



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 September 22, 2005
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 John Best (E – Tisbury) | P Megan Ottens-Sargent (E – Aquinnah) |
| P John Breckenridge (A – Oak Bluffs) | P Deborah Pigeon (E – Oak Bluffs) |
| P Christina Brown (E - Edgartown) | - Jim Powell (A – West Tisbury) |
| P Carlene Condon (A – Edgartown) | P Doug Sederholm (E – Chilmark) |
| P Mimi Davisson (E – Oak Bluffs) | P Linda Sibley (E – West Tisbury) |
| P Martin Crane (A – Governor Appointee) | P Paul Strauss (County Comm. Rep.) |
| P Chris Murphy (A – Chilmark) | - Andrew Woodruff (E – West Tisbury) |
| P Katherine Newman (A – Aquinnah) | |

Staff: Mark London (Executive Director), Bill Veno (Senior Planner), Paul Foley (DRI Coordinator), Christine Flynn (Affordable Housing & Economic Planner), Srinivas Sattoor (Traffic Planner), Jo-Ann Taylor (Coastal Planner)

1. COZY HEARTH AFFORDABLE HOUSING: DRI 584 - PUBLIC HEARING (CONT.)

Commissioners Present: J. Athearn, J. Best, J. Breckenridge, C. Brown, C. Condon, M. Crane, M. Davisson, C. Murphy, K. Newman, M. Ottens-Sargent, D. Sederholm, L. Sibley, P. Strauss

Deborah Pigeon recused herself from the public hearing and sat in the audience.

For the Applicant: Bill Bennett (president of Cozy Hearth Corporation), Marcia Cini (attorney for Cozy Hearth Corporation)

Linda Sibley made a statement that one of the letters submitted suggests that, because she is trying to subdivide her property for an affordable housing property, there is a conflict of interest in her voting on Cozy Hearth. **Linda Sibley** said that the statement implies a misunderstanding of the conflict of interest law, which is about financial issues. She said that public officials may have values and beliefs which they stand for. She assured the public that she has neither direct nor indirect financial interest in Cozy Hearth.

Christina Brown opened the public hearing explaining that the applicant will respond to issues that were raised at the last session of the public hearing, Commissioners will ask questions, and the public is invited to add new information.

1.1 Applicant's Presentation

Christina Brown asked Bill Bennett to summarize the written responses he submitted since the last public hearing.

Bill Bennett presented the following information:

- Two solutions for solving the traffic problem are being explored. One is a T into Oyster Watcha Midlands Road. The second is a T directly onto Edgartown West Tisbury Road. Estimates for pursuing a solution and restoring the old road are \$3,000 to \$4,000, which is less than what they'd offered to put into escrow.
- The monitoring agent for the restricted the three affordable homes would be the Edgartown Homesite Committee or the Dukes County Regional Housing Authority.
- The monitoring agent for resale restrictions on the five lots with resale restriction would be the Edgartown Resident Homesite Committee.
- The option to renew the 30-year sale restriction for 20 years is not part of the proposal.
- Restricting resale of five affordable housing in perpetuity is not part of the proposal.
- In response to the question of the profit and Cozy Hearth members' income level, he explained that Cozy Hearth has gone beyond what the 40B statute requires:
 - 40B requires that 30% [note: actually 25%] of the lots, three in this development, be restricted to 80% of median income for 15 years (Note: actually 30years for new construction). In Cozy Hearth, three lots are restricted in perpetuity. Then Cozy Hearth has added five more lots that will have resale restrictions for 30 years to between 130% and 150% of median income for 30 years. He said that's what they're trying to do for the town.
 - The income levels of the people who will be buying the lots haven't been part of the equation. Some people make less than the income requirements and some people make more. The point is that lots will available for resale to people of moderate income.

Carlene Condon asked for confirmation that families who are moving in initially are not necessarily affordable housing candidates. The other lots will only become part of the affordable housing stock if they are sold within the next thirty years. **Bill Bennett** said that the three 40B lots would be for low-income families. He noted that the average house turns over in 7 years.

Bill Bennett continued.

- He explained why income level is not part of the initial purchase of the five resale-restricted lots. At the beginning of the process, everyone did qualify for affordable housing, but over the course of the process some people may move out of the qualifying income bracket. Even if they don't qualify at the end of the process, they still can't afford a house on the Vineyard.
- He explained the profit residents could make. The resale price of a house and lot is about \$320,000 with current area median income levels. If the lot costs \$170,000, that leaves \$140,000 to build a house. It would be very difficult to make a windfall profit on the sale of a restricted lot.
- He addressed John Best's issue of reselling the lot before a house is built by adding to the Cozy Hearth paperwork that an unbuilt lot can be resold at cost plus 3% a year.

Marcia Cini and **Bill Bennett** said a 40B project is very strictly regulated. Documents related to profit, resale, mechanisms and monitoring agent for all the restricted lots are ironclad and enforceable. They are all part of a set of regulatory agreements.

Mark London asked who would own the three unrestricted lots. **Bill Bennett** said two people who invested money in the project and he, who invested time. The Cozy Hearth Corporation would be under a 20% profit limitation.

Marcia Cini explained that they are still working out the fine details of profit limitation with Mass Housing. The Cozy Hearth Corporation would be under a 20% profit limitation for the whole development. Once the three 80% affordable housing are complete and the infrastructure is in place, the entire holding will be appraised and the difference between the fair market value and its costs will be deemed to be the profit. In the unlikely event that more than a 20% profit is made, the difference goes to the Town.

Mark London asked if there were any restriction on the reselling of the 3 unrestricted lots.

Marcia Cini said there wouldn't be, just as there isn't a restriction on the unrestricted lots of Fairwinds. **Christina Brown** clarified that once the development is stamped by Mass Housing, the unrestricted lots can be sold at fair market value.

Mark London commented that Bill Bennett's comparisons to the minimum requirements of a 40B project is irrelevant and that the 40B aspect of the application is not the Commission's concern since the Commission is looking at the project as a Development of Regional Impact, not as a Comprehensive Permit (40B). Commissioners are weighing the benefits and detriments of the project and must compare, for example, the proposed increased density and with how much affordable housing they are providing.

John Best asked if, at the time of the appraisal, the 3 unrestricted lots are appraised at more than 20%, it is the owners make the payment to Edgartown. **Marcia Cini** said the corporation makes the payment to the Town.

John Best clarified that after the appraisal is done and any payment is made to the Town, the owners of the three unrestricted lots will be able to sell for the appreciated value. **Marcia Cini** confirmed that and said it's the same model as Fairwinds.

Bill Bennett continued.

- When they went before Mass Housing they were a non-standard group because they had lots, not houses. Mass Housing took a year and a half figuring out the numbers.
- Responding to a question of whether income levels have been certified, he said income level certification is not an issue in the 40B application and it hasn't been done.
- In response to a question of whether the 8 houses will be modular like the 3 80% AMI houses, he said the houses will be cape and salt box styles between 1200 and 2000 square feet and they will be no more than 3 bedrooms, shingle style, with asphalt roofs. It can't be assumed that the affordable houses will be smaller.
- In response to a question about whether the non-restricted houses will be bigger than the 3 80% AMI houses that will be about 1250 sq. ft., he responded that some may be and some may not.

1.2 Commissioners' Questions

John Best asked about conveyance of restricted lots. **Marcia Cini** said that:

- If a lot is conveyed or a family member or left in an estate, the restriction remains, but they don't have to qualify;
- If an owner sells a restricted lot to a family member, the family member would have to qualify because nothing exempts the family member;
- If a restricted lot were to be foreclosed on the restrictions are usually erased because banks wouldn't be able to sell the mortgage.

John Best said that he agrees that most of the owners will have more invested in the properties than they could, in the near term, realize from a sale. **Marcia Cini** said bankers would have a role because they will look at restrictions and won't make loans that can't be paid back.

Doug Sederholm asked where the three 40B lots are. **Bill Bennett** said that he asked the members in the group where they want to be. He identified them for the record as lots 4, 7, and 8 or 9. They aren't all grouped together.

There was a discussion of the intersection.

- **Doug Sederholm** commented on the so-called solutions for the intersection. He asked what Bill Bennett had done to investigate the feasibility of either of the proposed solutions and asked whether he had discussed proposals with representatives from Sheriff's Meadow or Oyster Watcha Midlands Association. **Bill Bennett** said he had discussion with a representative of Oyster Watcha who said he could bring a proposal to the Board. He said Paul Foley spoke with Sheriff's Meadow. There is no conservation restriction on that land.
- **Doug Sederholm** has some concerns about the feasibility of coming to a solution on Oyster Watcha Path because of the tenor of the letter the Oyster Watcha Midlands Association. He asked if Bill Bennett had talked with Sheriff's Meadow or the Refuse District. A solution with the Refuse District would require permission from the State and from the local planning board because it is in the Island Roads DCPC. Cozy Hearth might have the money but they don't know if money will fix the problem. **Bill Bennett** said they would like to work with the people who have the problem with the intersection.

There was a discussion of the proposal to use composting toilets.

- **Doug Sederholm** asked if Bill Bennett had reviewed the memorandum from the Edgartown Health Agent. The letter says Edgartown can't give Cozy Hearth any nitrogen credit for composting toilets because they can't guarantee nitrogen removal.
- **Bill Bennett** believes the letter is saying that, because the Massachusetts Department of Environmental Protection won't give nitrogen credit for composting toilets, the Commission shouldn't rely on composting toilets reducing nitrogen more than a Title 5 system would. It seems to him that the main issue is Cozy Hearth's impact on the water and the composting toilets work.
- **Doug Sederholm** said that the Health Agent is saying he is concerned about the human component breaking down and human component can't be relied on for 30 years. If only one homeowner doesn't maintain the system and disposes of the waste improperly, any nitrogen credit is lost.

- **Bill Bennett** explained that the corporation would stay intact to oversee the maintenance of the toilets and proper disposal of the waste.
- **John Breckenridge** asked about oversight of the maintenance contract. **Bill Bennett** said the corporation will be entering into the agreement and paying for maintenance and disposal; from a legal standpoint, the corporation is entering into the agreement.
- **Megan Ottens-Sargent** referred to comments from Matt Poole who wrote that if Cozy Hearth were using composting toilets, Title 5 nitrogen loading figures would be used. **Bill Bennett** said the State isn't going to give nitrogen credit for composting toilets, but the reality is the stuff is going to be moved.
- **Carlene Condon** said the Board of Health concern is the human element over a long period of time and reliable disposal. She asked Bill Bennett to address those concerns.
- **Doug Sederholm** asked how Cozy Hearth would guarantee that individuals will follow the rules and the human element will be minimized.
- **Megan Ottens-Sargent** referenced the letter from Joe Alosso that said the Edgartown Wastewater Treatment Plant will accept the waste from Cozy Hearth. Would the contribution of a composting system be the same as that of a house hooked up to the Edgartown Wastewater Treatment Plant? Would the waste from the Clivus Multrum toilets prevent other households from hooking up to the system?
- **Mark London** said he believed that part of the Edgartown Board of Health concern was not only the actual maintenance of the system, but also how public entities would monitor the systems in the future.
- **Christina Brown** asked what system Cozy Hearth might consider as an alternative to Clivus Multrum toilets and Title 5 systems.

John Breckenridge asked about building style on the affordable housing lots. **Bill Bennett** responded that the three affordable housing buildings would be Capes with a 2nd floor. None will be one story. **John Breckenridge** said that Building #5 seems the closest and most visible to neighbors and asked whether Cozy Hearth has considered restricting that particular building to one story. **Bill Bennett** said that they hadn't considered that but it could be one story and that its site was moved to keep out of the moth area.

Linda Sibley said she would like details of parking and the exact layout of the development. On the site visit, she was struck by the openness of the space and asked whether Cozy Hearth would consider a landscaping plan as mitigation of the visual impact.

Paul Strauss said that the devil and/or angel is in the details and spoke about his impression of the proposal.

- He feels this project was brought as an affordable housing project because it is expected virtually every affordable housing project will be accepted because it is about affordable housing.
- There are some noteworthy special things about this project.
- Opponents have said affordable housing projects should be in existing neighborhoods, but the Commission feels projects should be relatively small and scattered through neighborhoods.
- This seems an almost pristine area with large lots and this might not be an appropriate development in that area because it is a higher density project.

- He said he is not convinced that this is the right project as it is presently designed nor is he convinced that it's in the wrong place.
- Issues needing further clarification are:
 - Wastewater and Clivus Multrum composting toilets.
 - Traffic in terms of access, not just a number of additional cars. The project needs a solution at Edgartown West Tisbury Road intersection. He hasn't seen a clear detailed solution that enables him to be comfortable.

Bill Bennett responded that:

- The traffic expert said the intersection has been a problem for ten years.
- The development is using only 30% of the land.
- He believes the Clivuses are a good solution; he knows they work. The question is how they will be monitored.

1.3 Public Comment

Ellie Creese of 9 Watcha Path asked if one of the homes is sold and the person isn't part of the Cozy Hearth Corporation, how will the Clivus monitoring work.

Ellen Kaplan, representing Gunner and Kristin Lamb, addressed overall inquiry of benefits and detriments. Wastewater and traffic are detriments and she queried what the benefits would be. There is opposition from the Vineyard Conservation Society and from neighbors. The solution is to let the unrestricted lots do their fair share by paying market value and thereby reduce the number of units.

Paul Hannigan of Jenney Lane asked if the hearing is closed, could written comments be submitted. **Christina Brown** said yes. **Paul Hannigan** asked how and when Commissioners were going to get detailed responses and how the public review may respond to Cozy Hearth's answers.

Karen Hannigan asked for the following information:

- Clarification on the Cape style and where the areas are that will be brush and where trees will be cut. **Bill Bennett** said the houses will be Capes with dormered roofs.
- Clarification on the conditions put forward by Natural Habitat for Endangered Species relating to fencing the habitat areas. **Bill Bennett** said they marked the habitat areas with concrete bounds, which was an alternative proposed by Natural Habitat.
- Information on whether Cozy Hearth has found a conservation group to act as the overseer for the protection of that conservation land. **Bill Bennett** responded that they had not.
- Clarification on Cozy Hearth's responsibilities for maintaining the interior road. She said the corporation has only contributed to the road association for three lots. **Bill Bennett** said that when they have 11 lots, they'd pay for 11.
- Clarification on Cozy Hearth's number of electrical tie-ins. **Bill Bennett** said the wording on the document that gave them permission to tie-in power made mention of the entire lot before subdividing and having power for whatever use of lots.

Robert Green thanked the Commission for the site visit. He said that \$3-4,000 would not solve the intersection problems. He asked how people would get loans if lenders won't lend on restricted properties.

Geoff Patterson of Watcha Path spoke about the nitrogen issues. They have to look forward to 200 years from now and who will take care of things for the future.

1.5 Commissioners' Questions

Katherine Newman asked about Island Co-housing's Clivus toilets. **Linda Sibley** said that Co-housing is not in a sensitive watershed and has a tremendous amount of land so Title 5 nitrogen figures work. **Kathy Newman** said that she'd be interested in how the maintenance of the toilets has worked over the years.

Christina Brown suggested Cozy Hearth contact Island Co-Housing for details on composting toilet maintenance. Other information needed is alternative septic solutions, details on road solutions and working with the road association.

James Athearn asked for more information on a two-way traffic plan for Watcha Path and clarification on ownership of the road. He asked to know how they will proceed if the road needs to be widened.

Paul Strauss commented that Bill Bennett said this is not a large project because two-thirds of the lot will remain undeveloped. He asked if clustering might be tighter and what the change in impact would be.

Linda Sibley asked for specifics on visual impact, parking and noise impact.

Megan Ottens-Sargent asked why there are no covenants which she believed would cover visual, parking, etc.

Christina Brown asked that the public and Commissioners submit questions to Paul Foley by Thursday, September 29th at 12.00 noon, answers are to be submitted by October 13th, the public hearing which will reopen on October 20th.

Christina Brown closed the session of the hearing.

Commissioners took a short recess

2. 117 BEACH ROAD - CONCURRENCE REVIEW

Commissioners Present: J. Athearn, J. Best, J. Breckenridge, C. Brown, C. Condon, M. Crane, M. Davisson, C. Murphy, K. Newman, M. Ottens-Sargent, D. Pigeon, D. Sederholm, L. Sibley

Applicant: Carl Sorenson owner, Doug Dowling (agent)

Paul Foley presented the staff report.

- The applicant is submitting a proposal to convert the ground floor of the building from residential to commercial.
- It is in the Waterfront Zoning District.
- The project has been before the Conservation Commission.

- They received a building permit for residential and would like a permit for commercial downstairs. It is a commercial district.
- They will have to have a site plan review.
- They will require a special permit.
- The surrounding land uses are mix of commercial offices and some residential.
- This is not a historic structure.
- The project was re-referred under a change in use or increase in intensity of use. The concurrence review includes a list of offers and the applicant has submitted a revised plan.
- The applicant has offered to do the following:
 - deed restrict the second floor to residential use;
 - limit parking to five spaces in front of the building including a handicapped space;
 - landscape for screening from the road and neighbors; they will submit a landscaping plan;
 - restrict use of the commercial space to avoid businesses on the Commission's high traffic-generating list.

Doug Dowling explained that Geraldine Feeney, Carl Sorenson's mother, is the applicant.

- The project with modifications was submitted to the Building Inspector. They received a special permit through the Planning Board for the waterside district.
- After Planning Board discussion, they created a 15-foot buffer to the parking area from Beach Road, created oversized parking spaces in the rear and reduced the number in front.
- The Planning Board will review the landscape plan, the goal of which is to maintain vistas and create adequate screening, before issuing the certificate of compliance.
- After working with the Planning Board, they've reduced the gravel parking area to 4100 sq. feet with a 10-foot bituminous apron, and reduced the entrance to one curb cut.
- In 2003, the sewer permit initiated the design process. The applicant has gone through a site plan review with the architectural committee.
- The applicant received a building permit and filed for notice of intent for determination of applicability with Conservation Commission. When the design was finalized, they filed a notice of intent and received the order of conditions for previous parking.
- They have submitted the revised building plan and site plan to the building inspector with the request to change back to commercial use on the first floor, along with the conditions to deed-restrict the second floor to residential, limit parking, and restrict the use of commercial space to non-high-traffic business. They will be applying for specific use with Tisbury because they straddle the zones.

Ken Barwick said the proposal was referred under 3.301e any change of use or increase in intensity of use. He suggested a non-concurrence because it's similar to what's before the Tisbury Planning Board, and the Commission would be doing the same review as Tisbury Planning Board.

Linda Sibley said that the issue would be whether there are regional issues that the Commission feels need to be addressed through the public hearing process.

Doug Sederholm said that it's difficult to be facing the question when there's already a massive building on the site. He considers the location to be a very sensitive and regional site for visual and aesthetic values.

Doug Sederholm moved and it was duly seconded to concur with the referral to the Martha's Vineyard Commission for review.

John Breckenridge said the proposal is for a change of use and intensity of use. **Linda Sibley** said the question before the Commission is whether that change requires a review.

James Athearn said he is unfamiliar with the regulations of Waterside Management Area and wondered what the goals of the Waterside Management Area are.

Katherine Newman asked whether the history of this application is an issue.

Carlene Condon said she has an issue with timing. She asked whether the Commission should be concurrently reviewing it while the town is extensively reviewing it. **Linda Sibley** said that the Commission is supposed to be dealing with it first.

Chris Murphy said if the building were brought to the Commission unbuilt, the Commission would review it, so the Commission should review it.

Megan Ottens-Sargent said that it was referred to the Commission for a change in use or increase in intensity of use. The applicant has offered to go with businesses that have less intense uses. **Linda Sibley** asked for clarification that the previous building was 1400 sq. feet mixed use and is now 3100 sq. feet mixed use.

John Best asked if the Commission votes to concur and denies the change in use, could the applicant then go back to the previous intended use. **Mark London** clarified that they have a building permit for residential use for the entire building; the Commission is only looking at the regional impact of the ground floor being converted to commercial space; if it were denied, the presently authorized residential use remains.

A voice vote was taken to concur with the referral. In favor: 11. Opposed: 2. Abstentions: 0. The motion carried.

3. ZACHARY WIESNER PROJECT: DRI NO. 80 – CONCURRENCE REVIEW

Commissioners Present: J. Athearn, J. Best, J. Breckenridge, C. Brown, C. Condon, M. Crane, M. Davisson, C. Murphy, K. Newman, M. Ottens-Sargent, D. Pigeon, L. Sibley

Doug Sederholm recused himself and left the room.

For the Applicant: Zachary Wiesner

Paul Foley explained that the project was a subdivision in 1977 of 81 acres into 10 lots: 8 were buildable lots, one is 19 acres with a restriction, one lot is 26 acres called "Fields and Streams" and was intended for conservation land but is still unprotected. The current proposal is to create a 9th buildable lot by taking a portion of an existing lot and a portion of "Fields and Streams". This is a concurrence review; the Chilmark planning board recommends that it is not a substantial change.

Zachary Wiesner explained that they wanted to make a buildable lot for his older son. The plan is to take a piece from his son's mother's land and a piece from the lot owned by his family. They intend to restrict the developable area to 30% of the lot and they will stipulate that the building envelope be as close as possible to the structure on the mother's lot. They would move the building lot if it is in priority habitat.

Linda Sibley said the Commission has to decide if this modification of this DRI is sufficiently substantive for the Commission to hold a public hearing. If not, then the Commission would make a decision to allow the modification.

John Best suggested that the lot being intended for his son is irrelevant to the decision.

Linda Sibley said LUPC recommended that, provided the restrictions on the restriction of the developed area and the location of the house are in place, the Commission not concur.

Zachary Wiesner said there would be a restriction on the length of time before which the lot could be resold.

Carlene Condon asked whether the restrictions are deed restrictions. **Zachary Wiesner** responded that they are deed restrictions.

Linda Sibley said that the Commission's attorney has said that when there are offerings of this sort, the Commission can spell out that it doesn't find the changes substantive with the proposal including the offers/clarifications.

Jim Athearn moved, and it was duly seconded, that the changes are not substantive enough to require a public hearing.

Mimi Davisson asked if the LUPC recommendation was unanimous; **John Best** said he had abstained because he had wanted to see the exact wording.

Christina Brown said that this concurrence review raises an issue that will come up again. The checklist originally was triggered with a subdivision into 10 or more lots; now it's 3. She said she is concerned that the Commission is going to see more of the 10-lot subdivisions that will be added to one at a time even as the Commission's underlying goals are to protect open space. She said she believes the Commission will continue to see these; the Commission will need start paying attention by having public hearings and putting restrictions on the subdivisions.

Megan Ottens-Sargent said that at LUPC, they talked about setting a precedent by not reviewing the subdivision.

Chris Murphy pointed out that the applicant has been a good steward of the land; he said if the applicant comes in every 25 years for one lot, that's okay.

James Athearn said he agrees that the Commission should be diligent about creeping subdivision but he was swayed by the building envelope being close to the existing built site. He said that this is an example of the large landowners doing what they can to hold onto the land.

A voice vote was taken on the motion that the proposed subdivision of one additional lot with a 30% restriction on the development area and the house located as shown is not a substantial enough change to require a public hearing.
In favor: 11. Opposed: 0. Abstentions: 1. The motion passed.

Kathy Newman moved and it was duly seconded to allow the change as specified in the letter of September 21, 2005, signed by Zachary Wiesner. A roll call vote was taken. In favor: J. Athearn, J. Best, J. Breckenridge, C. Brown, C. C. Condon, M. Crane, M. Davisson, C. Murphy, K. Newman, M. Ottens-Sargent, D. Pigeon, L. Sibley. The motion passed.

4. OTHER BUSINESS

4.1 Correspondence

Mark London said he been notified that Jack Robinson has filed an appeal to the Commission's decision on his application. Commission's counsel will be dealing with the appeal. This could go on for months or years. If it gets to court, the judge will have to decide whether a reasonable board could, not would, have come up with the same decision. The complainant would have to demonstrate that the Commission was unreasonable. **Megan Ottens-Sargent** asked whether this is an opportunity for mediation. **Linda Sibley** said that mediation is an issue to be discussed in executive session with an attorney.

4.2 Agricultural Society Harvest Festival

James Athearn said that the harvest festival is being planned this year for Saturday, October 1st as a potluck of Island-grown or raised foods and will be prepared by individuals.

4.3 State Forest Meeting

Mark London reported on a recent meeting about the management of the State Forest. It was said that the dual aims were fire prevention by reducing the fire load, and protecting endangered species by protection and restoration of the native habitat.

- For fire management, pitch pine and scrub oak may be thinned or brought down to a lower level.
- The plantations of non-native white and red pines are relatively small. The management plan is to widen fire lanes within the forest and do some managed burns. They have created wide swaths in some spaces to reduce fuel load and create firebreaks, especially in the northeast corner, upwind of a residential neighborhood.
- The remaining questions are what to do with the non-native red pines, which are dieing. They have to mitigate elimination of natural habitat from creating firebreaks and expect to take out 100 acres of white pine for restoration of natural habitat.

Linda Sibley said she was impressed that fire people and endangered species people worked so well together; management for fire and endangered species complement each other.

Mark London said the work on the forest is leading edge; the work is being very carefully considered, carefully done and the participants are very committed. They presented information on what might happen if there were a fire and was surprised by how little money they are working with in comparison to the hundreds of millions of dollars of property that could be damaged by fire.

James Athearn commented on the collusion of fire and insect people pushing the fear of fire to advocate the management plan they favor. He thought that the fuel load isn't greater than it was

Megan Ottens-Sargent said that this is an opportunity to restore a lovely rare habitat and deal with fire threat. A few years ago, the fire and insect people were in total disagreement and now they are working together.

Doug Sederholm asked what the downside of the management plan is. **James Athearn** said the State Forest can provide wood, recreation and game.

Linda Sibley said it would be wonderful for the presentation to be done for MVTV to educate the public.

4.4 Other

Mark London reported that Susan Mercier has resigned and they are interviewing for a new administrative assistant.

Linda Sibley said she strongly objects to not getting a person when phoning. **Mark London** said the target is to have the phone answered by human.

Christina Brown encouraged Commissioners to look at MassHighway's new draft Highway Design Manual.

The meeting adjourned at 10:25 p.m.

Linda B. Sibley

Chairman

11/3/05

Date

W. Means

Clerk-Treasurer

11/3/05

Date