

# THE MARTHA'S VINEYARD COMMISSION

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MINUTES OF JUNE 17, 1993

## MARTHA'S VINEYARD COMMISSION MEETING

The Martha's Vineyard Commission held a Regular Meeting on Thursday, June 17, 1993 at 8:00 P.M. in the Commission Offices, Olde Stone Building, New York Avenue, Oak Bluffs, MA.

Michael Donaroma, Chairman of the Commission called the meeting to order at 8:08 P.M.

ITEM #2 - Discussion - there was none.

ITEM #3 - Approval of Minutes of May 20, 1993 -

On a motion to approve as printed, duly seconded, the Minutes of May 20, 1993 were approved with two (2) abstentions (Bryant, Vanderhoop).

Approval of Minutes of June 10, 1993 -

Mr. Briggs noted that there was a misspelling of Michael Fontes' name. On a motion to approve as corrected, duly seconded the minutes of June 10, 1993 were approved with two (2) abstentions (Early, Clarke).

ITEM #4 - Reports

Chairman's Report - Mr. Donaroma noted that the MVC had a visitor in the person of Larry McCavitt present.

LUPC - Ms. Sibley noted that the committee had not met.

PED - no report

Agricultural Task Force - no report

Legislative Liaison -

Mr. Clarke discussed the activities that were going on in Boston. He discussed the proposed legislation affecting Beach Road and the wetlands act. He discussed the proposed legislation to permit the dredging of barrier beaches for draining salt ponds. A discussion of this matter followed. Mr. Colaneri discussed the forwarding of a letter to the Legislature regarding this matter and so moved, duly

seconded, so voted. Ms. Bryant questioned whether the MVC was in the budget. Mr. Clifford noted that it was not in the House version but was reported to be in the Senate one. Mr. Clarke further discussed the budget contracts with CZM and DEM for the MVC.

Mr. Donaroma asked Bill Wilcox to discuss the Ag Task Force situation. Mr. Wilcox discussed the labels that are being used this year to identify Island products. He also discussed the status of the Extension Service for the coming years.

ITEM #5 - Possible Discussion - Boch DRI

Mr. Donaroma noted that the public hearing was long over and there would be no public testimony allowed. Mr. Clifford discussed a meeting he had had with Liz Wilde and clarified certain points that had been made at a previous meeting.

Ms. Riggs discussed the design of the proposal and the sensitivity of the Applicant. She discussed the lack of waterfront and the need to use it for waterfront activities and expressed concern over the potential increase in traffic through '5 Corners'.

A discussion of the history of this proposal followed.

Mr. Hall discussed the potential of a marine railway on-site. Mr. Clifford noted that the Applicant was in process of investigating such usage.

A discussion of the Applicant's offer to have the proposal reviewed after one year followed.

Mr. Colaneri discussed the look of the area now and how much better anything else would be. A discussion of the zoning in the area followed.

Mr. Briggs discussed the potential of a traffic impact review for the future, the decline in service and what this may mean to the proposal after one year.

Mrs. Marinelli questioned what the site was intended for. Mr. Clifford discussed what the proposal was intended to serve. Mrs. Marinelli questioned whether a further use could be made of the area. A discussion of this issue followed.

Ms. Sibley discussed the review of the operation of the proposal. A discussion of this matter followed. Ms. Sibley then discussed alternative uses that were marine related or non-marine related that could serve on-site. She also discussed pedestrian oriented retail uses.

Mr. Sullivan discussed the traffic analysis and noted the various points that the proposal failed to meet. A discussion of this matter followed.

Mr. Clarke discussed the proposal and questioned what the impact on

traffic would be. Mr. Clifford discussed the matter of failure. Mr. Rooney discussed further the meanings of the number and how to interpret them.

Mr. Best discussed the draw of a parking lot and he felt that there may be some additional traffic coming through Five Corners to reach the site. He then discussed the issue of failure of intersections and the progression of failure.

Mr. Sullivan further discussed the staff traffic report and the various projections for the surrounding intersections. A discussion of this matter followed.

Mr. Sargent questioned the traffic issue and any potential impact on Beach Road. A discussion of the hours of operation followed.

Ms. Sibley further discussed the traffic issue and the management plan alternatives. She then discussed whether the usage was appropriate for the location. A discussion of this matter followed.

Mr. Briggs noted that a town board (Harbor Committee) was present and wished to direct a question to them. A discussion of this issue followed. Mr. Briggs wanted to have them indicate the best use for the site. A procedural question on this matter followed. Mr. Briggs further discussed this issue. A further discussion of this issue followed.

Ms. Bryant discussed the use of the lot for Steamship Authority passengers.

Mr. Hall discussed how the public could contact each of the representatives.

Mr. Sullivan further discussed the issue of traffic studies. A discussion of this issue followed. Mr. Clifford explained how the traffic was reviewed.

Mr. Best discussed the view of the Planning Board and how he had differing comments about their views. He discussed past letters from the Planning Board. He discussed letters from both the Planning Board and the Harbor Management Committee and how to deal with those issues. He then discussed the look of the property and how attitudes toward deteriorated properties differed.

Mr. Schweikert discussed the role of the MVC regarding this proposal and further discussed the issue of benefits and detriments.

Ms. Greene discussed the letter from Mr. Boch regarding the review after one year of operation and raised an issue regarding a closure if not working properly.

Mrs. Marinelli questioned whether she had been at the hearing. It was noted that she had not been.

Mr. Hall requested that the Boch DRI be taken up under ITEM 6.

The Chair noted that the Boch DRI was now under ITEM #6 of the agenda.

Mr. Best discussed the past history of the proposal and past submittals and the reasons for those denials.

Mr. Colaneri discussed the number of spaces as issues, the delineation of specific use spaces and boat storage.

Mr. Sullivan discussed the previous denials and the reasons therefore. He further discussed the issue of the up-coming hearing in Tisbury and the need to wait for that to be held.

A discussion of the telephone conversation regarding the Planning Board letter and whether it should be read into the record followed. It was agreed not to read it into the record.

Mr. Hall moved approval with conditions, duly seconded. Mr. Clarke offered as condition regarding public access to the water. He then detailed the many parts of the condition.

Ms. Sibley noted that the plan today was different than the original submitted and wondered if there were any conflicts built into the condition. A discussion of this matter followed.

Ms. Sibley then reported on the LUPC recommendation which was approved with conditions. A discussion of the conditions followed:

- soil surface testing
- a contribution to the transit authority
- review at end of first year by qualified engineering firm paid for by applicant
- access to and across beach

Mr. Sullivan discussed the traffic issue, the levels of failure and how would further studies be expected to address these problems. A discussion of how the A & P in Edgartown was handled followed.

A discussion of the criteria that may be used to judge the functions and impacts of the parking lot followed.

Mr. Briggs discussed the Planning Board letter and the issue of the transit loop that had also been proposed and felt that the proposal would be more of a problem than not.

Mr. Clarke questioned what would be the procedures at the end of the first year with respect to the project. A discussion of this issue followed.

Mr. Sullivan raised an issue with the possible problems that may be caused for emergency vehicles. A discussion of this matter followed.

Mr. Schweikert discussed alternative restrictions that may be imposed if there are problems later. A discussion of this matter followed.

Mr. Donaroma restated the conditions.

Mr. Chapin noted the importance of keeping clear control over whatever

happens in the future.

Ms. Sibley asked that the emergency vehicle impact be made a part of the traffic review. A discussion of this issue followed.

Ms. Greene discussed the issue of a monetary contribution to the transit authority to be used in Tisbury only.

Mr. Briggs further discussed the impact of traffic upon vehicular passage in particular emergency vehicles. Mr. Sullivan reiterated this same point.

Ms. Greene called the question.

On a roll call vote, the Commission voted 6 yea, 5 nay with 5 abstentions (Bryant, Marinelli, Riggs, Sargent, Vanderhoop) to approve the proposal with conditions.

ITEM #5 - Possible Discussion - Abrams DRI  
The Chair moved to ITEM #6.

ITEM #6 - Possible Vote - Abrams DRI

Ms. Greene moved to approve with conditions, duly seconded with the following conditions:

- no retail lumber yard sales to the general public and only incidental sales
- accept applicant offer of providing renovated affordable housing to be rented to ten years at scale set by Housing Authority.

On a roll-call vote, the Commission voted to approve the proposal with conditions. 14 yea, 0 nay and 1 abstention

The Commission then took a brief recess.

ITEM #5 - Possible Discussion - Aquinnah-Wampanoag Tribal Housing Authority

The Chair then moved to ITEM #6.

ITEM #6 - Possible Vote - Aquinnah Wampanoag Tribal Housing Authority-

Mr. Colaneri moved approval with no conditions, duly seconded.

Mr. Donaroma noted that there was additional correspondence.

Ms. Sibley read correspondence from Hale & Dorr regarding the Taxpayers' Association point of view.

She then read a letter from Robert Stutz of the Gay Head Taxpayers' Association.

She then noted that everyone had copies of two letters from Gay Head board members.

Mr. Sargent read his letter regarding this matter.

Ms. Lebovit also read her letter to the MVC regarding this matter.

Ms. Sibley then read a letter from JoAnn Eicher of Gay Head in support of the project.

Mr. Clifford read a letter from HUD regarding the delays that they (HUD) saw as indications of attempts to stall the proposal. He suggested that perhaps it was time to have the Congressional delegation speak with the HUD officials.

Mr. Sargent agreed and felt the Tribe shouldn't be penalized.

A discussion of the cultural value of the proposal followed.

Mr. Hall discussed the motion on the floor and asked if the suggestions of fine tuning had been addressed. Mr. Clifford discussed the Conservation Commission meeting in Gay Head and the results thereof.

Ms. Sibley discussed means of seeking additional federal help in addressing the in lieu of tax or impact fees.

Mr. Donaroma asked for some suggestions on how to address these issues. Mr. Clifford discussed possible avenues of dealing with the federal government. A discussion of various methods followed.

Mr. Vanderhoop further discussed the project and the dealing with the agencies involved. A discussion of these matters followed.

Mr. Sargent further discussed the issue of impact aid and how it was figured.

Mr. Jason discussed the value of the project to the Island and the Tribe.

Ms. Sibley discussed the composition of school systems and how to use the formula to calculate impact aid. Mr. Clifford further discussed dealing with federal agencies.

Mr. Vanderhoop discussed what the project would mean to the Tribe and the impact to town residents.

Mr. Best discussed dealing with the federal agencies and the impact that the MVC might have with such agencies and the issue of voting for a proposal with no conditions.

Ms. Bryant discussed the meeting between the MVC staff and the Gay Head Conservation Commission and the resolution of any of the minor points from staff.

Mr. Hall discussed the potential problems that were being recognized as impacts that may be faced by Gay Head and that the MVC put forth those in any decision.

Mr. Jason asked if the Chair had had a draft preliminary decision prepared. Mr. Donaroma indicated yes and asked that it be read. Mr. Clifford used the proposed draft and the two recommendations contained therein.

Mr. Sullivan felt that the recommendations were good and helpful. Mr. Sargent further discussed the recommendations that should be

directed toward the Board of Selectmen.

Mr. Hall discussed strong wording regarding the fiscal impact upon the small town.

Mr. Best discussed the wording of the recommendation regarding working with the federal agencies.

On a roll call vote the Commission voted 12 yea 0 nay with 2 abstentions (Vanderhoop, Greene), to approve the proposal as submitted.

The MVC then voted by voice vote to authorize the Chair to sign the decision as soon as it was prepared.

ITEM #7 - Old Business - there was none

ITEM #8 - New Business - Chapter 399

Mr. Clifford discussed Chapter 399 Early Retirement Incentive and explained what decisions the Commission needed to make at this time. Mr. Friedman further explained what the statute entailed, the cost to the Commission and who was eligible. There was a general discussion of this matter. Mr. Early discussed the matter as it affected the Commission. He noted it was a one time deal and was an opportunity to show appreciation to long time employees. A further discussion of this matter followed.

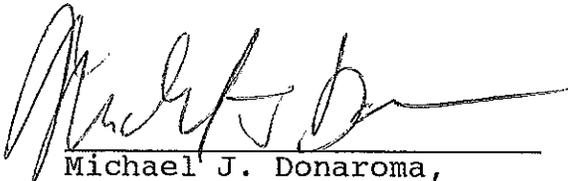
Mr. Jason moved that the MVC accept the provisions of Section 48 of Chapter 133 of the Acts of 1992 as amended by Chapter 399 of the Acts of 1992, duly seconded. By voice vote the Commission accepted the provisions of Chapter 399 the Early Retirement Incentive program.

Mr. Friedman discussed his feelings at what he indicated was his last full MVC meeting.

Mr. Clifford requested that the July regular meeting be moved to the 8th of July and the regular August meeting to the 5th of August. A discussion of this matter followed. The Commission agreed to the change.

There being no further business the meeting was adjourned at 10:55 P.M.

ATTEST

  
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Michael J. Donaroma,  
Chairman

7/8/93  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
John Best,  
Clerk/Treasurer

7/8/93  
\_\_\_\_\_  
Date

Attendance

Present: Best, Briggs, Bryant, Colaneri, Donaroma, Early, Greene, Hall, Jason, Marinelli, Riggs, Sargent, Schweikert, Sibley, Sullivan, Vanderhoop

Absent: Bolling