



EDGARTOWN PLANNING BOARD NOTICE OF PUBLIC MEETING / AGENDA

Tuesday, December 17, 2019 at 5:30 PM
Edgartown Town Offices, 70 Main Street

Edgartown, Mass
Town Clerk's Office
DEC. 13, 2019
Rec'd for Record
AT 12:19 PM

SITE VISITS

- 9:15 AM - 270 UPPER MAIN STREET (20A-65.2) – BAD MARTHA’S FARMERS BREWERY
- 9:50 AM - 750 WEST TISBURY ROAD (25-4) – MV RR&RR DISTRICT

CALL TO ORDER

SCHEDULED BUSINESS

5:30 PM: PUBLIC HEARING: SUBDIVISION -- (CONT'D FROM OCT 15, AUG 6, APRIL 2, MAR 5, 2019, NOV 27, SEP 18, JUL 24, MAY 15, APR 17, 2018) MEETINGHOUSE WAY LLC, 139 MEETINGHOUSE WAY (37-47)

Definitive Subdivision Plan. Subdivide 54.26 acres in R-20 residential district into 36 lots. (Agent, Doug Hoehn, SBH, Inc.).

5:30 PM PUBLIC HEARING: SP -- (CONT'D FROM DEC 3, 2019) MARTHA'S VINEYARD REFUSE DISTRICT, 750 WEST TISBURY ROAD (25-4)

Restructuring of Traffic Flow. Clear area to separate residential users from commercial and heavy equipment operations. The project will allow the Refuse District to stay in compliance with MASS D.E.P. regulations of proper handling and sorting of waste ban materials. Don Hatch, Applicant.

5:55 PM ANR – CHRISTOPHER PAPOURAS AND LLEWELLYN WAY TRUST – 31, 33 LLEWELLAN WAY (28-5.22, 28-5.23)

Lot Line Adjustment. No new lots created. All lots have frontage on a private (subdivision) way. Agent: Ken Abbott, SBH, Inc.

6:00 PM PUBLIC HEARING: SP (MOD) – BAD MARTHA’S FARMERS BREWERY, 270 UPPER MAIN STREET (20A-65.2)

Agent: Sean Murphy, McCaron, Murphy and Vukota LLP; Owner: Michael Donaroma, Donaroma Landscaping, Applicant requests a 342 s/f addition to the existing structure for use as a pizza and prep room and to allow an extension of the pergola to the new pizza room. All improvements would be located within the zoning setbacks.

ADMINISTRATIVE

DISCUSSION: USE OF ENGINEERING FUNDING FROM MV COMMISSION

Discussion and recommendation related to remaining Engineering / Design funds allocated to Edgartown; Pursuit of previous “25% / 75%” design for repair / rebuild of drainage structures along Edg-VH Road.

DISCUSSION: PROPOSED CHANGES TO ZONING BYLAWS

PB Administrator will present recommended changes to Zoning Bylaws for review and discussion.

PAYROLL: DECEMBER 24

MINUTES: DECEMBER 3, 2019

OTHER BUSINESS NOT REASONABLY ANTICIPATED 48 HOURS IN ADVANCE

ADJOURN

LINK TO MEETING MATERIALS
<http://bit.ly/EPB-2019-1217>



Edgartown Planning Board Minutes

Tuesday, December 17, 2019

A regular meeting of the Edgartown Planning Board was scheduled for Tuesday, December 17, 2019, at 5:30 PM at the Edgartown Town Hall, Main Street, Edgartown.

PRESENT: Fred Mascolo, Michael McCourt, Lucy Morrison, Glen Searle, James Cisek (Alternate)

ABSENT: Scott Morgan

CALL TO ORDER

The meeting was called to order at 5:30 PM, and a quorum was declared.

SITE VISITS

The following site visits were scheduled:

- 9:15 AM - 270 Upper Main Street (20A-65.2) – Bad Martha’s Farmers Brewery
- 9:50 AM - 750 West Tisbury Road (25-4) – MV RR&RR District

No deliberation was conducted as part of any site visit.

SCHEDULED BUSINESS

5:30 PM: PUBLIC HEARING: SUBDIVISION -- (Cont’d from Oct 15, Aug 6, April 2, Mar 5, 2019, Nov 27, Sep 18, Jul 24, May 15, Apr 17, 2018) Meetinghouse Way LLC, 139 Meetinghouse Way (37-47)

The Planning Board continued the public hearing at 5:31 PM. Mr. Finn reported that the matter was still being discussed at the MV Commission, and that Mr. Hoehn had requested a continuance to a date certain.

It was MOVED by Searle, SECONDED by Morrison

To continue the public hearing to March 3, 2020, at 5:30 PM.

VOTED: 5, 0, 0.

5:30 PM PUBLIC HEARING: SP -- (cont’d from Dec 3, 2019) Martha’s Vineyard Refuse District, 750 West Tisbury Road (25-4)

The Planning Board continued a public hearing on the request of Don Hatch, District Manager of the Martha's Vineyard Refuse, Disposal & Resource Recovery District for a special permit to restructure traffic flow at the facility, separating residential users from commercial and heavy equipment operations, and allowing the Refuse District to stay in compliance with MASS D.E.P. regulations of proper handling and sorting of waste materials.

Present: Don Hatch, Applicant; Doug Rice, Project Engineer; Ms. Eunice Youmans, Island Grown Initiative.

Presentation

Mr. Doug Rice (Engineer for the project) presented the proposal, showing a diagram of the existing facility. Mr. Rice stated that the MVRR&RRD is working towards better sorting of materials in keeping with DEP regulations, and towards future compliance with state regulations by providing facilities for organic composting.

The proposed plan proposes separation of residential customer traffic from commercial customer vehicles, an additional attendant shed, and revised roadway plan. The location of the existing drop-off points, and the new proposed points for residential customers was noted and highlighted.

The location of the existing scale for commercial customers, and a proposed second scale, were noted.

The second “phase” of the improvements would be a bio-composting area. The general process for organic

processing was described.

It was noted that no footprint for a composting building was detailed.

Ms. Eunice Youmans, from Island Grown Initiative, described the current work and goals of the company. Ms. Youmans described the general outline of the system, and the efforts to create a larger, more comprehensive facility at the MVRR&RRD.

Mr. Rice presented a basic diagram of one potential organic composting system, and generally described the process.

Mr. Searle: What is the noise level of the equipment in the organic composting system?

Mr. Rice: We're still trying to determine this. The facility would sit behind the existing sound barrier wall. There was some discussion related to the process of collecting organic waste, the profitability of collecting organic compost, and the current economics of the process of managing organic waste.

Mr. Mascolo: Why can't the organic composting system be moved closer to Edgartown-West Tisbury Road, instead of towards the south of the lot?

Mr. Rice: we have to stay a certain distance away from the setback areas; the state regulations require 100 feet, local requirements keep us 200 feet from our boundary line.

Mr. Hatch: the composting systems will also be inside structures, in order to prevent intrusion by wildlife.

Mr. Rice noted that the majority of work being done by heavy equipment happens inside a building, or behind an existing sound-barrier. The new proposal calls for a berm, with a heavy concrete wall on top, to further provide sound barriers. The construction of the berm was discussed.

The details of the current wall were reviewed. The incoming car traffic was noted to be travelling along the south side of the existing sound barrier.

The location for empty containers was noted. It was noted that no solid waste is permitted to be stored outside uncovered.

The location of the existing stormwater management areas were noted; the newer stormwater areas were also noted. The areas will be basins, with stone bottoms and grassy sides, allowing greater infiltration of stormwater runoff.

Ms. Morrison: Will there be standing water as there is now? Mr. Rice: It will likely take time for water to infiltrate.

There was some discussion as to the details of the stormwater retention and infiltration system.

Other details were discussed, including the parking location for solid waste trailers, the attendant shed, etc.

Mr. Mascolo asked Mr. Matt Poole (Board of Health agent) for opinion:

Mr. Poole: The project seems to be mature, and ready for final review; it's been improved from the first iteration, and the improved 'ergonomics' are a necessary improved, as is the ability for properly handling solid waste. Mr. Poole stated that the proposal is acceptable from his standpoint.

Mr. Finn asked questions in regarding to stormwater runoff, and retention of water in the basins around the site. There was discussion as to retention of storm water from roofs of the existing buildings.

There was a brief discussion as to potential future plans for implementation of solar energy.

Mr. Mascolo opened the floor for public comments.

Elizabeth Harrington (Under Way) asked about a staging area, and whether it would be used for composting.

Mr. Rice noted that it is not to be used for any basic waste management, but for container storage only, and reviewed the phasing of the project.

Ms. Harrington asked where compost would be deposited. Mr. Hatch made note of the location.

Mr. Mascolo: What is the maximum capacity for composting? Mr. Hatch, about 10 tons per day of raw food waste. Mr. Hatch described the process by which food waste is conveyed to the site, separated and managed.

Mr. Finn noted that the composting process is a later phase, and will require further review.

Ms. Harrington: The height of the berm is listed as '51 feet above sea level. However, the height of the top of

the proposed berm and wall above mean grade is about eleven feet. In addition, residential traffic will be routed behind the sound wall. Could traffic be routed in front of the wall, or a new wall built to abate sound? Mr. Mascolo: could a new wall be built on the south side of the proposed residential serviceway? There was some discussion related to the required sound studies (MV Commission mandated), and the potential of further sound abatement to continue.

Mr. Mascolo suggested that the presentation continue at a later meeting, due to the time.

It was MOVED by Morrison, SECONDED by McCourt

To continue the public hearing to January 21, 2019, at 5:30 PM.

VOTED: 5, 0, 0.

5:55 PM ANR – Christopher Papouras and Llewellyn Way Trust – 31, 33 Llewellyn Way (28-5.22, 28-5.23)

Mr. Ken Abbott (Schofield, Barbini and Hoehn, Inc.) presented a plan not believed to require approval under subdivision control law (“ANR”) for endorsement. The plan proposed a lot line adjustment between 31 and 33 Llewellyn Way. No new lots would be created, and both parcels would access a subdivision way across their own frontage.

The board reviewed the plan.

It was MOVED by Searle, SECONDED by Morrison

To endorse the plan as not requiring approval under the Subdivision Control Law.

VOTED: 5, 0, 0.

6:00 PM PUBLIC HEARING: SP (mod) – Bad Martha’s Farmers Brewery, 270 Upper Main Street (20A-65.2)

In accordance with MGL Chapter 40A, Section 10, the Edgartown Planning Board scheduled a public hearing in the Town Hall, Main Street, on Tuesday, December 17, 2019 at 6:00 PM, on the request of Sean Murphy, McCaron, Murphy and Vukota LLP, on behalf of Michael Donaroma, Donaroma Landscaping, Owner, to amend the Special Permit granted in 2014 to allow a 342 s/f addition to the existing structure for use as a pizza and prep room and to allow an extension of the pergola to the new pizza room to allow for patrons to order and pick-up pizza at the window. Under the existing Special Permit the applicant has sold food at the premises since its inception, but has never had a proper prep area or the ability to produce their own pizzas. The pizza would be only for patrons of Bad Martha Farmers Brewery. All improvements would be located within the zoning setbacks.

This application is made in accordance with Section 3.2.B.5 of the Edgartown Zoning Bylaw. The property is located at 270 Upper Main Street, Assr. Pcl. 20A-65.2. Copies of the application were available in the Planning Office for public review.

Mr. Mascolo opened the public hearing at 6:50 PM. Present: Jonathan Blum (Owner of Bad Martha’s Brewery) and Attorney Sean Murphy (agent for the owner).

Presentation

Mr. Murphy presented the proposal, and described changes to it as follows:

- The addition is no longer proposed.
- The addition to the pergola is no longer proposed.
- The kitchen would be located in the existing 209 square foot loft area inside the existing building.
- A storage shed would be located outside.
- No change to the exterior is now proposed.

Mr. Jonathan Blum (owner) described the history of the company, and the proposal to install a self-contained, electrically powered pizza oven.

Mr. Mascolo asked Mr. Poole for comments.

Mr. Poole: I think the proposal can be worked out to the satisfaction of the Board of Health, though it is not

finished at this point. The obstacles to get there are not insurmountable. Some issues remain (trash, storage of materials, etc.)

Mr. Blum: We do have a plan to improve the visual aspect of our outside storage and waste management.

Mr. Searle: I have a concern regarding traffic. Will you be selling pizza to go? Will that increase use?

Mr. Murphy: We will have a requirement for three additional traffic spaces. We are hoping to get approval pending approval of the parking space resolution.

Mr. Blum: In six years of operations, we have not had an issue with traffic. I hire a full-time traffic attendant to take care of the parking area and try to insure there are no issues.

Mr. Searle: Will there be a take-out window still?

Mr. Blum: That is no longer proposed. Food pickup would be inside. We expect that there would be very minimal request for pizza for pickup; this is intended as a convenience for our sit-in customers.

There was some discussion related to the 'sister' operation in Falmouth, and the record of food for take-out at that location.

The location of the proposed shed was discussed. Two existing sheds at the location would be moved.

Mr. McCourt: would hours of operation change? Response: No. (Currently 12 PM to 9 PM).

Ms. Christine Miller noted that correspondence would be forthcoming from the Dark Woods association in regard to the proposal.

Ms. Miller: Our concern relates to the relationship of the Dark Woods parking lot and the surrounding businesses. The extra use of the parking area by the businesses that are expanding is not reflected with the parking lot.

Mr. Mascolo: Unfortunately, that's outside of the scope of this meeting.

There was some discussion related to the parking lot, and the best course by which to address concerns related thereto.

Ms. MJ Look expressed concerns related to parking, traffic onto the site, and the on-site parking limitations.

Mr. Blum: Our parking attendant is there to insure that there are no parking issues, and to redirect overflow customers to the municipal lot at Dark Woods.

Mr. Mascolo: Are there not shared parking areas? Mr. Blum: No – we need to provide enough parking for our customers without impacting Donaroma's operations.

There was some discussion related to previous applications for on-site entertainment.

Mr. Finn noted that the application was for a change of use from a retail operation to more of a restaurant operation.

Mr. Blum stated that he did not consider the changes to convert the facility into a restaurant

Mr. Murphy stated that the operation is enabled by virtue of a special permit; that special permit could be conditioned to allow only certain food items.

Mr. Poole spoke to the matter, generally stating that he would not want to see 'menu creep'.

There was some discussion as to what the permit would allow in terms of food service, and what the scope of the Planning Board's review should be.

Ms. Miller expressed further concerns about parking. There was some discussion between Ms. Miller and Mr. Mascolo in regard to previous projects that involved parking and the use of the Dark Woods parking lot.

Mr. Mascolo asked if Board of Health approval would be needed for a future expansion of the menu.

There was some discussion related to the type of liquor license under which the facility operates.

There was some discussion related to whether the operation would emphasize order-to-go pizza. Mr. Blum stated that, while he would not deny a request for a pizza to go, it is not his intention to promote such service.

It was MOVED by Morrison, SECONDED by McCourt

To close the public hearing.

Deliberation

Mr. Cisek: the applicant is coming in for a modification for their special permit to allow pizza to be prepared on site. Our Zoning Bylaw requires that the applicant provide three more public parking spaces (a total of twelve). That's the extent of the request.

Mr. McCourt: The whole issue is traffic and parking. An increase in the menu could increase traffic on site. From day one, the effect of the businesses on traffic on Upper Main Street has been a concern. The applicant has done a pretty good job – I haven't seen any problems out there. However, I would like to see the three spots before we go forward.

Ms. Morrison: I'm ok with granting approval with identification of the parking spots as a requirement prior to issuance of a building permit.

Mr. Searle: I'd rather continue the public hearing until we know that the parking arrangements are in place.

Mr. Murphy: We're concerned with any delay that could confound our plan to build out our kitchen in time for the summer season.

Mr. Mascolo: I don't think the request is out of line with the zoning district, and think that they applicant can make satisfactory arrangements for parking.

Mr. McCourt: This business is very community friendly, and that is something to take into account.

It was MOVED by Morrison, SECONDED by McCourt

To approve a modification to the original Special Permit, as issued by Decision dated January 7, 2014, amended by Decision dated March 24, 2015, further amended by Decision dated May 1, 2018, to all the applicant to improve an existing second floor loft area to serve as a food preparation area; also, to prepare and serve pizzas to patrons; also, to place a 12' x 20' storage shed close to the main building to serve as unconditioned (dry) storage space.

Conditions

- Applicant shall demonstrate to the Planning Board compliance with the Zoning Bylaw, Section 3.2.E.2.c.iii, requiring twelve parking spaces for patrons.

- Trash facilities shall be provided for Bad Martha's; trash storage shall be enclosed with screening fencing, on impervious surface, able to be cleaned. (Ref: Zoning Bylaw, 3.2.E.3.a)

VOTED: 4, 1 (SEARLE), 0.

ADMINISTRATIVE

DISCUSSION: Use of Engineering Funding from MV Commission

The board considered a request for support of "Project #607586", related to Drainage Improvements & Related Work on Edgartown/Vineyard Haven Road, as prepared by MassDOT, and dated April 2, 2016.

The matter was briefly discussed by Mr. Allan deBettencourt, Edgartown Highway Superintendent.

Mr. Finn asked that the board support "Project #607586", Drainage Improvements & Related Work on Edgartown/Vineyard Haven Road, as presented by the MV Commission. The board generally concurred, and authorized a letter to be sent to the MV Commission in their behalf, requesting that the MV Commission make every effort necessary to insure Federal and State funding for the completion of that project.

DISCUSSION: Proposed Changes to Zoning Bylaws

Due to the lateness of the hour, the matter was not taken up.

Other Administrative Matters

Payroll for December 24 was reviewed and approved.

A bill was reviewed and approved by the Chairman.

Minutes from December 3, 2019 were presented.

MEETING SCHEDULE

Meetings were scheduled for January 7, and January 21, 2020. Mr. Finn noted that the February meeting schedule would need to be determined.

OTHER BUSINESS NOT REASONABLY ANTICIPATED 48 HOURS IN ADVANCE

ADJOURN

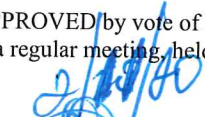

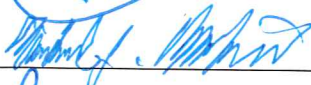
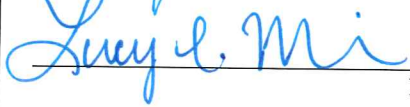
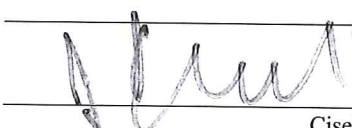
There being no further business, it was MOVED by Morrison, SECONDED by Searle
To Adjourn.

VOTED: 5, 0, 0.

The meeting was declared adjourned at 7:49 PM.

Respectfully Submitted,

Douglas Finn,
Administrative Assistant

APPROVED by vote of Planning Board at a regular meeting, held on	
	(Date of vote)
	Mascolo
	McCourt
	Morrison
	Morgan
	Searle
	Cisek (alternate)

12/17/2009

MEETING DATE:

PUBLIC MEETING SIGN-IN SHEET

Name (Please print legibly!)

Street Address

Agenda Item

Name (Please print legibly!)	Street Address	Agenda Item
Don Hatch	W. Tisbury Rd	MURD
Douglas Rice (with piece)	Encl Can MURD	MURD
Elizabeth Harrington	31 Watcha Park, Edg.	MURD
Ronald Harrington	31 Watcha Park, Edg.	MURD
Kevin & Alan Selby	27 watcha park	MURD
DAN DOYLE	MVC	MVC Island Engineer
Jonathan Blum	BEN MANHA	BEN MANHA
KEN ABBOTT	PILGRIM RD	LEWELLYN WAY
EUNICE YAMMUS	LE BERRY Y	MURD
JULIET MULNAPPE	TOWER LANE, EDG	MURD
Sean Murphy	282 Upper Marsh	BEN MANHA