



**Town of Edgartown
The Planning Board
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Tuesday, May 20, 2014 – 5:30 PM
Town Hall – Selectmen's Meeting Room
Minutes

Members in attendance: Fred Mascolo, Chairman; Robert Cavallo, Michael McCourt; Robert Sparks; and Alan Wilson.
Staff in attendance: Georgiana Greenough, Assistant; Lucy Morrison, Clerk

**5:35 PM Carter, 225-227 Upper Main St (20A-92 & 93) SP: B-II: (MVC-DRI)
Construct and serve dinner and cocktails on an outdoor patio.**

In Attendance: James and Deborah Carter, Tony Saccoccia, Margaret Kelley

James Carter submitted plans for the addition of an outdoor patio to the Planning Board. The plan proposes an additional 29 seats to the exterior of the hotel to be used by whoever is leasing the restaurant to serve food and drinks. The special permit involves a change of use of seating from indoor to outdoor. There are currently 80 seats inside; and there is a 97 seat limit on the restaurant, which requires some indoor seating to be eliminated to accommodate this maximum. There is currently a white picket fence around the side of the property facing Main Street. There is a 30 foot area between the outside of the patio and the fence. The plans propose a 6 foot hedge along that side of the property. Lenny Jason, the Building Inspector, has concluded that the hedge size is appropriate; but the applicants are willing to make it higher if the Planning Board deems it necessary. There is also a 20 to 24 inch wall that would be shielded by the hedge to act as a buffer for noise and fumes from the road. All of the outdoor lighting would be downward facing and shielded. The patio would be made primarily out of bluestone and brick, totaling 850 square feet with 130 square feet of walkways. The plans also include a propane fire pit for ambiance that will be controlled by the lessee of the restaurant. Stuart Fuller, the Highway Superintendent, will be responsible for planting more trees in front of the property. The goal of this project is to make the front of the hotel and restaurant look nicer from Main Street, to improve the façade of a location that has been a fixture on Main Street for a long time.

The current lessee is Tony Saccacio for the restaurant, Grill on Main. The current hours of operation are from 5 PM to 10 PM, which will most likely stay the same; however there was some discussion of opening earlier, at 3 PM. Under the current liquor license held by this establishment, alcoholic drinks may only be served with food; this will not change. The nearest residential neighbor is Mrs. Kelley of 230 Main Street, directly across the street from the property. She was invited to look over the plans with the Board, and had no objections or concerns about the project.

Chairman Mascolo invited opinions of audience members. Mr. Barbini stated that Tony Saccoccia's Grill on Main is a quiet, upscale restaurant, and believed the addition of outdoor seating would not change that.

Mr. Sparks reiterated the basics with Tony Saccoccia that there would not be more than 97 seats, no more noise was expected to be heard from the street, and this would not increase the number of deliveries or traffic.

No one in the audience had anything else to say. The public hearing was closed. Mr. McCourt stated this will be a great addition to Upper Main Street; and liked how it adds detail to the building, while being well shielded for noise. The plan is great. Mr. Cavallo agreed. Mr. Sparks touted the good reputation of the hotel and the restaurant. Mr. Mascolo added the patio will be great addition and would spruce up the neighborhood.

Mr. Wilson moved to approve the special permit for the change of use of the outdoor space and the addition of the patio. Mr. Sparks seconded the motion. The plans will be sent to the Martha's Vineyard Commission, as a de minimus application. The Board unanimously approved the special permit, 5-0.

5:58 PM: Carlucci, 17 Faulkner Drive (45-124) SP: Surface Water District: Pier extension in "L" (20 feet), installation of two (2) spiles, a 5' x 28' float, and utilities to existing licensed timber pier

In attendance: Richard Barbini, Brian Byrne

Mr. Barbini distributed the plans to the Board for a relatively minor extension of a pier in Edgartown Harbor. The length of the pier is inside the faired pier line, but just barely. The Marine Advisory Committee conducted a site visit, but the applicants have not heard anything since. The normal Conservation Commission and Planning Board conditions were applied and have been met. There would be four low-wattage, downward shielded lights added to the pier: one at the beginning, one in the middle and two on the end. Water and electricity would also be installed. There is currently water at the beginning of the pier, but it does not extend down to the end.

Ms. Greenough asked who is responsible for inspecting the utilities added to piers. Mr. Barbini replied that electricity is signed off by licensed electrician. It is possible that the Conservation Commission conducts utility inspections, but the applicant is unsure. It is known that the Building Inspector is not involved in pier construction or inspections.

Mr. Mascolo inquired about enforcement of the Wilson's amendment. The Wilson amendment is listed in the standard pier conditions that state all piers are required to have a life ring and 50 feet of rope installed at the harbor/bay end of the pier. Mr. Barbini replied that there are many violations throughout Edgartown. He recommended sending a letter to the Harbor Master.

Mr. Cavallo asked about the existing pier length. It is 150 feet total, 135 feet being from mean high water. The addition to the pier will not be extending any further into the ocean. The float will be parallel to the shore, and the "L" will go right to the fair pier line. This pier is not near any other pier.

There were no letters, and no one in the audience to speak either for or against the project. Pressure treated wood is no longer used, or even manufactured anymore, after it was found to be poisonous. Creosote treated wood is even worse. Green hardwood or untreated oak is used currently.

The public hearing was closed. Mr. Cavallo stated that the pier falls within the faired pier line, and all normal conditions were met. Mr. Mascolo commented on how lighting could be minimized, as there has been concern in the neighborhood about the lighting on this pier.

Mr. Barbini emphasized that it has already been minimized. Mr. Mascolo stated that if this special permit should be approved, a condition will be added to stress the importance of the Wilson amendment. Mr. Barbini will send Steve Ewing, pier contractor, an email alerting him to the matter tomorrow.

Mr. Sparks moved to approve the special permit for the extension of the pier with standard pier conditions, including the Wilson amendment, meeting all requirements. Mr. Cavallo seconded and the motion was unanimously approved, 5-0.

Correspondence:

5/12: Rec'd letter from Joe Smith re: Conover, 52 Fuller St. complaining of possible building and easement violations. These complaints were turned over to the Building Inspector who subsequently has gotten involved and presumably will send violation letters to the owners and contractors for 52 Fuller St.

Rec'd email response from Town Counsel re: Athearn/Morningglory Farm and Quenomica Rd. Town Counsel confirmed that Quenomica Rd is indeed still a special way regardless of the Hall lawsuit filed 5 years ago. The Board subsequently scheduled a public hearing for June 17, 2014.

5/19: Rec'd MVC Decision for Hajjar/Edgartown Lofts/Post Office Square. SP- B-II (MVC-DRI) Add 2nd story for 8 apartments, reconfiguration of parking lot. The Board subsequently scheduled a public hearing for June 17, 2014.

The meeting was adjourned at 6:50 p.m.

Submitted by:

Lucy Morrison, Clerk

<i>Fred Mascolo, Chairman</i>

<i>Robert Cavallo</i>

<i>Michael McCourt</i>

<i>Robert Sparks</i>

<i>Alan O. Wilson</i>
Edgartown Planning Board
Date signed:
