

Edgartown Planning Board
Tuesday, October 2, 2012 – 5:30 p.m.
Selectmen's Meeting Room
Minutes

Members in attendance: Robert Cavallo, Chairman, Fred Mascolo, Michael McCourt, Robert Sparks, and Alan Wilson.

Staff in attendance: Georgiana Greenough

Old Business

The board asked for an update on the status of the Edgartown solar projects.

BUNKER, Snow's Point (35-5.0) SP: To construct a new 138' pier

Those in attendance: Reid Silva, Vineyard Engineering & Surveying, Inc. & agent.

The Board conducted a posted site visit by water at 9:15 a.m. The Chairman opened the hearing by reading the public notice. Reid Silva presented the application to construct a new 138' pier with a T, two (2) 6" x 8" floating docks, and four spiles. Mr. Silva said the original design was 10' shorter, but the Conservation Commission suggested they go all the way out to the Faired Pier Line due to the very shallow waters in the area. He said the pier was going to be used by the Getsinger and Allison families under the name "Bunker Property Association, LLC", specifically for parcels 35-5.1; 35-5.10; 35-5.11. The nearest abutting piers are 400 feet to the north and 600 feet to the south of the proposed pier. The association owns approximately 1000' of shorefront. Mr. Silva said he believed there were plans for electricity, but not running water.

As there were no letters, abutters or members of the public present, Mr. Cavallo closed the public hearing and deliberated. Members determined the project was within the faired pier line, there were no navigational problems, or objections from abutters. Mr. Wilson said he was pleased there was going to be a sharing of the pier creating less need for more piers.

Mr. Mascolo made a motion to approve the special permit application for a pier, et al. as presented for the above-mentioned reasons. Standard pier conditions shall be attached including the Brewer amendment and the Wilson amendment. Mr. McCourt seconded the motion and it was unanimously passed.

Complete Streets Bylaw – Peg Regan, Mass in Motion grant administrator reported that most towns were not ready to adopt the model bylaw policy for "Complete Streets", so she wanted to discuss what other ways she could help the Board achieve some of their ideas to promote safe and convenient access and travel for everyone. She said she is working on getting "sharrows" for bike paths, and other road paintable signs for the town.

LEAF, 284 Upper Main St. (20A-64) SP: B-II Mixed Use Development

Those in attendance: Jane & Nils Leaf (owners), Colin Young (project manager), Doug Hoehn, engineer, Chuck Sullivan, architect, Patricia Mahoney & Tanya Chipperfield (abutters to the west), Art Smith (abutter to the east) and Sylvia Thomas, a resident.

The Board conducted a posted site visit at 10:00 a.m. The Chairman opened the hearing by reading the public notice. Mr. Mascolo asked the Chairman if he could recuse himself from participating in the hearing because one of his brokers had listed the property. Mr. Cavallo asked Mr. Mascolo if he could be impartial and fair if he did sit in on the hearing. Mr. Mascolo said he could. The board voted unanimously to allow Mr. Mascolo to sit in on the hearing.

Mr. Hoehn presented the most recent plan approved by the Martha's Vineyard Commission. The difference from the previous plan presented to the Planning Board is the applicants turned the structure 90 degrees to show a shorter face on Upper Main St. The parking has changed from being located entirely in the back of the building to running alongside Mr. Smith's property to the east, and in the back of the building. There is a delivery parking spot and a handicapped parking spot in the back of the building. The egress to the service road is located in the rear of the property, runs along the back of the abutter Mahoney's property, and continues to along the back of the next property owner, Alexander, and out into the Upper Main Street Park & Ride, all of which is according to the Selectmen's recommendations. The Martha's Vineyard Commission recommended if there was a viable and safe way for the egress road to go straight out the back on the east side of the applicant's property into the Park & Ride, they believed there would be less vegetation eliminated. Mr. Hoehn stated that they had prepared such a plan and sent it to Stuart Fuller, Highway Superintendent, who submitted it to the Selectmen. The Selectmen rejected the plan as reflected in a letter dated May 1, 2012 from Pam Dolby, Town Administrator to Stuart Fuller. The proposed plan would utilize town owned land for the applicant's parking spaces.

Chuck Sullivan presented the specifics of the change in design dated July 2, 2012. In particular, the 90 degree rotated building which decreased the building frontage to 38 feet. He stated they need to prepare a detailed landscaping plan for the MVC. He said they will use white cedar shingles. There will be three retail spaces, two office spaces, and one 3-bedroom apartment on the third floor. The basement shall be used for storage, and shall be sectioned off for each unit. The building shall be serviced by town water and town sewer. There are two leaching pits for run-off in the parking lot. The parking lot shall be made of impervious material. The access road shall be made of rap. Mr. Hoehn said the MVC said they hoped an alternate parking plan would be developed.

Chairman Cavallo asked if there were any letters received. The assistant read a letter from Sylvia Thomas, a resident of Edgartown outlining her concerns on the project. She stated the project was oversized, noting there were no three-story buildings in the area. There were items within the setbacks including a trash area, part of a parking space and emergency exit steps. There was very little greenery separating the neighbors from this project. She suggested both a fence and greenery between the project and the abutters. It appears the project does not have 20% green space as required by the zoning bylaws, and for every 1,000 feet of parking space there is meant to be 250 sq. ft. of planted areas.

Mr. Smith, abutter to the east said Ms. Thomas's letter was well written and he adopts the same position. He stated he understood the issue of high cost of land in the area and that this type of project is inevitable. Mr. Smith noted that the public notice did not reflect the correct square footage of the building. The notice said it was 5,920 sq. ft structure on a 10,000 sq. ft. lot. He

quoted that the total square footage of the lot should not be more than 50% of the lot. Mr. Sullivan said the square footage is around 5,440 square feet. The assistant noted that she sent a copy of the public notice to Mr. Sullivan and Mr. Hoehn prior to publication asking if the square footage was correct. She received no corrections. Mr. Smith continued to say the Martha's Vineyard Commission glossed over the size and intensity of this project as well as the traffic implications in/out of the property. He believes it is not in character with the neighborhood. He believes there is a lot of activity that will be going on with 3 retail units, 2 office units and one large apartment. He is not convinced the property has 20% green space (around 2,000 sq. ft. of open space). He would like to see three sides of the property have 10+ feet of green buffers. He said the existing small white fence and greenery will be coming down, and it will be too open. There is not enough buffer zone for 15 parking spaces. He asks for a lot more greenery and a larger buffer zone than in the current plans. There is too much on this lot.

In response to Mr. Smith's comments, Mr. Sullivan said the structure is 2 ½ stories as the third floor is within the roof-line. Mr. Hoehn said you are entitled to 80% when you can share parking on another lot. Chairman Cavallo said he was concerned about the building envelope, and a brief discussion took place about the definition of building square footage with no answer resolved. Mr. Sparks asked about the infringements in the setbacks. It was noted that the Building Inspector allowed these items in the setbacks. Ms. Thomas said she wondered why mandate "setbacks" when you can put all these items in them. She also added that she thought Ms. Mahoney might not have any privacy with the 3-story building towering over her yard, saying she hoped there were no balconies on her side. Mr. Sullivan said there are only small windows on her side of the building.

Ms. Chipperfield said she also was concerned about privacy. She was also concerned about the buffer zone between her and the Park & Ride. She hopes no large trees, but would like maples so she is not closed in. Ms. Leaf said whatever type of trees and screening she (Ms. Maloney) wants she can have. Mr. Sullivan said it will be staked out for a fence and greenery in the buffer. Mr. Smith said he would like to have both a fence and greenery buffer as well.

Mr. Mascolo asked that an enclosed shed to hide the dumpster trash bins should be constructed.

Chairman Cavallo closed the public portion of the meeting, and the board deliberated. Mr. McCourt said he would like to see a detailed drawing of a landscape plan for the buffer areas. He would like it conditioned prior to construction. Mr. Cavallo said he would like to see the building moved back. Mr. Wilson said it appears they have complied with the bylaws. Mr. Mascolo said it appears they are working with the neighbors.

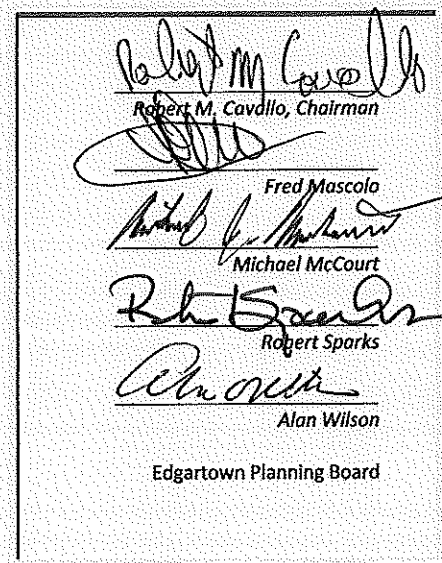
Mr. Mascolo make a motion to accept the plans as presented with the conditions they provide a detailed landscaping plan that includes fencing and greenery, construct a shed to cover trash bins, and continue to work on options for an egress that would go straight out to the Park & Ride, and abide by the Selectmen's recommendations. Mr. Wilson seconded the motion and it was unanimously passed.

New Business :

- NE University Students available for Upper Main St. Study – Stuart Fuller asked the assistant if the Board would like to have the NE students prepare a study of Upper Main Street that would offer solutions to the traffic jams entering Edgartown starting at the Triangle and clearing after Stop & Shop. The assistant will draft some criteria.
- Altieri, Karen request to change address from 10 East Jenney Way to 10 West Jenney Way was discussed and the board determined the original address was the correct one, as there is already a West Jenney Way that is an access for lot 119.2. only 150 feet away from the emergency access to Jenney Way. The assistant will write a letter to Altieri.
- Possible warrant articles for Special Town Meeting or Annual Town Meeting. The Board discussed various issues, asked that the Zoning Bylaw Review Board be re-activated to assist in the process, and agreed to hold public hearings on the following:
 1. Definition for Transient Residential Facilities (Alan Wilson)
 2. Affordable Housing Bylaw to be resubmitted (Bob Sparks)
 3. Parking (Mike McCourt)
- Gilkes, Bob – The assistant said Mr. Gilkes came to the office to show the erosion damage at Wasque, and asked if the Board would like to see his records and a DVD. The Board said to schedule him when it is convenient, as they would like an update.
- MorningGlory Farm Entrance – Traffic at Meshacket Road and West Tisbury Road. The Selectmen forwarded a letter from Roy Hayes, resident of 16 Meshacket Road regarding the effect Morning Glory Farm traffic has had on the intersection of Meshacket & West Tisbury Roads blaming it on the expansion of the farm stand and its 60 parking spaces. Hayes believes the entrance to the farm stand should be off the West Tisbury Road. The assistant read a letter from Mark London, Martha's Vineyard Commission to the Selectmen in response to the Hayes letter. The Board concurred and asked the assistant to write a letter to the Selectmen.

The meeting was adjourned at 7:30 p.m.

Respectfully submitted,
Georgiana Greenough



Robert M. Cavdillo, Chairman
Fred Mascolo
Michael McCourt
Robert Sparks
Alan Wilson
Edgartown Planning Board