

THE MARTHA'S VINEYARD COMMISSION

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MINUTES OF JANUARY 20, 1994

MARTHA'S VINEYARD COMMISSION MEETING

The Martha's Vineyard Commission held a Regular Session on Thursday, January 20, 1994 at 7:30 p.m. at the Martha's Vineyard Commission Offices, Olde Stone Building, New York Avenue, Oak Bluffs, MA.

Michael Donaroma, Chairman of the MVC called the meeting to order at 7:30 p.m. and introduced Ron Rappaport, SSA, Board of Governors, Wes Ewell, SSA Planner and Woody Filley liaison to SSA.

Ron Rappaport, Vineyard representative on the SSA Board of Governors, discussed the proposed renovations to the Tisbury Terminal. He discussed the history of the project; the design selection team and the selection of the design firm. He discussed the meetings that had been held throughout the past couple of years. He then showed the three sketch proposals that the consultants had developed and indicated the one that appeared to be the preferred plan. He discussed future meetings that were planned.

Mr. Rappaport then discussed the relocation of the Bethel and that it was being offered to the Town first. He then discussed the plan as proposed. He discussed the vistas, landscaping and circulation issues.

Woody Filley discussed his role as liaison with the SSA, the Island and the design firm.

Ron Rappaport discussed any future relocation of the Authority within the harbor.

Wes Ewell, SSA planner, discussed the qualifications of the design firm and how they approached the project. He then discussed the study and data gathering that had occurred during the past summer. He discussed the lack of drop-off space in the present terminal. He discussed the various proposed schemes that had been developed. Mr. Ewell then discussed other changes as well as the present operations with respect to pedestrian - vehicular conflicts. He indicated the proposed traffic circulations.

Mr. Rappaport discussed the meeting that was to be held on Friday, January 21, 1994 in the Bethel to discuss the proposals.

Ms. Harney-Gallagher questioned whether there were any new areas being purchased by the SSA. A discussion of this matter followed.

Mr. Briggs questioned some of the features of the proposed terminal building. A discussion of this matter followed. He then raised a

question as to whether the proposed turn-around would be sufficient for a bus. Mr. Ewell indicated no and went on to further explain the circulation.

Ms. Greene raised a question regarding the change of direction for Union Street. A discussion of this matter followed.

Mr. Clarke questioned some of the features along the waterfront. A discussion of this matter followed.

Mr. Best questioned the design of the building. A discussion of this matter followed.

Mr. Schilling questioned the drop-off design of the proposal. A discussion of this matter followed.

Mr. Sullivan questioned the drop-off sheltered areas on the piers. A discussion of this matter followed.

Mr. Schweikert questioned the misuse of taxi areas. A discussion of this matter followed.

Ms. Riggs questioned where the restrooms would be. A discussion of this matter followed.

Mr. Briggs questioned where tickets might be purchased. A discussion of this matter followed.

Ms. Sibley commented on how usage might occur with respect to drop-offs. A discussion of this matter followed.

Ms. Greene questioned where people would park for pickups or waiting. A discussion of this matter followed.

Mr. Clifford discussed the Tisbury study project by the UMass Department of Landscape Architecture.

Mr. Rappaport discussed the Urban Harbors study and the meeting of Saturday, January 29 from 10:00-12:00 A.M.

ITEM #3 - Minutes of Meeting - January 3, 1994

It was moved to approve as written, duly seconded. On a voice vote the motion passed.

ITEM #4 - Reports

Chairman's Report - there was none.

LUPC - Mr. Donaroma discussed the issues that had been raised at the joint meeting of the Edgartown Planning Board and the LUPC.

Mr. Colaneri discussed the suggestions put forth by those present with respect to parking, circulation and the like.

Ms. Greene questioned the parking with respect to the B.II district regulations.

Mr. Donaroma then introduced Donald L. Connors, MVC Legal

Counsel. Don Connors discussed the suit against the Town and how he felt that it might be merged with any possible MVC decision.

He then discussed the process for making decisions by the MVC. He then discussed the rights of the MVC by statute. He also asked that all read the Supreme Court decisions that affected MVC decisions. He then discussed the various items that the MVC could use in making its decisions. He discussed the issue of weighing the benefits vs the detriments of the proposal before the MVC. He then discussed § 14 and § 15 of the Act. He then discussed how the various parts of § 15 related to the quality of life on the Vineyard. He then went down through each item of § 15 related to the quality of life in the Vineyard. He then went down through each item of § 15 and noted that some may have more relevance to a given project than another. He continually stressed that the MVC had remarkable authority to make decisions. He also stressed some of the major points in the legislation dealing with tangible and intangible means of measuring the impacts of a development. He again noted that all should read the Strock decision and the SSA decision.

A discussion of the meaning contained in the Strock decision followed. A discussion of degrees of benefit that might be found in any decision followed.

A discussion of how much in depth the justification for each decision had to be followed.

Mr. Clarke raised a question about what constituted good data. Mr. Connors stressed that the legislation was such that intangible items could be considered.

A discussion of consistency in decisions followed. A discussion of what issues courts would look at followed. Mr. Connors noted that courts are not super boards of appeal and further discussed the authority contained in the legislation and how the courts would view such items.

Mr. Connors indicated that the MVC needed to understand its statutory obligations.

A discussion of equivalent value lots with respect to affordable housing followed.

Mr. Sullivan discussed the issue of commensurate value. A discussion of development exactions followed. A further discussion of quantifiable matters followed.

Penelope Dickens, dukes County Regional Housing Authority, discussed the MVC Affordable Housing Policy. A discussion of this matter followed.

A discussion of the various projects coming before the LUPC followed.

ITEM #4 - Reports

PED - John Early reported on the past meeting regarding an EOCB grant proposal.

LUPC - Ms. Sibley requested all read the last submittal from Herring Creek Trust.

ITEM #6 - Old Business

North Tabor Farm

Mr. Best left the room and abstained. Mr. Jason discussed what he believed was the agreement put forth by the Applicant of North Tabor Farm and the conditions placed thereon by the MVC.

Bill Wilcox expressed the concern of the Chilmark Farm Committee.

Attorney Fred Hehre discussed the matter of the Farm lot sale price. A discussion of what the intent and meaning of the Commission decision was followed.

Randi Vega, Chairman of the Dukes County Housing Authority discussed the Authority's interpretation of the MVC Decision and condition.

Ms. Greene discussed her feelings as to the meaning of the condition regarding the Farm Lot.

Mr. Jason further discussed the issue of the Applicant's failure to plant the vineyards and blueberries. He also discussed the intent of the Commission in setting the condition on the sale or rental of the Farm Lot.

Ms. Sibley discussed the contents of a proposed letter explaining the intent of the condition in question. All agreed that such a letter be sent and so directed the Executive Director to do so.

ITEM #4 - Reports (cont.) Legislative Liaison

Mr. Clarke discussed the work of the Barrier Beach Task Force with respect to Norton Point Beach. A discussion of this matter followed.

Mr. Clarke then discussed a proposed betterment bill to allow for low interest loans to upgrade septic systems.

ITEM #5 - Possible Vote - Written Decision - Jesse Steere

Mr. Jason moved approval with one question regarding the starting time of the payments to the housing authority. A discussion of this matter followed. The corrected wording was acceptable to all present. The motion was duly seconded.

A discussion regarding the landscaping followed. On a voice vote, the written decision was approved as corrected with four (4) abstentions.

ITEM #6 - Old Business -

Mr. Early noted that it would appear that the North Tabor Farm was not in compliance with the MVC decision and suggested the issuance of Non Compliance - duly seconded. On a voice vote, the motion passed. A brief discussion of the contents of the letter followed.

ITEM #7 - New Business -

Thomas Simmons, MVC Administrator, discussed the proposed budget and

explained the status of the current budget. He discussed the small increase in the local assessment. He then explained several items on the budget sheet.

A discussion of various items on the budget followed.

A discussion of the proposed relocation of the MVC offices followed.

Mr. Early moved adoption of the budget, duly seconded.

On a voice vote, the budget was adopted.

ITEM #8 - Correspondence - there was none.

Mr. Clifford indicated that there needed to be a clarification of who was the MVC legal counsel. He indicated that the MVC Legal Counsel was Don Connors and that the MVC also retained Choate, Hall and Stuart until all pending litigation was resolved and all outstanding debts were paid.

Mr. Clifford then asked for volunteers to serve on the bicycle plan review committee.

He then asked for those involved with the new office building to be prepared to meet around February 1st.

Mr. Clifford then discussed the Island Economic Conference.

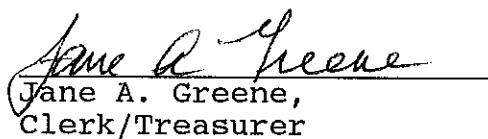
There being no further business the meeting adjourned at 10:37 P.M.

ATTEST



Michael J Donaroma,
Chairman

2/3/94
Date



Jane A. Greene,
Clerk/Treasurer

2/23/94
Date

Attendance

Present: Best, Briggs, Bryant, Colaneri, Donaroma, Early, Greene, Jason, Lazerow, Riggs, Schweikert, Sibley, Sullivan, Clarke, Gallagher

Absent: Hall, Sargent, Vanderhoop, Allen, Bolling, Chapin