

## THE MARTHA'S VINEYARD COMMISSION

BOX 1447  
OAK BLUFFS  
MASSACHUSETTS  
02557

DATE: March 9, 1987  
TO: Building Inspector, Town of Edgartown  
FROM: Martha's Vineyard Commission  
SUBJECT: Development of Regional Impact  
RE: Addition to an Existing Structure  
APPLICANT: Winter Street Professional Trust  
c/o Norman Rankow, Agent  
P.O. Box 1276  
Edgartown, MA 02539

## DECISION OF THE MARTHA'S VINEYARD COMMISSION

SUMMARY

The Martha's Vineyard Commission (the Commission) hereby approves, with certain conditions, the application of Winter Street Professional Trust, c/o Norman Rankow, Agent, P.O. Box 1276, Edgartown, MA., 02539, for an addition to an existing structure in the Town of Edgartown as shown on the Plans entitled: "Office Building Addition for the Winter Street Professional Trust, Edgartown, Mass., Dated 22 Oct, 1986 "consisting of four (4) sheets; making a total of four (4) 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 Edgartown may now grant the necessary development permits for the Applicant's addition 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 Edgartown 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 March 5, 1987 at 8:00 P.M., at the Commission offices, Olde Stone Building, New York Avenue, Oak Bluffs, Massachusetts.

The proposal is for an addition of approximately 1,487 square feet of office space to an existing structure.

Sanford Evans, Chairman of the Land Use Planning Committee, read the public hearing notice and opened the hearing for testimony at 8:00 P.M.

Mr. Evans asked the Applicant to give a presentation of the proposal.

Bill Rohr, Applicant, stated that the proposal is an expansion to an existing office building. He gave the dimension of the proposal as 15' x 43', also adding a second story. He discussed the existing building being two stories and the proposed addition would extend the 2 stories to the back. Mr. Rohr said the occupancy of the building would stay the same: one half law office, and one half insurance company. Further, he stated a site plan is available.

Mr. Evans asked for the Staff presentation.

Rick Hopkins, MVC Staff, referenced a handout given to Commissioners. Mr. Hopkins said that the proposal is to add approximately 1,487 square feet of office space. He discussed the existing building regarding the L shape and that the proposal would fill in the L Cove. Further, he discussed the location, access and egress which is off and on Winter Street, no new curb cuts are proposed, zoning is B-1, does not require a special permit from the Board of Appeals because it falls under 1,500 square feet and that the proposal falls within Edgartown's proposed Historic District. Mr. Hopkins discussed parking and stated that 12 spaces are required by

Edgartown's By-laws and 12 spaces are shown with a possible 4 additional parking spaces, however, the parking lot falls below the architectural standard by approximately 8 feet. He discussed traffic and traffic counts which had been taken during the summer of 1986. He further stated that sewage disposal was provided by the Town. He stated the groundwater was at 17 feet below grade and soils classification are Urban. Mr. Hopkins stated there were some development concerns regarding landscaping, drainage, exterior materials to be used, garbage disposal plan, handicap access, signage and additional employees. Mr. Evans asked the applicant if a drainage plan for the site has been obtained.

Mr. Rankow, Agent for the Applicant, said that he had spoken to Richard Barbini of Schofield Brothers and that Mr. Barbini stated there will be no problem with drainage as far as he could see because of a previously installed catch basin. However, if a problem did become apparent a dry well could be put in to catch additional runoff.

Mr. Evans asked Mr. Rankow if the building was handicap accessible? Mr. Rankow stated that if it was required that a ramp could be placed at the front entrance.

Mr. Evans asked if there would be a loss of trees? Mr. Rankow answered in the negative. To parking concerns Mr. Rankow said that the parking system works now. He further discussed the garbage disposal stating there was a shed in the back corner for garbage which holds 5 to 7 containers. Mr. Rankow further stated that the exterior materials will be identical to what now exists (wood trim, asphalt roof shingles, clapboard, white painted trim). Further, he asked for a Decision from the Commission as soon as possible.

Mr. Evans then asked for Town Board comment/testimony. There was none.

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

Commissioners asked Mr. Rankow to have an engineer certify a drainage plan as is or if needed with a dry well. Mr. Rankow stated he would.

IF THE DRAINAGE SYSTEM SERVING THE EXISTING BUILDING BECOMES OVERLOADED BECAUSE OF ADDITIONAL RUNOFF FROM THE PROPOSED

There being no further testimony, Mr. Evans closed the public hearing with the record kept open for one week at 8:27 P.M.

Following the close of the public hearing correspondence was received from Richard Barbini, Schofield Brothers, regarding the existing drainage system.

#### 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 development, 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 that the proposed 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 than detrimental when compared to alternative manners of development or developments occurring in alternative locations.

Further, pursuant to Section 15 of the Act, the Commission has considered the question of potential impact of this proposal on the environment and on other persons or property and sets the following condition:

IF THE DRAINAGE SYSTEM SERVING THE EXISTING BUILDING BECOMES OVERLOADED BECAUSE OF ADDITIONAL RUNOFF FROM THE PROPOSED

BK 470 PG 271


EXPANSION, A DRAINAGE SYSTEM SHALL BE DESIGNED AND INSTALLED TO ACCOMMODATE THE ENTIRE SITE.

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 Edgartown Officers or Boards for any other development permits which may be required by law.

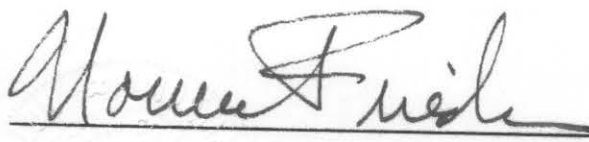
The Commission approves the Town of Edgartown officials granting applicable development permits.

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 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.

  
Michael Lynch, Vice Chairman

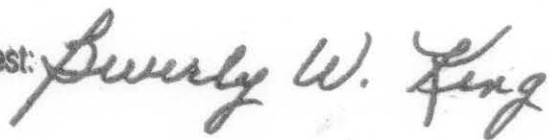
3/26/87  
Date

  
Notary

3/26/87  
Date

NORMAN FRIEDMAN  
NOTARY PUBLIC  
My commission expires Nov 2, 1990

Edgartown, Mass. Mar. 30, 1987  
at 10 o'clock and 55 minutes A M  
Received and entered with Dukes County Deeds  
book 470 page 267

Attest:   
Register