



Oak Bluffs, MA
Town Clerk's Office

Oct 6 20 21

Rec'd for Record
AT H M M

11:30 AM

APPLICATION FOR SITE PLAN REVIEW BEFORE THE OAK BLUFFS PLANNING BOARD
(Section 10.4 of the Oak Bluffs Zoning By-laws)

Date: 10/5/2021

Applicant's Name Peter Goodale
Applicant's Mailing Address 164 Edgartown-Vineyard Haven Road, Oak Bluffs, MA, 02557
Applicant's Telephone 508-693-0768
Applicant's E-mail projects@goodale.com
Owner's Name Peter Goodale
Owner's Mailing Address 164 Edgartown-Vineyard Haven Road, Oak Bluffs, MA, 02557
Owner's Telephone 508-693-0768
Owner's E-mail projects@goodale.com

Applicant is (circle one): owner agent tenant licensee prospective purchaser other

Location of Property:

Address 194 Edgartown-Vineyard Haven Road, Oak Bluffs, MA 02557
Map/Parcel Map 40, Parcel 10 **Zoning District** R3
Overlay Districts/DCPCs _____

Description of Project: (you may attach additional sheets if needed)

Continued agricultural uses, storage of landscape materials, storage of building materials, and equipment.

Additional Review Required: (i.e. Development of Regional Impact from the MVC, Special Permit, Variance, etc.)

Special Permit from Planning Board

Minor Site Plan:

A minor site plan is defined in 10.4.7 as applications for permits to build, alter or expand any non-residential building, structure or use in any district where such construction will exceed a total gross floor area of 500 square feet but not exceed a total gross floor area of 2000 square feet, or will not generate the need for more than 10 parking spaces.

Does this project qualify as a minor site plan?(circle one) Y / **(N)**

Site Plan Review Trigger(s):

- N/A Construction, exterior alteration or exterior expansion of, or change of use within, a municipal, institutional, commercial, industrial or multi-family structure involving more than 500 square feet.
- N/A Construction or expansion of a parking lot for a municipal, institutional, commercial, industrial, or multi-family structure or purpose.
- N/A Grading or clearing more than ten percent of a lot, or 5,000 square feet, whichever is smaller, except for the following: landscaping on a lot with an existing structure or a proposed single or two family dwelling; clearing necessary for percolation and other site tests, work incidental to agricultural activity, work in conjunction with an approved subdivision plan, or work pursuant to an earth removal permit.
- Other (i.e. DCPC requirement, etc.) Referred by Building Official to request Special Permit _____

Payment:

- Check to The Town of Oak Bluffs for \$350

Distribution of Submission: (see Oak Bluffs Zoning By-Law section 10.4 for complete description of requirements)

- Five Copies of the Site Plan delivered to the Planning Board
- Digital Copy of Site Plan e-mailed to planningboard@oakbluffsma.gov (Assistant will distribute)

OR

Eight Copies of the Site Plan HAVE BEEN DISTRIBUTED BY APPLICANT to:

DEPARTMENT	INITIALS
<input type="checkbox"/> Wastewater	_____
<input type="checkbox"/> Water District	_____
<input type="checkbox"/> Board of Health	_____
<input type="checkbox"/> Highway Department	_____
<input type="checkbox"/> Police Chief	_____
<input type="checkbox"/> Fire Chief	_____
<input type="checkbox"/> Building Commissioner	_____
<input type="checkbox"/> Conservation Commission	_____

Contents of Plan:

- Five separate plans, 24"x36", minimum scale 1"=20' (1"=80' if minor site plan), prepared by a Registered Professional Engineer, Registered Land Surveyor, Architect, or Landscape Architect as appropriate.
- Site Layout containing boundaries of the lot(s) in proposed development, proposed structures, drives, parking, fences, walls, walks, outdoor lighting, loading facilities, and areas for snow storage after plowing. First page includes:
 - locus plan at 1"=100" showing 1000 feet from project
- Topography and drainage plan showing existing and proposed final topography at two-foot intervals and plans for handling storm water drainage (If Minor Site Plan then topological plan may depict topographical contours at intervals available on maps provided by the USGS)
- Utility and landscaping plan showing:
 - all facilities for refuse and sewerage disposal or storage of all wastes
 - the location of all hydrants, fire alarm and firefighting facilities on and adjacent to the site
 - all proposed recreational facilities and open space areas
 - all wetlands including flood plain areas
- Architectural Plan including:
 - Ground Floor Plan
 - Architectural Elevations of all proposed buildings
 - Color Rendering
- Landscaping plan showing:
 - Limits of work
 - Existing tree lines
 - All proposed landscape features and improvements including:
 - Screening
 - Planting areas with size and type of stock for each shrub or tree
 - Proposed erosion control measures
- Written Statement indicating:
 - Estimated time required to complete proposed project and any phases
 - Detailed estimate of costs of all planned site improvements
- Written Summary of contemplated projects indicating, where appropriate:
 - Number of dwelling units to be built
 - Acreage in residential use
 - Evidence of compliance with parking and off-street loading requirements
 - Forms of ownership contemplated for the property
 - Summary of the provisions of any ownership or maintenance
 - Identification of all land that will become common or public land

- Other evidence necessary to indicate compliance with Oak Bluffs Zoning By-law
- Drainage Calculations by a Registered Professional Engineer
- Drainage Design conforms with Town's Subdivision Regulations
- Additional narrative assessments (as may be required by Planning Board) of on site and off site impacts of the proposed project on:
 - Traffic
 - Drainage
 - Noise
 - Other environmental factors
- Certification that the proposal is fully compliant with the provisions, if applicable, of the Americans with Disabilities Act and the Massachusetts Architectural Barriers Board

Waiver of Technical Compliance Written Request

The Planning Board may, at their discretion, waive any of the technical requirements of Section 10.4.5 where the project involves relatively simple development plans or constitutes a minor site plan. Please Note, if the Board refuses a waiver request, the application may be denied or approval delayed by a minimum of two weeks.

Written Request for Waiver may be attached to this application or provided below:

Additional Comments for Planning Board:

Authorization:

- Applicant is owner OR Letter from owner giving applicant authority to apply for site plan review and act on their behalf

I hereby request a site plan review as described above:

Signed Peter Goodale *Peter Goodale*
 Title President
 Date 10/5/2021



September 20, 2021

Oak Bluffs Select Board
56 School Street,
Oak Bluffs, MA 02557

Peter Goodale, President
Goodale Construction Company Inc.
164 Edgartown Vineyard Haven Road
Oak Bluffs MA 02557

RE: Application for a Contractor's Yard

Mr. Chairman:

In response to a letter received from the Oak Bluffs Zoning Official dated July 7, 2021 regarding activity at 194 Edgartown Vineyard Haven Road (Map 40 Parcel 10) Goodale Construction Company Inc. is requesting permission for a Contractors Yard as described in the Oak Bluffs Zoning by laws and as directed by the Zoning Official during a meeting at his office on July 15, 2021.

The property, known to many as the Tree Farm, consists of approximately 55.49 acres. The Tree Farm has been used by many over the years to farm, raise various plants and trees, compost, store materials, and store equipment. Goodale Construction Company Inc. acquired the bulk portion of the property in 1953 from Renear. In 1966, Goodale Construction Inc. sold part of the parcel to Commonwealth Electric, which continues today as Eversource's center of Island operations. In 1981, Goodale Construction Inc. agreed to not construct any building or remove any tree within 50' along agreement line B recorded on a Plan of Land which allowed Convery to develop Head of the Pond Road, Iron Hill Road, and subsequent development of Bridle Path Road. In 1989, Goodale Construction Inc. sold property from a nearby parcel to allow the Oak Bluffs Water District to protect the well located in abutting land which was paid for in water usage. In 2015, Goodale Construction Inc. obtained Zoning Board and Massachusetts Department of Agriculture approval for composting operations. In 2018, Goodale Construction Inc. participated in a land swap with Eversource which slightly changed the parcel shape enabling the opportunity for a battery powered electrical grid back up station to be constructed. Long time users include Lynn Irons, Fragosa Tree Farm, Working Earth LLC, and Brickstone Construction. The parcel also includes a section of NHESP land managed by MESA and considered in good standing with the program developed for the critical area.

Attached to this request is a photomosaic of existing conditions as of July 28, 2021 and a Memorandum of Understanding which all Tree Farm land users recognize.

Respectfully Submitted,

Peter Goodale
Goodale Construction Company Inc.



USE OF PROPERTY

MEMORANDUM OF UNDERSTANDING

In exchange for the right to the enjoyment of use of property (Property) located in the Town Of Oak Bluffs, defined as Map 40 Lot 10, and known colloquially as the "Tree Farm", any and all users hereby "tenants" will comply with the following conditions permitting said enjoyment:

- 1) Approval from an authorized representative of Goodale Construction Company Incorporated (GCCl), either verbal or written, is required in advance of any and all use of the Property.
- 2) Operations are limited from 7:00 AM to 7:00 PM Monday-Friday and 8:00 am to 2 pm on Saturday with the exception of Lynne Irons Garden and Jon Fragosas tree farm operations or other greenhouse and gardening operations. Between the hours of 5 pm and 7 pm trucks may be brought in and parked but not loaded or unloaded.
- 3) A Fifty Foot buffer from all Property lines is required. GCCl has the sole right to determine the limits for any and all enjoyment of use of the Property. GCCl may at any time, for any reason, adjust, restrict, or cancel these limits of use. Tenants may not clear additional areas.
- 4) GCCl may require remuneration, at GCCl's sole discretion, in return for any uses permitted in accordance with this Memorandum of Understanding.
- 5) Operation of equipment. All equipment that requires alarms are to be equipped with white noise alarms that dissipate the sound with distance rapidly. Deliveries from outside companies not equipped with white noise alarms must be between 10 am and 4 pm weekdays. This restriction does not apply to Goodales equipment involved in farming operations.
- 6) Screening operations. Vibratory screens are prohibited. If screening is to occur on the property it must be with a trommel screen and can only be operated between 10 am and 4 pm weekdays a minimum of 200ft from residential properties. Only the screening of compost, topsoil or mulch is permitted and only on a limited number of days each month.
- 7) Noise generating operations. Operations that require hearing protection are prohibited.
- 8) The storage of fuels or other environmentally hazardous materials is limited to household quantities and must be kept in federal or state approved containers. Spills are to be cleaned according to MA dep standards. Sand blasting, oil changes and other environmentally sensitive maintenance by tenants is prohibited.



USE OF PROPERTY

MEMORANDUM OF UNDERSTANDING (Continued)

9) Maintaining the property: Tenants are responsible for maintaining roads and access to the property. They are responsible for keeping their designated areas clean of trash, rubble and environmental hazards. Compost and fertilizers must be stored and maintained such as not to cause serious or continuous odor issues at the property line.

10) The primary uses of the Property may include:

Storage of tools, machinery, trailers, and miscellaneous equipment.

Stockpiling of soils, rock, building materials, landscaping materials for use off of the Property.

Growing of trees. Gardening.

Disregard of any provision numbered above or information reasonably associated with this Memorandum of Understanding will result in the revoking of any implied invitation to the enjoyment of use of the Property at the sole discretion of GCCI. Removal of any materials, equipment, or other imported items will be the responsibility of the user. Tenants of the property will be responsible for any fines that may arise out of failure to comply with these rules and be subject to eviction.

Disregard of any provision numbered above or information reasonably associated with this Memorandum of Understanding will result in the revoking of any implied invitation to the enjoyment of use of the Property at the sole discretion of GCCI. Removal of any materials, equipment, or other imported items will be the responsibility of the user.

Peter Goodale
Authorized Representative
Goodale Construction Company Inc.

Authorized User

Date: _____



PHOTOMOSAIC OF MAP 40 PARCEL 10, JULY 2021, GOODALE CONSTRUCTION COMPANY INC