

THE MARTHA'S VINEYARD COMMISSION

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Land Use Planning Committee Summary of May 3, 1999 Meeting

Members Present: John Best, Christina Brown, Marcia Cini, Michael Colaneri, Michael Donaroma, Lenny Jason, Megan Ottens-Sargent, Richard Toole, and Linda Sibley

Staff Present: Christine Flynn, Jo-Ann Taylor, William Venno, and David Wessling

Others Present: See attached list

Meeting opened at 5:32 P.M. and chaired Michael Donaroma

Robinson/Benham Subdivision (DRI #494)

Doug Hoehn, the Applicant's agent, in response to a question from Mr. Colaneri, described the status of the proposal. The property owner has consented to provide a public walking trail which would link the Chilmark town center to the Town Forest. However, the property owner will not make a final commitment until he has inspected the easement area.

Mr. Hoehn and Mr. Venno then reported on their site visit. They described potential trail locations, advantages and disadvantages of the options, the site's topography, historic features in the vicinity, and wetlands crossings. They concluded with a suggested trail location.

In response to Mr. Colaneri, Mr. Venno stated that the town's By-ways Committee is aware of the preferred trail location. The preferred trail location would begin near the library parking lot, continue along the south side of the stone wall abutting South Road and then to a ridge bordering the parcel's westerly property line. Mr. Hoehn traced the trail on a site plan at Mr. Colaneri's request. (See sketch of trail which is on file.)

Ms. Sibley asked several questions concerning the path's "viability", its dimensions, the dimensions of the easement, and the willingness of the owner to review the proposed path.

Ms. Brown suggested that the Committee approve a trail "envelope" which would contain a 10-foot wide easement within which a 4-foot wide trail would be located. The "envelope's" general dimension's would be 100' wide along the property's western boundary tapering to 20' along the South Road stone wall and then widening to 50' to the Chilmark School drainage easement.

Mr. Colaneri asked several questions as to who would be responsible for constructing the trail and wetlands crossings and who would be responsible for maintaining the trail.

Ms. Ottens-Sargent suggested that the Town and the Land Bank may cooperate to jointly construct and maintain the trail. She also asked if options, other than the ones presented, had been considered. Mr. Colaneri and Mr. Donaroma asked Mr. Hoehn to indicate the Town Forest's vehicular access.

Ms Brown made a motion (seconded by Ms. Sibley) that the subdivision project be approved on condition that:

1. a walking trail be constructed "if and when" the Town is ready to accept it, and
2. the trail is to sited in an easement which is to be within the "envelope" (described above).

During the discussion of the motion Ms. Ottens-Sargent and Mr. Hoehn suggested that the trail, easement and "envelope" should be agreed upon by the Town and by the Applicant. Ms. Brown modified the 2nd portion of her motion in order for the "town's Conservation Commission to determine the trail and easement locations within the the 'envelope'". Ms. Sibley seconded the modified motion.

Ms. Sibley added a second motion - that there shall be no further subdivision of the Applicant's land.

All the members present voted to recommend approval of the proposed subdivision with 2 conditions.

Houlihan Subdivision (DRI #450)

The members discussed a procedural question concerning the proposed subdivision. Their discussion involved a letter from the Applicant's lawyer as to several conditions recommended by the Land Use Planning Committee. The letter was received after the close of the comment period.

After the discussion in which Mr. Best, Ms. Brown and Mr. Colaneri participated, the members agreed that the contents of the letter would not be considered at the "full Commission" meeting scheduled on May 6, 1999.

Note: Mr. Donaroma left the room before the discussion.

Vineyard Haven Dredging Project

A "maintenance" dredging project in Vineyard Haven outer harbor (north of the "small boat" channel) was referred to the Commission by the Tisbury Conservation Commission.

Ms. Taylor briefed the members by outlining the dredging project's history, the nature of the proposed project and the interpretation of the Commission's Standards and Criteria. She concluded, in effect, that the new project is a continuation (i.e., phase 2) of the previous dredging project discussed by the Commission.

Mr. Best, a member of the Tisbury Conservation Commission, added that the referral is "technical". He stated that while the Tisbury Conservation Commission is not opposed to the dredging project, it is obliged to refer the project.

Members and staff discussed the role of the Town's Harbor Master and Harbor Management Committee as to the "phase 2" dredging project. Ms. Sibley asked if the "phase 2" dredging project had been presented to the Commission and if it had been approved by the Commission. Mr. Colaneri continued the line of questioning by asking if the "phase 2" project is the same project that had been reviewed by the Commission.

The members directed the staff to review the record of the dredging project and to report the findings at a following LUPC meeting.

Ms. Brown suggested that the Standards & Criteria checklist should be revised in order to clarify the referral of multi-phase dredging projects.

Meeting House Golf (DRI #471)

Mr. Donaroma began the session by reading into the record portions of Section 14 and 15 of the Commission's enabling act, Chapter 831. He explained the purpose of the meeting would be to evaluate the probable benefits and detriments of the proposed golf course.

Mr. Donaroma asked each of the members to answer the question posed in Section 15(a) - is the "development at the proposed location...essential or especially appropriate in view of the available alternatives[?]"

Ms. Sibley began by reading into the record a written statement which answered the question in the negative. In her view, the site is not an appropriate location for a golf course. Mr. Toole agreed with Ms. Sibley's written comments. (Her statement is appended.) Her remarks emphasized the need to protect those places on the Island that possess "unique qualities".

Mr. Jason disagreed with Ms. Sibley. He stated that there is a need for a golf course on the Island, citing the waiting list at the Farm Neck. He also said that the proposed golf course's use of pesticides and fertilizers would be managed more rigorously in comparison to an agricultural or residential development project.

Ms. Ottens-Sargent mentioned that other sites are better suited for a golf course. Given the site's attributes and its ecological sensitivity, she stated that agricultural uses would be appropriate.

Mr. Colaneri argued that the site is "especially appropriate" for a golf course because the Applicant has offered to forego the use of herbicides. He also cited the environmental benefits accruing from a properly managed golf course (i.e., the Farm Neck club).

Mr. Best contended that the golf course at the proposed location would not be appropriate because of the "reconfiguration of the landscape on a massive scale".

Mr. Donaroma spoke of the golf course as an appropriate development of recreational open space. He described the site as "excellent" and agreed with several aspects of the

Applicant's proposed management programs. If properly managed, he said, the value of the site's significant habitats would not be irretrievably lost.

Ms. Sibley, Mr. Toole, Mr. Donaroma, Ms. Ottens-Sargent and Mr. Colaneri reiterated their concerns before Mr. Donaroma called the vote.

Four members (Mr. Colaneri, Mr. Donaroma, Mr. Jason and Ms. Cini) voted to affirm that the golf course as proposed at the Mackenty property is especially appropriate in view of the available alternatives. The other 5 members present voted not to affirm the proposition.

The same 4 members who voted to affirm Section 15(a) also voted to affirm Section 15(b) in that they believed that the golf course to be developed as proposed by the Applicant will have a more favorable impact on the environment in comparison to alternative manners of development. The other 5 members present voted not to affirm the proposition.

Ms. Sibley read a written statement into the record which outlined her objection to the project. (Her letter is appended.) She also noted that the Applicant's habitat restoration/replication program was insufficient in that it would "fragment" the landscape. Ms. Ottens-Sargent stated the Applicant's monitoring program was incomplete and that the proposal may harm Edgartown Great Pond. Mr. Best believed that a subdivision would be a better use of the land and that a golf course would threaten the diversity of the site's landscapes and habitats.

Mr. Donaroma remarked that the proposal represents an opportunity to control the development of "open space". Potential impacts of a residential subdivision would be "less controllable" than a golf course. The Applicant's offered Conservation Restrictions would, according to Mr. Donaroma, safeguard the landscape and the Great Pond. Mr. Jason described the golf course proposal as an opportunity to keep 200 acres of land "open" and an opportunity to monitor a complex development project (citing the Applicant's habitat restoration/replication program).

Meeting adjourned at 7:20 P.M.

Summary prepared by David Wessling

Note: Audio tapes of the proceedings are defective. Summary based on staff's notes