

## THE MARTHA'S VINEYARD COMMISSION

BOX 1447 • OAK BLUFFS  
MASSACHUSETTS 02557  
(508) 693-3453  
FAX (508) 693-7894

Date: May 9, 1996  
To: Building Inspector, Town of Tisbury  
From: Martha's Vineyard Commission  
Subject: Development of Regional Impact  
Re: Office Development  
Applicant: Mary P. Wakeman Center  
RFD 319  
Vineyard Haven, MA 02568

---

DECISION OF THE MARTHA'S VINEYARD COMMISSION

SUMMARY

The Martha's Vineyard Commission (the Commission) hereby approves, with certain conditions, the Application of the Mary P. Wakeman Center, RFD 319, Vineyard Haven, MA 02568 for the conversion of a residential structure into an office complex to house some of the tenants in the existing Wakeman Center as shown on the plans entitled: "Wakeman Center Annex, Proposed access and parking plan dated March 7, 1996, Revised from January 22, 1996 original proposal, Based on a site plan by Scofield, Barbini, Hoehn, Inc., January 17, 1996, Tisbury Assessor Parcel 63-A-1, Scale: 1" = 30', Revised April 4, 1996 following LUPC site visit April 1, 1996", consisting of one (1) sheet, plus "Wakeman Center Annex, a xerox copy of map 64, Town of Tisbury, Board of Assessors, depicting location, unsigned, undated", consisting of one (1) sheet, plus "Wakeman Center Annex, Tisbury, Floor Plan, scale:  $\frac{1}{4}$  = 1', drawn by Margaret Curtin, Architectural Design, PO Box 1428, Vineyard Haven, MA, Drawing A2"; consisting of one (1) sheet, and totalling three (3) sheets, (the Plan).

This Decision is rendered pursuant to the vote of the Commission on: May 9, 1996.

The Building Inspector of the Town of Tisbury and all other permit granting boards in the Town of Tisbury having jurisdiction may now grant the necessary development permits for the Applicants's proposal in accordance with the conditions contained herein and may 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 3.102. The Application was referred to the Commission by the Building Inspector of the Town of Tisbury for action pursuant to Chapter 831 of the Acts of 1977, as amended (the Act). The Application and notice of public hearing relative thereto are incorporated into the record herein. Martha's Vineyard Commission staff document exhibits are also incorporated into the record by reference.

A duly notice 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 Thursday, March 21, 1996 at 7:35 p.m. in the Commission Offices, Olde Stone Building, New York Avenue, Oak Bluffs, MA. The Hearing was closed the same night with the record remaining open for two weeks.

The proposal is for the conversion of an existing residential structure into office space.

A summary of the testimony provided at the hearing is provided as Exhibit A attached hereto. The hearing summary is for the convenience of the reader and was not relied upon by the Commission in reaching its decision on this matter.

#### **FINDINGS AND CONDITIONS**

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

- A. THE COMMISSION FINDS THAT THE PROBABLE BENEFITS OF THE PROPOSED DEVELOPMENT, AS CONDITIONED, WILL EXCEED THE PROBABLE DETRIMENTS AS EVALUATED IN LIGHT OF THE CONSIDERATIONS SET FORTH IN SECTION 15 OF THE ACT (SECTION 14(a) OF THE ACT).**

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".

The Commission has listened to all of the testimony presented and has reviewed all documents and correspondence submitted during the hearing and review period and

1. Based upon the record and the testimony presented therein and in addressing the affect upon the environment, the Commission sets the following condition (Section 15(b) of the Act):
  - a. That the Applicant shall widen Helen Avenue to a width of twenty (20) feet for a distance of 60 feet from the point of intersection with Lambert's Cove Road and that the first twenty (20) feet of Helen Avenue from the point of said intersection shall be paved;  
and further
  - b. That the Applicant shall cause to be installed a pull-off to the west of the Wakeman Center Annex circular drive;  
and further
  - c. That the Commission accepts the Applicant's offer of responsibility for the maintenance of Helen Avenue for the entire length of the Wakeman Center property;  
and further
  - d. That the Applicant shall do all within its authority to avoid the use of David Avenue for access or egress and shall install signage at the intersection of David and Helen Avenues directing all Wakeman Center traffic to use said Helen Avenue as the means of exiting onto Lambert's Cove Road.  
and further
  - e. That the Commission shall accept the Applicant's submittal of a parking plan dated April 2, 1996 with the exception that spaces numbered 4 and 5 shall be eliminated.
2. Based upon the record and the testimony and the testimony presented therein and in addressing the affect on other persons and property, the Commission sets the following condition (Section 15(c) of the Act):
  - a. That the Applicant shall submit to the LUPC for approval, a landscape and lighting plan which screens the development activities and which provides for safe foot passage to the overflow parking area from the Annex.

The Commission, in considering the matter of affordable housing and based upon the fact that several of the non-profit organizations housed in the Wakeman Center, the Trustees of Reservations and the Sheriff's Meadow Foundation among them, already provide island housing for their staff members, does hereby waive compliance with the Martha's Vineyard Commission Affordable Housing Policy.

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

This decision is written consistent with the vote of the Commission: May 9, 1996.

Any Applicant aggrieved by a Decision of the Staff or Committee hereunder, may appeal to the full Martha's Vineyard Commission which shall decide such Appeal, after notice and hearing, within 21 days of the close of the public hearing.

The Executive Director may issue Certificates of Compliance which shall be conclusive evidence of the satisfaction of the conditions recited herein.

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 Application 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.

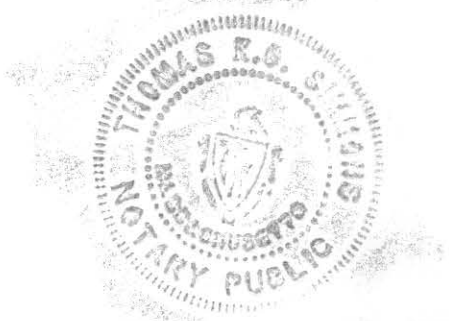
  
Thomas Sullivan, Chairman

5-13-96  
Date

  
Notary

5-13-96  
Date

Thomas R.G. Simmons  
Notary Public  
My Commission Expires August 11, 2000



## EXHIBIT A

## SUMMARY OF HEARING TRANSCRIPTS

The Martha's Vineyard Commission held a Public Hearing on Thursday, March 21, 1996 at 7:35 p.m. in the Commission Offices, Olde Stone Building, New York Avenue, Oak Bluffs, MA on the following Development of Regional Impact (DRI):

**Applicant:** Mary P. Wakeman Conservation Center Trust  
RFD 319  
Vineyard Haven, MA 02568

**Location:** Helen Avenue at intersection of Lambert's Cove Road, Tisbury.

**Proposal:** conversion of single family dwelling into office space and associated parking and access changes.

Linda Sibley, Chair, Land Use Planning Committee read the hearing notice at 8:07 p.m. and opened the hearing for testimony.

Mr. Best disclosed that a member of his household had worked on the design without compensation.

Ms. Sibley disclosed that she was a member of one of the tenant organizations.

Rob Kendall, agent for the applicant, discussed the proposal. He introduced those present with him.

Mr. Kendall discussed the programs that were run out of the Wakeman Center and how they planned to convert the home to educational purposes. He discussed how it would be used, the parking issues, handicapped access and access to the site.

Mr. Colaneri questioned the road access and improvements thereto. Mr. Kendall discussed this matter. Mr. Colaneri expressed concern that the access needed improvement since it appeared to be only one car wide and there was no area for stacking. Mr. Kendall discussed the relocation of David Road and the relocation of the travel way thereof.

Celeste Burgess, Trustee of Reservations explained the outreach program that the Trustees have.

Mr. Hall questioned who would occupy the offices. Ms. Burgess explained who would be housed there.

Mr. Colaneri questioned the number of staff to be housed in the proposed offices. Mr. Kendall noted seven staff and from which organizations they would come. He noted that the hours of operation would be 9 to 5.

Mr. Hall questioned the type of heating. Mr. Kendall indicated oil.

Mr. Donaroma questioned the maintenance of the road. Mr. Kendall explained how it was handled.

Ms. Sibley then called for a staff report. Thomas Simmons, MVC staff explained the changes to the plan and the topographic problems that occurred on the site. He discussed various aspects of the proposal. He discussed the issue of affordable housing in light of the loss of a residential unit.

Mr. Colaneri questioned what a monetary contribution might come to. Mr. Simmons noted \$1,196.50.

Mr. Donaroma questioned how often and how much maintenance should



be put in on the road.

Mr. Colaneri questioned the number in total of offices and usable space. Mr. Kendall noted that there were 7 in the Center plus an auditorium and 7 in the proposed building.

Mr. Colaneri questioned the thoughts of the Wakeman Center with regards the affordable housing. Ms. Burgess discussed how the Trustees handled their seasonal employees.

Ms. Greene questioned whether the lot had been purchased. Mr. Kendall indicated yes. A discussion of the relationship of the two parcels owned by the Wakeman Center followed.

Ms. Talbot questioned the location of the parking for the new proposal. Mr. Kendall explained the lay-out. A discussion of this matter followed.

Ms. Talbot questioned whether the end of the lot could be rounded to accommodate a bus in the future. Mr. Kendall discussed this matter at length.

A discussion of the parking and possible lighting issues followed.

Mr. Colaneri questioned the parking total and the location of staff parking. A discussion of whether there would be lighting for night parking or late afternoon in winter followed.

Ms. Sibley then called for testimony from town boards - there was none.

Ms. Sibley then called for testimony from those in favor.

Eric Peters, Chair Open Land Foundation, spoke in support of the needed office expansion.

Ms. Burgess spoke on behalf of Tom Chase supporting the proposal.

Ms. Sibley then called for those opposed.

Elaine Allen, abutter, expressed concern over the parking issue, the amount of traffic off of David Road, the parking off David Road. She hoped all traffic could be off Helen Ave. She expressed concern over the loss of vegetation and hoped that as many as possible of the mature trees could be left.

Ms. Sibley questioned whether Ms. Allen preferred to keep the road on her property and not within the right-of-way. A discussion of this matter followed with Ms. Allen expressing concern over any loss of trees in the area.

A discussion of access off of David Road followed.

Ms. Allen questioned whether an access permit was required to use David Road, how many trees would be lost; could parking be limited to minimal use if it had to be off David Road.

Ms. Greene questioned whether the Wakeman Center had deeded right-of-way to use both roads. Mr. Peters explained the old deeds in the area.

Ms. Sibley then called for general testimony -- there was none.

Mr. Donaroma questioned how such a use was allowed by zoning. Mr. Kendall explained the Tisbury zoning. A discussion of this matter followed.

Ms. Sibley raised a question with respect to the number of trees that will have to be removed. Mr. Kendall explained those trees that needed removal.

Ms. Lazerow questioned the types of vegetation between David and the structure in question. Mr. Kendall explained the types and species of vegetation in the area. He indicated that the Center was willing to do some plantings in the area and noted that the driveway could be snaked around the mature trees.

Mr. Smith questioned whether the parking off David could be eliminated. Mr. Kendall indicated he could move it and explained how this could be done.

Ms. Sibley suggested a site visit with LUPC and the neighbor. A discussion of this matter followed.

Ms. Sibley asked if there were any final comments from the Applicant. Mr. Kendall noted that they would be happy to work with all.

There being no further testimony, the hearing was closed at 9:01 p.m. with the record being kept open for two weeks.

Edgartown, Mass. May 13 1996  
at 11 o'clock and 38 minutes A M  
received and entered with Dukes County Deeds  
book 676 page 859

Attest:

Jeane E. Powers Register