

Case # 11-2023

Application Filed: 4 April 2023

DECISION OF THE ZONING BOARD OF APPEALS
ON THE REQUEST FOR A SPECIAL PERMIT

Applicant: Edgartown Board of Trade

Property Owner: Martha's Vineyard Preservation Trust

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At a meeting held remotely via Zoom on Wednesday, 26 April 2023, the Edgartown Zoning Board of Appeals voted unanimously (4-0) to grant a special permit under section 10.2 A 2 of the zoning bylaw to allow the operation of a farmer's and artisan's market on the lower lawn of the Dr. Daniel Fisher House, 99 Main Street (Assr. Pcl. 20D-64) in the R-5 Residential District. The application was accompanied by a narrative, a copy of the assessor's map, and a schematic showing the location of the proposed vendor stalls. [For details concerning the hearing please see the Record of Proceedings filed with this Decision on-line and in the office of the Town Clerk.]

FACTS:

1. The property consists of a 2.3 acre parcel containing the Dr. Daniel Fisher house and the Vincent house.
2. The applicant is asking for a special permit to operate a business in a residential neighborhood. The market will operate on several Tuesdays from the end of June through the end of September from the hours of 9 a.m. to 2 p.m.
3. There will be twenty vendor stalls, ten of which will have space for vendor parking.
4. No patron parking will be provided. Patrons will be encouraged to come on foot or by bicycle. An attendant will be on site to direct patrons to park at the Edgartown School or at the VTA Park & Ride lot.
5. A maintenance person will be responsible for picking up trash at the end of each market day. Trash barrels will be provided on site.

6. There were no objections to the proposal from any town boards or departments or from any abutters. Twenty-three letters of support were received from members of the public and from abutters.

FINDINGS:

The board found the proposal to be appropriate and in substantial compliance with the provisions of section 10.2 A 2: Small-Scale Businesses and Industries in Residential Districts:

1. As the market is pedestrian oriented, it is not likely to generate excessive traffic.
2. As the market will only operate for limited hours, one-day-a-week during the summer months, it is unlikely to have long-term negative effects on the neighborhood such as dust, fumes, pollution, or glare.
3. No employees will reside on premises. Representatives or employees of the Board of Trade and the MV Preservation Trust will be on site during market days to ensure the market runs smoothly.
4. Because the market will provide its own trash receptacles and trash removal, as well as a parking coordinator, it is unlikely to have a significant effect on town services.
5. In view of these safeguards, the board found that the site was appropriate and the proposed project will not overburden the lot.

CONDITIONS:

No additional conditions were placed on this permit.

This decision of the Board of Appeals and a record of proceedings are on file in the Zoning Board office and in the office of the Town Clerk, Town Hall under Case No: 11-2023.

Zoning Board of Appeals,

Lisa C. Morrison, Assistant

Note: This decision was filed in the office of the Town Clerk on 2 May 2023. Appeals, if any, should be made pursuant to Section 17 of Chapter 40A of the Massachusetts General Laws and should be filed within 20 days of the filing of this decision in the office of the Town Clerk.

_____2023

I hereby certify that no appeal has been filed in the twenty-day period following the date of filing this decision.

Attest: _____