

# THE MARTHA'S VINEYARD COMMISSION

BOX 1447  
OAK BLUFFS  
MASSACHUSETTS  
02557

DATE: March 19, 1987  
TO: Building Inspector, Town of Tisbury  
FROM: Martha's Vineyard Commission  
SUBJECT: Development of Regional Impact  
RE: Commercial Development  
APPLICANT: Martha's Vineyard Sun Nominee Trust  
Draw W  
Hyannis, MA 02601

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## DECISION OF THE MARTHA'S VINEYARD COMMISSION

### SUMMARY

The Martha's Vineyard Commission (the Commission) hereby approves, with certain conditions, the application of Martha's Vineyard Sun Nominee Trust, Draw W, Hyannis, Ma, 02601, for the development of land in the Town of Tisbury as shown on the Plans entitled: "Sun Transportation, Martha's Vineyard, Prepared by the Williams Company, 1019 Iyanough Rd., Rte 132, Hyannis, MA. 02601, including Site Plan, Drainage & Sewage Disposal System Design, Landscape, Lighting, Traffic Plan and Section," consisting of five (5) sheets; making a total of five (5) sheets, (the Plan).

The Decision with conditions contained herein, is rendered pursuant to the vote of the Commission on March 19, 1987. The Building Inspector of the Town of Tisbury may now grant the necessary development permits for the Applicant's commercial development in accordance with the conditions contained herein, or may approve in accordance with the conditions contained herein and place further conditions thereon in accordance with applicable law, or may disapprove the development application.

FACTS

The proposed development is a Development of Regional Impact as defined by the Commission's Standards and Criteria, Developments of Regional Impact, Section 3.301. The application was referred to the Commission by the Building Inspector of the Town of Tisbury for action pursuant to M.G.L. Chapter 831, Acts of 1977 as Amended (the Act). The application and notice of public hearing relative thereto are incorporated herein. Martha's Vineyard Commission staff document exhibits are incorporated by reference.

A duly noticed public hearing on the application was conducted by the Commission pursuant to the Act and Massachusetts General Laws, Chapter 30A, Section 2 as modified by Chapter 831 on February 26, 1987 at 8:00 P.M., at the Commission offices, Olde Stone Building, New York Avenue, Oak Bluffs, Massachusetts. The proposal is for the construction of a commercial storage facility with approximately 43,500 square feet.

Sanford Evans, Chairman of the Land Use Planning Committee, read the public hearing notice and opened the hearing for testimony at 8:10 P.M. and requested that the Applicant give his presentation.

Ed Coogan, Attorney for the Applicant, stated that the applicant presently runs his trucking outfit from Rogers Trucking, which is located in a residential neighborhood and near the Oak Bluffs Elementary School, and has proposed moving the business to Vineyard Haven. Mr. Coogan discussed the location which will be directly behind Cronigs State Road Market. Further, he discussed the access location which will be a couple of buildings down from Cycle Works. The proposal is for building a loading/unloading dock for trucks, and dry storage facilities. Mr. Coogan stated that both the Police and Fire Chiefs of the Town have seen the plan and further that the applicant has adjusted the plans to be in compliance with the wishes of the Fire and Police chiefs, including a fire gate and assurances on the traffic flow through the proposal.

Dan Bramin, Engineer for the Applicant, discussed the site plan and stated that most abutters are commercial with 3 residential abutters and stated their location to the proposal. He showed the following drawings: a section through the face of the terminal showing the location of all buildings; section at centerline of State Road

giving a view of the existing area and view of area with proposed project built. Mr. Bramin discussed some of the elevations stating the terminal building top of asphalt is at 94.5, loading dock and base slab of the building is 98.5 in elevation, some of the mini storage buildings are at 101.0 or 101.5. He then discussed elevations at the centerline of State Road being at 104 feet. He discussed surrounding buildings, existing conditions including vegetation of high green trees which will remain and further stated that the exterior walls will be the color of light stone.

Bruce MacGregor, Owner, discussed the complex works, location of access, slope of property which slopes back from the street and lower than State Road, site design, more intense use of proposal will be for the trucking business however, there will be storage units surrounding the freight terminal. He discussed the 400 storage units regarding the size and use. He stated that the doors to the units would be facing the center of property, no doors facing abutters, and units to be rented. He discussed the low traffic generation in his opinion, and that the entire proposal would have specific business hours and would not be open after dark. He further discussed outside lighting stating that at the eave of the buildings there would be a hood light which shines to the ground and the landscaping design and signage. Mr. MacGregor discussed the entrance to the facility as paved and traffic flow as two way at the beginning turning into a one-way road through the facility.

Mr. Widdiss asked if the hours for the trucking business are the same as hours for the storage units. Mr. McConnell stated longest hours are in the summer usually 7:30 A.M. until 6:30 P.M. at the latest. He stated that this facility also has a live-in manager which will occupy the existing house on the property.

Mr. Widdiss asked if pictures were available in the western area of the parcel. Mr. MacGregor stated that the area is treed and distributed photographs.

Mr. Jason asked if there were any plans for screening of the building which abuts the residential area. Mr. MacGregor stated that approximately 40 feet is the distance to the residential area.

Mr. Wey asked if there was a drainage plan? Mr. Bramin stated that after review with the Town it was requested that an additional catch basin be added, he showed the Commissioners the location.

Mr. Wey asked if the site would be paved? Mr. MacGregor said that the driveway areas and parking areas will be paved. Mr. Barmin stated there are some areas which will have gravel to protect the land.

Commissioners questioned the location of the secondary access. The applicant stated that it was near Cronigs State Road Market and would have a crash gate.

Mr. Evans asked if the Applicant would address affordable housing and his experience in other locations. Mr. MacGregor stated the history of his Nantucket facility regarding making employee housing available and stated that he would do the same on Martha's Vineyard with housing provided off the site in addition to the manager's house on site.

Mr. MacGregor showed a drawing of a typical 2 story storage unit, stating that on the first floor are doors for each unit and the second floor was not visible from the outside and that access is through a stairway with an electric lift inside the 1st story.

Mr. Ferraguzzi questioned the reason for the 2 story buildings abutting the residential neighborhood and single story buildings are abutting the back of the cemetery.

Mr. MacGregor stated that the buildings are to be equipped with lifts and because of expense the larger buildings made the lifts economically feasible, further the 2 story buildings are much longer and would not fit along the line abutting the cemetery.

Mr. MacGregor stated that the 2 story buildings are 20' to the eave.

Mr. McCavitt asked if the Tisbury Zoning By-laws require screening of business area which abuts a residential area. Mrs. Eber Russell Smith, MVC Staff, referenced a handout. He discussed the proposal for a truck/freight terminal which will be used as a freight transfer and office area, 4,000 square feet terminal and 800 square feet building, and also a self storage facility. Mr. Smith discussed each building and how many stories in each and further discussed the storage units; the foot print and the total square footage of each building was needed to make the proposal economically feasible.

Terry Boyd, Abutter, stated concerns of his property being at a lower elevation than the proposed project and expressed his concerns of a drainage problem. Mr. Bramin stated that as far as runoff goes the drainage should be much better.

There being no further testimony the hearing was closed and the record kept open for one week at 9:00 P.M.

Following the close of the public hearing, there was no correspondence received for the record.

#### FINDINGS AND CONDITIONS

The Commission has considered the application and the information presented at the public hearing, and based upon such consideration, makes the following findings pursuant to Section 14 of the Act:

- a. The Commission finds that the probable benefits of the proposed project, subject to the conditions set forth herein, will exceed the probable detriments of the proposal in light of the considerations set forth in Section 15 of the Act.
- b. The Commission finds that the proposed development will not interfere substantially or unreasonably with the achievement of the objectives of any general plan of the Town or of Dukes County.
- c. The Commission finds the development as set forth in the Application and the plan will be consistent with local development ordinances and by-laws in place at the time of the submittal.
- d. The Commission finds that the development proposal will be more beneficial then detrimental when compared to alternative manners of development or developments occurring in alternative locations.

Further,

The Commission has considered the question of whether the proposed development will favorably or adversely affect other persons and property, and if so, whether, because of circumstances peculiar to



the location, the effect is likely to be greater than is ordinarily associated with the development of the types proposed. In light of this, the Commission sets the following conditions:

BUILDING "I" ON SAID PLANS SHALL BE LIMITED TO ONE (1) STORY ONLY CONSISTENT WITH OTHER ONE STORY BUILDINGS SHOWN ON SAID PLAN.

LIGHTS ON THE NORTHWEST OF BUILDING "I" SHALL BE LIMITED TO TWO (2) AND SHALL BE HOODED.


IN ADDITION TO CHAIN LINK FENCING, THE APPLICANT SHALL INSTALL AND MAINTAIN A SIX (6) FOOT STOCKADE FENCE ALONG THE NORTHWEST PROPERTY LINE.

The Commission finds that the proposed development is consistent with local ordinances and by-laws to the extent it is required to, only the application being before it at this time. The Applicant must, consistent with the Decision, apply to appropriate Town of Tisbury Officers or Boards for any other development permits which may be required by law.

The Commission approves the Town of Tisbury Officials granting applicable development permits.

This Decision is written consistent with the vote of the Commission on March 19, 1987.

Any party aggrieved by a determination of the Commission may appeal to the 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 Town Clerk in the Town in which the proposed development is located.

  
John G. Early, Chairman

  
Notary

NORMAN FRIEDMAN  
NOTARY PUBLIC  
My commission expires Nov 2, 1990

Register

Attest:



Edgartown, Mass. 3/26/87  
at 10 o'clock and 52 minutes 19 87  
Received and entered with Dukes County Deeds  
book 470 page 272  
Date

building. He discussed the location of the proposal, B-2 District, lot size 2.7 acres including the access road. Mr. Smith discussed the 40' right-of-way with crash gate. He stated that the buildings were all steel framed with medal siding. Lastly, Mr. Smith stated that the project has been reviewed by the Planning Board and the Board's findings concluded that the project was within the B-2 District, number of parking spaces required is adequate, building heights conform, landscaping plan was approved, for fire protection the 15 foot right-of-way was required by the Planning Board. Mr. Smith stated that the plan has the Planning Board's endorsement of approval dated 1/23/87 with conditions: existing wastewater system will be covered up and a new system will replace the old which will cover the new facility and the existing house, more screening, and a fire crash gate was required. Further, the Plan conforms with Title 5 and a septic permit has been obtained. Mr. Smith stated that the number of storage units as he counted are 451. He discussed traffic generations, referring to the Applicant's figures/per day and number of units, as being minimal. Mr. Smith discussed the drainage plan and line which deliniates each runoff.

Mr. McCavitt asked Mr. Smith his opinion of the viability of the internal roadsystem. Mr. Smith stated that there will be no problem for cars however, on the back road large trucks will not be able to pass.

Mr. Evans asked for testimony from Town Boards. There was none.

Mr. Evans asked for testimony from opponents and proponents. There was none.

Mr. Evans stated he had one piece of correspondence from Rosemarie Stuttig opposing the proposed development.

Mr. McCavitt asked if the Tisbury Zoning By-laws require screening of business area which abuts a residential area. Mrs. Eber said no, further, that each case is looked at on a case by case basis.

There was discussion by Commissioners of the way buildings were placed on the land and possible items which could be changed such as the size and location of the 2 story buildings and possible changes in the road system. The Applicant stated that the square footage of the building was needed to make the proposal economically feasible.