

Case: 19-18
Date Filed: 8 May 2018

RECORD OF PROCEEDINGS

I, Lisa C. Morrison, assistant to the Zoning Board of Appeals of the town of Edgartown, hereby certify that the following is a detailed record of proceedings pertaining to the request of Martha's Vineyard Fish House for a special permit under section 11.9 (e) of the zoning bylaw to convert one preexisting nonconforming use (restaurant) to another (retail fish market) on property located at 17 Airport Road, Assr. Pcl. 24-16 in the B-III Business District. The property is owned by the airport and is leased to True North Holdings, Brion McGroarty, Manager.

1. On 8 May 2018 the application, a true copy of which is marked "A," was presented to the Town Clerk.
2. In addition, an advertisement, a true copy of which is marked "B," was published in the Vineyard Gazette on May 11th and May 18th 2018.
3. Notice of the hearing, a copy of which is marked "C," was mailed, postage prepaid, to the petitioners; the abutters - owners of land adjacent to the subject property within 300 feet of the property lines - all as they appear on the most recent, applicable, certified tax list; and to all the proper town boards and departments.

On Wednesday, 30 May 2018 at 7:15 p.m. the public hearing was held in the Town Hall. The following board members were sitting for this hearing: Richard Knight - Acting Chairman, Nancy Whipple, Carol Grant, Nancy Kelly - alternate, and Robin Bray - alternate.

Reid Silva of Vineyard Land Surveying was presentation for the applicants, Alec Gale and Tyler Gibson, who were also in attendance. Mr. Silva explained that the old Hot Tin Roof Building will be split up between Mark Venette of the Black Sheep and the M.V. Fish House. The wholesale portion of M.V. Fish House is allowed under B-III Zoning section 10.A.1 (L) - Fish and agricultural products buying and processing, The applicants are asking for a special permit under section 11.9 (e) to allow for the continuation/conversion of a nonconforming use that will enable them to have a retail fish market - including the retail sale of prepared products, such as clam chowder and lobster rolls. Under B-III zoning 10% of the floor space - but no greater than 500 square feet - may be used for retail.

Mr. Silva said that he did not think that the market would be more impactful on the neighborhood than several earlier businesses such as the nightclub/music venue/bar or full service restaurant. He noted that all the changes will be interior; the footprint of the building is not changing.

Mr. Knight asked if there were any letters from town boards or departments. A letter from the Ann Richart, Airport Manager, to Brion McGroarty, leaseholder was read. The letter stated that the proposal had been approved by the airport commissioners at their meeting on 22 October 2017.

Mr. Gibson said that he has been working with the health agent, Matt Poole.

Mr. Knight asked if there was anyone present who wished to speak in favor of the application. James Joyce said that he was in favor of the proposal.

There was no opposition to the proposal.

Mr. Knight then closed the public portion of the hearing for discussion among the board.

Ms. Whipple said that she had no concerns and thought it was an appropriate use for the premises. She said she thought it was a great idea.

Ms. Grant agreed and asked if the market would be open year-round. Mr. Gibson said that keeping it open year-round is currently the plan.

Ms. Kelly asked if there would be any restaurant seating. Mr. Gale replied that it will be only take-out.

Ms. Grant then made a motion to approve the project as presented. She said she finds the site to be appropriate and noted that there was no opposition from anyone. She said she does not think that the business will be more impactful on the neighborhood than the recent restaurants and noted that there would be no change in the footprint of the structure.

Ms. Whipple seconded the motion and voted to grant the special permit for the same reasons.

Ms. Bray, Mr. Rosbeck, and Mr. Knight also voted to grant the special permit for the same reasons.

Respectfully submitted,

Lisa C. Morrison, Assistant