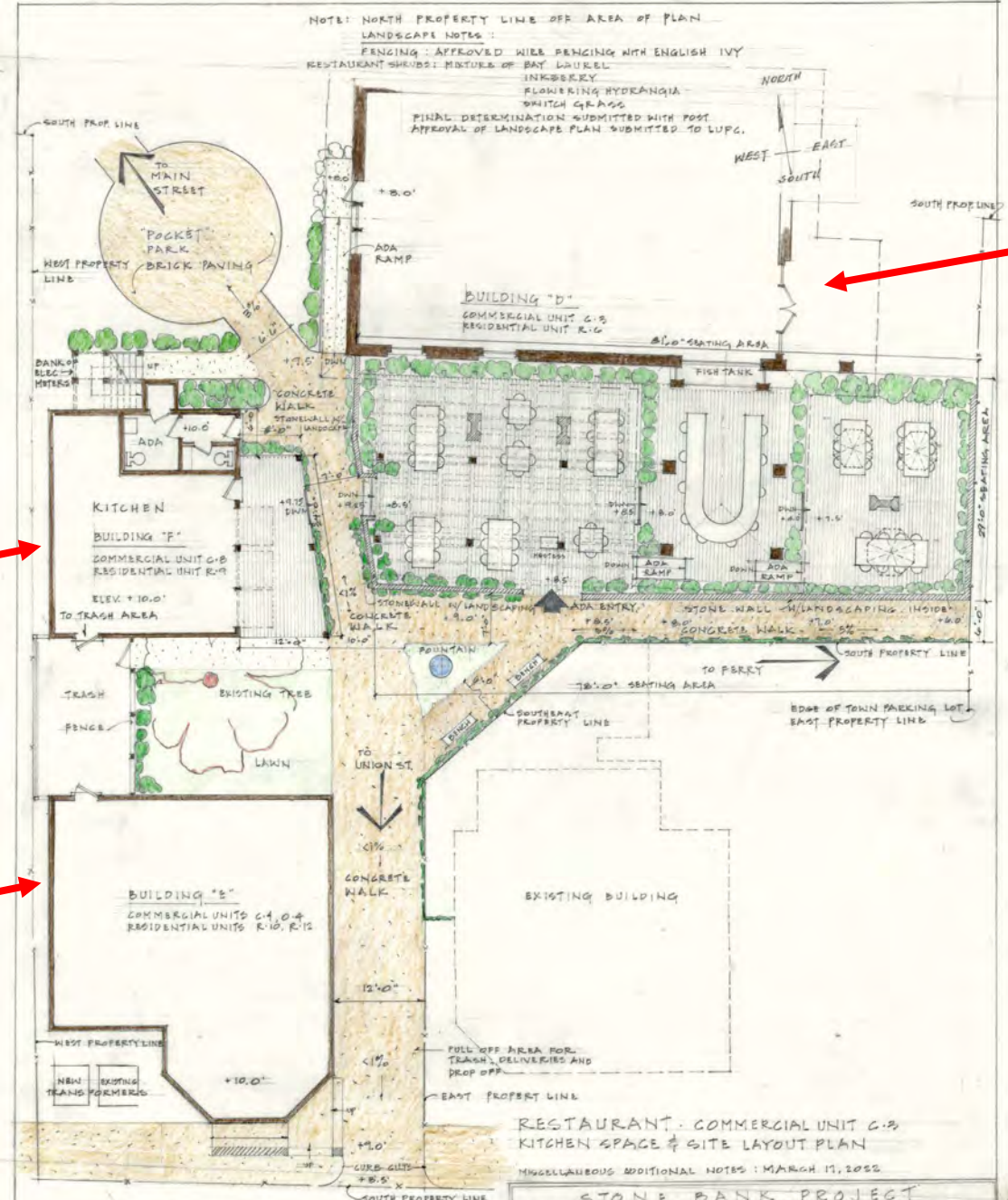
Project history

- The LUPC approved final recommendations by the Tisbury Historical Commission (THC) in 2022.
- A site visit for the MVC and THC to view proposed paint colors, trim, sidewall and other features as required by the LUPC took place in August 2022.
- Various issues with access, structures, and utilities have come to light during the construction of the Stone Bank Condos project.
- The MVC Executive Director informed the applicant in July 2022 that a professionally surveyed, dimensional, as-built site plan must be submitted to the MVC prior to any Certificate of Compliance for the project. The MVC will review the site plan and may require further mitigation for any discrepancies with the approved plans.

Proposal

- Change the ground-floor use of Building E from office/retail to a restaurant.
- Replace a proposed lawn just east of Building E with a wooden deck and 70 outdoor seats for the restaurant, including an outdoor bar.
- The lawn area is designated in the condo documents as a Limited Common Area (LCA) for the commercial unit in Building E.
- The proposal will entail changes to the condo master deed, which currently identifies all the commercial units as offices.

NOTE: NORTH PROPERTY LINE OFF AREA OF PLAN
 LANDSCAPE NOTES:
 FENCING: APPROVED WIRE FENCING WITH ENGLISH IVY
 RESTAURANT SHRUBS: MIXTURE OF BAY LAUREL
 INKBERRY
 FLOWERING HYDRANGIA
 SWITCH GRASS
 FINAL DETERMINATION SUBMITTED WITH POST
 APPROVAL OF LANDSCAPE PLAN SUBMITTED TO LUPG.



E



F



C



RESTAURANT: COMMERCIAL UNIT C-2
 KITCHEN SPACE & SITE LAYOUT PLAN
 MISCELLANEOUS ADDITIONAL NOTES: MARCH 11, 2022

STONE BANK PROJECT
 15 MAIN STREET AND 16 UNION STREET, TIBBURY, MA 01861
 DESIGNED AND DEVELOPED BY: REID A. DUNN, ARCHITECT
 RESTAURANT SITE LAYOUT PLAN, BTO. SCALE: 1/8" = 1'-0"
 DRAWN BY: SARA ELLISON, ASSOCIATE DESIGNER. DATE: 12-6-2021

C-2	PLAN
-----	------

Proposal

- The restaurant would be open seasonally for lunch and dinner from April to November (and possibly takeout in the off-season).
- About 650 ft² of indoor kitchen space and a 1,200 ft² outdoor seating area, including a full-service bar.
- The restaurant is proposed as a “fast food” establishment under Title V, with no table service. Patrons would seat themselves and order and pay online using their phones, or via a pick-up window in Building E.
- Two restrooms for patrons only would be located in the building.
- The future owner would be Patrick Lyons, a summer resident and restaurateur from the Boston area who also owns Back Door Donuts.

Application file (general)

- Project narratives and various application materials
- Plans – site plan, floor plans, elevations, seating, landscape
- Stormwater plan and peer review
- Traffic impact study and access plan
- Wastewater approval
- Communications with wastewater superintendent and DEP regarding Title V and wastewater
- Various communications with applicant (parking, wastewater, drainage, impact on abutters, etc.)
- Environmental impact minimization plan
- Purchase and sale agreement
- Planning board comments

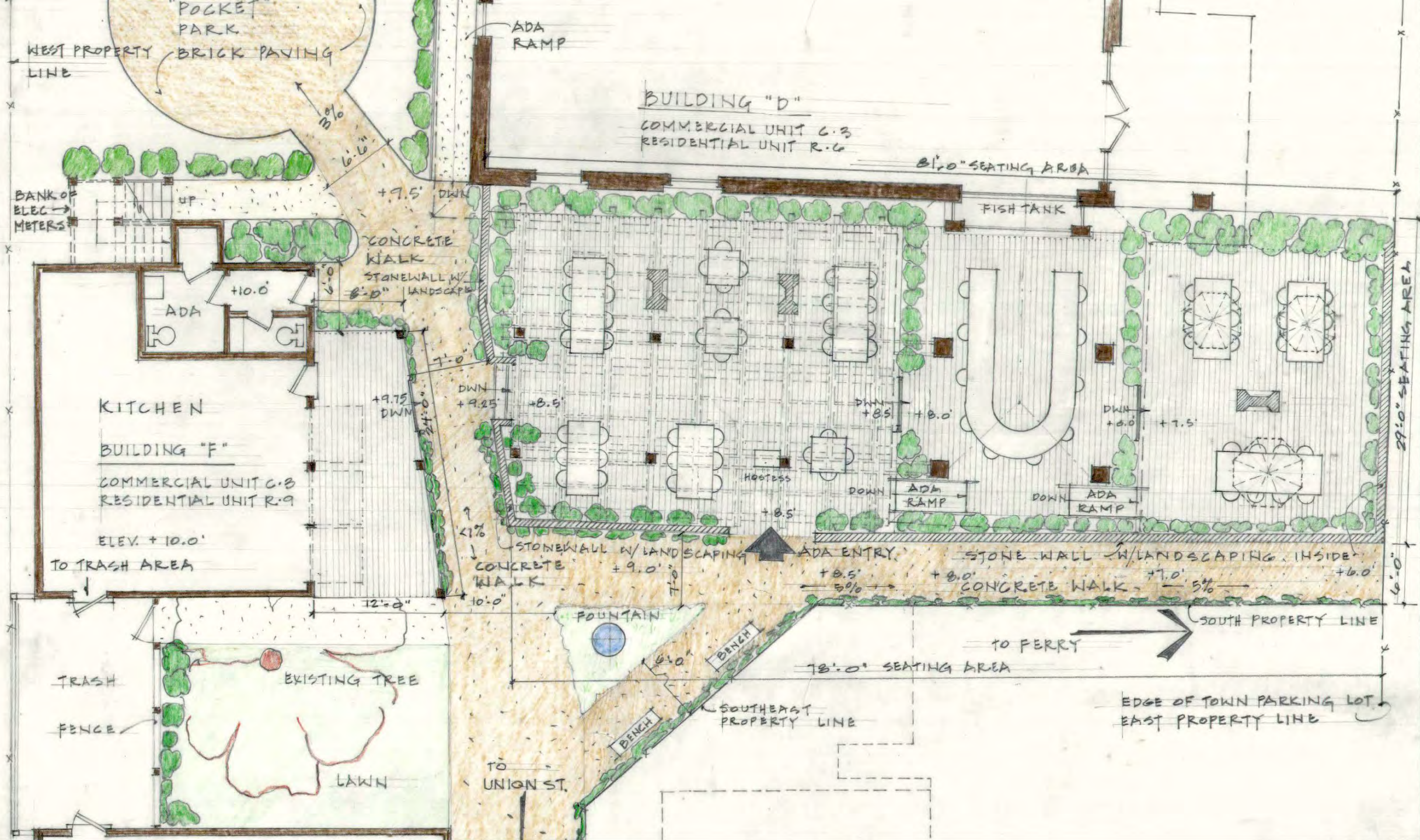
New documents since 6/21/22

- Planning Board comments (6/28/22)
- Revised stormwater narrative (6/30/22)
- Revised site plan and response to LUPC questions (7/12/22)
- Fast food narrative (7/12/22)
- MVC letter to applicant regarding discrepancies with Stone Bank Condos approval (7/28/22)
- Communications with applicant and town regarding stormwater peer review (summer-fall 2022)
- Communications with DEP and applicant regarding Title V and fast food definition (Sept. 2022)
- Landscape plan (9/2/22)
- Applicant email to Planning Board regarding issues raised by abutters (9/5/22)
- Various other Planning Board materials (Sept. 2022)
- Updated staff report (11/10/22)

New documents since 6/21/22

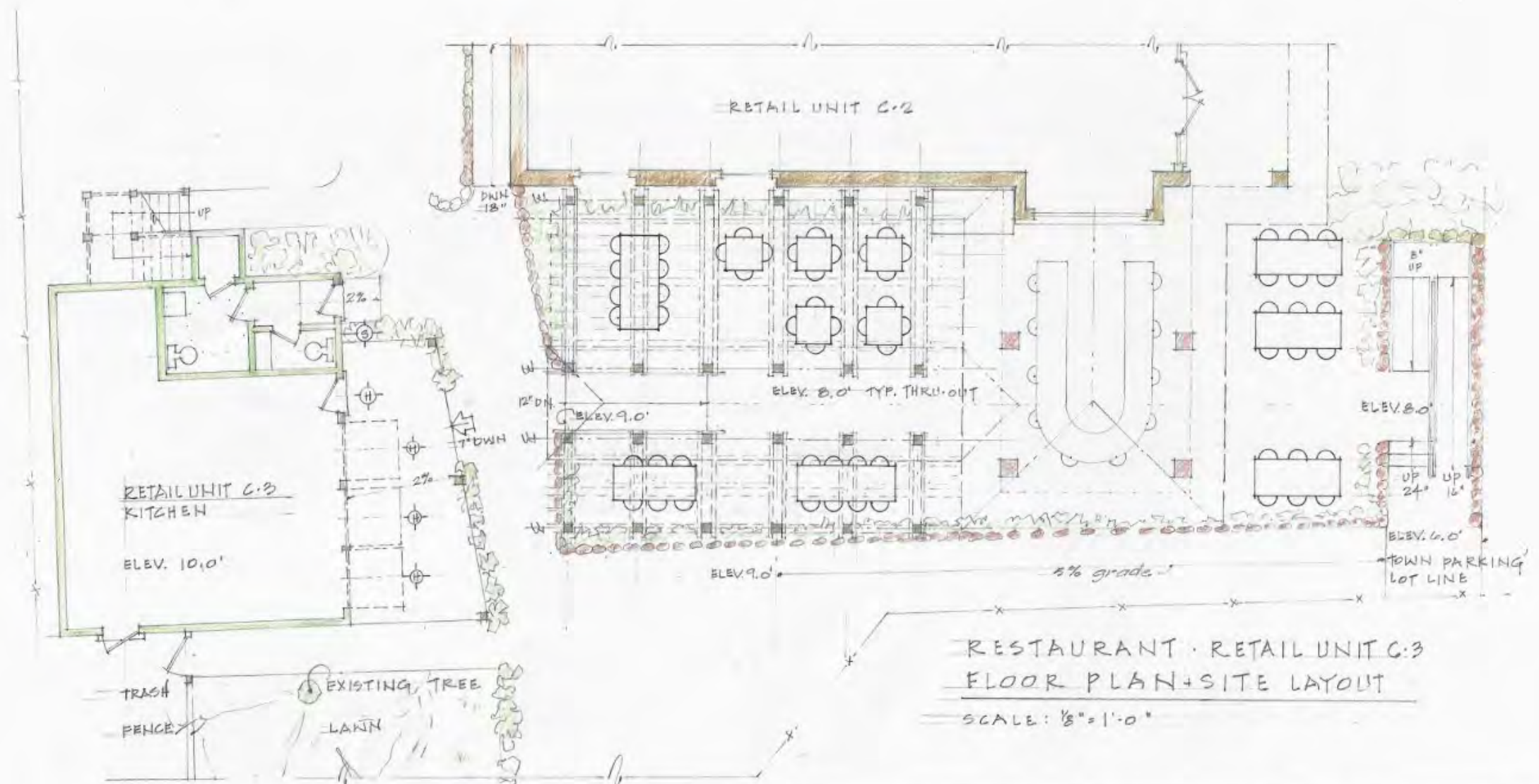
Stormwater peer review by Frasier Poly-Engineering Services (FPES)

- Letter from Kent Healy (3/3/21)
- Stormwater narrative (6/20/22)
- Grading plan (7/19/22)
- Drainage calculations by MV Engineering and Design (4/29/22, 7/8/22, 7/28/22)
- Landscape plan (9/2/22)
- Stormwater plan (9/11/22)
- Map of drainage areas (9/19/22)
- MV Engineering and Design response to peer review (9/19/22)
- *Drainage layout plan (11/1/22)*
- *FPES stormwater peer review memos (8/22/22, 10/3/22, 11/1/22)*



Floor Plan and Site

Layout
11/4/21



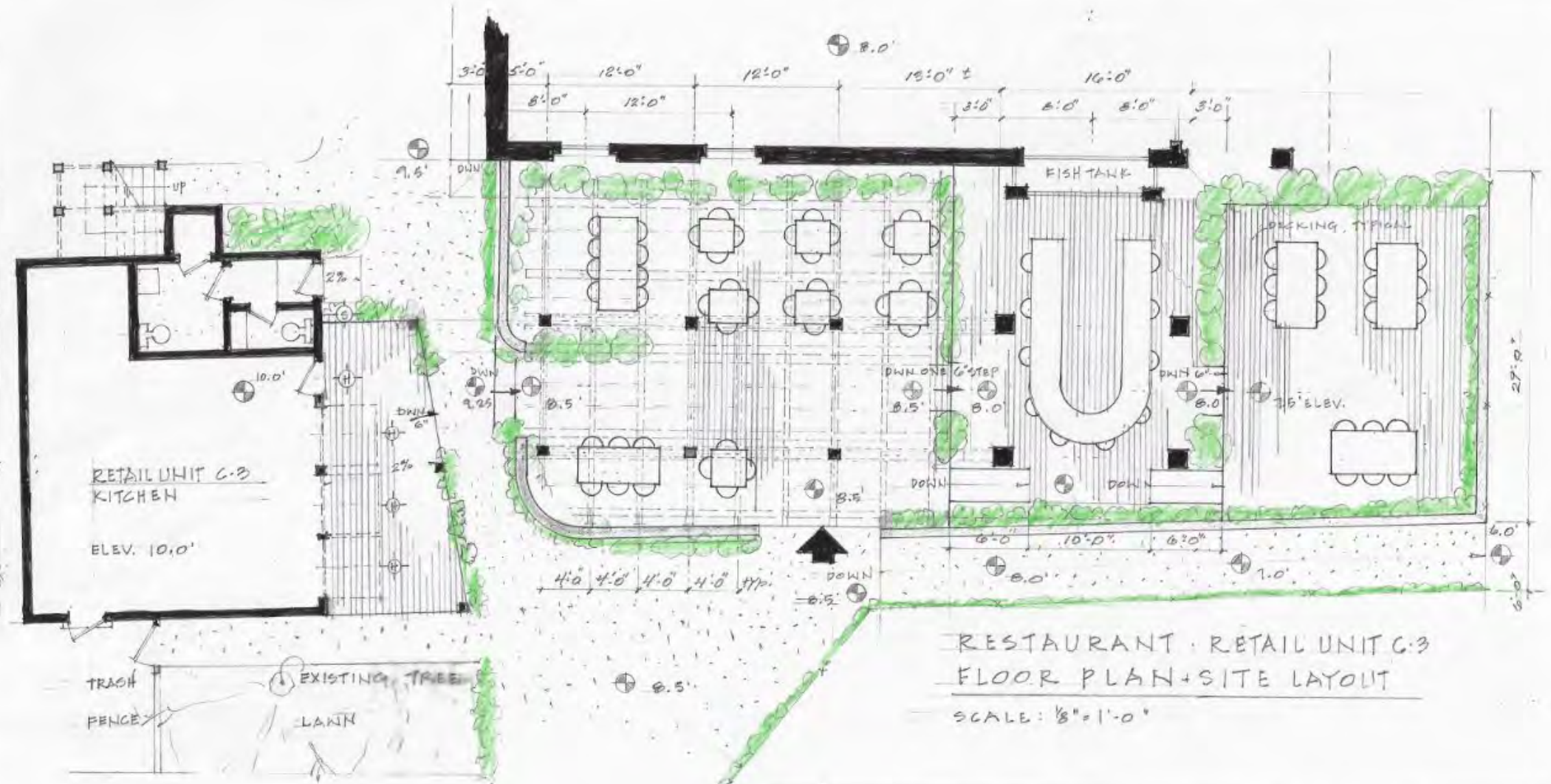
RESTAURANT · RETAIL UNIT C.3
FLOOR PLAN + SITE LAYOUT

SCALE: 1/8" = 1'-0"

STONE BANK PROJECT	
75 MAIN STREET AND 16 UNION STREET, TISBURY, MA. 02568	
DESIGNED AND DEVELOPED BY: REID A. DUNN, ARCHITECT	
FLOOR PLAN + SITE LAYOUT · RESTAURANT · RETAIL C.3	SCALE: 1/8" = 1'-0"
DRAWN BY: ELISE ELLISTON, ASSOCIATE DESIGNER	DATE: 11.4.2021

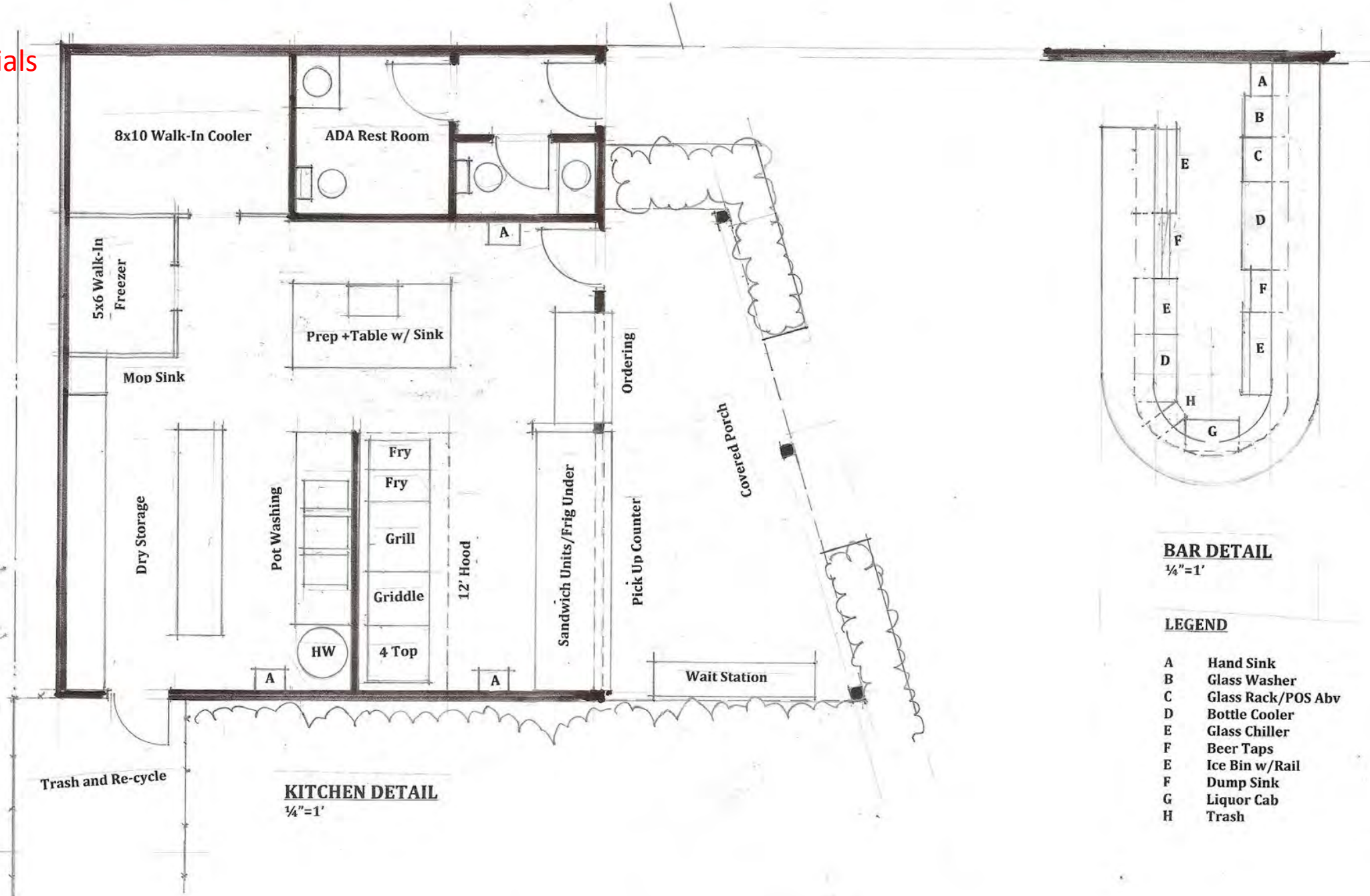
C.3

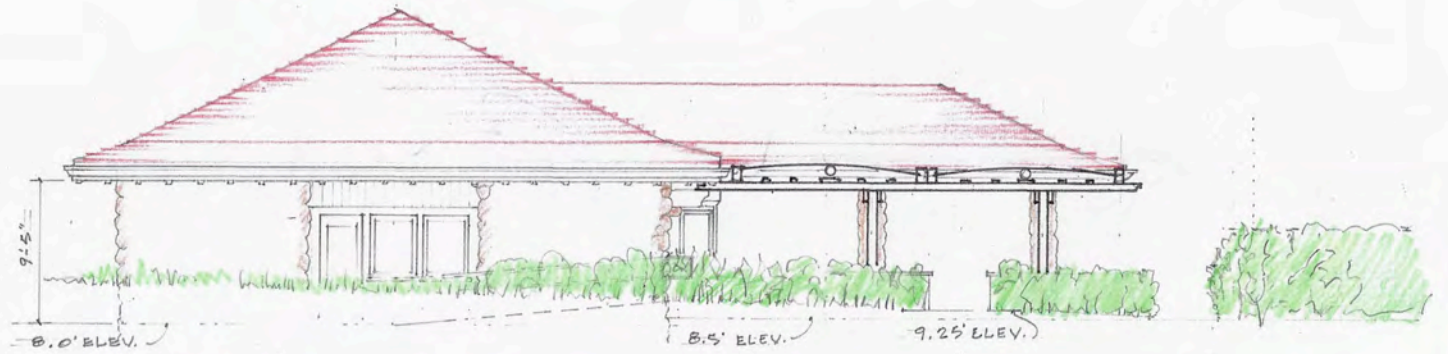
Floor Plan and Site
Layout
11/15/21



<p>STONE BANK PROJECT</p> <p>75 MAIN STREET AND 16 UNION STREET, TIBBURY, MA. 02568</p> <p>DESIGNED AND DEVELOPED BY: REID A. DUNN, ARCHITECT</p> <p>FLOOR PLAN + SITE LAYOUT · RESTAURANT · RETAIL C-3</p> <p>DRAWN BY: ELISE ELLISTON, ASSOCIATE DESIGNER</p>		<p>C-3 PLAN</p>
<p>SCALE: 1/8" = 1'-0"</p>	<p>DATE: 11.15.2021</p>	

Floor Plan from
4/25/22 revised
application materials



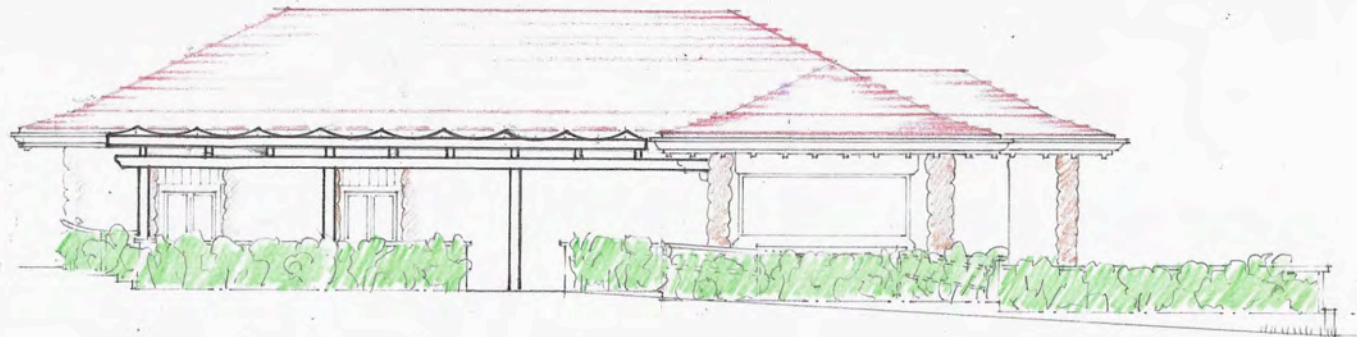


WEST ELEVATION
SCALE: 1/8" = 1'-0"



RESTAURANT UNIT C-3
KITCHEN

SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



STONE BANK PROJECT	
15 MAIN STREET AND 16 UNION STREET, TISBURY, MA. 02568	
DESIGNED AND DEVELOPED BY REID A. DUNN, ARCHITECT	
SOUTH & WEST ELEVATIONS, SECTION - RESTAURANT C-3	SCALE: AS SHOWN
DRAWN BY: ELISE BLISTON, ASSOCIATE DESIGNER	DATE: 11.15.2021
	C-3 ELEV.

Initial renderings
11/21/21



Initial renderings
11/21/21



Planning concerns

- Wastewater
- Solid waste
- Traffic and transportation
- Character and identity
- Economic development and housing
- Stormwater and drainage
- Energy
- Noise and lighting

Wastewater

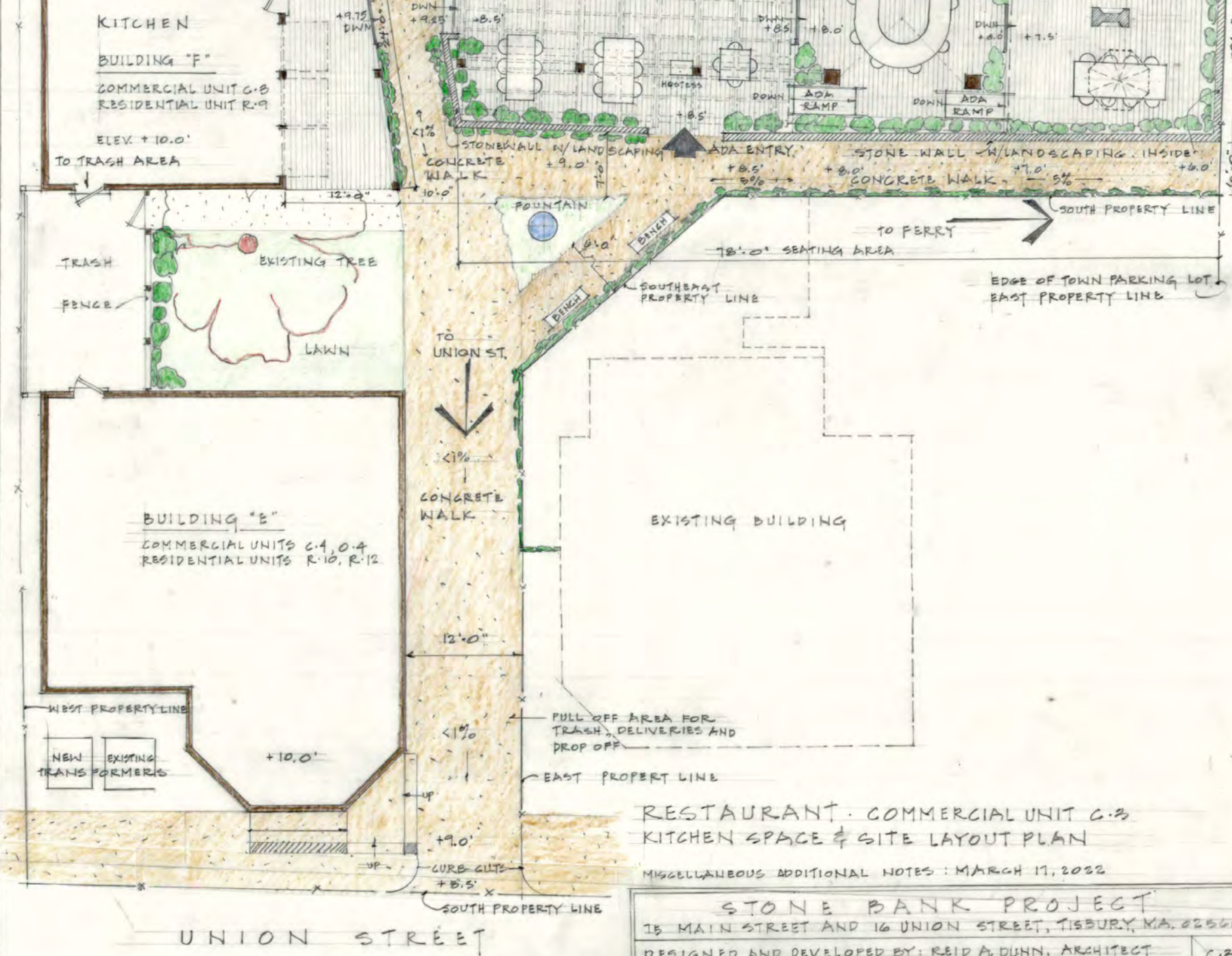
- Prior to 2020, the property had been allowed to generate 905 gallons per day (GPD) of wastewater.
- As part of the permitting process for the Stone Bank project (DRI 674-M), the applicant received two approvals from the Town Sewer Advisory Board to increase that amount to 2,310 GPD for the property.
- The proposed restaurant use requires an additional 1,176 GPD (above the approved 2,310 GPD), according to Environmental Partners (working as a consultant for the Tisbury Wastewater Department).
- In August 2021, the Wastewater Department approved a total of 3,486 GPD for the Stone Bank project, including 1,050 GPD for the restaurant, with conditions.
- *The applicant has stated that the restaurant would require approval of 1,400 GPD per day, which is more than the 1,176 GPD cited by Environmental Partners, which is more than the 1,050 GPD approved by the town.*
- If additional dishwashing equipment were to be added in the future, additional wastewater flow would be required.

Wastewater

- The applicant has presented the project as a “fast food” establishment under Title V, which assigns a lower wastewater generation rate for that type of restaurant (20 versus 35 gallons/day/seat).
- Fast food is not defined in Title V, but according to DEP Environmental Engineer Ian Jarvis, it means that all of the utensils (plates, glasses, and eating utensils) are disposable. That would not be the case here, since the proposal includes regular or reusable glasses, cutlery, baskets, bowls, and dishware that would be washed in two low-water, under-counter dishwashers. Pots and pans would be washed in a three-bay sink.
- Jarvis also stated: “Once a design flow has been identified under Title V, the Approving Authority (the town in this case) then determines if there is capacity to accommodate the daily flow generated by said establishment based on what is permitted in their ground water discharge permit.”
- According to the town Wastewater Superintendent, the town Sewer Advisory Board considers the proposed use to be fast food with a generation rate of 15 gallons/day/seat.

Solid waste

- Most dining materials would be disposable or potentially compostable, which raises concerns about solid waste production.
- “Environmental Impact Minimization Plan,” provided in 2021:
 - Proposes washable aluminum pans and plastic serving baskets with paper liners, bioplastic utensils, and other packaging materials labeled as biodegradable.
 - Durable plastic cups and a three-bay sink for washing, along with two low-temperature glass washers, instead of a regular dishwasher.
 - Applicant will partner with Island Grown Initiative and Bruno’s Rolloff on a composting program, with four tote containers (about 128 gallons) of compost expected to be picked up from the restaurant three times a week.
 - In addition to the composting totes, six totes would be used for the restaurant’s regular waste and recycling, with two pickups per week. All of the totes would be stored in the general trash area for the condo units, which would have a capacity of 19 totes. (The eight restaurant totes would account for 42% of the trash area.)



KITCHEN
 BUILDING "F"
 COMMERCIAL UNIT C.3
 RESIDENTIAL UNIT R.9

ELEV. +10.0'
 TO TRASH AREA

TRASH
 FENCE
 EXISTING TREE
 LAWN

BUILDING "E"
 COMMERCIAL UNITS C.4, O.4
 RESIDENTIAL UNITS R.10, R.12

WEST PROPERTY LINE
 NEW TRANSFORMERS
 EXISTING FORMERS

UNION STREET

STONE WALL W/ LANDSCAPING
 CONCRETE WALK
 ADA ENTRY
 ADA RAMP
 DOWN
 ADA RAMP
 DOWN

FOUNTAIN

BENCH
 BENCH

78'0" SEATING AREA

TO UNION ST.
 CONCRETE WALK

EXISTING BUILDING

PULL OFF AREA FOR TRASH, DELIVERIES AND DROP OFF

EAST PROPERTY LINE

RESTAURANT - COMMERCIAL UNIT C.3
 KITCHEN SPACE & SITE LAYOUT PLAN

MISCELLANEOUS ADDITIONAL NOTES: MARCH 17, 2022

STONE BANK PROJECT
 15 MAIN STREET AND 16 UNION STREET, TISBURY, MA. 02562

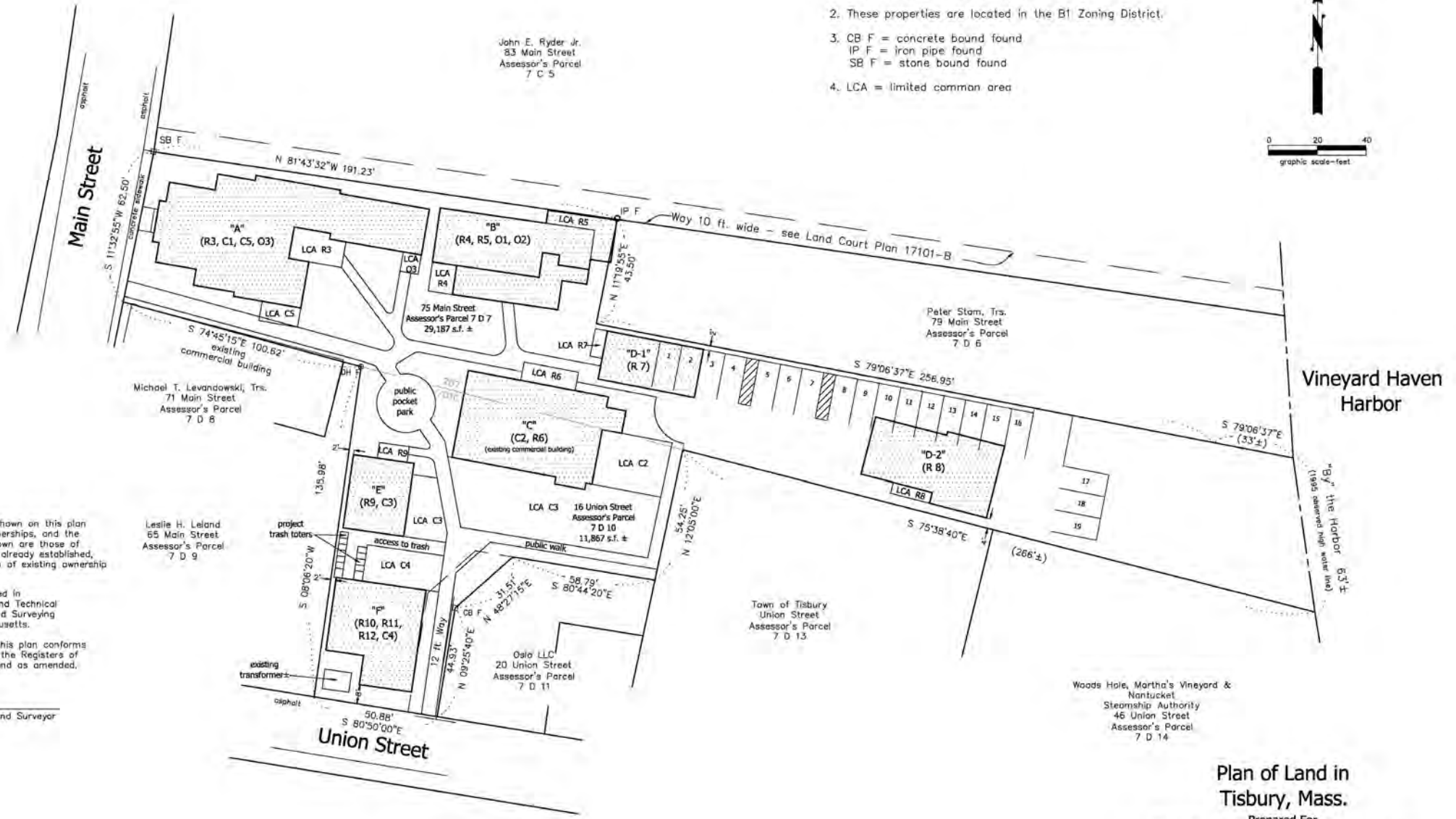
DESIGNED AND DEVELOPED BY: REID A. DUHN, ARCHITECT
 RESTAURANT SITE LAYOUT PLAN, ETC. SCALE: 1/8" = 1'-0"

C.3

Traffic and transportation

- The Stone Bank project as a whole has 19 parking spaces, with at least one space dedicated to each residential unit.
- There are no spaces dedicated to the proposed restaurant, although the applicant has stated that the owner will have three spaces associated with his residential unit in Building D2 that could be used for employee parking.
- The proposed hours for the restaurant are 11:30AM-10:30PM, seven days a week.
- Food delivery would be available for customers, with a 12' curb cut in Union St. for a delivery vehicle.

- Notes:
1. This plan was prepared by compiling past survey work performed on this property by Schofield, Barbini & Hoehn Inc. and with current field checking.
 2. These properties are located in the B1 Zoning District.
 3. CB F = concrete bound found
IP F = iron pipe found
SB F = stone bound found
 4. LCA = limited common area



I certify that the property lines shown on this plan are the lines dividing existing ownerships, and the lines of the streets and ways shown are those of public or private streets or ways already established, and that no new lines for division of existing ownership or for new ways are shown.

This survey and plan were prepared in accordance with the Procedural and Technical Standards for the Practice of Land Surveying in the Commonwealth of Massachusetts.

I certify that the preparation of this plan conforms with the rules and regulations of the Registers of Deeds effective January 1, 1976 and as amended.

Douglas R. Hoehn, Professional Land Surveyor

Date: _____

**Plan of Land in
Tisbury, Mass.**

Prepared For
Old Stone Bank Condominium

Scale: 1" = 20' June 17, 2021

Schofield, Barbini & Hoehn Inc.
Land Surveying & Civil Engineering

12 Surveyor's Lane, Box 339
Vineyard Haven, Mass. 02568
508-693-2781
www.sbhinc.net
MV 4338
Sheet 1 OF 3

Traffic Impact Assessment (TIA)

At the request of the MVC and Tisbury Planning Board, an independent [Transportation Impact Assessment](#) was completed by Fraser Poly-Engineering Services (FPES) in April 2022.

Includes an assessment of existing (2022) and future (2029) traffic characteristics, including intersections and roadways in the immediate area.

Traffic counts performed in Feb. 2022.

Finds no parking, safety, or level of service (LOS) impacts in the vicinity of the project, but recommends various transportation demand management and site access strategies for the project.

Intersections:

- Main St. at Union St.
- Main St. at Church St.
- Union St. at Water St.

Roadways:

- Main St.
- Union St.
- Church St.
- Water St.

Projected traffic:

378 new weekday average daily trips (189 in, 189 out)

53 new weekday PM peak hour trips (24 in, 29 out)

382 new Saturday average daily trips (191 in, 191 out)

41 new Saturday peak hour trips (23 in, 18 out)

Projected parking need: 17 spaces (Saturday weekend peak hour)



Tisbury, MA

Contact



Search

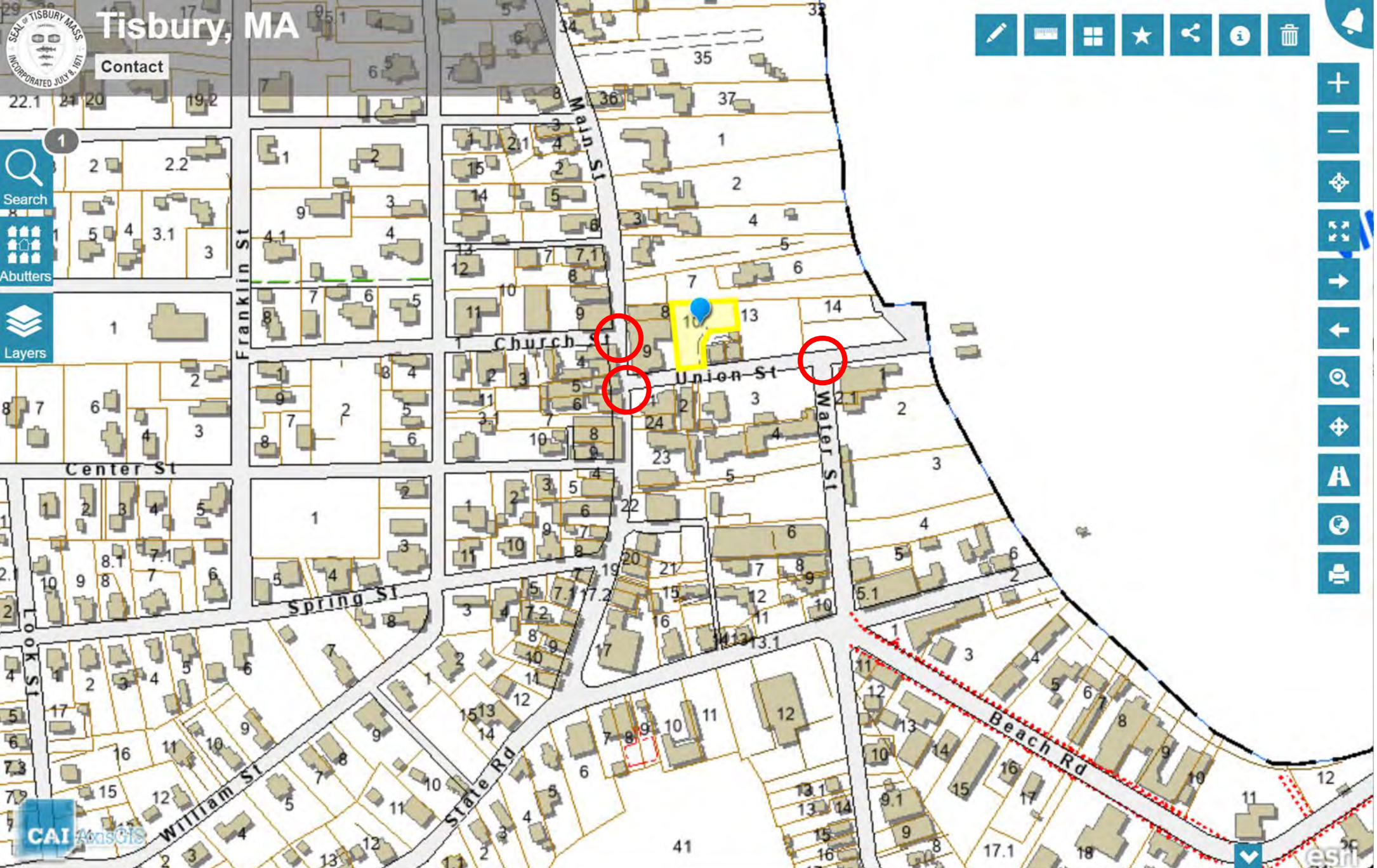
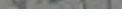
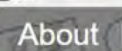
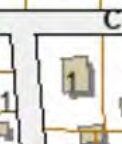
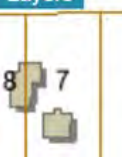
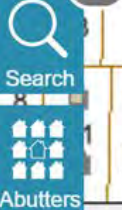


Abutters



Layers

1



Transportation demand management and site access strategies:

- *Proponent should ensure that the proposed overall site design has adequate accommodations for pedestrian access and circulation. This should include but not be limited to:*
 - 1) *Adequate walk-way width especially for wheelchair access.*
 - 2) *Removal of barriers that may impede the path of travel.*
- *Transit maps and schedules should be provided on the proponent's website to encourage the use of public transits.*
- *Transit, maps, and schedules be available at the establishment to encourage patrons to use non-automobile only access.*
- *Provide employees with transit passes.*
- *Bicycling and Walking: Provision for bicycles facilities such as bicycle racks should be provided.*
- *The proponent working with the Town of Tisbury should assist in the study of bicycle network connectivity in the area.*
- *Develop a "Wayfinding" system to aid pedestrians and cyclists to better navigate the area.*
- *Car/Ridesharing: Encourage employees of the restaurant to carshare/rideshare to and from work by connecting them with websites that promote carpooling.*
- *Encourage patrons to access the restaurant via ridesharing to reduce parking impact.*
- *Provide promotional discounts for the use of alternative transportation such as ones mentioned above to restaurant patrons who use ride-share, transit tickets, bike, or walk.*

The conditions for DRI 674-M also require commercial unit owners to offer free VTA bus passes to any of their employees who request one.

Character and identity

- The proposal is located within the B1 district, in the vicinity of other commercial and restaurant uses.
- Project site is highly visible, given its proximity to the town parking lot, VTA hub, and Steamship Authority terminal to the south.
- Examples of the proposed retractable awnings and outdoor lighting have been provided.
- The proposed bar area would be located beneath the drive-through portion of the building. The proposal would not affect the exterior of the existing drive-through building, other than the addition of the awnings, but would possibly add a take-out window to Building E.
- Details about the take-out window have not been provided.







Economic development and housing

- The owner estimates that the restaurant will create up to nine jobs in season (3-4 kitchen staff, 2-3 food runners or bussers, and 1-2 bartenders).
- The restaurant would be open seasonally for lunch and dinner from April to November, 11:30AM-10:30PM and possibly for takeout in the off-season. Maximum hours for takeout would be 11:30AM-1:30PM and 5PM to 9PM, seven days a week.
- The applicant has stated that the future owner (Patrick Lyons) currently provides some housing for employees of Back Door Donuts, and that Lyons would aim for Back Door Donuts and the new restaurant to share the same employees, so some of the new employees would potentially have housing.
- The applicant has also stated that Lyons would try to employ local residents who already have housing, and/or family acquaintances who could live with him on the Island during the summer.
- The housing mitigation fee of \$73,600 for DRI 674-M is due upon issuance of a Certificate of Occupancy. (This would be \$77,200, if adjusted for the current modification.)

Economic development and housing

- There would be one 11-hour shift per day, with a two-hour break in the afternoon. It is unclear what sort of shelter or break/rest area would be provided for employees, including food runners and bussers.
- The applicant has stated that the restaurant will use local ingredients wherever possible, including seafood, dairy, fowl, and produce.

Stormwater and drainage

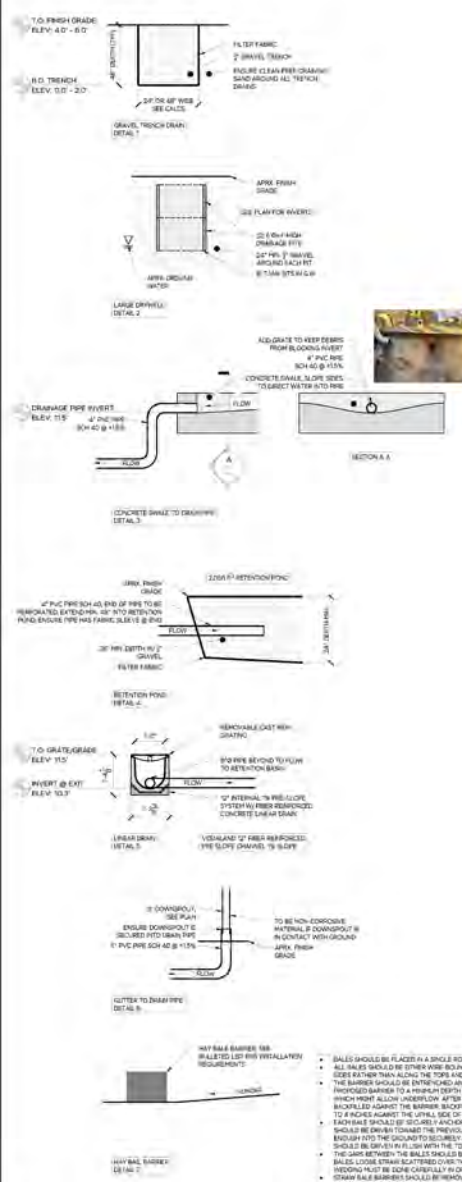
- The stormwater plan for DRI 674-M relied on direct percolation into existing or replaced sandy soils.
- The proposed seating area would be covered with decking above the soil, with drainage directly into the ground.
- The restaurant area would serve as a drainage basin for about 7,800 ft² of impermeable area, including the roofs of the two adjacent buildings. Runoff from the roofs and canopies would be directed under the decking via gutters and downspouts.
- The Planning Board and MVC required a peer review of the stormwater management plan, which was conducted between June and November 2022.

Stormwater and drainage

The peer review resulted in the development of an engineered [drainage layout plan](#) by MV Engineering and Design, and the following conclusions from FPES:

Given the site's underlying soil conditions we feel the design method of utilizing the naturally excellent permeability of these soils is an appropriate, and functional approach to controlling the stormwater runoff on the overall site.

We do however wish to inform the Town that if the groundwater table becomes unusually high this could diminish the effectiveness, and function of the stormwater management systems. The engineer has stated that the groundwater table is at approximately elevation 1.0. The systems designed are mostly above this elevation. The leaching pits, and drainage trenches have bottom elevations at or below this elevation. These structures will be somewhat limited due to the lower portion being constructed in the saturated soil.



Topography of Land in Tisbury, Mass.

Prepared For

Old Stone Bank Condominium

Scale: 1" = 20' October 1, 2022

Schofield, Barbini & Hoehn Inc.

Land Surveying & Civil Engineering

12 Surveyor's Lane, Box 339
Vineyard Haven, Mass. 02568
508-693-2781
www.sbhinc.net
MV 4338

1 DRAINAGE LAYOUT PLAN

TOP PLAN PROVIDED BY SCHOFIELD BARBINI & HOEHN

2 DRAINAGE DETAILS

SCALE: 1" = 1'-0"

DATE	REVISION	CHECK
10/17/22	CHD	TCA
10/18/22	CHD	TCA
10/18/22	CHD	TCA
10/24/22	CHD	TCA
10/24/22	CHD	TCA
10/28/22	CHD	TCA
11/01/22	CHD	TCA

MARtha's VINEYARD ENGINEERING & DESIGN

79 BEACH ROAD, VINEYARD HAVEN, MA 02568
774.503.8355 INFO@MVENRINC.COM



SEE PLANS

SCALE: 1" = 20'

400 NUMBER: 21173

OLD STONE BANK CONDOS 75 MAIN ST & ADJACENT SITES VINEYARD HAVEN, MA

DRAINAGE LAYOUT PLAN

DATE: 01 NOV 2022

SITE

Energy: As previously approved, all buildings in the Stone Bank project were to have electric heating and cooling, with propane for cooking. The applicant has proposed propane heaters and fireplaces for the restaurant seating area, which may require further modifying DRI 674-M.

Noise and Lighting: The seating area and bar would include dimnable LED string lights, but the amount and location are not specified. The restaurant and bar would potentially create noise between the hours of 11:30AM and 10:30PM seven days a week in the summer, with potential impacts on the neighboring residential condo units, including in Buildings E and F. The applicant has stated that future condo owners have been notified of the proposal.

Landscape: A landscape plan dated 9/2/22 shows plantings within and around the perimeter of the proposed seating/bar area, along with a short granite wall. The plan shows access to the restaurant via concrete pathways from Main St., Union St., and the parking lot to the south.



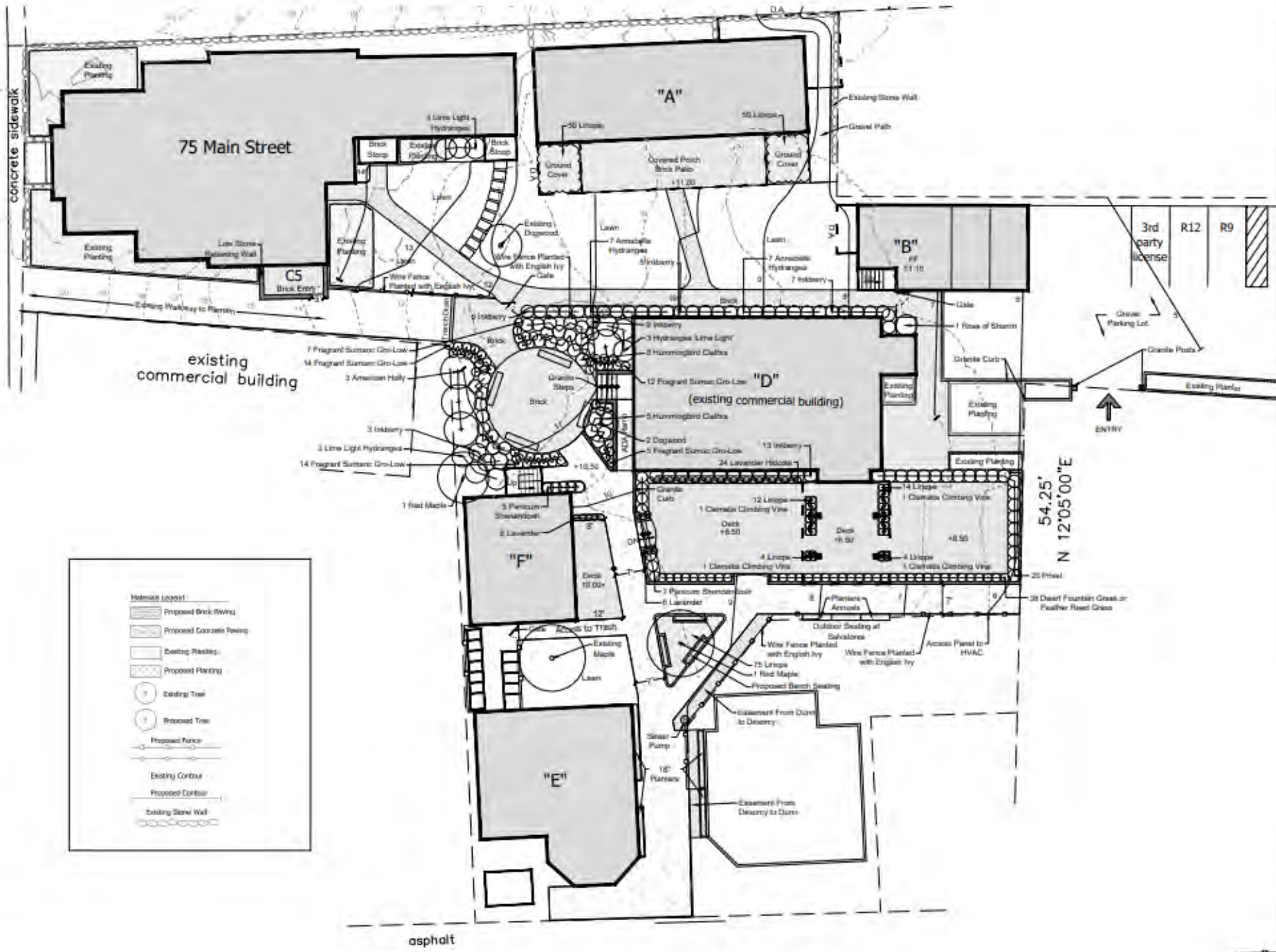
Teles Landscaping
 1000 Main Street
 1000 Main Street, Vineyard Haven, MA 02568

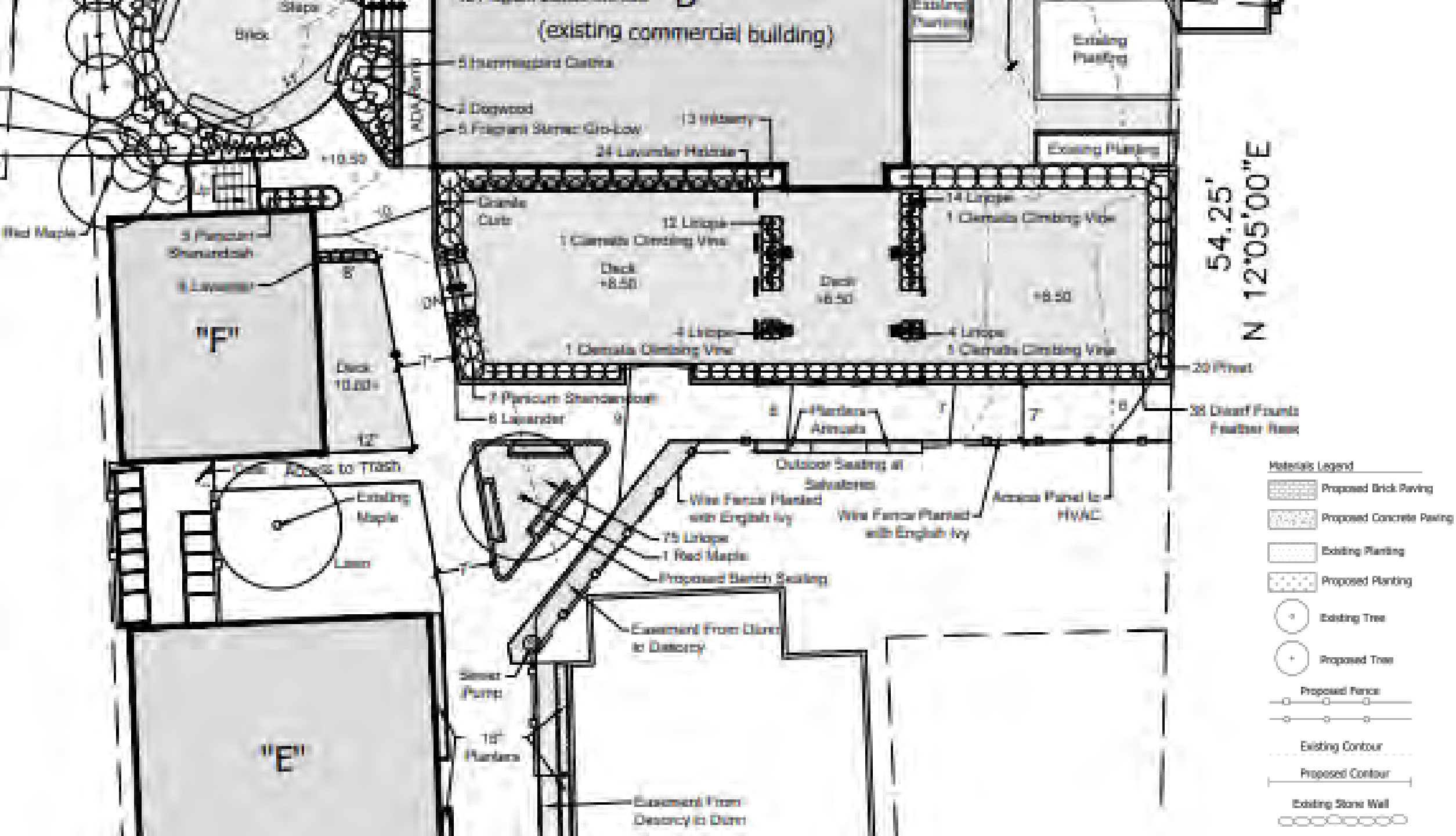
Scout Engineering
 503 Hill Street

Stone Bank
 75 Main Street, Vineyard Haven, MA 02568

Date: 03/02/2022
 Scale: 1" = 10'-0"

Site Plan - 1.0







Further action required for 674-M: The following actions are still required prior to receipt of a Certificate of Occupancy for DRI 674-M:

- Condition 2.8: The monetary mitigation of \$73,600 shall be paid in full to the Tisbury Affordable Housing Trust Fund prior to the issuance of a Certificate of Occupancy.
- Condition 6.2: A final landscape plan showing the location and types of existing and proposed vegetation, pavers, and surface treatments, and including a long-term maintenance plan along with details related to external equipment ... shall be submitted to the LUPC for approval before a Certificate of Occupancy is issued.
- Surveyed, dimensional, as-built site plan for MVC review.

Site photos 11/14/22







MATTHEW CABUCHI
ELECTRICAL CONTRACTOR
774-849-5271
ACUSHNET MA





ALL
STAR

Bike Rentals





























