1. DESCRIPTION

1.1 Owner: The Yard LLC
1.2 Applicant: The Yard LLC; Vineyard Land Surveying and Engineering, Handel Architects
1.3 Project Location: 1, 6, and 7 The Yard (Lots 26-0-91, 26-0-92, 26-0-95), Chilmark
1.4 Proposal: Modifications to The Yard master plan
1.5 Zoning: Agricultural/Residential III
1.6 Local Permits (for original project): Building Permit; Board of Health; Conservation Commission; two Special Permits from the ZBA for the expansion and alteration of a pre-existing non-conforming use and structures

Surrounding Land Uses: Town Hall, firehouse, church, farmstand, and residences near Bettlebung Corner

Project History: The Yard, a performing arts organization, was founded in 1973 by choreographer Patricia Nanon. The organization focuses on public performances, community education and engagement, and artist residency programs. The Yard collaborates with dozens of Island organizations on workshops and events.

The MVC approved DRI 689 in 2019, allowing the expansion, renovation, and winterization of the campus, including a larger performance barn, new studios, renovated housing, a new house, and additional parking. The project has not yet been constructed.

1.3 Project Summary: The proposal is to modify the approved plan as follows:

- Renovate the existing 2,540 ft² Barn Theater, rather than demolishing and replacing the theater
  - No longer adding 20 new seats; 98 seat total capacity
  - Back-of-house addition of 960 ft² for dressing rooms
  - Mechanical equipment attic in new dormer (about 300 ft²)
  - New front-of-house storage and mechanical spaces (288 ft²)
  - Total Performance Barn with additions: about 3,128 ft²
  - Proposed reduction of floor area from approved: about 4,000 ft²
- Demolish all three existing residences on the property and construct two new 6-bedroom, one-story residences, rather than replace one existing residence and renovate the other two
  - Total approved living area was 5,496 ft²; revised plan reduces that to 5,056 ft²
- Reduce proposed onsite parking from 74 to 69 spaces
- Add about 2,215 ft² of paved pathways
- Delay construction of the previously approved Rehearsal and Office Pavilion (2,070 ft² non-residential use) on parcel 26-95 (timeline TBD)

The applicant is also requesting a two-year extension of the MVC decision, which would make it valid through August 21, 2024, accounting for the Covid State of Emergency.

2. ADMINISTRATIVE SUMMARY

2.1 DRI Referral: Chilmark ZBA, May 20, 2022
2.2 DRI Trigger: 1.3D (Previous DRI)
2.3 LUPC: July 11, 2022
2.4 **Public Hearing:** To be determined

3. **PLANNING CONCERNS**

*Note: Various conditions already apply to the project, including in regard to wastewater, landscaping, lighting, energy, workforce housing, materials, noise, traffic, design, construction management, alterations, and drainage. The applicant has not requested any changes to those conditions.*

3.1 **Wastewater:** The modification still includes an onsite denitrifying wastewater treatment system, and the number of bedrooms would remain the same as approved.

3.2 **Stormwater:** A detailed stormwater management plan is required by the existing conditions but has not yet been provided. The total proposed impermeable area on the campus would increase from 16,207 ft² (previous approval) to 17,525 ft². (Roof area would decrease by 897 ft², while paved areas increase by 2,215 ft².) The proposed parking area will be gravel or similar material.

3.3 **Traffic and transportation:** The parking spaces will be redistributed, with a total of 69 spaces (reduction of five spaces). The access road and three smaller parking areas, with a total of 11 spaces, would be adjacent to the proposed parking spaces at the future EMS building to the west, which would have 33 spots, so the two parcels combined would have 101 spaces. The proposed theater as modified would have 98 seats rather than 120, which would entail fewer visitors and vehicle trips per event.

3.4 **Energy:** The buildings will be all-electric with a connection from Middle Road and buried power lines to the buildings. Among the existing energy conditions, the project must include a 15 KW solar array on the roof of the proposed rehearsal studio, and the applicant must consider rooftop solar on the Front Yard house and solar conduits for the theater and previously proposed residence building. As proposed, the modification would include two new residential buildings, rather than one new and two renovated. The proposed theater as modified would be about 50% smaller than the approved theater, and the total square footage of buildings on the property would decrease from 14,761 ft² (approved) to 11,795 ft² (proposed), which would entail less energy use for heating and cooling.

3.5 **Character:** The applicant has stated that the general massing, rooflines, and materials of the proposed structures will remain the same. The total square footage of buildings on the property would decrease from 14,761 ft² (approved) to 11,795 ft² (proposed). Floorplans, elevations, and renderings have been provided.

Chilmark Roadside District would allow a 20’ gabled roof located in wooded terrain if it is at least 80 feet from the road. The proposed South House would be 19’9” at the ridge and about 30’ from Middle Road in a non-wooded terrain, so it would appear not to comply with this regulation. (May be allowable by special permit.)

Proposed roof heights:
- Barn Theater: 25’9”
- Studio/Pavilion: 23’10”
- North House: 18’6”
- South House: 19’9”

3.6 **Material Use:** Existing conditions of approval include various requirements related to building materials, including a requirement that the applicant make their best effort to recycle existing components of the demolished structures. The modification entails demolishing three residences rather than one, but will also renovate and expand rather than demolish the existing performance space. The existing residences were
built in 1964 and are listed as average or plus-average condition by the Chilmark assessor. The proposed theater as modified would be about 50% smaller than the approved theater.

3.7 **Housing:** Existing conditions require the applicant to continue to house visiting artists year-round and provide workforce housing for staff, including two staff members and up to six interns who will live on-campus in the summer, and at least one staff member who will live on-campus in the off-season. The number of proposed bedrooms will not change, although the total living area would decrease from 5,058 ft² (approved) to 4,462 ft² (proposed).

3.8 **Noise and Impact on Abutters:** The proposed theater as modified would have 98 seats rather than 120, which would entail fewer visitors and vehicle trips per event.

A proposed pump house including a diesel-powered fire pump and underground cistern for the proposed sprinkler systems would be relocated from the front part of the site to the middle of the parking area in back and would come on for periodic testing. The structure would be somewhat larger than originally proposed. A noise rating for the pump has not been provided, although the applicant is exploring whether it could be electric. The pump house would include vegetative screening.

Existing conditions include a limitation on amplified music (this condition needs to be clarified), and limited hours for productions and rehearsals.

3.9 **Landscape and Lighting:** The current conditions require a final landscape plan to be submitted to the LUPC for review and approval before construction begins. The conditions also require that the clearing of trees be minimized to the greatest extent possible, including the protection of two specimen trees that were identified during the public hearing. A proposed conceptual landscape plan has been provided but only appears to preserve one of the specimen trees. The reduced footprint of the performance barn would mean fewer trees removed in that area.

The applicant has stated that the modification will lead to an increase in lighting fixtures, although a final lighting plan has not been provided. (Various lighting conditions already apply to the project.)