

# THE MARTHA'S VINEYARD COMMISSION

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MINUTES OF JULY 13, 1989

## MARTHA'S VINEYARD COMMISSION MEETING

The Martha's Vineyard Commission held a public hearing on Thursday, July 13, 1989 at 8:00 p.m. at the West Tisbury School Gymnasium, Old County Road, West Tisbury, MA.

Mr. Early, Chairman, opened the special meeting at 8:20 p.m., apologized for the late start and explained that the Executive Committee had a few matters they had to attend to.

### ITEM #1 - Chairman's Report

Mr. Early stated that his Chairman's Report would be delayed until later in the meeting to allow for the arrival of another Commissioner.

### ITEM #2 - Old Business - There was none.

### ITEM #3 - Minutes of July 13, 1989

It was motioned and seconded to approve the draft minutes as presented. There was no discussion. This motion passed with no opposition, 1 abstention, Wey. (Geller in favor).

### ITEM #4 - Committee and Legislative Liaison Reports

Mr. Young, Chairman of Land Use Planning Committee (LUPC), reported that they had met Monday. On the agenda was the Playhouse Theatre DRI, the representatives did not show so they were removed from the agenda, and Mr. Barbini and Mr. Hail, who represented M.V. Shipyard. There was preliminary discussion about the Shipyard's predicament, namely that they must move off the Packer land. They have 2 possible options: move directly across from their current location; or demolish a shack and move to that location, one would be a DRI, one would not. There is a time constraint so we will try to expedite this project should they choose to go the DRI route. Also discussed was the Beach Plum Inn, Paul Darrow, which was referred to the MVC as a DRI because of the checklist item addressing cumulative expansion of over 1,000 sq. ft. He went on to state that there have been a number of expansions, moving of buildings, etc. that have happened there and we will be looking at them during the DRI review. Mr. Young stated that LUPC would meet again on July 17th, on the agenda are the following items: Playhouse Theatre DRI, Swan Neck Management Plan, and review of amendments to the MVC Regulations.

Mr. Early reported for the Executive Committee by stating that they had met twice today. At noon they met with the Executive Director, Carol Borer, and the Oak Bluffs Board of Selectmen to discuss the

Selectmen's concerns over the Commission's role in planning and the relationship with the Town of Oak Bluffs. Specific concerns were discussed regarding the recent DCPC nomination of the Oak Bluffs Harbor area, this nomination was not accepted by the Commission, and the Wesley Arms DRI denial. Mr. Early stated that he believes it was a good meeting and that they all left with a better understanding of each other. The Executive Committee and the Oak Bluffs Selectmen resolved to work together as much as we can for the benefit of the Town of Oak Bluffs and the Island as a whole.

Mr. Wey, as an Oak Bluffs Selectmen, stated that a lot of concerns were aired and questions answered. I think it was a healthy meeting.

Mr. Early continued with his report by stating he is sorry to report the resignation of Ann Skiver, MVC Staff. He went on to state that the letter of resignation was written approximately one week ago but the Executive Committee wanted an opportunity to discuss this with her before the full Commission was informed. The Committee discussed this with Ms. Skiver tonight and has not actually accepted her resignation as yet. Which brings me to my next point. As most of you know the State budget presentation held no good news for the Commission. We currently don't know the status of the situation. The Executive Committee will meet with the Executive Director and Administrator early next week to examine our options. Meanwhile the Executive Director will be meeting with MVC Staff to prioritize the work load. This is a very unfortunate time, with the Commission launching its massive planning effort, for our entire structure to be in jeopardy. Ms. Skiver has agreed to hold her resignation in abeyance until we determine the situation. Staff has expressed concerns about the work load and the way it builds up as tenure progresses.

ITEM #5 - Possible Vote - Written Decision, Wesley Arms DRI, Town of Oak Bluffs

There was discussion on the following topics: the new format for the decision, believed to be more clear for all parties involved; the use of the word "unnecessary" in the last sentence on Page 7, Ms. Borer stated this wording, and much of the other wording used in the Decision, was taken from Chapter 831; the 3rd paragraph on Page 9 and how it corresponded to previous decisions, this gives the applicant clearer direction based on the DEQE Order and does not constitute automatic approval.

It was motioned and seconded to approve the written decision on the Wesley Arms DRI as presented. There was no discussion. This motion passed with a vote of 10 in favor, 0 opposed, 4 abstentions, Filley, Jason, Scott, Wey. (Geller and Harney abstained, Schweikert and Sullivan were ineligible to vote.)

ITEM #6 - New Business/Chairman's Report

Mr. Early reported that Massachusetts had some serious budget cuts today and our latest information indicates that the Commission line item (\$140,000) was deleted from the budget by Governor's veto today. He stated that Carol Borer has talked to Representative Turkington,

Larry McCavitt, and Senator Rashenbauch's office today and he asked her to review these discussion.

Ms. Borer stated that unofficially she has heard that Secretary DeVillars was asked to delete \$14 million from his particular budget, Executive Office of Environmental Affairs (EOEA). The MVC budget item was put on the list, and today it was vetoed. I received calls today from Representative Turkington, Senator Rashenbauch's office, Larry McCavitt, Mr. Morgan, and others confirming that our line item was vetoed. What this means is that effective July 1, 1989 we are out \$140,000. All vetoed items can be restored by the Legislature at a later date but the indications are that they will possibly not be taken up until November, since they will deal with income tax, then recess and return to the income tax issue before dealing with these vetoes. The specific list was only handed to the press today and I have not seen it but I think there is enough confirmation that our line item has indeed been vetoed.

Ms. Harney, Commissioner-Governor's Designee, stated that she had spoken to Secretary DeVillars today and he wants to set up a meeting with Ms. Borer, Mr. Early and anyone else who wishes to attend to discuss alternative methods of funding. He knows the seriousness of this veto. I talked to everyone I could and we will have to wait and see what suggestions they can make. My feeling is that of total depression, I spent the entire day at the State House.

Ms. Borer took this opportunity to thank all the Governor's appointed members to the Commission for their lobbying to maintain or increase our line item. They have worked hard and deserve credit.

Mr. Morgan, Legislative Liaison, stated that he has great faith in the State reinstating this \$140,000, a relatively small amount. I think the House can, and will, override this veto.

Mr. Jason, Commissioner, asked if this will affect our Coastal Zone Management (CZM) funding? Ms. Borer responded that CZM is primarily funded by federal dollars so that should not be affected. Mr. Jason asked what the amount of our funding from CZM is? The response was approximately \$40,000.

Mr. Filley, Commissioner, asked about the Department of Public Works contract? Ms. Borer explained that it is her understanding that this is not in jeopardy but we will have to check it out.

Mr. Early stated that we obviously don't have a handle on the situation at this point, it is pure speculation, but we hope to have a better understanding after our meeting next week. I want to assure everyone that we won't be shutting our doors or turning away DRIs. We are, and will continue to be, in business. The Commission has been through some hard, trying times and has survived. This will be a real challenge to the creativity of our administrative staff. The Finance Committee will also have to examine the implication of these cuts to the towns and discuss these implications with the Boards of Selectmen and Finance Committees of the towns.

Ms. Borer added that we are unsure of how much the town's local aid was cut and what grant programs were cut. The towns may be in a worse situation than we are.

Ms. Harney stated that she would be interested in hearing any constructive ways of raising funds.

Mr. Jason, Commissioner, stated that his first suggestion would be to amend the excise bill that give 75% of its funds to the jails and houses of correction.

Ms. Colebrook, Commissioner, asked Ms. Harney if there were any indications of how long these cuts would be in effect? Ms. Harney responded no. Massachusetts is in a crisis. The Commission should examine other sources of income for alternative funding so we aren't facing this every year.

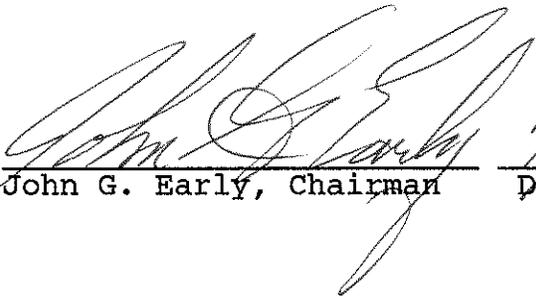
Mr. Schweikert, Commissioner, asked if there was any way to get funds out of the Land Bank? Ms. Borer stated this has been raised as a possibility in the past and will be examined. Mr. Morgan stated that it would be difficult in his opinion. Nantucket is trying to modify their land bank legislation. Taking a portion of the existing 2% is less difficult than trying to go back to Boston for more. Mr. Early added that it does require amendments to the legislation either way.

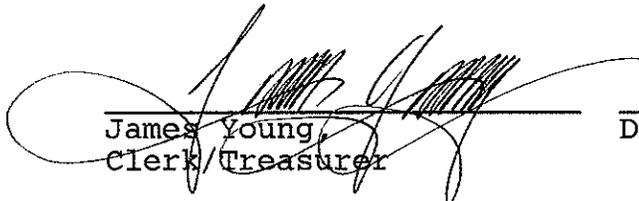
ITEM #7 - Correspondence

Mr. Early called attention to a letter from Virginia Jones of West Tisbury, dated July 12, 1989 (this letter was distributed to the Commissioners and is available in the meeting file) and requested that Commissioners read this letter which will be discussed at our next meeting.

The meeting was adjourned at 8:55 p.m.

ATTEST

  
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John G. Early, Chairman      Date 7/20/89

  
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James Young  
Clerk/Treasurer      Date 7/20/89

Attendance

Present: Bryant, Colebrook, Early, Eber, Ewing, Filley, Fischer, Jason, Lee, Morgan, Schweikert, Scott, Sibley, Sullivan, Wey, Young, Geller, Harney.

Absent: McCavitt, Allen, Davis.