

Case No. 3-23

Application filed: 30 January 2023

#### 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 by the Farm Institute for a special permit under section 10.2 A 2 of the zoning bylaw to reopen a farm stand/visitor's center inside the main farm building, selling island produce and Farm Institute merchandise. The property is located at 14 Aero Avenue (Assr. Pcl. 45-423) in the R-60 Residential District.

1. On 30 January 2023 the application, a true copy of which is marked "A," was presented to the Town Clerk.
2. An advertisement, a true copy of which is marked "B," was published in the *Vineyard Gazette* on 27 January 2023 and 3 February 2023.
3. Notice of the hearing, a copy of which is marked "C," was mailed, postage prepaid, to the petitioners; the abutters and abutters to 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, 15 February 2023, the hearing was opened and held via Zoom. The following board members were in attendance: Martin Tomassian – Chair, Thomas Pierce, Carol Grant, Pam Dolby, and Robin Bray – alternate. Chairman Tomassian opened the meeting and read the necessary requirements for conducting remote meetings in compliance with both the Governor's order and the Open Meeting Law.

Lindsay Brown and Lily Robbins were present for the Farm Institute. Ms. Brown said that in 2021 the Trustees of Reservations (TTOR) renegotiated a lease with the town for the educational component of Katama Farm. As part of the RFP process, and approved by the Conservation Commission, a small farm stand was part of their proposal.

Previously, there had been a small shed that was used as a farm stand. That has since been converted into a library. Ms. Brown said that it was impractical to have a dedicated Farm Institute employee manning a farm stand that saw little traffic. They determined that it would be more practical to have the farm stand in the main building, where employees were already present. The previous stand was approximately 270 s.f. The proposed would be 178 s.f. No expansion is planned.

The farm stand would stock any extra produce from the farm and their farming partners Morning Glory, Slough Farm, and the Grey Barn, as well as a small selection of Farm Institute branded goods.

Ms. Brown said that she did not anticipate any increase in traffic; the farm stand would cater to people already on the premises. She said that there is ample parking adjacent to the building.

She said that no large deliveries would be involved in the stand; only occasional deliveries from FedEx and UPS. The institute has only a small truck.

Ms. Brown said that there is still an old sign on the property that indicates meat and eggs are for sale.

Ms. Brown said that 443 island school children made field trips to the farm during the last school year. There have been 364 already this school year. The institute awarded \$17,000 in scholarships this year and have budgeted \$22,000 for 2023. The intent of the farm stand is to provide a small revenue stream to help maintain the farm.

Mr. Tomassian asked if there were any letters from town boards or departments. The assistant read a letter from Jane Varkonda, Conservation Agent, which stated that the Commission supports the reopening of the farm stand/visitor's center. Ms. Varkonda said that the Commission spent months working on the RFP and studied issues such as traffic and neighborhood impact. At the end of the process, the Commission voted unanimously to support the reopening of the farm stand. She said she does not anticipate that the stand would morph into a busy corner store and noted that Commission staff regularly inspects the premises to ensure compliance.

Abutter Johanna Hynes of 18 Katama Farm North Road said she is a huge fan of the Farm Institute and supports the proposal, but had some concerns. She said that after attending the prior meeting on the reopening of the farm stand last year, she thought that the current proposal would contain a business plan. She said she thought that the merchandise descriptions were too vague and could open the door to 'commercial creep.'

After some further discussion, Ms. Dolby made a motion to continue the hearing to 24 March 2023 at 4:00 p.m. so that Ms. Hynes and Ms. Brown could come to an agreement on just what products would be sold if the stand were to be approved.

Ms. Grant seconded the motion. Mr. Tomassian, Mr. Pierce, and Ms. Bray all voted in favor of continuing the hearing to 24 March.

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On 21 February 2023, notice of the continuation was posted on the town's website and on the town hall's meeting board.

On Wednesday, 24 March 2023 at 4:00 p.m., the board reconvened via Zoom. Zoning Board members Tomassian, Bray, Dolby, Grant and Pierce were all present, as were Lindsay Brown and Lily Robbins from the Farm Institute.

Mr. Tomassian opened the meeting and the notice was read. Mr. Tomassian noted that the reason for the continuation was so that Lindsay could meet with Ms. Hynes and allay her concerns by 'tightening up' the proposal and eliminating any vagueness in the list of items to be sold.

Ms. Brown said that she had a number of discussions with Ms. Hynes, whose primary concerns were that the farm stand could morph into a general store with a steady stream of people stopping in on their way to the beach. Ms. Brown said that this was not their intent at all, and would likely not be allowed by the Conservation Commission, who is the landlord. She noted that the town makes regular inspections to the property.

Ms. Brown also noted that she had an email from abutter Stacey Hernandez, who purchased the Mead house, at 8 Aero Avenue.

Ms. Brown said that after speaking with Ms. Hynes, she agreed to delete the term 'general supplies' from the list of proposed goods for sale and replace it with 'general health supplies, needed for camp...'

Ms. Dolby said she believed that the proposal had been a lot of time and scrutiny and said she was comfortable with the plan. Ms. Grant and Ms. Bray agreed.

Ms. Dolby made a motion to approve the reopening of the combined farm stand/visitor's center with the above change. She said that she believed the stand would not negatively impact the neighborhood and did not think it would become a destination for casual visitors.

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

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

Unanimously approved 5-0.

Respectfully submitted,

Lisa Morrison  
Assistant