

# THE MARTHA'S VINEYARD COMMISSION

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*Martha's Vineyard Commission  
Minutes for the Regular Meeting of  
October 21, 1999*

The Martha's Vineyard Commission (the MVC or the Commission) held its Regular Meeting on Thursday, October 21, 1999 at 7:30 p.m. in the second floor conference room at the Commission Offices in the Olde Stone Building, New York Avenue, Oak Bluffs, Mass.

At 7:43 p.m., a quorum being present, Richard J. Toole, Chairman of the Commission and the Selectmen's Appointee from Oak Bluffs, opened the Regular Meeting.

**Continued Public Hearing: MVY Realty Trust 1999 (DRI #507)**

Christina Brown, a Commission member at large and Co-Chair of the Land Use Planning Committee (LUPC), chaired the Continued Public Hearing for MVY Realty Trust 1999, Development of Regional Impact (DRI) #507. She began by reading aloud the following Notice of Continued Public Hearing.

*"The public is invited to a Continued Public Hearing concerning the following Development of Regional Impact (DRI #507):*

- Applicant:** *MVY Realty Trust 1999  
c/o Schofield Barbini & Hoehn  
Post Office Box 339  
Vineyard Haven, MA 02568*
- Location:** *Massachusetts State Highway (State Road)  
and Holmes Hole Road  
Tisbury Assessor's Parcels 22-A-1, 1.1, 2, 2.1 and 2.2*
- Proposal:** *To subdivide approximately 5.15 acres for the purpose  
of creating four lots*

*Date and Time: Thursday, October 21, 1999, at 7:30 p.m.*

*Place: Martha's Vineyard Commission  
Olde Stone Building  
Second Floor Conference Room  
New York Avenue  
Oak Bluffs, Massachusetts*

*Copies of the Application and Plan are available for public inspection at the Commission Offices. Written testimony may be submitted prior to or during the Hearing.*

*This Hearing is held in accordance with Section 14 of Chapter 831 of the Acts of the Commonwealth of 1977, as Amended, and Chapter 30A, Section 2 of the General Laws of the Commonwealth as modified by said Chapter 831."*

Ms. Brown explained that the Hearing had been continued from its first session on September 23, 1999, to allow time to: gather some pertinent information regarding an earthen walking/bicycling trail that would run through the site of the proposal; consider moving certain driveways and curb cuts on the site; and conduct a site visit.

#### **Applicant Presentation.**

**Doug Hoehn, an engineer and partner at Schofield Barbini and Hoehn, as well as an agent for MVY Realty Trust, the Applicant,** distributed the latest version of the site plan, dated October 15, 1999, to Commission members who did not already have one. *[For a copy of this map, see the Meeting File of October 21, 1999 or DRI File #507.]*

John Early, the Selectmen's Appointee from West Tisbury, announced that since he was an abutter to the site and had not sat in on the first session of the Hearing, he would excuse himself from the second session. Mr. Early then left the meeting room. In addition, Tristan Israel, the Selectmen's Appointee from Tisbury, had missed the first session; he left the room as well. "I will volunteer my services if you need somebody on a Nominating Committee, though," said Mr. Israel, referring to Agenda Item #8, New Business: Appoint Nominating Committee.

Mr. Hoehn then began to outline the six benefits that the Applicant had offered as part of the proposal: 1) all proposals for the individual lots would automatically return to the Commission as DRIs; 2) the existing curb cut on State Highway would be abandoned; and 3) the two front lots (1 and 2) would share a curb cut (Mr. Hoehn pointed to the area where the cut would be), and the two back lots (3 and 4) would share a curb cut.

Mr. Hoehn then went into some detail about benefit number 3. He described how a discussion had arisen about a common access to lots 3 and 4. Jerry Goodale, an abutter, had spoken in the earlier session of the Hearing of his concerns about having one of the lot access roads running alongside his driveway. To solve that problem, there was now a common driveway for lots 3 and 4, 20 feet wide, near the southwest property line.

Continuing with the list, benefit number 4 was that individual traffic studies would be done in the future for the each of the lot proposals. Number 5, the Applicant would provide a monitoring well acceptable to the Tisbury Board of Health because the site was in Zone II. And finally, number 6, the Applicant would donate \$1,000 per lot to the Affording Housing Fund. This would be in addition to the affordable housing contributions that would be generated by any future developments on the individual lots.

Next, Mr. Hoehn described briefly the site visit on October 4. The "one remaining outstanding issue," he said, was the unpaved walking/bicycling path that would cross the property. He had been working with Commission Staff member William Veno on this, but because MVY Realty would not be the ultimate owner of the individual lots, it would be difficult to come to a final decision at this point in time.

While on the site visit, Mr. Hoehn went on, everyone had looked at where the path had originally been proposed. However, the Applicant would be happier if the path were along State Road and then back up along Holmes Hole Road. Mr. Hoehn showed on the site plan how such a path would run. Although he was not comfortable with "leaving things hanging," he observed, "we would be amenable to a Condition that said that the Applicant shall provide some sort of a walking path ... to be worked out between the Applicant and the Tisbury Byways Committee."

Ms. Brown then asked for questions from Commission members. Michael Colaneri, a Commission member at large from West Tisbury, wanted to know if the current proposal met with the approval of Mr. Goodale and his family, whose driveway would be situated fairly close to the access road to lots 3 and 4. Ms. Brown suggested that they move on to comments from the public so the members could hear what the Goodales had to say about the access road.

#### **Testimony from Members of the Public.**

Ms. Brown asked the abutters present if they would like to comment at that point. **Gerry Goodale** noted that because it was not known yet what would be put on the property, it was difficult to predict just what the effects of the site development would be. He had particular concern about lot 4.

Ms. Brown asked for more comments from the members of the public. There were none.

### Questions and Comments from Commission Members.

Mr. Colaneri remarked that the changes the Applicant had made in response to the earlier comments of the Commission members were good. However, he said, the Commission did not like to "leave things hanging," to use Mr. Hoehn's words. So he, for one, would like to find out before approving the DRI what the final decision would be on a walking/bicycle path easement. "I think it would be a mistake to leave things hanging, especially after the lots start being purchased by individuals," he said. "I would urge us all not to put it off."

Ms. Brown asked Staff member William Veno to outline what was being considered by the Tisbury Byways Committee regarding the path. Mr. Veno explained that the Tisbury Byways Committee had seen an opportunity to improve what linkage already existed between Vineyard Meadows and West Chop. Working with the Applicant's plan as presented, they had designed a path route that basically stayed to the ridge tops, where there was plenty of vegetative screening. (He pointed on the site map to where this was.) However, as Mr. Hoehn had already pointed out, there was no assurance that the land would retain its present topography after the lots had been sold and developed.

Mr. Colaneri asked what the Island Roads District rules were in that area other than building-height restrictions. Linda Sibley, a Commission member at large from West Tisbury, said that the site was not in the Roads District because it was commercial. A discussion ensued regarding the possible effects on the view from the end of West Spring Street across State Road if extensive excavation were done on that area of the site. Mr. Colaneri thought it imperative that this possibility be considered in any Decision formulated by the Commission.

Ms. Sibley noted that before such an excavation could be done, the owner of the lot would have to return to the Commission. The wording of the previous Decision with regard to the site (DRI #292) was clear as to any future owner's obligations concerning any impacts to the overall site.

*[Condition 6.a. of the Written Decision of the Martha's Vineyard Commission regarding DRI #292 states: "Any development as defined in Chapter 831 of St. 1977 proposed within the bounds of the land shown on the plan is subject to the Commission's review as a Development of Regional Impact, to examine the aggregate impacts of proposed uses on the lots. The likely impacts from the use of one or more of the lots must be considered in light of the potential impacts from the use of all of the lots, and each will have to share in mitigation measures arising from the development of the other lots, whether arising before or subsequent to such lot's development. This Condition shall be duly noted on the subdivision linen prior to recording at the Registry of Deeds."]*

Ms. Sibley said, "I, for one, would be very upset to see any more of that [site] reconfigured. It would drastically change the appearance. But also, it doesn't make any sense to me because they have in fact brought the access for that lot in from above so that they can use the high land. If they were to excavate, they would then have to drive down a steep hill or change the access road. So we're approving an access road that strongly implies that they're not going to excavate."

Jane A. Greene, the Selectmen's Appointee from Chilmark, remarked, "You've got to realize, ... if you look at the topography of this, if you take the top of the hill off, it makes that lot much more desirable." "You mean level the top of the hill?" asked Ms. Sibley. "That I can imagine could happen." Further discussion of possible future excavation on the site ensued.

Ms. Brown asked **Margaret "Peg" Goodale** if she wanted to say something. Mrs. Goodale pointed out that most of the hill being discussed was in Oak Bluffs and belonged to the Goodales, so she could not imagine anything radical could be done to the hill. Ms. Sibley then pointed out that from West Spring Street, though, a significant excavation would have a large impact on the public view.

Ms. Sibley then discussed Mr. Hoehn's idea that the walking/bicycling path easement could be located along State Road and then take a turn to follow Holmes Hole Road. "I think that's a relatively useless easement," she commented. She explained that the State Road layout was substantially wider than the pavement at that point and there was already ample room for a walking lane. "Whereas," she continued, "an easement across the property that links the old path to West Spring Street more directly and doesn't require people to walk on the narrow, paved and dangerous Holmes Hole Road to get to State Road, I think, is a significant benefit."

Ms. Brown asked Mr. Hoehn if he wished to speak. Mr. Hoehn explained more about the driveway into lots 3 and 4, as well as his discussion with Mr. Veno about the path. As far as the hill in those lots was concerned, he did not believe that they would be cutting into it. "The hill's going to stay there," he said.

His greater concern was about the "meandering easement" that would result from the path being proposed by the Tisbury Byways Committee. "It could take a considerable amount of area getting up that hill," he said. "If it were just a walking easement, then I think we could possibly talk about ... a walking easement up the property line ... But it's such a steep hill, you have to meander if you're using a bike."

Lenny Jason, Jr., the County representative, asked Mr. Hoehn to show the Commission members exactly where the Byways Committee's and the Applicant's respective proposed paths were. Mr. Hoehn pointed them out. An extended discussion ensued about the

location of each path and the possible dangers of walking along Holmes Hole Road. Another possible route was offered by Ms. Sibley.

Mr. Toole said that he understood Mr. Hoehn's concern and that he would "hate to hamstring any future development plans on that lot. That's not fair." He thought that if the Commission member wanted something "fixed at this point in time," the only fair thing to do was to locate the path along the perimeter of the property. "If you can't ride the bike, you walk the bike," he added. Ms. Greene agreed with Mr. Toole on this point. In any event, if you wanted to access West Spring Street, you didn't want to be coming from down the hill but from right across State Road, she said. Mr. Colaneri also concurred with Mr. Toole on this point. Further discussion of the path location followed.

Jim Vercruyse, a Commission member at large from Aquinnah, wanted to know how wide State Road was at that point. Anything from 10 to 15 feet of grass and shoulder between the pavement and the property line, replied Mr. Hoehn. Adding a 10-foot easement, there would be a 20- to 25-foot buffer between a walker or cyclist and the traffic on State Road.

Than Mr. Jason said, "I'm having difficulty hearing that Holmes Hole Road is too dangerous," referring to Ms. Sibley's belief that locating the path along that road would endanger walkers and cyclists. John Best, a Commission member at large from Tisbury, asked Mr. Toole to point out again the route he was suggesting for the path; Mr. Toole did so.

Robert Zeltzer, a Commission member at large from Chilmark, commented, "Currently, anyone coming from up-Island takes a left onto West Spring [Street] at that point. Now, true, we all call it the Dr. Kevorkian Crossing, but that's what it is. You have two choices. You take the crossing and get onto West Spring or you continue on and pray that you don't become a Ping-Pong ball between a couple of trucks." Mr. Jason responded that all he was saying was that perhaps going down West Spring Street would not be the correct course of action. "Maybe there should a lane there where bicyclists can come down-Island and feel safe and not feel threatened and want to make the cross against traffic," he observed. "One person's already been killed in that corridor," he added.

Ms. Sibley remarked that what was before them were two bad solutions. One kept people on State Road and going through the busy business district, and one encouraged people to cross State Road in an unsafe place. The Applicant had expressed general willingness to grant an easement that went along the property line, she added.

Ms. Greene asked if the new access for lots 3 and 4 was going to protect the old beech trees at the corner of William Norton Road. She also wanted to know from the Goodales how visible lot 4 was from their house. Additionally, was the Goodale's house up above lot 4 or below it? she wondered. Mr. Goodale responded that their house was at about

the same level as lot 4 and that if one cut down all the trees, then the lot would be very visible. Mrs. Goodale added that when an A&P supermarket was being planned for that area, she had staked out the property lines with a rope and had been surprised to see how close the store would have been to her house.

Mr. Zeltzer wanted to know, when commercial property lay right next to residential property, as was the case here, was there any Town bylaw that would protect the home owners from glaring lighting or lighting that would interfere with their privacy? Mr. Hoehn replied that the only Tisbury bylaw he knew of that would apply was one pertaining to commercial developments with more than 20 parking spaces. If that were the case, Planning Board Site Plan Review, certain planting requirements and a review of the lighting arrangements were stipulated.

Ms. Brown wished to clarify with Mr. Hoehn that the Applicant was willing to go along with a Condition in the Commission's Decision on this DRI that any development on any of the lots would have to come back to the Commission, whether or not it would otherwise trigger an item from the DRI Checklist. We would not automatically have to, said Mr. Hoehn, but the Applicant was willing to.

Ms. Sibley and Mr. Colaneri corrected Mr. Hoehn. According to the earlier Decision concerning the same lots (DRI #292), any new developments on the lots would have to come back to the Commission. *[See page 4 of these Meeting Minutes.]*

Ms. Greene asked how far the new access road to lots 3 and 4 was from William Norton Road. Fifty feet, plus the road moving into the right of way, replied Mr. Hoehn, so 60 feet, something like that.

Ms. Brown asked if anyone else in the audience wished to comment; no one did.

Then Ms. Green asked what species of trees were growing on the back side of lot 4. More of the same, responded Mr. Hoehn. Oak woodlands and some beeches, said an unidentified speaker. "So, not much evergreen?" asked Ms. Greene. No, said Mr. Hoehn.

Ms. Brown asked if there had been anything submitted regarding this DRI by Town Boards. Nothing, said Charles Clifford, the Executive Director of the Commission. Ms. Sibley wondered if the Highway Superintendent, Fred LaPiana, had ever responded to the request for input on the path and its relation to State Road. Mr. Hoehn noted that Mr. LaPiana had gone away for "some training session" and that Mr. Hoehn had not spoken to him since the September 23 session of the Hearing. Mr. Colaneri suggested that the Public Record be kept open in case any correspondence from Mr. LaPiana was forthcoming.

### **Final Comments from the Applicant.**

Ms. Brown asked for final comments from the Applicant. Mr. Hoehn briefly mentioned the six-point benefits plan offered by the Applicant. As for the path issue, he assumed that the Land Use Planning Committee would be discussing that. He hoped that, if there had to be a path, it would take the route down the property lines as discussed earlier.

Ms. Brown was about to close the Public Hearing. Ms. Greene asked quickly if Mr. LaPiana would be back by October 28, when the Public Record would close. Ms. Brown said that she hoped so. A brief discussion ensued. Mr. Hoehn said that when he had spoken to Mr. LaPiana, the Highway Superintendent's only concern was that the access make sense and that his department be consulted before things like catch basins and trees were put in.

Then Mr. Jason asked why one of the back lots was only 1.8 acres. Mr. Hoehn explained that this was done to split the open space and that basically it was a leftover. Mr. Jason suggested that with a bit of grading one might be able to lay out the lots a bit differently so that piece of the property could be kept intact. Then one access road could serve the three lots which would result. Ms. Greene agreed that the Applicant should consider subdividing the property into three lots instead of four.

Ms. Brown then announced that the Public Hearing was closed and that the Written Record would remain open for one week. The time was 8:15 p.m.

### **Item #3: Approval of the Meeting Minutes.**

The Commission first considered the **Meeting Minutes of September 30, 1999**. Marcia Cini, a Commission member at large from Tisbury, said that it should be noted for the record that she had left the room during the discussion of the Tar Kiln Subdivision Modification (DRI #470M). [*See the Meeting Minutes of September 30, 1999, page 17, paragraph 3.*]

Mr. Colaneri made a Motion to Approve the Minutes of September 30, 1999, as Amended, duly seconded. All the Commission members present voted Aye, except for Ms. Greene and three others, who abstained.

Turning to the **Meeting Minutes of September 23, 1999**, Ms. Cini said that on page 14, paragraph 7, sentence 1, the term "Action Plan" should be changed to "Policy" so the sentence would read: "Providing the Affordable Housing Subcommittee Report, Ms. Cini said that the committee had met the evening before and had worked on a draft of the updated Affordable Housing *Policy*, which would take more than the month they had expected it to take to complete."



Mr. Colaneri wanted it noted for the record that he had been privy to information that was somewhat contrary to what had been reported on page 15, paragraph 4, under "Item #7, Old Business: Windfarm Golf Practice Facility." He said that he had spoken to Elisha Smith's daughter-in-law, who had told Mr. Colaneri that "for whatever reason, he [Mr. Smith] has decided that he doesn't like the neighbors anymore, and as far as she knows, there are no balls going over there and they haven't been since the bigger nets were put up."

Mr. Jason noted that on page 11, paragraph 3, sentence 1, the Minutes read: "Ms. Sibley said that she agreed with Mr. Jason."

Mr. Colaneri made a Motion to Approve as Amended, duly seconded. The vote went as follows:

AYES: J. Best; C. Brown; M. Cini; M. Colaneri; M. Lazerow;  
L. Sibley; R. Toole; J. Vercruyse; and R. Zeltzer.

NAYS: None.

ABSTENTIONS: J. Greene; and L. Jason, Jr.

*[Messrs. Early and Israel had already left the Meeting. See page 2 of these Minutes.]*

#### **Item #4: Reports.**

There was no **Chairman's Report** from Mr. Toole.

Ms. Brown, Co-Chair of the **Land Use Planning Committee**, reported on their meeting of Monday, October 18. They had looked at a new Application from Vineyard Service Center (DRI #489-1), whose first Application had been withdrawn and whose second one had been denied. Although the new Application looked "quite similar" to the others, the Applicant did have a more complicated landscaping plan and a much more comprehensive traffic study.

Ms. Brown noted that although the Applicant had been told that the purpose of their LUPC appearance was for preparation for their Public Hearing appearance -- and not for an actual presentation of their proposal -- apparently the Applicant had disregarded this and gone ahead with a quasi-presentation. This had included the highlights of their traffic study.

Mr. Colaneri mentioned that the Applicant had a "very elaborate" parking plan for employees and customers, although they could not tell the committee how many spaces the Town required for the site and for their proposal. Mr. Colaneri said, "We asked them

to make sure that they got all that done. They also didn't have a plan as to where all the waiting cars were going to end up being placed, which was another issue. They're going to be tight for the amount of activity on the site, and the amount of parking and the traffic flow were the major issues that we said they would certainly have to elaborate on."

Mr. Colaneri also spoke about the fact that the Applicant intended to have about 20 to 30 employees and that the hours of operation would be between 6 a.m. and midnight. "So this is a real big issue," he added. Ms. Brown noted that the committee had told the Applicant that they would have to make clear during the Public Hearing exactly what would be going on during the hours of operation.

Mr. Colaneri then explained that the Applicant wished to buy or build a house to accommodate his employees. If 20 to 30 employees were planned, however, it was not clear what the guidelines would be regarding who would qualify to live that house, and so forth. The committee responded that the Applicant would have to elaborate on the housing situation and solution during the Public Hearing. A discussion of this issue ensued.

Mr. Colaneri concluded by saying that it had been made clear to the Applicant and his consultants that the Public Hearing would not be scheduled until all the detailed plans that had been requested were forthcoming.

Continuing the LUPC Report, Ms. Brown described the appearance before the committee by Fred Walters, Applicant for the Tar Kiln DRI Modification. Ms. Greene requested that when Mr. Walters applied for his Modification, the old approved plans be available for study. The LUPC had decided that the full Commission should vote on whether or not a full Public Hearing on the Modification was called for.

Mr. Zeltzer wanted to know if Mr. Walters had explained why the percentage of youth lots had dropped so dramatically in his modified plan. "We didn't go into those details," replied Ms. Brown. Then she and Mr. Colaneri spoke briefly about the history of the proposed youth lots on the site and what Mr. Walters was currently proposing. "That [the drop in the number of youth lots] just struck me as being way out of whack," remarked Mr. Zeltzer. Ms. Greene noted that Mr. Walters had claimed that the figures in his letter to the Commission were wrong. That was when the committee had decided that the full Commission should vote on whether or not to hear the Modification proposal, added Ms. Brown. More discussion of the youth lots followed.

Ms. Greene provided the **Aquinnah DCPC Exemption Committee Report**. The committee had met on Tuesday, October 19, and had accomplished the following: approved two failed septic systems to be upgraded to Title V standards; denied a request for a swimming pool; and given approval for the owners of the artifact-laden property

discussed in the previous committee meeting to go ahead and get a building permit in accordance with the agreement the owners had presented.

In addition, continued Ms. Greene, Doug Dowling had spoken to the committee about two properties for which he had represented the seller; both applications had been denied. Mr. Dowling made his presentation, but the decisions of the committee remained unchanged. Ms. Greene announced that the next meeting of the committee would be on November 16, 1999, at 5:30 p.m. in the lunch room at the Aquinnah Town Hall.

Mr. Colaneri asked if Aquinnah was any closer to finishing the District regulations. The answer, by two unidentified speakers, was "No." Mr. Zeltzer, a member of the exemption committee, described to Mr. Colaneri a letter from the Chair of the committee, Ms. Greene, that would go out to the various Aquinnah board members and officials on the District regulations committee. The letter would, it was hoped, "nudge" them to work with Commission Staff and finish up the work.

Ms. Greene reported that she had been told that the regulations committee members had never been provided with copies of the District Guidelines or the description of the Designation of the District. These would be included with the letter, provided her committee approved, added Ms. Greene. Some discussion of the regulations and their slow progress followed.

Marcia Cini, Chair, delivered the **Affordable Housing Subcommittee Report**. She reported that she had made it to the housing conference in Framingham earlier in the day and that she had provided a packet of the conference materials to Christine Flynn, the Commission Staff member associated with Ms. Cini's subcommittee. The subcommittee would be meeting next at Commission Offices on Wednesday, October 27, at 5:30 p.m. *[This was changed to Tuesday, October 26; see below.]* Her "personal goal" was to finish with the residential side of the revised policy. She noted that she would need some help from Mr. Jason regarding "business percentages."

In addition, Ms. Cini had received a letter that day from Bob Durand of the Executive Office of Environmental Affairs describing a public session on the Community Preservation Act. Ms. Cini left a copy of the letter with the Commission, noting that they could decide if there was a role for them in the session on December 8. Moreover, Mr. Durand had agreed to come and meet with Commission members at a time yet to be determined. Some discussion of a possible meeting with Mr. Durand followed. There was also talk of meeting with John Pagini, Executive Director of the Nantucket Planning and Economic Development Commission.

Ms. Sibley pointed out that the Dukes County Health Advisory Committee was having a potluck dinner on Wednesday, October 27. There was a discussion of who could or could not come to the Affordable Housing Subcommittee meeting that evening. It was decided

that the subcommittee would meet instead on Tuesday, October 26, at 5:30 p.m. at Commission Offices.

Mr. Early, Chairman of the **Planning and Economic Development Committee**, had left the Meeting earlier. So Mr. Toole asked Mr. Clifford, the Executive Director, for a summary of where each of the Towns was at with regard to the building permit cap. West Tisbury had already submitted their Nomination papers, said Mr. Clifford. Also, he had contacted Chilmark Town Hall that morning and was told that the Town would definitely be doing the building permit cap as a DCPC.

Mr. Clifford continued that Selectman Ed Coogan of Tisbury had indicated that his board would re-vote the question, since they had voted to join a six-Town DCPC, not one that appeared would include only four or five Island Towns. Oak Bluffs was still undecided as to how it would proceed, and Aquinnah had been told by Mr. Clifford to go ahead and vote on it even though there was already a Town-wide moratorium on the issuance of all permits. There was a brief discussion of Aquinnah's particular situation and why the Town needed to do the building permit cap separately from the Town-wide DCPC.

Michele Lazerow, a Commission member at large from Oak Bluffs, reported that the **Cell Tower Study Group** had not met since the last full Commission Meeting. Mr. Colaneri brought up the topic of a law suit in West Tisbury regarding cell towers and OmniPoint. A discussion followed about cell tower issues in Edgartown. Ms. Brown spoke of how tall cell towers would soon be a thing of the past with new technology becoming available. Ms. Cini filled in the other Commission members about the specifics of the OmniPoint case, with which she was quite familiar.

Mr. Clifford provided the **Legislative Update**. He described how the State Senate and House had finally come to a compromise, so the budget was back in the Conference Committee, which would attempt to make whatever that committee had decided on earlier fit the budget now submitted to them. And the Governor is threatening to veto it, noted Ms. Sibley. "He won't be there by the time they pass it," responded Mr. Clifford. There was also some talk of the stalled Federal budget. Finally, Mr. Clifford mentioned that a Regional Planning Legislative Day at the State House Rotunda was scheduled for the first week in November. This was discussed briefly.

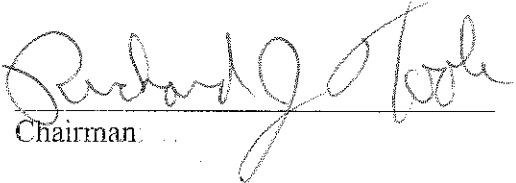
Looking over the Agenda, Mr. Colaneri wondered aloud what was happening with the Robinson/Benham proposal (DRI #494), which had been appearing under Item #5: Possible Discussion and Item #6: Possible Decision for some months. "We're working on it," said Mr. Jason.

**Item #8, New Business.**

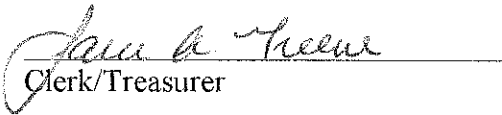
Mr. Jason announced that **Marc Widdiss, a former Commission member**, was having his bone marrow transplant right about then. "Maybe we should send him a 'Hang in there' note," he added. Ms. Greene suggested that the Commission members send Mr. Widdiss a card, adding that she had his address. She noted that since the patient would be in sterilized isolation for five or six weeks, gifts of flowers or balloons would not be appropriate. The members discussed Mr. Widdiss and his treatment for a few minutes.

Next, Chairman Toole went about appointing the **Nominating Committee**. *[MVC Bylaws Section 8.1.1 reads: "The Nominating Committee shall be appointed by the Chair at the Regular Meeting in October and shall consist of one (1) member from each of the six (6) Towns, plus the County member.]* The Commission members appointed were: Jim Vercruysse (Aquinnah); Jane Greene (Chilmark); Michael Donaroma (Edgartown); Michele Lazerow (Oak Bluffs); John Best (Tisbury); Linda Sibley (West Tisbury); and Lenny Jason, Jr. (County member).

Ms. Greene made a Motion to Adjourn, duly seconded. The members then voted unanimously to adjourn. The Regular Meeting adjourned at 9:03 p.m.

  
Chairman

11/29/99  
Date

  
Clerk/Treasurer

11/29/99  
Date

PRESENT: J. Best; C. Brown; M. Cini; M. Colaneri; J. Early (left before the MVY Realty Trust Continued Public Hearing); J. Greene; T. Israel (left before the MVY Realty Trust Continued Public Hearing); L. Jason, Jr.; M. Lazerow; L. Sibley; R. Toole; J. Vercruysse; and R. Zeltzer.

ABSENT: M. Donaroma; B. Hall, Jr.; M. Ottens-Sargent; T. Henson, Jr.; M. Bolling; and A. Harney Gallagher.

*Summary of Revisions to the  
Meeting Minutes of October 14, 1999  
Proposed by Commission Members  
in the Meeting of November 4, 1999*

[An excerpt from the Meeting Minutes of the Special Meeting of October 14, 1999 follows immediately. It describes the actions taken by the Commission with regard to the Minutes of October 14, 1999.]

Page	Paragraph	Sentence	Revision
2	7	1	Delete the words "and had not sat in on the first session of the Hearing" so that the sentence reads: "John Early, the Selectmen's Appointee from West Tisbury, announced that since he was an abutter to the site, he would excuse himself from the second session."