Stone Bank Restaurant
DRI 674-M3

Land Use Planning Committee
November 8, 2021
Stone Bank Restaurant

**Applicant:**  Sam Dunn  
**Owner:**  Patrick Lyons (under purchase and sale agreement)  
**Permits:**  Planning Board, ZBA, Wastewater Dept.  
**Checklist:**  1.3D (Previous DRI)  

*Modification review*
Residential (R) and Commercial (C and O) Units as Amended

C1, C5, O3, R3

C1, C5, O3, R3

R4, R5

O1, O2

R6, C2

R7

R8

R9, C3

R10, R11, R12, C4
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.*
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.
Proposal

• The restaurant would be open seasonally for lunch and dinner from April to November (and possibly for takeout in the off-season).

• About 650 ft$^2$ of indoor kitchen space and a 1,200 ft$^2$ outdoor seating area, including a full-service bar.

• The restaurant is proposed as a “fast food” establishment without table service and only disposable dining materials. Patrons would seat themselves and order and pay online using their phones, or via a pick-up window in Building E.

• The lawn area is designated in the condo documents as a Limited Common Area (LCA) for the commercial unit in Building E. It appears that the proposal will not entail any changes to the condo documents.
Planning concerns

• Wastewater
• Traffic and transportation
• Solid waste
• Character and identity
• Economic development and housing
• Stormwater and drainage
• Energy
• Noise and lighting
• (Further action required for 674-M)
Wastewater

• Wastewater flow allowance prior to 2020: 950 GPD
• Approved as part of Stone Bank project: 1,406 GPD (2,310 GPD total)
  • 1,076 GPD in October 2020
  • 330 GPD in February 2020 (one year limit)
• Restaurant use conditionally approved in Sept. 2021: 1,176 GPD
Wastewater

Conditional approval:

1. You have Ninety (90) day from the meeting date to complete the review process with the Martha’s Vineyard Commission at which time you must come before the Board for final permission to connect to the towns sanitary sewer system or request an extension. Extension requests shall not exceed thirty days per request.

2. Provide to the Wastewater Department a copy of the Martha’s Vineyard Commission Notice of Action.

3. Provide to the Wastewater Department, an engineer stamped grease trap design approved by the Board of Health, properly sized in accordance with 248 CMR 10.09, 310 CMR 15.221 and 310 CMR 15.230.

4. Provide to the Wastewater Department, a set of detailed plans of the on-site collection system that includes the location of two (2) Duplex E-one grinder chambers and the grease trap location.

5. You must not have any outstanding penalties, betterments or fees due to the Town or the Wastewater Department prior to any service connection being made to the sewer district.
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 (Patrick Lyons) will have three spaces associated with his residential unit in Building D2 that could be used for employee parking.

• Staff recommends a Transportation Impact Assessment (TIA).
Solid waste

• As proposed, all dining materials would be disposable, which raises concerns about solid waste production.

• The applicant has stated that organic food waste will be composted for use in the Stone Bank condo project, with three rotating containers in the trash yard near the kitchen.

• Additional information about the projected volume of compost and how much will be utilized onsite, and where the rest might go for processing, has not been provided.
Character and identity

- The proposal is located within the B1 district, in the vicinity of other commercial and restaurant uses.

- The 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 awnings and outdoor lighting have been provided.

- The proposal would not affect the exterior of the existing drive-through building (Building C) as previously approved, but would possibly add a take-out window to Building E (details about the take-out window have not been provided).

- Final review of the Stone Bank project by the Tisbury Historical Commission, as required under Condition 4.4 of the Decision for DRI 674-M, is still pending.
Economic development and housing

• The owner estimates that the restaurant will create about eight new seasonal employees, but no housing proposal or mitigation has been proposed.

• The restaurant would be open seasonally for lunch and dinner from April to November, and possibly for takeout in the off-season.

• The applicant has stated that the restaurant will use local ingredients wherever possible, including seafood, dairy, fowl, and produce.

• The housing mitigation fee of $73,600 for DRI 674-M is still pending.
Additional planning concerns

• **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. Water from the proposed canopies and roofs will be directed under the decking via gutters and downspouts.

• **Energy:** As previously approved, all buildings in the Stone Bank project will have electric heating and cooling, with propane for cooking. The proposed seating area would also include heat lamps, but the number and location are not specified.

• **Noise and Lighting:** The seating area and bar would include dimmable LED string lights, but the amount and location are not specified.
Further action required 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 4.4: The Tisbury Historical Commission’s final review of the architectural details of Buildings A through F, accounting for the Applicant’s offers and MVC conditions, shall return to the LUPC for approval prior to the issuance of a Building Permit.

• Condition 5.1: Subject to Tisbury Historic Commission Approval, solar panels shall be installed on the south-facing roofs of buildings B and D1. Plans showing the final location and capacity of the solar panels shall be submitted to the LUPC for approval prior to receipt of a Building Permit.

• 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.