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Martha's Vineyard Commission

DRI 81 M5 Nina's Dine & Dash

MVC Staff Report – 2023-8-8

1. DESCRIPTION

- 1.1 **Owner:** Carlos Teles
- 1.2 **Applicant:** Carlos Teles
- 1.3 **Applicant's Agent:** George Sourati of Sourati Engineering Group, LLC
- 1.4 **Project Location:** 61 Beach Road, Tisbury (Map 9, Block B, Lot 18.1)
- 1.5 **Proposal:** Raise the grade in the vicinity of the Nina's Dine & Dash trailer eatery and elsewhere on the parcel. Some grade changes have already been done, according to the Applicant and the Applicant's Agent.
- 1.6 **Zoning:** Commercial Management Area of Waterfront Commercial
- 1.7 **Local Permits:** Tisbury Conservation Commission, Tisbury Planning Board.
- 1.8 **State Permits:** Possible Massachusetts Department of Environmental Protection (MassDEP)
- 1.9 **Surrounding Land Uses:** To the Northeast, the project site fronts Beach Road. To the East, the project site abuts 69 Beach Road, active construction site of the Vineyard Wind 1 Maintenance Building (see DRI 81 M3). To the West, the project site abuts commercial property. To the South, the project site abuts the backside of several residential properties on Lagoon Pond Road.
- 1.10 **Project History:** The DRI dates from the late 1970s when the Commission approved a replacement structure at what was then a building materials and hardware business known as HN Hinckley & Sons. In 2021, following an ownership change, the Commission approved an ANR division of the Hinckley site into two lots (see DRI 81 M2). Those lots became known as 61 Beach Road and 69 Beach Road (69 Beach Road is owned by Vineyard Wind 1). In approximately the same time period, received a proposal for a 40B development for the site that included 52 residential units. The proposal didn't progress to a hearing before the full Commission (see DRI 81 M4). That proposal is now defunct. In 2022, the Commission approved a Vineyard Wind 1 Maintenance Building at 69 Beach Road (see DRI 81 M3). At some point in 2022, the Applicant acquired 61 Beach Road from Harborwood, LLC. Also in 2022 (August 3), the Tisbury Planning Board granted the Applicant a special permit for a food truck. ***The special permit required a certain amount of grading (see below).*** Per the special permit, "The property was exclusively used as a commercial lumber and hardware store for over 100 years, until it was sold to Harborwood LLC... The property owner is currently leasing the former Hinckley Hardware store building to John R. Hill, who restores old furniture and antiques...Gannon & Benjamin is leasing the large metal building for boat repairs and restoration, and normally has 2-3 people working on the premises during the business day...MV Film Theater share the use of the parking space in the southeast (back area) portion of the property on a seasonal basis, using the available spaces in the summer to accommodate any overflow parking generated by evening performances."
- 1.11 **Project Summary:** As a hedge against puddling and ponding, to raise the grade match or come closer to the grades of adjacent properties. On the evening of August 7, Applicant's Agent George

Sourati told the LUPC the grading material would be “clean sand that’s compacted”. Sourati also told the LUPC the grading sand wouldn’t wash onto adjacent properties or Beach Road and committed to drafting a letter that states so. Additionally, Sourati told the LUPC that the Tisbury Conservation Commission informed him it was compelled to refer the project because the site was previously a DRI, otherwise they would not have referred the project. Regarding the food truck, the Tisbury Planning Board noted the following in its special permit:

- The food truck operates in approximately a 26’ x 28’ area
- The Tisbury Planning Board didn’t deem the food truck as something that triggered anything in the DRI Checklist
- The food truck will have rubbish, recycling, and compost recepticals
- “The Applicant will dispose of his waste, grease, greywater, and recyclables at The Cardboard Box in Oak Bluffs”
- “The greywater will be contained on the truck and discharged at the Cardboard Box in Oak Bluffs.”
- Parking for employees is in the rear of the parcel
- The food truck uses its own lights and landscape lights
- The food truck operation plans to use recyclable boxes and bottles to reduce waste and plans to use disposable food containers.
- The food truck won’t impact other tenants on the parcel

Among the conditions the Tisbury Planning Board placed the food truck were specifying that six employee parking spaces will be generated, that downward-facing, low-intensity lighting be used, and that a generator may not be used. Additionally, the Tisbury Planning Board handed down the following condition: ***“The Applicant will remove the debris and level the area around the food truck to create a level area at the food truck and a safe pedestrian path from the parking lot to the food truck.”***

2. ADMINISTRATIVE SUMMARY

2.1 DRI Referral: Tisbury Conservation Commission

2.2 DRI Trigger: Modification of a previous DRI

2.3 LUPC: Held August 7, 2023

2.4 Full Commission: Slated August 10, 2023

3. PLANNING CONCERNS

3.1 Stormwater

It’s unclear if a change in grading will have runoff ramifications. It’s also unclear if a drainage plan is needed.