

## THE MARTHA'S VINEYARD COMMISSION

BOX 1447  
OAK BLUFFS  
MASSACHUSETTS  
02557

DECISION

DATE: May 28, 1987

TO: Building Inspector, Town of Edgartown

FROM: Martha's Vineyard Commission

SUBJECT: Development of Regional Impact  
RE: Addition to an existing structure

APPLICANT: Margaret A. Hall  
Arbor Inn  
c/o Sam Sherman, Designer  
222 Upper Main Street  
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 Margaret A. Hall, Arbor Inn, c/o Sam Sherman, Designer, 222 Upper Main Street, Edgartown, MA 02539 for an addition to an existing structure in the Town of Edgartown as shown on the plans entitled: "The Arbor Inn, Prepared by Sam Sherman Dated 5-4-87, 222 Upper Main Street" consisting of eight (8) sheets; "Individual Sewage Disposal System for a 4 Bedroom Addition and 1 Bedroom Cottage Upgrade for Arbor Inn, Margaret A. Hall, Box 1628, Edgartown, MA. Prepared by Smith & Dowling, P.O. Box 1087, Vineyard Haven, MA. Dated 1-25-87" consisting of one (1) sheet; making a total of nine (9) sheets, (the Plan).

The Decision is rendered pursuant to the vote of the Commission on May 28, 1987. The Building Inspector of the Town of Edgartown may now grant the necessary development permits for the Applicant's proposal 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 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 M.G.L. Chapter 30A, Section 2 as modified by Chapter 831 on May 28, 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 1,500+ square feet to an existing guest/rooming house.

Sanford Evans, Chairman of the Land Use Planning Committee, read the public hearing notice and opened the hearing for testimony at 8:15 P.M.

Ann Skiver, MVC Staff, referenced a handout. She stated that the proposal is for an addition to an existing Inn of approximately 1,566 square feet further, that the existing Inn is 2,484 square feet. She stated the existing Inn has 6 guest rooms and the proposal is for 4 additional guest rooms and a living room for the Applicant. Ms. Skiver stated the location of the proposal is on Upper Main Street, Edgartown, Assessors Map #20c, Lot #27 and that the parcel is approximately 24,159 square feet. She stated that access and egress were one on Upper Main Street and discussed present zoning, parking, and the minimal impact on traffic generation in this area. Ms. Skiver then showed a video of the area and the existing Inn. Further, she stated that the septic system plan yet to be received has been approved by the Board of Health and that the water supply will be Town water. Ms. Skiver stated that for this proposal there is no formal landscaping plan however, the applicant proposes to extend the present landscaping. To lighting, Ms. Skiver stated that low profile cast

aluminum path and driveway lights are proposed and handed out a brochure of the type of lights.

Mr. Evans then asked for the Applicant's presentation.

Mr. Sam Sherman, Designer for the Applicant, stated that the proposal is for an addition of 4 guest rooms and living room to an existing licensed 6 guestroom Inn which has been operating for 6 years and that the owner is a year round resident within the structure. Mr. Sherman stated the location of the addition to the existing building as being on the outer side of Town. He discussed the layout of the addition stated that the lower level will include 2 guest rooms, 2 baths, and a large living room with cathedral ceiling to be used by guests during the season and owner throughout the year. Further, that the upper level includes two guest rooms and 2 baths. He discussed the outside fire egress off the upper level balcony which already exists and stated that the new fire egress will be carried back to the back side of the building. Further, he stated that a screened terrace has been created which will be screened from neighbors for the guests to use. From a design standpoint he showed the outline of the existing building and stated that the pitch of the roof and the dimension and width of the original house have been taken and added to for a more complete structure, further the applicant has gone back from the street to avoid a having a large visual impact. He stated that the exterior materials to be used will be matching white cedar shingles and the trim detail to be the same and small pane windows will be used. Mr. Sherman addressed the height of the proposed addition stating that it will be the same height as the original building's peak. He discussed the parking facility and stated instead of expansion to the existing parking area, an additional parking area will be surrounded by a greenbelt and existing large trees to screen from the road. He further stated that the applicant does not see this parking area being used often as many visitors come without a car. Mr. Sherman stated that the landscaping will be continued as existing and lighting will be continued. Mr. Sherman further discussed the abutters as being residential neighbors.

Mr. Evans asked for questions from the Commissioners to either Ms. Skiver or Mr. Sherman.

Mr. West asked if there were any rooms proposed above the living room. Mr. Sherman answered in the negative stating the living room will have a cathedral ceiling.

There was discussion of Town Sewer vs. Septic System and that the facility is currently not on town sewer. Further questions regarding food service at this establishment. Mrs. Hall, Applicant, stated a continental breakfast will be served.

Mr. Early, asked if the applicant had any idea of inventory regarding the number of guestrooms in Edgartown? Mrs. Hall answered in the negative.

Mr. Ferraguzzi asked if the garage and or cottage on the property are year round facilities. Mrs. Hall stated that the cottage is rented year round and that the garage is a two car garage. Mr. Ferraguzzi then asked if the Arbor Inn is a year-round facility? Mrs. Hall stated that she closes at the end of October however, she lives in the Inn year round.

Mr. Gellar asked if the trim will be the same as the existing trim? Mr. Sherman stated that all attempts will be made to be consistent with the existing building.

Mr. Evans then called for Town Board comments. There were none.

Mr. Evans called for testimony in opposition. There was none.

Mr. Evans called for proponents.

Mr. Harvey Ewing, direct abutter, stated that he was in favor of the proposal.

Mr. Evans asked for any other testimony or comments.

Mrs. Hall, Applicant, stated that feels she the proposed addition is in keeping with the existing old house design.

There being no further testimony Mr. Evans closed the hearing at 8:40 P.M. and stated the record would be kept open for one week.

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 Land Use Planning Committee meeting, the public

hearing, and discussions during its decision deliberations 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 plan will be consistent with local development ordinances and By-laws in place at the time of the submittal.
- d. The Commission finds, subject to the conditions set forth herein, 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 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 finds that the site of this development is very visible from Upper Main Street and the existing structure enhances the unique cultural, historical and aesthetic values of the Town and therefore the Commission sets the following conditions:

1. THE ARCHITECTURE AND EXTERIOR MATERIALS OF THE PROPOSED ADDITION SHALL BE CONSISTENT WITH THE EXISTING BUILDING.

2. THE SITE IMPROVEMENTS FOR THE NEW ADDITION SHALL BE CONSISTENT WITH THE EXISTING LANDSCAPE.

FOR CONDITIONS 1 & 2, THE APPLICANT SHALL SUBMIT SPECIFICATIONS TO THE LAND USE PLANNING COMMITTEE AND STAFF OF THE MARTHA'S VINEYARD COMMISSION FOR REVIEW AND APPROVAL BEFORE WORK COMMENCES.

UPON SATISFYING ITSELF, AS TO COMPLIANCE, THE COMMISSION SHALL ISSUE A CERTIFICATE OF COMPLIANCE WHICH SHALL BE CONCLUSIVE EVIDENCE THAT THESE CONDITIONS HAVE BEEN SATISFIED.

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 this Decision, apply to appropriate Town of Edgartown Officers and Boards for any other development permits which may be required by law.

The Decision is written consistent with the vote of the Commission: May 28, 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*  
John G. Early, Chairman

6/4/87  
Date

*Norman Friedman*  
Notary

6/4/87  
Date

**NORMAN FRIEDMAN**  
**NOTARY PUBLIC**  
My commission expires Nov 2, 1990

Edgartown, Mass. June 8 19 87  
at 10 o'clock and 35 minutes A.M.  
Received and entered with Dukes County Deeds  
book 473 page 272

Attest: *Beverly W. King*  
Register