



PO BOX 1447, OAK BLUFFS, MASSACHUSETTS, 02557, 508-693-3453  
FAX 508-693-7894 INFO@MVCOMMISSION.ORG WWW.MVCOMMISSION.ORG

## **Minutes of the Commission Meeting Held on April 2, 2009 In the Stone Building 33 New York Avenue, Oak Bluffs, MA**

### **IN ATTENDANCE**

---

Commissioners: (P = Present; A = Appointed; E = Elected)

- |   |                                      |
|---|--------------------------------------|
| P James Athearn (E – Edgartown)         | - Ned Orleans (A – Tisbury)          |
| P Bill Bennett (A- Chilmark)            | - Jim Powell (A – West Tisbury)      |
| P John Breckenridge (A – Oak Bluffs)    | - Camille Rose (A - Aquinnah)        |
| P Christina Brown (E - Edgartown)       | - Doug Sederholm (E – Chilmark)      |
| P Peter Cabana (A – Tisbury)            | P Casey Sharpe (A – Oak Bluffs)      |
| - Martin Crane (A – Governor Appointee) | - Linda Sibley (E – West Tisbury)    |
| P Carlene Gatting (County Appointee)    | P Holly Stephenson (E – Tisbury)     |
| - Chris Murphy (A – Chilmark)           | - Andrew Woodruff (E – West Tisbury) |
| P Katherine Newman (A –Aquinnah)        |                                      |

Staff: Mark London (Executive Director), Paul Foley (DRI Analyst/Planner), Bill Wilcox (Water Resource Planner)

The meeting was called to order at 7:40 p.m.

### **1. FOLINO: DRI NO. 514-M3 – MODIFICATION REVIEW**

---

Commissioners present: J. Athearn, B. Bennett, J. Breckenridge, C. Brown, P. Cabana, C. Gatting, K. Newman, C. Sharpe, H. Stephenson

For the applicant: John Folino, owner

**Paul Foley** gave the staff report.

- The proposal is to add a total of 1,595 square feet of space on the mezzanine level to a 16,672 square foot building, with a 10,770 sf footprint, and 20'-high ceilings.
- The building is in the Airport Business Park.
- The additional space will be for storage and a small office.
- The project needs a building permit from Edgartown and approval by the Airport Commission.
- The project was originally approved with conditions by the MVC on March 16, 2000 (DRI 514). The Project was for a 7-Unit metal building with a footprint of 10,770 square feet.
- Unit One had a mezzanine level of 1,380 sf and all other units had 112 sf of mezzanine for a total original square footage of 12,822 sf.

- The conditions were: that there shall be no outside storage permitted on the property; a lighting plan was accepted; any maintenance on vehicles would be limited to tenants only; a drainage plan to be approved by the Airport; that the premises would only be leased to contractors and others would have to return to the MVC for permission. The MVC also accepted an offer of \$4,482 to the D.C.R.H.A.
- On October 19, 2000 the project was modified (DRI 514-M) to add a 150 square foot office on the mezzanine level that had been storage and allow a bakery to locate in one of the units.
- Mr. Folino returned to the MVC a month later on November 30, 2000 (DRI 514-M2) to request an additional 3,850 sf of mezzanine level storage space. The modification was voted an insubstantial change.

**John Folino**, owner, presented information about the proposal.

- The modification proposes no change in use. The proposal is just an expansion of the interior space.
- He clarified that a mezzanine can't be more than two-thirds of a footprint.
- Plans have been submitted to the Edgartown Building Inspector.

***Jim Athearn moved, and it was duly seconded, that this is not a substantial change and does not require a public hearing.***

- **Carlene Gating** commented that the modification provides needed space. There is no traffic impact, no environmental or visual impact, and no hazardous materials.

***A voice vote was taken. In favor: 9. Opposed: 0. Abstentions: 0. The motion passed.***

***Carlene Gating moved and it was duly seconded to approve the proposed interior expansion space for the previously approved uses. A roll call vote was taken. In favor: J. Athearn, B. Bennett, J. Breckenridge, C. Brown, P. Cabana, C. Gating, K. Newman, C. Sharpe, H. Stephenson. Opposed: None. Abstentions: None. The motion passed.***

## **2. EXECUTIVE DIRECTOR'S REPORT**

---

**Mark London** gave the Executive Director's Report.

- The Commission has received a grant from the Department of Housing and Community Development to assist with technical assistance in two areas. One is for fostering municipal partnerships and the other is smart growth planning which will be used mainly for the Island Plan. Two studies are going ahead now.
  - A baseline study on the delivery of public services will be done with the County. There will be an inventory of how services are presently delivered on the Island and comparison with how some of these are done elsewhere. They'll flag the ones that hold the most promise for further consideration.
  - The MVC will do a study of the Island's agriculture and food self-sufficiency. Staff will be clarifying how much farmland is, estimate how much there could be and how much food could be grown, estimating how much food we eat on the Island,

then estimating how self-sufficient we can become. Preliminary estimates varied from 1% to 47%.

- The Commonwealth is looking at revising the Land Use Planning Act to be called the Land Use Partnership Act. Commissioners are invited to attend an information session on that on May 8<sup>th</sup> on the Cape.

### 3. TISBURY CONNECTOR ROADS

---

*Commissioners present: J. Athearn, B. Bennett, J. Breckenridge, C. Brown, P. Cabana, C. Gatting, K. Newman, C. Sharpe, H. Stephenson,*

*Presenters: Fred LaPiana, DPW Director from Tisbury, and Henry Stephenson, Tisbury Planning Board*

**Henry Stephenson** explained the Tisbury Connector Road project.

- The proposal is to move traffic off of Edgartown Vineyard Haven Road at IFP across to State Road using High Point Lane, Evelyn Way, and Holmes Hole Road.
- Primarily town-owned land will be used. Some small land exchanges will take place to make the plan work.
- The road may be used by big trucks but the speed limit will be slow.
- There is potential for a well-articulated green space.
- The MVC did an origin-destination study two summers ago that showed that about 30% of traffic was heading downtown, 30% was heading home to the neighborhood beyond State Road, 30% was heading to the shopping area on State Road, and less than 20% was heading up-Island.
- Even in the middle of the summer, about 67% of the cars on the road are year rounders.

**Fred LaPiana** said the opportunity to make the plan real has come.

- Federal funds might available for the project.
- The cost is \$2.5 million to design and build the road system
- People in Tisbury really want this project done.
- There will be a traffic buffer around the new soccer field.

### 4. ISLAND PLAN

---

**Jim Athearn** outlined a number of aspects of the Island Plan.

- The Island Plan Steering Committee was formed to represent many groups of people and towns. Intentionally the Committee did not include very many Commissioners although it's assisted and moved ahead by staff. The intent is to develop a replacement for the Regional Island Plan developed by the MVC from 1989 to 1992.
- The idea is to create an active plan which affirms the goals and values of the previous plan. It's been a three year sifting process to create an overall vision.
- The Island Plan used surveys, work groups, and the network of planning advisors to discuss development and growth. Issues under discussion include preservation of character and environment, controls on development, and rate and location of

development. Additional issues include watersheds, septic capacity and opportunity areas for growth.

- The Steering Committee is looking at producing a 50 year plan
- Work Groups are looking at analysis of impacts including: open space, habitat, traffic, water, food self-sufficiency, energy, solid waste, cost of services, and affordable housing as well as the role of the Commission in providing technical assistance to towns, facilitating initiatives, and monitoring strategies.

**Henry Stephenson**, member of the Island Plan Steering Committee, gave a PowerPoint presentation summarizing the work on Development and Growth.

Commissioners agreed that it would be useful to spend a morning together discussing the Island Plan information with members of the Steering Committee in an organized way.

Commissioners agreed that the Commission needs to continue to address energy and nitrogen issues, even as the Island Plan formulates goals and policies. Commissioners discussed its role in creating Island-wide energy policies and the role of the Island Plan. The Commission should spearhead an effort to look at an Island-wide energy concept.

## 5. WATER RESOURCES

---

**Bill Wilcox**, Water Resource Planner, explained aspects of the Water Resource program, which includes resource monitoring, DRI project impact assessment, and watershed mapping.

- Water-related reports are posted on the Commission website.
  - MV Coastal Pond Water Quality 2006 Summer
  - Water Table Update- 2008
  - Shellfish Ecosystem services
  - Edgartown Great Pond Opening Cycle and Factors in Inlet Lifetime – to be posted in May
  - MV Coastal Pond Water Quality 2006 Summer – to be posted in May
- The water resource program includes monitoring of ten wells for eighteen years. The Island is not currently threatened by a drinking water problem.
- Bill monitors surface waters including coastal salt ponds. Staff has completed three years of water resource monitoring of fifteen coastal systems and has qualified those ponds for the Mass Estuaries Program.
- Bill explained watershed maps and the programs towns have developed to open ponds. Nitrogen management includes waste reduction and improving water circulation in ponds. In the Great Ponds, dredging internally, opening at full moon, and shellfishing all help to improve and maintain pond health.
- Nitrogen management is necessary for eight coastal ponds that are receiving excess nitrogen and potentially three more at buildout. Wastewater is the source of the most manageable and local contributor to nitrogen excess. Better circulation and shellfish production offer some improvement.
- MVC has hired a consultant as part of the Island Plan to do case studies in each town to look at nitrogen reduction, including treatment and cost estimates. The Wastewater

Management Study now underway identifies management alternatives to address excess nitrogen loading and applies them to six study areas. We expect that sewerage will be an important part of nitrogen management. Aquaculture will be an important aspect of nitrogen management, particularly in the Great Ponds. Tidal circulation improvements may also be part of the answer in the great ponds.

- The GIS assessor's data base will be used to identify nitrogen impacts can also be used to help towns plan wastewater sewerage.

**Peter Cabana** said staff does such an awesome job and he would love to hear from other staff members. It would be great for the public to hear from the others.

## 6. OCEANS ACT

---

*Commissioners present: J. Athearn, B. Bennett, J. Breckenridge, C. Brown, P. Cabana, C. Gatting, K. Newman, C. Sharpe, H. Stephenson*

**Christina Brown** is putting together an ad hoc work group of Commissioners and Island citizens to help JoAnn Taylor, MVC Coastal Resource Planner and representative to the Ocean Advisory Commission, to work on the Ocean Plan, covering all uses of the water. She's asking Jim Powell, Peter Cabana and Chris Murphy to be in the work group with citizens from the fishing, marine, and energy communities.

## 7. DRI CHECKLIST

---

*Commissioners present: J. Athearn, B. Bennett, J. Breckenridge, C. Brown, P. Cabana, C. Gatting, K. Newman, C. Sharpe, H. Stephenson*

**Christina Brown** reported that Peter Cabana has agreed to facilitate some draft criteria for looking at wind turbines. Doug Sederholm agreed to work with him. The Secretary of Environmental Affairs will not sign off on the revisions to the DRI Checklist until the MVC has criteria on wind turbines.

It would be helpful if Commissioner agreed to withdraw its request for approval of the whole DRI Checklist until the wind turbine criteria are developed.

***Carlene Gatting moved, and it was duly seconded, that the Commission temporarily withdraw its request to the Secretary of Energy and Environmental Affairs for approval of the DRI Checklist. A voice vote was taken. In favor: 9. Opposed: 0. Abstentions: 0. The motion passed.***

## 8. MINUTES

---

*Commissioners present: J. Athearn, B. Bennett, J. Breckenridge, C. Brown, P. Cabana, C. Gatting, K. Newman, C. Sharpe, H. Stephenson*

### **8.1 Minutes of August 14, 2008**

**John Breckenridge moved, and it was duly seconded, to approve the minutes of August 14<sup>th</sup> with spelling corrections. A voice vote was taken. In favor: 7. Opposed: 0. Abstentions: 2. The motion passed.**

**8.2 Minutes of November 6, 2008**

**Carlene Gating moved, and it was duly seconded, to approve the minutes of November 6<sup>th</sup> with the following corrections:**

- Spelling corrections
- Truck storage was not a permitted use
- Clarifications

**A voice vote was taken. In favor: 9. Opposed: 0. Abstentions: 0. The motion passed.**

**8.3 Minutes of November 20, 2008**

**Carlene Gating moved, and it was duly seconded, to accept the minutes of November 20<sup>th</sup> with grammar and spelling corrections. A voice vote was taken. In favor: 9. Opposed: 0. Abstentions: 0. The motion passed.**

**8.4 Minutes of December 4, 2008**

Commissioners made the following correction:

- Line 48 understanding what is cost saving.

**John Breckenridge moved, and it was duly seconded, to approve the minutes of December 4<sup>th</sup> as corrected. A voice vote was taken. In favor: 9. Opposed: 0. Abstentions: 0. The motion passed.**

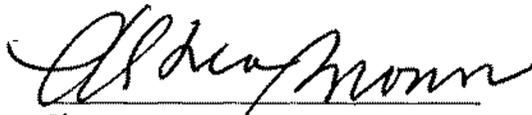
**8.5 Minutes of March 19, 2008**

Commissioners made the following corrections:

- Line 66: delete Carlene Gating
- Line 177: add Carlene Gating to 18 State Road Modification Review

**Carlene Gating moved, and it was duly seconded, to approve the minutes of March 19<sup>th</sup> with the above changes and with grammar corrections. A voice vote was taken. In favor: 9. Opposed: 0. Abstentions: 0. The motion passed.**

The meeting adjourned at 10:05 p.m.

  
Chairman

6/4/09  
Date

  
Clerk-Treasurer

6/4/09  
Date

