

Case No. 11-23
Application filed: 4 April 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 relating to the request by the Edgartown Board of Trade for a special permit under section 10.2 A 2 of the zoning bylaw to operate 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 Dr. Daniel Fisher house is owned by the Martha's Vineyard Preservation Trust.

1. On 4 April 2023 the hearing notice, 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 the 7th and 14th of April 2023.
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 and abutters to abutters 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, 26 April 2023, the hearing was opened and held via Zoom. The following board members were in attendance: Martin Tomassian – Chair, Pam Dolby, Thomas Pierce, and Carol Grant. 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. Mr. Tomassian informed the applicant that only four members were present for this hearing, and all four would need to vote in favor of the project in order for the permit to be granted. He told the applicants that they have the option of continuing the hearing for a five-member board if they wished. [With a five-member board, one member could vote against the project and it would still be viable.] Ms. Ready, Executive Director of the Board of Trade agreed to proceed with a four-member board.

Ms. Ready explained that they are proposing a pedestrian-centered market that will bring island-made and island-grown goods to residents of Edgartown and Chappaquiddick as well as to visitors. The market will be open on the majority of Tuesdays beginning in the end of June through late September. The market would be open from 9 a.m. to 2 p.m. Half of the

20 vendor spaces will have parking. No patron parking will be provided, but the Trust will provide a parking attendant who will advise patrons to park at the Edgartown School or the VTA Park & Ride. The Board of Trade will work with the police department to determine if help is needed for traffic and crowd control. The Trust will also supply a maintenance person to pick up any trash left over at the end of the market.

The market is a joint project between the Board of Trade, the Preservation Trust, and business owners Grace Romanowsky and Zach Pinerio. The total number of vendor spaces will be 20. Approximately 35% of the vendors will sell food items or produce. 65% will be artisans and nonprofits. Ms. Ready said that the project has been fully vetted by the Board of Health.

Nevette Previd of the Preservation Trust said that she believes the market will bring people to the Fisher House gardens and the Vincent House. She said she is very excited about the market, which she thinks will be a great asset.

Mr. Tomassian asked if there were any letters from town boards or departments. There were none. Twenty-three letters of support were received from members of the community, including from two abutters: Matt Dyroff of 100 Main Street and Mary Ellen Croteau of 18 Pent Lane. Approximately 85 abutter's cards were mailed out in advance of the hearing.

Judith Erdman of 68 Winter Street asked that an ample number of trash cans be provided.

As no rebuttal was necessary, Mr. Tomassian then closed the public portion of the hearing for discussion by the board.

Ms. Dolby said she was very excited about the proposal. When she was town administrator she had tried to do something similar at the Yellow House, but there was just not enough room. She said she thought that all the parties involved had done a great job with the planning. She said she supports the proposal 100%.

Mr. Tomassian said that he supports farmer's markets, but is concerned that the artisan portion of the market may take business away from brick and mortar establishments in town. He said that he thought the competition might be unfair considering the high rents in Edgartown.

Ms. Dolby said that as the market was only for a few hours one day a week, she doubted that it would put anyone out of business.

Mr. Pierce asked if it was possible for Edgartown shopkeepers to have stalls if they wished.

Ms. Grant asked if this market was for just this year or would it be on-going. She also asked for clarification of the phrase 'available space for rotating non-profit or charitable organizations.'

Ms. Dolby said that both the Board of Trade and the Preservation Trust work very hard to keep businesses thriving in Edgartown. She said that she believes they will be very careful with their choice of vendors and she is confident that the market will be well run and well organized.

Ms. Ready clarified that 'non-profit or charitable organizations' mean local groups raising money for various causes and operations, such as the ice rink, the Minnesingers, and the hockey team.

Ms. Ready said that 90% of the 160 members of the Board of Trade support the in-town market. She said that her members believe that the market will bring more business to their stores not less.

Ms. Romanowksy underscored Ms. Ready's point, noting that as an owner of a brick and mortar store in Edgartown, she believes that the market will be a benefit as it will draw people to town, who will then stroll down Main Street. "A rising tide floats all boats," she said. Ms. Romanowsky noted that the artisans currently outnumber the farmers. She said that she hopes this will change as local farmers see the market thriving.

Ms. Dolby made a motion to grant the special permit saying that she believed the project was in harmony with the general purpose and intent of the bylaw. She said she did not think that the market would have a negative impact on the neighborhood and will not unduly or negatively impact town services or be a safety concern. She noted that all the parties involved were experienced professionals with a stake in the town. She said she thought the market will be a great addition.

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

Mr. Pierce said he thought it was as great idea, and voted to grant the special permit for the same reasons.

Mr. Tomassian also voted to grant the permit, saying that if there had been five members voting, he would likely have voted against the motion.

Unanimously approved 4 to 0.

Respectfully submitted,

Lisa C. Morrison, Assistant