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# Decision of the Martha's Vineyard Commission

## DRI 250-M 222 Upper Main Street Change of Use

### 1. SUMMARY

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Referring Board: Planning Board, Town of Edgartown

Subject: Development of Regional Impact #250-M 222 Upper Main Street Change of Use

Project: Conversion of an existing residence to a 19-room inn in the B-II District, including site work to provide for parking and access requirements, limited demolition, and construction of a new addition to the main building.

Owner: Stony Brook LLC

Applicant: Geoghan Coogan (Agent); Chuck Sullivan (Architect)

Applicant Address: P.O. Box 1639  
Vineyard Haven, MA 02568

Deed: Book 1473, Page 128

Previous Decision: Book 475, Page 272

Project Location: 222 Upper Main Street, Edgartown. Map 20C, Lot 27 (approximately 0.513 acres).

Decision: The Martha's Vineyard Commission (the Commission) approved the application for the project as a Development of Regional Impact with conditions, at a vote of the Commission on June 10, 2021.

Written Decision: This written decision was approved by a vote of the Commission on June 17, 2021.

The permit-granting authorities of the Town of Edgartown may now grant the request for approval of the Applicant's proposal in accordance with the conditions contained herein and may place further conditions thereon in accordance with applicable law, or may deny the request for approval.

## **2. FACTS**

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The exhibits listed below including the referral, the application, the notice of the public hearing, the staff report, the plans of the project, and other related documents are incorporated into the record herein by reference. The full record of the application is kept on the premises of the Martha's Vineyard Commission.

### **2.1 Referral**

The project was referred to the Commission on December 23, 2020 by the Planning Board of the Town of Edgartown, MA for action pursuant to Chapter 831 of the Acts of 1977, as amended (the Act) and the Commission's Standards and Criteria Administrative Checklist for Developments of Regional Impact, DRI Checklist Item 3.1f - Commercial Change of Use and 3.1h - Parking for 10 or more vehicles. It was determined by staff after the referral was received that the property was a previous DRI and also qualified under Checklist Item 1.2 - Modification to a Previous DRI.

### **2.2 Hearings**

Notice: Public notice of the hearing on the Application was published in the MV Times on April 29, 2021; notice was also published in the Vineyard Gazette on April 30, 2021. Abutters within 300 feet of the property were notified by mail on April 27, 2021.

Hearings: The Commission held a duly noticed public hearing on the Application that was conducted pursuant to the Act and M.G.L. Chapter 30A, Section 2, as modified by Chapter 831 on May 13, 2021, which was closed that same night with the exception of the written record which was left open until 5:00 pm on May 24, 2021 and closed at that time. The hearing was held entirely using remote conference technology as allowable under Chapter 53 of the Acts of 2020.

### **2.3 The Plan**

The following plans and documents submitted by the Applicant and contained in the Commission's project file constitute "the Plan." All pages are 8.5" x 11" unless otherwise noted.

- P1. "Proposed Deck and Staircase Site Plan" Edgartown, MA consisting of one (1) 24" x 18" page prepared for Stoney Brook LLC by Schofield, Barbini & Hoehn Inc; scale 1" = 16', dated October 14, 2020.
- P2. Existing Conditions Package consisting of five (5) 36" x 24" pages prepared by Sullivan and Associates Architects, all scaled to ¼" = 1'-0" and dated November 25, 2020, including X-01 First Floor Plan - Existing; X-02 Second Floor Plan - Existing; X-03 North Elevation - Existing & West Elevation - Existing; X-04 South Elevation - Existing & East Elevation - Existing; and X-05 Foundation Plan - Existing.
- P3. A-000 Parking / General Site & Landscape/ Drainage plans prepared by Sullivan and Associates Architects, scale 1" = 20', dated January 19, 2021.

- P4. Application Package entitled "222 Upper Main Street Phase #1" prepared by Sullivan and Associates Architects consisting of eleven (11) 36" x 24" pages, all scaled to ¼" = 1'-0" and dated January 26, 2021 unless otherwise noted, including: Revised A-000 Site Plans Parking / General Site & Landscape/ Drainage, scale 1" = 20'; D-01 First Floor Plan - Demo & Second Floor Plan - Demo; A-101 First Floor Plan-Proposed; A-102 Second Floor Plan-Proposed; A-201 North Elevation - Existing & North Elevation-Proposed; A-202 West Elevation - Existing & West Elevation-Proposed; A-203 South Elevation - Existing & South Elevation-Proposed; A-204 East Elevation - Existing & East Elevation-Proposed; S-101 Foundation Plan-Proposed; and S-02 Details: Building Section, scale ½" = 1'-0"; Footing/Deck Detail, scale 1" = 1'-0"; Foundation Wall Detail, scale 1" = 1'-0"; & Footing/Post Detail, scale 1" = 1'-0".
- P5. Application Package entitled "222 Upper Main Street Phase #2" prepared by Sullivan and Associates Architects consisting of twelve (12) 36" x 24" pages, all scaled to ¼" = 1'-0" and dated February 23, 2021 unless otherwise noted, including: A-000 Site Plans Parking / General Site & Landscape/ Drainage, scale 1" = 20'; A-001 Zoning / Use Aerial Photo, no scale; D-01 First Floor Plan - Demo & Second Floor Plan - Demo; A-101 First Floor Plan-Proposed; A-102 Second Floor Plan-Proposed; A-103 Roof Plan; A-201 North Elevation - Existing & North Elevation-Proposed; A-202 West Elevation - Existing & West Elevation-Proposed; A-203 South Elevation - Existing & South Elevation-Proposed; A-204 East Elevation - Existing & East Elevation-Proposed; and S-101 Foundation Plan-Proposed.
- P6. A-002 "Lot Coverage Calculation" Existing Lot Coverage & Proposed Lot Coverage plans consisting of one (1) 36" x 24" page prepared by Sullivan and Associates Architects, scale ¼" = 1'-0", dated February 25, 2021.
- P7. Conceptual Landscape Plan prepared for 222 Upper Main Street by Cammie Naylor of Donaroma's consisting of one (1) 36" x 24" page, scale 1" = 10'-0", dated March 26, 2021, and revised on May 11, 2021.
- P8. Revised Application Package entitled "222 Upper Main Street Phase #2" prepared by Sullivan and Associates Architects consisting of twelve (12) 36" x 24" pages, all scaled to ¼" = 1'-0" and dated April 30, 2021 unless otherwise noted, including: A-000 Parking / General Site Plan, scale 1" = 10'; A-001 Zoning / Use Aerial Photo, no scale; D-01 First Floor Plan - Demo & Second Floor Plan - Demo; A-101 First Floor Plan-Proposed; A-102 Second Floor Plan-Proposed; A-103 Roof Plan; A-201 North Elevation - Existing & North Elevation-Proposed; A-202 West Elevation - Existing & West Elevation-Proposed; A-203 South Elevation - Existing & South Elevation-Proposed; A-204 East Elevation - Existing & East Elevation-Proposed; and S-101 Foundation Plan-Proposed.
- P9. Final Plans "222 Upper Main" prepared by Sullivan and Associates Architect consisting of seventeen (17) 36" x 24" pages, all scaled ¼" = 1'-0 and dated May 24, 2021 unless otherwise noted, including: A-000 Glossary, Materials, Symbols & Legend, Locus Map, no scale; A-001 Existing Site Plan, scale 1" = 16'; A-002 Lot Coverage Calculation, Existing Lot Coverage &

Proposed Lot Coverage; A-003 Parking / General Site Plan, scale 1" = 10'; A-004 Drainage Plan;; A-005 Landscape/Exterior Lighting; A-006 Conceptual Landscape Plan prepared by Cammie Naylor of Donaroma's, scale 1" = 10'-0", dated March 26, 2021 and revised on May 11, 2021; D-01 First Floor Plan - Demo & Second Floor Plan - Demo; A-101 First Floor Plan-Proposed; A-102 Second Floor Plan-Proposed; A-103 Roof Plan; A-201 North Elevation - Existing & North Elevation-Proposed; A-202 West Elevation - Existing & West Elevation-Proposed; A-203 South Elevation - Existing & South Elevation-Proposed; A-204 East Elevation - Existing & East Elevation-Proposed; and S-101 Foundation Plan-Proposed.

## **2.4 Other Exhibits**

- E1. Referral to the MVC from the Edgartown Planning Board, including a cover letter, Edgartown Special Permit Application, Narrative (undated) prepared by the Applicant, and Agent Authorization; received December 23, 2020.
- E2. Vision Property Card for 222 Upper Main Street, Edgartown.
- E3. Letter to William Sullivan, Applicant from William G. Burke, Edgartown Waste Water Department Facility Manager stating conditional approval, dated December 8, 2020.
- E4. Aerial Photo of Site, received January 19, 2021.
- E5. Photo of Existing West Curb Cut, received January 19, 2021.
- E6. Letter from Reade Milne, Edgartown Building Inspector to Doug Finn, Edgartown Planning Board Assistant, dated January 19, 2021.
- E7. Letter from Doug Finn, Edgartown Planning Board Assistant representing the Edgartown Planning Board to Alex Elvin, MVC DRI Coordinator, regarding project findings and updates, dated January 27, 2021.
- E8. Memo to Applicants from MVC Staff, dated January 28, 2021.
- E9. Responses to MVC Staff Questions from 1/28/2021, received February 23, 2021.
- E10. Staff Report prepared on February 26, 2021, and revised on May 7, 2021; May 13, 2021; and revised again on June 10, 2021.
- E11. Staff Notes on Economic Development and Affordable Housing prepared by Christine Flynn dated April 3, 2021.
- E12. Project Data Sheet for 222 Upper Main Street, consisting of one (1) page dated May 4, 2021.
- E13. Responses to MVC Questions from 5/12/2021, received May 12, 2021.
- E14. Letter from Doug Finn, Edgartown Planning Board Assistant to Joan Malkin, MVC Chair, regarding the front lot line fence, boundary trees, landscape plan, and lighting design, dated May 14, 2021.

- E15. Responses to MVC Questions from 5/14/2021, received May 24, 2021.
- E16. Street Pathway Lighting Fixture Cut Sheet, received May 24, 2021.
- E17. Street Parking Lighting Fixture Cut Sheet, received May 24, 2021.
- E18. Building Entrance Lighting Fixture Cut Sheet, received May 24, 2021.
- E19. Final Offers: DRI 250-M Upper Main Street Change of Use regarding: Wastewater, Groundwater, Flooding, and Risk from Other Natural Hazards; Open Space and Landscaping; Night Lighting and Noise; Energy and Recycling; Traffic and Transportation; Scenic Values; Economy and Employment; Low-Income, Moderate-Income, and Workforce Housing; Construction Process; Modifications to this Decision, prepared by Geoghan Coogan, received May 24, 2021.
- E20. Minutes of the Commission’s Land Use Planning Committee Pre-Public Hearing Review, March 1, 2021.
- E21. Minutes of the Commission’s Public Hearing, May 13, 2021.
- E22. Minutes of the Commission’s Deliberation and Decision, June 10, 2021.
- E23. Minutes of the Commission’s Approval of the Written Decision, June 17, 2021.

**2.5 Summary of Testimony**

The following gave testimony during the public hearing on May 13, 2020:

- Staff presentation by Alex Elvin, DRI Coordinator.
- Presentation of the project by Geoghan Coogan and Chuck Sullivan.
- Affordable Housing Report by Christine Flynn, Economic Development and Affordable Housing Planner.
- Oral testimony from Public Officials speaking for their Boards: Doug Finn, Edgartown Planning Board Assistant.
- Oral testimony from the Public: none.

**3. FINDINGS**

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**3.1 Project Description**

The project will include a new handicap-accessible entrance to replace an existing deck at the front of the building, and a three-story addition with six rooms, including two that are handicap-accessible, to replace an existing one-story wing off the back of the building. The addition will be about 26’6” at the ridgeline, compared to 23’11” for the existing building. The project will also refurbish and alter nine of the 11 existing guest rooms and bathrooms in the main building, convert the existing living room into a bedroom, and update the existing common areas. One guest room will be converted into a laundry area and handicapped-accessible bathroom. Other aspects include the installation of new windows,

HVAC equipment, a fire sprinkler and alarm system, and life safety devices to accommodate the new layout.

The property includes a one-room cottage and one-room garage, which will undergo interior renovations, and possibly some exterior changes to the cottage. The cottage will also be reoriented to make room for parking spaces, which will increase from seven to 21.

The project as a whole will increase the total square footage of the main building at 222 Upper Main Street from 4,079 ft<sup>2</sup> to 6,334 ft<sup>2</sup>, and the total number of rooms on the property from 13 to 19.

The new hotel will be operated by staff members of the existing Edgar Hotel across the street at 127 Upper Main Street, which shares the same owner, and will likely operate from May to December. The front desk will be located at the Edgar Hotel, and guests will use a mobile check-in system. An Edgar Hotel employee will be on-site at 222 Upper Main Street about 12 hours per day.

### **3.2 Statutory Authority**

The purpose of the Commission, as set forth in Section 1 of the Act, is to “protect the health, safety, and general welfare of island residents and visitors by preserving and conserving for the enjoyment of present and future generations the unique natural, historical, ecological, scientific and cultural values of Martha’s Vineyard which contribute to public enjoyment, inspiration, and scientific study by protecting these values from development and uses which would impair them, and by promoting the enhancement of sound local economies.”

The Commission has reviewed the proposal as a Development of Regional Impact, using the procedures and criteria that the Commission normally uses in evaluation the benefits and detriments of such a proposal. The Commission has considered the Application and the information presented at the public hearing, including listening to all testimony presented and reviewing all documents submitted during the hearing and review period.

### **3.3 Benefits and Detriments**

Based on the record and testimony presented therein, the Commission finds the following pursuant to Sections 14 and 15 of the Act.

**A. THE COMMISSION FINDS THAT THE PROBABLE BENEFITS OF THE PROPOSED DEVELOPMENT WOULD EXCEED THE PROBABLE DETRIMENTS, AS EVALUATED IN LIGHT OF THE CONSIDERATIONS SET FORTH IN SECTION 14(a) OF THE ACT.**

**A1. The Commission finds that the proposed development at this location is essential and appropriate in view of the available alternatives (Section 15(a) of the Act.)**

The property is located in the Business-2 (B-II) District in Edgartown, which is densely developed and includes various commercial and residential uses, including hotels. The property itself was previously a hotel (the Arbor Inn) and has been vacant since 2018.

The Commission finds that the probable benefits of the project would outweigh the probable detriments, as described below. With respect to the environment (Section 15(b) of the act), and public facilities (Section 15(f) of the Act), the Commission finds the project would have a slightly detrimental impact. With respect to persons and property (Section 15(c) of the Act), low- and moderate-income housing (Section 15(d) of the Act), municipal services and taxpayers (Section 15(e) of the Act), and consistency with town, regional, and state plans and objectives (Sections 14(b), 15(g), and 15(h) of the Act), the Commission finds the project would have a beneficial or neutral impact.

**A2. The Commission finds that the proposed development would have a slightly detrimental impact upon the environment relative to other alternatives (Section 15(b) of the Act).**

With respect to Water Quality (including Groundwater), the Commission notes that the Edgartown Wastewater Commission has approved the tie-in for the property, conditioned on other permitting to allow for the 19 rooms, and noted that the hotel will not have its own dining service. However, the Commission also finds that the project will reduce the ability for other properties to connect to the Edgartown Wastewater Treatment Facility, which is nearing capacity, creating a slight detriment.

With respect to Stormwater, the Commission finds that the addition of impervious area at the property would create a slight detriment. The Commission notes that pea stone would be used for the western portion of the new parking area, but that impervious area in general will increase.

The Commission finds that impacts associated with Coastal Erosion and Flooding are not applicable to the project, since it is located inland.

With respect to Energy and Climate Change Resilience, the Commission finds that the use of rooftop solar panels on the existing main building and proposed addition, as well as the use of heat pumps for water and space heating, will create a benefit.

With respect to Open Space, the site is already developed, with previous commercial uses and seven parking spaces. The Commission finds that the amount of open green space will decrease as result of the new addition and enlarged parking area, creating a slight detriment.

With respect to Ecology and Habitat, the Commission finds that some trees and vegetation will be removed to make way for the addition and new parking area and driveway, creating a slight detriment.

**A3. The Commission finds that the proposed development would have a beneficial effect upon other persons and property (Section 15(c) of the Act).**

With respect to Traffic and Transportation, the Commission notes that parking spaces will increase from seven to 21, which complies with town zoning requirements. The two required curb cuts already exist, but access will become one-way in and one-way out, which was viewed as a benefit. A mutual easement with the owners of 230 Upper Main Street will be established to ensure continued access to both properties. In terms of transportation alternatives, the Applicant has offered to partner with a local bike shop to make bikes available to guests (at the guest's expense), and the property will include bike racks. However, the Commission finds that the likelihood of guests crossing back and forth on

Upper Main, either to check in or access the amenities at the Edgar Hotel, would create a slight detriment.

With respect to Character and Identity and Scenic Values, the Commission finds that the proposal is appropriately located and would have a beneficial impact. The oldest part of the main building was constructed around 1938, with an addition in 1991. The building is highly visible from Main Street, but the proposed additions are mainly to the rear of the building. The project is not in the Edgartown Historic District, but is subject to Special Permit review by the Planning Board.

With respect to Economic Development, the Commission finds that the project will revive an existing property and create additional lodging opportunities in an appropriate area of Edgartown, which would in turn support additional tourism and economic activity, creating a benefit. The new inn will be operated by staff members of the Edgar Hotel, with one new employee expected as a result of the project.

The Commission finds that impacts associated with Social Development are not applicable.

The Commission finds that impacts associated with Safety and Health are not applicable, apart from the potential increase in pedestrian traffic on Upper Main Street (see Traffic and Transportation.)

With respect to Noise and Night Lighting, the Commission finds that the project would have a neutral impact. Although the project will result in more vehicles, hotel guests, pedestrian traffic, and exterior lighting, the Commission finds that such uses would not be out of place in the immediate area.

With respect to Impact on Abutters (after completion), the Commission finds the project would have a neutral impact, and notes that no abutters raised any concerns during the public hearing.

**A4. The Commission finds that the proposed development would have a neutral impact upon the supply of needed low- and moderate-income housing for Island residents (Section 15(d) of the Act).**

The Commission finds that the Applicant's offer to acquire a separate property in Edgartown to house two hotel employees year-round will mitigate the overall housing impact of the project, leading to a neutral impact in terms of Island Housing Needs. The Applicant had previously rented out rooms at 222 Upper Main for a limited time, but at present the main building, cottage, and garage are vacant.

**A5. The Commission finds that the proposed development would have a beneficial effect on the provision of municipal services or burden on taxpayers in the making provision therefore (Section 15(e) of the Act).**

With respect to Municipal Services, the Commission finds that the project in general would have a minimal impact, since it is located in an already densely developed area, and that the upgrading of life safety systems on the property would create an overall benefit.



With respect to Burden on Taxpayers, the Commission finds that the project will increase the value of the property and revenue to the Town in the form of property taxes, the Room Occupancy Tax, and the Short Term Rental Tax, creating a benefit.

**A6. The Commission finds that the proposed development would increase the burden existing public facilities or those that are to be developed within the succeeding five years (Section 15 (f) of the Act).**

The Commission notes that the project will increase the burden on the Edgartown Wastewater Treatment Facility, which is nearing capacity advancing the need to expand the facility at public expense, and creating a possible detriment in terms of Public Facilities.

**A7. The Commission finds that the proposed development would not interfere with the ability of the municipality to achieve the objectives set forth in the municipal general plan, and would not contravene land development objectives and policies developed by regional or state agencies (Section 14(b), 15(g), and 15(h) of the Act).**

The Commission finds that the project will have a neutral or beneficial impact in regard to municipal, regional, and state planning objectives. The Commission notes that the project generally aligns with the Island Plan, including sections 2 (Development and Growth), 4 (Built Environment), 6 (Livelihood and Commerce), 7 (Energy and Waste), 8 (Housing), and 9 (Transportation).

**A8. The Commission finds that the proposed development as conditioned is consistent with municipal ordinances and by-laws (Section 14(c) if the Act).**

The Commission notes that the proposal is subject to Special Permit review and approval by the Edgartown Planning Board.

**B. THE COMMISSION FINDS THAT THE PROPOSED DEVELOPMENT WOULD BE CONSISTENT WITH THE LAND DEVELOPMENT OBJECTIVES OF THE COMMISSION, AS EVALUATED IN LIGHT OF THE CONSIDERATIONS SET FORTH IN SECTION 14(b) OF THE ACT.**

The requested project as a whole supports the Commission's land development objectives, as outlined in the Island Plan and enumerated in section A7 of this Decision.

**C. THE COMMISSION FINDS THAT THE PROPOSED DEVELOPMENT IS CONSISTENT WITH MUNICIPAL DEVELOPMENT ORDINANCES AND BY-LAWS, TO THE BEST OF THE COMMISSION'S KNOWLEDGE. E ACT.**

The project is consistent with local zoning and would be allowable by Special Permit, as outlined in section A8 of this Decision.

**D. THE COMMISSION FINDS THAT THE SITE IS IN CONFORMANCE WITH THE REGULATIONS OF DISTRICTS OF CRITICAL PLANNING CONCERN, AS EVALUATED IN LIGHT OF THE CONSIDERATIONS SET FORTH IN SECTION 14(d) OF THE ACT.**

The Commission finds that the property is not located in any DCPC.

In sum, after careful review of the Plans and its attendant submittals and the testimony presented by the Applicant and others, the Commission has concluded that the benefits of this proposed development in this location exceed its probable detriments in light of the considerations set forth in Section 14(a) of the Act.

#### **4. DECISION**

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The Martha's Vineyard Commission deliberated about the application at a duly noticed meeting of the Commission held on June 10, 2021 and made its decision at the same meeting.

The following Commissioners, all of whom participated in the hearing and deliberations participated in the decision on June 10, 2021:

- Voting to approve the project: Jeffrey Agnoli; Trip Barnes; Christina Brown; Joshua Goldstein; Jay Grossman; Fred Hancock; Michael Kim; Joan Malkin; Kathy Newman; Ben Robinson; Ted Rosbeck; Linda Sibley; Ernie Thomas; Christine Todd; and James Vercruysse.
- Voting against: None.
- Abstentions: None.
- Recused: None.

Based on this vote, the Commission approved the application for the project as a Development of Regional Impact with conditions.

This Written Decision is consistent with the vote of the Commission on June 10, 2021 and was approved by a vote of the Commission on June 17, 2021.

#### **5. CONDITIONS**

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After reviewing the proposal for this Development of Regional Impact, the Commission imposes the following condition in order to minimize the potential detriments and maximize the potential benefits.

##### **1. LANDSCAPE AND LIGHTING**

- 1.1 Final landscape and lighting plans, including the location of any front lot-line fence, shall be submitted to the Edgartown Planning Board for review and approval prior to receipt of a Building Permit for the remaining portions of the project. The landscape and lighting plans as approved by the Town shall be consistent with MVC landscaping policies and shall be filed with the MVC.
- 1.2 As offered by the Applicant, all fertilizers shall be slow-release, water-insoluble nitrogen source types. No synthetic pesticides including herbicides, fungicides and/or insecticides shall be used in the maintenance of landscaping. All landscape shall be maintained as shown on the plan dated May 24, 2021, in perpetuity.

- 1.3 The Applicant shall commission and provide to the Edgartown Planning Board an evaluation of the four major boundary trees for potential tree loss, in order to determine the viability of the subject trees, and shall implement any resulting recommendations by the Planning Board. The Applicant shall provide the evaluation prior to construction and any landscape site work.
- 1.4 If the trees are deemed unsafe or of very poor health, they shall be removed, with stumps ground or removed, and replaced in accordance with the direction of the Planning Board.
- 1.5 As offered by the Applicant, exterior lighting shall be limited to external sign illumination, security lighting, and emergency lights required by code, which are Dark Sky compliant and downward-shielded to prevent light spilling off the property. There shall be no flood lighting.
- 1.6 As offered by the Applicant, all exterior lighting - except for security lighting, which shall be on motion detectors - shall be on timers and shall be turned off during the day as well as during the night from one hour after the inn closes to one hour before it opens in the morning.

## 2. STORMWATER

- 2.1 As offered by the Applicant, all stormwater shall be managed on-site, as shown on the plans dated May 24, 2021.

## 3. ENERGY AND WASTE

- 3.1 As offered by the Applicant, the Applicant shall install solar panels on the roof area delineated on the plans dated May 24, 2021.
- 3.2 As offered by the Applicant, the Applicant shall install recycling bins at convenient locations inside and outside the building and maintain them regularly.

## 4. TRAFFIC AND TRANSPORTATION

- 4.1 A mutual easement between the Applicant and the owner of 230 Upper Main Street shall be established to ensure continued access to and from the properties at 222 and 230 Upper Main Street, with access as shown on the site plans dated May 24, 2021.
- 4.2 The Applicant shall provide all guests with information showing the location of crosswalks on Upper Main Street and encourage their usage.
- 4.3 The Applicant shall work with local bike rental agencies to make bicycles available to any hotel guest who requests one, and shall inform all hotel guests of such availability, at the time of booking. The Applicant shall also provide bike racks within the parking areas, and provide information about alternative means of transportation to guests and employees, including at the time of booking and by posting informational signs in public and employee areas around the site.

## 5. ECONOMY AND EMPLOYMENT

5.1 The property shall be used exclusively as an inn.

5.2 Whenever possible and practical, local vendors shall be used for the purchase of any product or service.

## 6. HOUSING

6.1 Prior to receipt of a Certificate of Occupancy, the Applicant shall acquire a separate property in Edgartown for use as year-round housing for two hotel employees and shall submit an annual signed affidavit to demonstrate compliance.

## 7. CONSTRUCTION MANAGEMENT

7.1 Phase 1 of construction will start on or about August 1, 2021, with a completion date of April 15, 2022. Initial work is to demolish the back left addition to make room for the new foundations. This will be followed by the construction of the four new guestrooms to be constructed and closed in by late fall. At that point all exterior work on the structure will be completed so any dust and noise will be contained inside the structure. Interior mechanical work and finishes will follow, with completion scheduled for mid to late April. Staging of the project will consist of a dumpster and materials to be placed on the left side of the outbuilding. Parking for workers will be on the property at the rear of the building. Construction hours will be Monday to Friday from 8 AM to 5 PM, and Saturday from 8 AM to 3 PM.

## 8. MODIFICATIONS

8.1 Any proposed modification to DRI 250-M, as approved herein, including any modification resulting in any change of use or change in intensity of use, shall be referred to the MVC for prior review and approval.

## 6. CONCLUSION

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### 6.1 Permitting from the Town

The Applicants must, consistent with this Decision, apply to the appropriate Town of Edgartown Officers and Boards for any local development permits which may be required by law.

The permit-granting authorities of the Town of Edgartown may now grant the request for approval of the Applicant's proposal in accordance with this decision and may place further conditions thereon in accordance with applicable law or may deny the request for approval. Any permit issued by the Town shall incorporate the plan approved by the Commission.

### 6.2 Notice of Appellate Rights

Any party aggrieved by a determination of the Commission may appeal to Superior Court within twenty (20) days after the Commission has sent the development Applicant written notice, by certified mail, of its Decision and has filed a copy of its Decision with the Edgartown Town Clerk.

**6.3 Length of Validity of Decision**

The Applicant shall have two (2) years from the date of receipt of the Decision of the Martha's Vineyard Commission contained in this document to begin substantial construction.

**6.4 Signature Block**

*Joan Malkin*  
Joan Malkin, Chair

23 June 2021  
Date

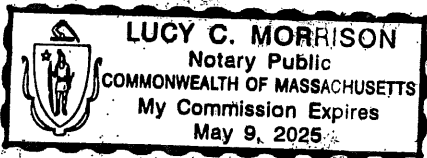
**6.5 Notarization of Decision**

Commonwealth of Massachusetts

County of Dukes County, Mass.

On this 23<sup>rd</sup> day of June, 2021, before me,  
Lucy C. Morrison, the undersigned Notary Public, personally appeared  
Joan Malkin, proved to me through satisfactory evidence of  
identity, where was/were personal knowledge to be the person(s)  
whose name(s) was/were signed on the preceding or attached document in my presence, and who  
swore or affirmed to me that the contents of the document are truthful and accurate to the best of  
his/her/their knowledge and belief.

*Lucy C. Morrison*  
Signature of Notary Public



Lucy C. Morrison

Printed Name of Notary

My Commission Expires May 9, 2025

**6.6 Filing of Decision**

Filed at the Dukes County Registry of Deeds, Edgartown, on: June 23, 2021

Deed: Book 1583, Page 1018

Document Number: 00505080