

THE MARTHA'S VINEYARD COMMISSION

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MINUTES OF SEPTEMBER 16, 1993

MARTHA'S VINEYARD COMMISSION MEETING

The Martha's Vineyard Commission held a public hearing on Thursday, September 16, 1993 at 8:00 p.m. in the Commission Offices, Olde Stone Building, New York Avenue, Oak Bluffs, MA, for the purposes of determining whether the following should be designated as a Development of Regional Impact (DRI):

Proposal: operation of a ferry service across Menemsha Pond

Designation

Requested By: Gay Head Board of Selectmen

Linda Sibley, Chairman of the Land Use Planning Committee, (LUPC), read the Public Hearing Notice, opened the hearing for testimony at 8:04 P.M. She read a letter from the Gay Head Selectmen.

Walter Delaney, Chairman, Board of Selectmen, Town of Gay Head, discussed the concern of the Selectmen and that being a traffic issue on the Chilmark side of the Pond. He further discussed the reasons why the Selectmen supported the proposal. - to remove the bicycles from the State Road to eliminate the conflicts presently existing.

Ms. Sibley then read a letter from the Chilmark Board of Selectmen regarding the issue of parking in Menemsha and requesting designation of the proposal as a DRI.

Ms. Sibley then asked to have the operators of the proposed ferry systems discuss the proposal.

Hugh Taylor of Gay Head discussed his operation and the fact that most of their traffic was bicycle oriented. He indicated that the non bicycle traffic appeared to be people who lived in or around the Menemsha area who want to use the less crowded areas of the Gay Head beaches or locals from Gay Head who are shopping or working in Menemsha. He discussed the possibility of parking on the Noltham lot.

David Thompson, the second applicant, indicated that 90% of his service was for bicycles. He also felt that any non bicycle traffic was local people only. He indicated that maybe 40 or 50 bikes were ferried across the Pond on a busy day. He further discussed the need for more thought into off-site parking for all businesses. He then discussed the type of boat used, the certification required.

There was no staff report since the issue before the Commission was one of whether the proposals should be designated as DRIs.

Ms. Sibley asked if there were any members of the public who wished to testify that the proposal should be designated as a DRI. There were none.

Ms. Sibley asked if there were any members of the public who wished to testify that the proposal should not be designated as a DRI. There were none.

Ms. Sibley asked if there were any members of the public who wished to testify at all. There were none. She then asked for Commissioner questions.

Ms. Riggs asked how often the service operated. Both parties indicated that it was on-demand service. Ms. Riggs then asked for length of service. - May to Oct? Mr. Taylor discussed the time period and that everything would hinge on how early the bikers would arrive. Mr. Thompson discussed the use by early in the day riders and that the large groups of bikers off the ferries arrived around noon. Ms. Riggs discussed her experience at operating a similar system in Maryland and felt the proposal was a safety measure. Mr. Sargent discussed limiting usage to bikers only. Mr. Taylor discussed the patronage of the ferry to date.

Mr. Briggs asked how schedules were handled and fares charged. Both proponents discussed the rates used.

Ms. Greene questioned workers usage of the system. Both discussed local workers using the ferry to get home after work.

Ms. Riggs questioned how many persons were qualified to operate the vessels. Both parties indicated a combined total of seven.

Ms. Sibley questioned what type of license was required. Mr. Delaney discussed what the Town required and the fee imposed. A discussion of suspension of the operation and that it was a one year trial followed.

Mr. Chapin asked whether there had been any problems during the current season. Mr. Delaney indicated that he was not aware of any complaints.

Mr. Colaneri questioned what might constitute a parking problem. Mr. Delaney discussed the West Basin area in Gay Head and that there was no parking since it was a State Highway. He further discussed the parking areas in use and how it was handled.

Mr. Sargent discussed the parking issue in the West Basin area.

A discussion of which item on the checklist the proposal may fall under followed.

There being no further discussion or testimony the hearing was closed at 8:27 P.M.

Michael Donaroma, Chairman of the Commission, opened the Regular Meeting at 8:28 P.M.

ITEM #1 - a quorum was present.

Mr. Donaroma announced for any members of the public that the Herring Creek Farm hearing had been postponed until October 21, 1993.

ITEM #2 - Discussion

A discussion of which of the items on the DRI Checklist the proposal may fall under followed.

Mr. Colaneri asked for the letter from the Chilmark Selectmen be read again. Ms. Sibley read the letter.

Mr. Briggs asked if there was shuttle bus service to Menemsha. The closest bus stop would be Beetlebung Corner.

Mr. Hall questioned the license needed by the operators. A discussion of this matter followed.

Ms. Greene felt the concept was a good idea but also felt that there might be a concern regarding the long term parking issue in the area.

Mr. Colaneri felt the Chilmark Selectmen's request was a valid one and saw no harm in having a hearing which might ultimately serve as a useful tool to the operators.

Mr. Donaroma questioned whether all were ready to take a vote under ITEM #6.

Mr. Jason felt the question of what happens in the next 5 years should be reviewed. He felt both towns needed to work together.

Mr. Briggs discussed any impact upon the applicant if the Commission went forward.

Mr. Colaneri felt that no one wanted to impact this current permission to operate but should be reviewed for possible future issues.

Mr. Clarke asked what the procedures would be if the matter were designated a DRI. A discussion of this matter followed. A discussion of waiving of the fee followed.

Ms. Sibley discussed some of the reasons to designate the proposals as a DRI. She also discussed the potential impacts in the future.

Mr. Jason suggested that if the consensus appeared to head toward designation, then the Boards of both towns should be invited to the discussion table. A discussion of this matter followed.

Mr. Donaroma sought consensus on continuing the discussion until a meeting could be set up with both Boards - On a motion by Mr. Colaneri, duly seconded, the Commission so voted.

The Commission took a brief recess and reconvened at 8:53 P.M.

ITEM #3 - Approval of Minutes - August 19, 1993

Mr. Colaneri moved approval of the minutes - duly seconded.

Mr. Sullivan raised a question regarding the wording of one of the statements on page 2 regarding heat pumps. The Chair asked for a clarification of this matter. The minutes were correct. By voice vote the minutes were approved.

ITEM #4 - Chairman's Report

Mr. Donaroma discussed a rumor about the costs of a move by the MVC to the Extension Service buildings. A discussion of the status of that move followed.

LUPC - Ms. Sibley discussed the meeting that had been held on the pending DRIs and that she would report in more detail later.

PED - no report

Agricultural Task Force - no report

Legislative Liaison - Mr. Clarke discussed the various pieces of legislation that were moving through the process. He discussed certain specific bills and noted that he had brought along copies of same.

ITEM #5 - Possible Discussion - Courtney Theater DRI

Mr. Hall left the room. Mr. Colaneri questioned whether the documents on public usage of the theaters had been submitted. Mr. Courtney indicated that he had brought them with him.

The Chair asked him to read them which he did. Ms. Sibley then gave the recommendations from the LUPC. She further discussed the conditions as proposed with respect to lighting, landscaping, drainage, public usage, affordable housing.

The Chair then moved to agenda ITEM #6.

ITEM #6 - Possible Vote - Courtney Theater DRI

Mr. Colaneri moved approval with these conditions. - duly seconded.

The conditions were:

- that the lighting, landscaping and drainage be returned to the Edgartown Planning Board for approval.
- that the Applicant's offer of permitting the Town to use the Theater for public purposes rent free be accepted and theater open three (3) days a week minimum.
- that the Applicant's offer of providing for affordable housing that complies with the DCRHA guidelines be accepted.
- that parking be referred back to the ZBA.

A discussion of these matters followed.

Mr. Colaneri also asked that the record indicate that a true scale facade drawing had to be presented as per request.

On a roll call vote, the Commission voted 10 yea 1 nay with three abstentions (Hall/Riggs/Allen) to approve with conditions the applications of Eugene and Barbara Courtney.

ITEM #7 - Old Business -

Mr. Sargent raised a question regarding the DCPC designations and proposals therein. Do they come to MVC. A discussion of this matter followed. All agreed that the towns should deal with the matters unless the DCPC guidelines specifically designated a use as a DRI.

ITEM #8 - New Business-Playhouse Theater-insubstantial change or NOT

Ms. Sibley discussed the LUPC recommendation that the referral was an insubstantial change and did not require a public hearing.

Mr. Clifford explained counsel advice regarding MVC decision expirations.

Mr. Colaneri asked that the letter from the Playhouse Theater and the ZBA be read for all present.

Mr. Clifford read both.

Ms. Greene moved that the change was insubstantial change and no hearing was required.

On a Roll Call vote the Commission voted 11 yea 0 nay with one abstention (Hall) to approve the motion.

ITEM #9 - Correspondence

Ms. Greene noted that there was a letter from the Aquinnah Wampanoag Tribal Housing Authority requesting reaffirmation of the MVC support of the Tribal Authority housing plan. Mr. Clifford read a draft of the proposed letter.

By voice vote the Commission approved of sending the letter.

Ms. Greene noted that there would be a hearing on the matter on October 1, 1993.

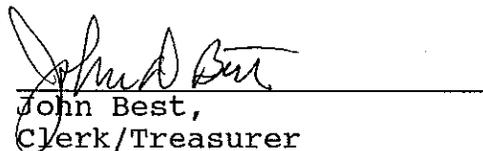
There being no further business the meeting was adjourned at 9:28 P.M.

ATTEST



Michael J Donaroma,
Chairman

10-14-93
Date



John Best,
Clerk/Treasurer

10-14-93
Date

Attendance

Present: Briggs, Colaneri, Donaroma, Greene, Hall, Jason, Riggs, Sargent, Schweikert, Sibley, Sullivan, Vanderhoop, Clarke, Allen, Chapin

Absent: Best, Bryant, Early, Marinelli, Benoit, Bolling, Gallagher