

Edgartown Planning Board Minutes

Tuesday, September 12, 2017

A regular meeting of the Edgartown Planning Board was scheduled for Tuesday, September 12, 2017 at 5:30 PM at the Edgartown Town Hall, 70 Main Street, Edgartown, Massachusetts.

SITE VISITS

Board members may have attended site visits, scheduled for September 12, 2017, as follows:

SITE VISITS (Optional)

- 76 Fuller St – small cell antennas
- 70 Herring Creek Rd – small cell antennas

No deliberation was conducted during the site visit.

CALL TO ORDER

The meeting was called to order at 5:30 PM, and the roll was called.

Call of Roll:

Present: Robert "Coo" Cavallo (Chair), Sam Sherman, Lucy Morrison, Fred Mascolo, Michael McCourt

Absent: James Cisek (Alternate)

Also Present:

Georgiana Greenough, Planning Board Assistant; Douglas Finn (Planning Board clerk)

A quorum was declared.

BOARD OLD BUSINESS

STOP & SHOP - GEOGHAN COOGAN

The board welcomed Geoghan Coogan, Attorney, as representative of Stop and Shop. With him was Adam Turner (MV Commission)

Atty Coogan asked if the board had any questions in regard to the Stop and Shop expansion proposal.

Sherman: I am not sure of the right time to express personal opinions on the project.

There as some discussion in relation to the elegibility of Planning Board members to participate in the MV Commission hearing, as well as the Planning Board process.

Mr. McCourt suggested that there was an outstanding question about the water main.

Mr Cavallo: the time is now to bring concerns to the S&S representatives.

Sherman: I have concerns about the scale of the project, and the scale of the proposal as regards the town of Edgartown. Given the overall scope of the project, is this appropriate for this town? Linked with the concerns about traffic, the pharmacy will be brought into the building. The pharmacy is a 'destination' trip, and will draw more traffic into the rebuilt stop and shop. Could the area of land be used for employee housing? Is that something that Stop and Shop would be willing to invest in? The proposal is a problem of scale.

Cavallo: This is the business district, so it is appropriate to put it there. As Stop and Shop owns the land, it is to their advantage to build it there. The pharmacy is an advantage to the customer, since it reduces the traffic trips by one.

Mascolo: The traffic issue is a 45-day issue. Overall, traffic isn't an issue. I see this is a benefit to our town – providing greater options for grocery shoppers. The income from the 'high-summer' season will result in better year-round options for island residents. The expansion project will also provide better sound limitation, landscape options, and other benefits to the town for the majority of the year.

Sherman: To respond to "45 days of misery, and it'll only be made a little worse": I don't see how that can be. I obviously love to eat, and love food; from that standpoint, I welcome the opportunity for more grocery shopping choices.

Morrison: Will the grocery quality be improved?

Turner: Yes – much of the issue is due to a lack of storage, and the need to have grocery stored in trucks outside of the store.

Cavallo: This project will not likely change shopping habits of other island residents. Folks who do not shop at Stop and Shop now will likely not change their habits when the project is complete.

Turner: There will be additional options – larger grocery options, automated checkout, etc.

Morrison: Can the aesthetics be improved? Shingles, etc.?

Coogan: Yes. (Mr. Coogan explained about some of the design history of the project, and the efforts to provide a look that is more in keeping with Edgartown.)

McCourt: Described his work experience in food service and grocery markets. "A supermarket is the greatest thing we have in this country." Enhancing the food shopping experience is a benefit to the residents of Edgartown. Limitations in shopping options is a detriment. Adding more storage for the store will prove to be a better shopping experience. For us to try to prevent this project from happening? Shame on us.

Mascolo: I would encourage Stop and Shop to consider adding housing in the future – a second floor above the store?

Coogan: Next year's budget includes \$1M for housing on the island for its employees. Other island housing options are being considered and looked at.

Cavallo: Last year was \$490k for housing? (Coogan: yes, and that will be increased next year.)

Turner: I want to make sure that you are satisfied with the process. The difficulty in any review process is when some feel that they are not heard. We hope that everyone with

concerns will have an opportunity to be heard, and that their concerns will be addressed. Please advise me if there is any step that hasn't been taken, or that needs to be done.

Coogan: We last left the conversation about traffic leaving out the third 'turning' lane. This is not a part of the presentation for this coming Thursday. How does the board feel about this?

Mascolo: I would love to see a twelve-car loading lane, and feel it will help. However, that lane does need to be done by the state. However, that's not your fight, and that's not our fight. It's the state that makes those decisions. A rep from the state has advised that it's very difficult to get the state to change a road layout. Eight to ten years is needed to consider, plan and accomplish a major revision to roads.

Coogan: I would not be able to respond to public comments with "it's not my problem". However, can I respond with some answer that the Planning Board is willing to support? My response would be that the issue with traffic is a larger issue.

Sherman: It may not be our fight, but the only way something gets done at the state level is pressure. Just because we've been told that nothing will get done doesn't mean that we shouldn't pursue options. The state will never move until there is pressure. That IS our fight, in my opinion.

McCourt: Agreed – if we put pressure on the state that a turning lane will be beneficial to not only to Stop and Shop but also to the larger Community. The state also changes their roads all the time.

Coogan: S&S has approached the state; the response from them: "We're not interested in fixing seasonal problems." We would certainly agree to be a part of the discussion and to support plans to fix the problem.

Ms. Greenough stated that, while planning board members are free to state their personal opinion on the project at the public hearing, they can't speak on behalf of the board, or as a representative of the board.

Greenough: another issue is going to be drainage, the grading of the site, the level of the addition, and etc.

Coogan: There is a whole stormwater plan in place, including removal of failed systems, pumping systems to water control, etc. We do recognize that the drainage system will have to be redone.

Greenough: The planning board is in charge, every year, of approving front outdoor displays. They will likely have less reason to approve these, after the expansion is completed.

Mascolo: Anything that Stop and Shop can bring to the table that will improve the shopping experience for older residents would be appreciated.

Greenough: Paul Foley did get a copy of the easement from the DOT. There have been concerns about crosswalks in the parking lot, getting from one section of the parking lot, and etc.

Turner: Thank you for your time, and we look forward to seeing you on Thursday.

Mr. Turner and Mr. Coogan was thanked for their time.

COMMUNICATIONS UPDATE:

Ms. Greenough updated the board in regard to an update on commentary received from proponents and opponents of the Chappy AT&T / Fynbo tower proposal. The updated results will be sent via email to board members.

Ms. Greenough also reminded the board to insure that they are in compliance with the State conflict of interest rules, and will forward the link to the online presentation and assessment to the board.

ZONING BYLAW REVIEW – Discussion of Possible Amendments for ATM – 2018

1. General Code: New codification Rules

The board was presented with a new organizational chart as recommended by the town's consultant – General Code. The board reviewed the organizational chart, comparing it to the Town's current zoning bylaw.

The board was asked to approve the change in codification.

Ms. Morrison expressed a concern about the numbering of any given section. Ms. Greenough stated that the entire bylaw would be renumbered.

Sherman: I am in favor of the new order of the bylaw.

Ms. Greenough: Please consider the proposed order of codification and be ready to comment next week.

Side note: The setback requirements in the B-II district need to be reviewed to NOT allow setbacks to be measured from the curb. The property line was suggested.

Ms. Greenough also recommended revisions to the B-II district zoning rules.

2-year Interim Moratorium for Marijuana Dispensaries (Town Counsel handling)

Ms. Greenough advised the board that a two-year moratorium on dispensary licensing was recommended by the medical marijuana study committee. In addition, the committee has recommended that the town approve an addition to the town code allowing a civil penalty for public use.

2. Wireless Telecommunications Facilities (23) – entire bylaw

Ms. Greenough advised that the Wireless Telecommunications Facilities bylaw should be revised. She will be working on a first draft.

3. Retail at Airport B-III

Ms. Greenough advised that the topic of Retail at the Airport (B-III) should be taken up by Planning Board.

There was some discussion about the retail sales at the former fuel station, and retail sales currently allowed by a special permit (from the ZBA), and whether that sets a precedent.

There was discussion as to whether to allow retail by right, or by special permit.

The board, generally, agreed to develop bylaw rules that would allow retail sales as an accessory to a warehouse, manufacturing or other wholesale business.

There was some discussion in regard to what criteria should be included in the bylaw.

The board, generally agreed to pursue some variant of retail sales in the B-III district, with the understanding that there might be limitations on retail sales (square footage of retail, limits on parking, limits on hours, direct correlation to the primary, wholesale purpose, etc.)

4. Housing at Airport B-IV with FAA approval for residential community

Ms. Greenough suggested that housing

5. Nonconforming Structures & Uses – Sections 11.9 d., e., & f. need clarification.

Ms. Greenough suggested working with Lisa Morrison, Mr. Finn and Lucy Morrison on revisions to these.

6. Substandard Lots as Affordable Homesites (11.20)

Ms. Greenough recommended reworking Section 11.20, and would be working with Lucy Morrison and the Affordable Housing committee. Mascolo: is there any conflict? (General consensus: no conflict.) Greenough: Should we rework Section 11.20? Answer: no.

7. Katama Airfield & Conservation Area District (14.5)

Ms. Greenough asked if there should be revisions to this, due to it being confusing as to jurisdiction (ZBA or Planning Board). The board generally agreed; Ms. Greenough would start to work with Lisa Morrison, and through Town's Attorney.

8. Building Permit Limitation (21)

Ms. Greenough suggested that the provision be removed from the zoning bylaw, as it has expired.

It was MOVED by Cavallo, SECONDED by Sherman

To remove Article 21, Building Permit Limitation from the Zoning Bylaw.

VOTED: 5, 0, 0.

ITEMS REQUIRING SIGNATURES

Minutes – August 29, 2017

The board reviewed and approved two decisions (Flam, Howe Realty Trust).

The board reviewed and signed minutes from the meetings of August 15, 2017; the minutes from August 29, 2017 were deferred to a later meeting.

ANNOUNCEMENTS

The board was reminded of the Stop & Shop MVC public hearing to be held at the Edgartown Public Library on Thursday, September 14, 2017 at 6:00 PM. Further, the board was reminded of the AT&T/Fynbo Chappy Cell Tower MVC public hearing, to be held at Martha's Vineyard Commission, on Thursday, October 5, 2017 at 7:30 PM

NEXT MEETING

The next scheduled Planning Board meeting shall be held on Tuesday, September 19, 2017 at 5:30 PM.

ADJOURN

There being no further business, it was MOVED by Sherman, SECONDED by McCourt
To Adjourn.

VOTED: 5, 0, 0.

The meeting was declared adjourned at 7:10 PM.

Respectfully Submitted,

Douglas Finn, Clerk

APPROVED by vote of Planning Board at a regular meeting, held on
10/3/17
(date of vote)
<i>[Signature]</i>
Member
<i>[Signature]</i>
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