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Minutes of the Commission Meeting Held on February 15, 2007 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)	P Ned Orleans (A – Tisbury)
P John Breckenridge (A – Oak Bluffs)	P Jim Powell (A – West Tisbury)
P Christina Brown (E - Edgartown)	P Doug Sederholm (E – Chilmark)
P Peter Cabana (A – Tisbury)	P Susan Shea (A – Aquinnah)
- Martin Crane (A – Governor Appointee)	P Linda Sibley (E – West Tisbury)
P Mimi Davisson (E – Oak Bluffs)	- Paul Strauss (County Comm. Rep.)
- Mark Morris (A – Edgartown)	P Richard Toole (E – Oak Bluffs)
P Chris Murphy (A – Chilmark)	P Andrew Woodruff (E – West Tisbury)
P Katherine Newman (A – Aquinnah)	

Staff: Mark London (Executive Director), Bill Veno (Senior Planner), Paul Foley (DRI Coordinator), Jim Ryan (Traffic Analyst), Bill Wilcox (Water Planner)

The meeting was called to order at 7:10 p.m.

1. EXECUTIVE DIRECTOR'S REPORT

Jim Powell reported on the town of Hull's construction of two wind turbines, spearheaded by Dr. Malcolm Brown.

- The two windmills in the municipally-owned system are able to power 500 homes. Four more windmills are planned.
- Secretary Ian Bowles is developing credits for the system.
- Jim Powell's interview with Dr. Brown will be aired on MVTV 13 on February 19th and 26th at 7:00 p.m.
- More information is available at hullwind.org.

2. ACCEPTANCE OF GRANT

Commissioners present: J. Athearn, J. Breckenridge, C. Brown, P. Cabana, M. Davisson, C. Murphy, K. Newman, N. Orleans, J. Powell, D. Sederholm, S. Shea, L. Sibley, R. Toole, A. Woodruff

Mark London proposed that the Commission accept a grant from the DHCD for \$90,000 for Expedited Permitting.

- The grant was developed as part of the effort to increase economic development in Massachusetts and is for exploring improvements in the permitting process, particularly for large industrial and commercial developments.
- Some funding is available to regional planning agencies to examine improving the permitting process, as well as for other economic development and planning efforts.
- The intention is not to relax permitting standards, but to make sure the process is as clear and swift as possible.
- Mark will first write a letter to towns to see if any towns want to create development priority sites or want to ask the Commission for help in putting together its permitting process. Then, he will put together a proposed work program for looking at other possible improvements to the project regulatory framework on the Island.
- Regional planning agencies are given a lot of latitude for the use of these grants. The first priorities of the bill and grant are to set up priority development sites and streamline the permitting process. If there isn't any interest in those issues, the grant may be used for economic development, permitting, and planning.
- The grant arranged as a statewide effort by the Massachusetts Association of Regional Planning Agencies (MARPA), of which the MVC is a member.

Chris Murphy asked the terms for using the money. **Mark London** explained that there is considerable flexibility. He foresees that it would be used partially for staff salaries, partially for outside expertise.

Kathy Newman asked if there might be room for education for building inspectors, particularly along the lines of the Aspen zoning. **Mark London** said that Aspen is a good example of some interesting and innovative approaches of how the permitting process could be done differently.

Mimi Davisson asked about personnel related to the grant and whether the Commission or towns would be committed to processing the application in, say, 30 days. **Mark London** explained that Ed O'Connell, who has been working at the Commission as an intern, could be funded to work on this project. Accepting the grant doesn't directly affect the permitting process.

Jim Powell moved, and it was duly seconded, that the Commission accept the DHCD grant for \$90,000 for Expedited Permitting. A voice vote was taken. In favor: 14. Opposed: 0. Abstentions: 0. The motion passed.

2. HART PLUMBING: DRI NO. 549 - DELIBERATION

Commissioners present: J. Athearn, J. Breckenridge, C. Brown, M. Davisson, C. Murphy, K. Newman, N. Orleans, J. Powell, L. Sibley, A. Woodruff

Commissioners present but not eligible or participating: R. Toole, P. Cabana, S. Shea.

In attendance for the applicant: Jim Hart, Dick Barbini

Christina Brown reported that LUPC recommends approval of the project with some conditions.

- LUPC recommends only one access from Indian Hill Road. If the service drive from the back side were allowed, it would connect with the existing curb cut. The applicant has submitted a revised plan with the single curb cut.
- LUPC recommends that the applicant submit an erosion and sedimentation control plan before a certificate of occupancy is issued.
- LUPC recommends that a final landscaping plan be submitted to LUPC.
- The applicant has offered to provide evidence that the denitrification maintenance contract is in place.
- The applicant has offered that the service driveway would be used by trucks no more than 24 feet long, once or twice a week.
- LUPC recommends a dormant easement be established that would allow this property to connect to an easement that abuts this property and runs to State Road. If this connector ever became available, the West Tisbury Planning Board could exercise the dormant easement and could discontinue access from Indian Hill if it chose to.
- LUPC recommends that the applicant thicken the vegetative buffer at the curb cut; the applicant has submitted a plan following the recommendation.
- The applicant has offered a fence to protect the privacy of the abutter on the west side.
- The applicant has offered slow-release, water-soluble fertilizers, and no use of synthetic pesticides, and no herbicides, pesticides, and fungicides.
- The applicant has offered to use fluorescent lights and EnergyStar appliances.
- The applicant has offered exterior downward-shielded lights that would be turned off when the business is closed.
- In accordance with the West Tisbury town by-laws/regulations, one of the two apartments would be permanently deed-restricted to be affordable.

There was a discussion of the dormant easement.

- **Andrew Woodruff** asked about the wording of the dormant easement offer.
- **Christina Brown** said that LUPC clarified that, in the future, if the easement became available, it would be preferable to have a single easement from State Road. LUPC felt they couldn't mandate something in the future. The appropriate place for it to be handled is the West Tisbury Planning Board.
- **Mimi Davisson** asked whether the West Tisbury Planning Board has the power to shut down the Indian Hill access.
- **Chris Murphy** suggested language "and/or refer this back to the Martha's Vineyard Commission".

Mark London pointed out that there is a correction to the draft minutes of the December 14th public hearing. The applicant said that he doesn't have to pave the entire parking lot although he feels that this would be better for a public parking lot, and that sloped sections of the rear driveway would have to be paved. Commissioners may want to discuss how much of the lot should be paved.

Commissioners discussed West Tisbury's power to discontinue the Indian Hill curb cut.

- **Christina Brown** said under the present zoning, the West Tisbury Planning Board gives special permits.

- **Paul Foley** said he believes the project has to go back to both the Planning Board and Zoning Board of Appeals for special permits.
- **Bill Wilcox** confirmed that the project would go to the Planning Board for a special permit under the Town's Greenlands Water Resource Protection District for the amount of impervious area proposed.

Christina Brown said if the Planning Board can give itself authority to review any changes to the site plan; it would be giving itself the ability to review the easement to State Road.

Mimi Davisson noted the Commission would be evaluating the benefits and detriments of this project compared to other options. She asked whether the applicant's current approval from West Tisbury includes a permanently affordable deed-restricted apartment. **Paul Foley** said it does not at this time, though it will be required when it goes to the Planning Board.

John Breckenridge asked whether company vehicles would be using the service road. Paul Foley said that the applicant said that one or two delivery trucks a week plus small company trucks on a daily basis would use the service road. **John Breckenridge** recommended that the condition be changed to read *"the service road will solely be used for company trucks and delivery vehicles"*.

John Breckenridge asked about the fence and the western abutter. He reminded Commissioners that the fence in the World Revival Church plan was changed to a vegetative buffer to create a more natural buffer.

There was a discussion of the proposed driveway along the eastern property line.

- **Linda Sibley** said she has a substantial problem with the back driveway.
 - It's extraordinarily unusual for the Commission to allow development to the property line. We would normally expect a vegetative buffer at the property line.
 - She's not persuaded that a competent driver of a 24-foot truck couldn't back down a ramp that went to the loading door in the basement. The applicant has not made a persuasive argument that a single access ramp to the basement wouldn't be sufficient. She would like to see it eliminated.
- **Chris Murphy** asked about the discrepancy in elevations with West Tisbury's approval.
- **Mark London** said West Tisbury's approval was for an office building plan which did not include vehicular access to the basement.
- **Jim Miller** said he believed that the turning radius for a 24-foot truck is manageable.
- **Linda Sibley** said the Commission did have testimony that the applicant preferred not to have to back up the 24-foot box truck to the back of the building. Her preference, because she would rather not have the property developed to the property line, would be to require the applicant to design the plan so they can back their trucks up. This would leave the option, if necessary, of allowing the applicant to present convincing evidence that backing up would not work.
- **Christina Brown** said the Commission could proceed in one of two ways.
 - The Commission could approve the application with the condition that there not be a rear driveway.

- The Commission could reopen the public hearing on the basis that it needs more information.
- She also clarified the location of the dormant easement but reminded Commissioners that it is extremely unlikely that it would become available soon.
- **Mark London** pointed out another option, to approve the project but have the landscaping plan come back for approval, with the Commission spelling out what it was seeking in the landscaping plan, such as requiring a vegetative buffer along the property line.
- **Jim Powell** pointed out that on the east side of the property, the service road is 11 feet wide and it abuts a vegetative area.
- **Mark London** and **Paul Foley** clarified that there isn't a conservation restriction on that property, but the owners aren't allowed to build on it.
- **Mark London** pointed out that the issue is whether an 11-foot wide paved area that runs right along the edge of the property line with no buffer or fence is an acceptable treatment for the edge of someone else's property.

Andrew Woodruff said he believes a lot of issues arise out of the intensity of use.

- There's a lot of activity on a really small site. The whole lot may be paved.
- There's going to be parking issues with people parking on the side not having anywhere to turn around.
- There are a lot of aspects of the plan he's not happy with.
- He's also concerned with the six other lots on Indian Hill Road that are zoned commercial.
- The amount of activity for this small site and access are real problems.

John Breckenridge said the intensity of use and the precedent of use, stretching a property all the way to the property lines, are issues. However, West Tisbury has set aside the area for commercial use. Maybe a creative response to the percent of impervious surface is less paving and more landscaping as opposed to a fence.

Commissioners expressed concerns about the project.

- **Mimi Davison** said her biggest concern is the service road next to the abutting property. She would be more comfortable conditioning the project to not include the service road.
- **Andrew Woodruff** said his concern is the backing the trucks and vans down the ramp without anywhere to turn around.
- **Kathy Newman** said she's uncomfortable conditioning the elimination of the service road because it's so late in the game.
- **Chris Murphy** said he's concerned that the applicant is being left out of the process. It should be up to the applicant to redesign the project so it meets Commission approval.

Linda Sibley said the Commission might follow Christina Brown's recommendation that the Commission approve the plan without the service road, allowing the inconvenience to fall on the user not on the neighbors.

Linda Sibley asked for a show of hands about the number of people who are concerned about the service road. A majority of Commissioners expressed concern.

Commissioners discussed the options of approving the plan subject to the submission of a final landscape plan or reopening the public hearing.

Christina Brown moved, and it was duly seconded, to reopen the public hearing for the purpose of being able to discuss Commissioners' concerns with the applicant and to make an active effort to get West Tisbury Planning Board and West Tisbury Site Plan Committee involved.

- **John Breckenridge** said the town boards haven't been part of the process.
- **Kathy Newman** asked about approving it with the stipulation that the landscape plan be resubmitted.
- **Andrew Woodruff** said he would support this motion because West Tisbury has talked about doing planning around this business district and he's concerned about the long-term view of this district.
- **Christina Brown** said the motion was intended to make an active effort to solicit input from West Tisbury planning board and site plan review boards and to include the give and take that a public hearing allows.
- **Jim Powell** expressed concern about penalizing the applicant when there are two options available and the Planning Board hasn't been involved so far, balanced with getting as much information as possible.
- **Christina Brown** responded to the concern about being fair to the applicant and fair to the Commission's process. The applicant could bring a new plan in or Commission concerns about the road could be discussed during the public hearing.
- **Paul Foley** said the public hearing could be advertised in time for the March 8th meeting.
- **Mark London** said staff could draft a written decision, based on LUPC recommendations and what's been discussed, so the written decision could be voted on March 8th, which would mean no additional delay to the applicant.
- **Paul Foley** asked if the new hearing would be limited to the eligible commissioner's, pointing out that we already have some quorum issues with this project.
- **Mark London** said that only those Commissioners eligible for this hearing would be eligible for the re-opened hearing.

A voice vote was taken. In favor: 10. Opposed: 1. Abstentions: 0. The motion passed.

John Breckenridge said he would like to hear from the applicant about vegetation instead of the fence.

4. INTERIM WATER POLICY GUIDELINES

Bill Wilcox reported that there was an error in the interim guidelines. The intent was to make the commercial limit on wastewater flow the same as the residential. The replacement language is: . . . *for commercial office and institutional projects, the equivalent of residential design flow as described above with de-nitrification of wastewater* . . .

Bill Wilcox clarified that *equivalent* references the number of gallons.

Jim Powell moved, and it was duly seconded, to accept the corrections as provided by Bill Wilcox. A voice vote was taken. In favor: 14. Opposed: 0. Abstentions: 0. The motion passed.

5. CLARIFICATION OF DRI CHECKLIST

Commissioners present: J. Athearn, J. Breckenridge, C. Brown, P. Cabana, M. Davisson, C. Murphy, K. Newman, N. Orleans, J. Powell, D. Sederholm, S. Shea, L. Sibley, R. Toole, A. Woodruff

5.1 Section 3.401: 'create or accommodate'

Christina Brown explained that LUPC has been looking at the DRI checklist, looking for potential revisions and clarifications. The Commission can clarify the interpretation of the Checklist at any time, but it can't make a revision of a Checklist item until it goes through a process of discussion, Commission vote, and approval by the Secretary of Environmental Affairs. LUPC has recommended that the Commission adopt several clarifications to interpretation of the Checklist. These items in the Checklist should be revised during the next round of changes.

Christina Brown, referencing "DRI Checklist Interpretation Memorandum" on Section 3.401, explained that there has been some confusion over the language "create or accommodate". Does "accommodate" mean that if a project already has a number of units greater than the threshold, and it has already been reviewed as a DRI, any addition would require a public hearing? It already would be subject to a concurrence review as a former DRI; does it also trigger a mandatory review under this section?

Mark London said that it could be argued that the section applies to "making" a project a DRI, not to existing DRIs.

- For example, if a project has a number of rooms for rent or lease that is under the threshold, and with an addition, it accommodates a number greater than the threshold, it becomes a DRI.
- LUPC's recommended interpretation is that if a property is already a DRI that has been reviewed by the MVC, then an increase over an already existing threshold, would not trigger 3.401.

Linda Sibley said the interpretation could simply say that Section 3.401b, Existing Development, would not apply to anything that's already a DRI.

Mimi Davisson said she has the feeling that somewhere, at some point in time, 3.401b needs to be qualified. She thinks it means expanding within the existing footprint of the building.

Linda Sibley said that adding to the footprint triggers other sections of the DRI Checklist.

Chris Murphy noted that at the least, an increase in rooms would trigger a concurrence review so Commissioners would have the chance to review an increase in number of rooms that raised concerns.

Linda Sibley moved that the Commission accept the interpretation:

Section 3.401b (Other Development) refers to a project becoming a DRI, either by building a project larger than the threshold (e.g. a 12-room hotel) by expanding an existing development beyond the threshold (e.g. adding 4 rooms to an 8-room hotel). However, it does not apply to a property that is already a DRI (e.g. adding 5 rooms to a 20-room hotel, previously approved as a DRI). Note that in the latter case, the project shall be referred to the Commission under section 3.102a, "once a DRI, always a DRI" which is a concurrence item.

Christina Brown seconded the motion with the note that the purpose of the motion is interpretation, not change. A voice vote was taken. In favor: 14. Opposed: 0. Abstentions: 0. The motion passed.

6. MANSION HOUSE: DRI NO. 550M-2 - CONCURRENCE REVIEW

Commissioners present: J. Athearn, J. Breckenridge, C. Brown, P. Cabana, M. Davisson, C. Murphy, K. Newman, N. Orleans, J. Powell, D. Sederholm, S. Shea, L. Sibley, R. Toole, A. Woodruff

For the applicant: Susan and Sherman Goldstein.

Ned Orleans moved, and it was duly seconded, to not concur with the referral.

- **Paul Foley** reported that the Mansion House has 32 rooms.
 - The Goldsteins are proposing to split eight 2-bedroom suites into 16 one-bedroom rentable guest rooms.
 - They will be taking out kitchenettes, adding bathrooms, adding a wall and skylight, and making the roof deck ADA accessible by adding a lift.
 - They aren't actually increasing rooms, but are increasing units from 32 to 40.

A voice vote was taken. In favor: 14. Opposed: 0. Abstentions: 0. The motion passed.

Christina Brown moved, and it was duly seconded, to approve the increase from eight 2-bedroom units to sixteen rentable units as compatible with the original decision. A roll call vote was taken. In favor: J. Athearn, J. Breckenridge, C. Brown, P. Cabana, M. Davisson, C. Murphy, K. Newman, N. Orleans, J. Powell, D. Sederholm, S. Shea, L. Sibley, R. Toole, A. Woodruff. Opposed: None. Abstentions: None. The motion passed.

Christina Brown thanked Ken Barwick, Tisbury Building Inspector, for coming to the meeting and for reporting to LUPC that the project will be subject to further permits. The project is before the Tisbury Zoning Board of Appeals.

7. CLARIFICATION OF DRI CHECKLIST (CONTINUED)

7.1 Section 3.301a and 3.301b: Mixed-use development

Doug Sederholm explained that LUPC recommends, in a mixed-use development, residential space should be excluded from area calculations provided that the residential space is permanently deed restricted to remain as residential.

Christina Brown explained that there is a history of the Commission excluding residential space. The Commission encourages second floor apartments. By putting into word what's been done in the past, the Commission will be encouraging people to put in second-floor apartments.

Jim Athearn raised the question of the definition of residential, in light of projects whose purpose is to sell or rent residential space. **Mark London** said that review could be triggered by the number of units proposed.

Linda Sibley raised concerns about the phrase *permanently deed-restricted*. **Christina Brown** clarified that the phrase should read *permanently restricted*.

Linda Sibley said the goal is to get consensus of how to treat a mixed-use project at LUPC and to be more explicit about residential. They have looked at residential as defining it as not-short-term rentals. One or two week rentals are more like a hotel room and commercial.

Christina Brown said she feels that the Commission needs to talk a lot more about what is residential and we should not try to redefine it here.

Linda Sibley moved, and it was duly seconded, to move to add the following clarification to 3.301a and 3.301b:

Under sections 3.301a and 3.301b (Commercial Business and Industrial Development), in a mixed-use development, Residential space shall be excluded from the area calculation provided the residential space is permanently restricted to remain as residential excluding short-term rentals.

Commissioners discussed the definition of short-term rentals and residential space.

- **Paul Foley** said that at 17 Beach Road, the MVC had defined short-term rentals as being those of less than two months in order to allow people to rent to college students.
- **Jim Powell** asked if Linda would be comfortable adding "short term rentals of less than two months."
- **Chris Murphy** said the goal is to make sure that the apartment upstairs doesn't become the office upstairs. The goal is to maintain housing.
- **Christina Brown** said for purposes of interpretation, the addition of *short term rentals or two months* wouldn't be helpful. The term *residential* is used and hasn't been a problem and what is meant by residential needs more discussion.
- **Linda Sibley** said without the restriction, she wouldn't vote for any exemption of residential square footage in a commercial building.
- **Jim Athearn** said that Christina Brown's opinion is very reasonable, but the additional phrase doesn't do any harm and helps the Commission parse their meaning.

Linda Sibley added to her motion: short-term rentals of less than two months.

- **Linda Sibley** clarified there was a time when the Commission didn't count residential, but now we count it, but the Commission would now let a project off the hook if they restrict the residential.
- **Doug Sederholm** says he agrees with Linda Sibley and is concerned that even if the Commission is revising, what it does amplifies in the future.

A voice vote was taken. In favor: 13. Opposed: 1. Abstentions: 0. The motion passed.

7.2 Section 3,601: Private and Public Facilities and Places of Assembly

Doug Sederholm outlined the proposed clarification:

Under Section 3.601 (Private and Public Facilities and Places of Assembly), if an original building (i.e. older than the MVC -1974) but not historically significant is to be demolished and replaced with a new larger building, the 2000 square –foot threshold shall apply to the net increase in floor area.

Christina Brown explained that there have been a few cases when a new public building was built after the demolition of the old building. The Commission has voted not to review the project when the net increase is less than 2,000 square feet. A project will soon be submitted, proposing to demolish a club building and rebuild with a net increase of less than 2,000 square foot.

John Breckenridge said, as one of the two dissenters to this recommendation from LUPC, that this is potentially a dramatic change to the standards and criteria.

- In 3.301e, Development of Commercial and Land Development, states that any combination of new outdoor commercial space or new construction totaling 1000 square feet or more resulting in 2000 square feet or more, which appears to conflict with the proposed interpretation of 3.601.
- He proposed, in order to be consistent with 3,301e, to change the interpretation where an existing building to be demolished and replaced resulting in a net increase of floor area of over 1,000 square feet, exceeding 2,000 square feet.
- He said it's important that the Commission be consistent in how it interprets the checklist. If a 1,000-square-foot building were demolished and rebuilt adding 1,999 square feet, the 3,000-square-foot building wouldn't have to come before the Commission for review.
- He's scared of giving carte blanche to increases of 2,000 square feet.

Doug Sederholm said John Breckenridge has made a good point, but believes his proposal would constitute a revision to the Checklist and not a clarification.

John Breckenridge said he believes LUPC's proposal is a revision and not an interpretation because nowhere in the standards and criteria is an increase of 2,000 square feet referenced.

Linda Sibley said she'd like to look at it from a different point of view.

- There have been three examples where the Commission has decided on an ad hoc basis to only count net square footage which was based on the assumption that if a proposal did not add a lot of space it did not need to be reviewed for traffic and parking and level of activity.
- If a proposed rebuilding was not changing use, activity wasn't being changed.

- These are about real projects. Vineyard Haven Yacht Club is proposing to demolish 3500 square feet, and to rebuild 4400 square feet, adding 900 square feet.
- Parking and the program aren't changing so there's no big impact from that point of view.
- However, she wondered whether a 4500-square-foot building on the iconic vista of West Chop has regional impact. Therefore, does the Commission need to assure itself that the proposal will fit into the setting and vista?
- She believes that the building is going to be nice, but feels the Commission needs to review it for the way it sits on the land and how it fits into the public vista.

Andrew Woodruff said he's concerned about basing this decision based on projects that are coming up.

Mimi Davisson said a demolition of a building that's preceded the Commission should be reviewed.

Richard Toole said he likes the idea of adding language about a project being in a public vista. However, he's concerned that people won't demolish when they should, just so they won't have to come before the Commission.

Kathy Newman said it's important to look at square footage in a 3-dimensional way, not just as a footprint and how it fits into the shadow of the old building.

Christina Brown said she'll note that for LUPC discussion.

Chris Murphy moved to accept John Breckenridge's language: an existing building to be demolished and replaced with a new larger building resulting in a net increase in floor area of over 1,000 square feet or a total floor area of exceeding 2,000 square feet.

- **Doug Sederholm** said the language is not an interpretation but a change, making a new checklist item.
- **Andrew Woodruff** said that this has only happened three times and maybe the Commission shouldn't be messing with it at this time.
- Commissioners discussed whether LUPC's language and John Breckenridge's language are interpretations or changes.

John Breckenridge seconded Chris Murphy's language. A voice vote was taken. In favor: 1. Opposed: 12. Abstentions: 1. The motion does not pass.

Mimi Davisson moved, and it was duly seconded, that the Commission interpret 3.601 to be for gross square feet so that anything 2000 square feet or more be reviewed. A voice vote was taken. In favor: 11. Opposed: 1. Abstentions: 2. The motion passed.

Linda Sibley asked whether Commissioners want to vote the same thing for 3.301a: any development of commercial new construction of floor area totaling 2,000 square feet of floor area. Commissioners did not want to pursue the question at this time.

8. OTHER

Mark London reported that the Commission, based on survey responses, is experimenting with starting meetings at 7:00 p.m. Commissioners agreed that 7:00 p.m. would work better than 6:30 p.m. **Jim Athearn** said the tradition when he started was that in summer, the meetings moved from 7:30 to 8:00 because some people work later in summer.

9. MINUTES

Commissioners present: J. Athearn, J. Breckenridge, C. Brown, P. Cabana, M. Davisson, C. Murphy, K. Newman, N. Orleans, J. Powell, D. Sederholm, S. Shea, L. Sibley, R. Toole, A. Woodruff

9.1 January 11, 2007

Commissioners agreed to the following changes:

Line 239 *The Commission has been coordinating the gathering of information and used that information to assist the towns in having ponds under the estuaries project.*

Line 247 *. . . dipping below a good water quality . . .*

Jim Powell moved, and it was duly seconded, to accept the minutes of January 11, 2007, as amended. A voice vote was taken. In favor: 14. Opposed: 0. Abstentions: 0. The motion passed.

9.2 January 18, 2007

Christina Brown moved, and it was duly seconded, to accept the minutes of January 18, 2007. A voice vote was taken. In favor: 13. Opposed: 0. Abstentions: 1. The motion passed. The motion passed.

9.3 February 1, 2007

Commissioners agreed to the following changes:

Line 144 *. . . agreed to be on the Energy Subcommittee
Add Kathy Newman.*

Linda Sibley moved, and it was duly seconded, to approve the minutes of February 1, 2007, as amended. A voice vote was taken. In favor: 12. Opposed: 0. Abstentions: 2. The motion passed.

9.4 December 14, 2006

Linda Sibley moved, and it was duly seconded, to approve the minutes of December 14, 2006, as written. A voice vote was taken. In favor: 11. Opposed: 0. Abstentions: 3. The motion passed.

Christina Brown moved, it was duly seconded, and Commissioners agreed to consider the approval and amend the minutes as follows:

Line 336 *Add the notation that LUPC recommendations be attached to the minutes.*

Linda Sibley moved, and it was duly seconded, to approve the minutes of December 14, 2006, as amended. A voice vote was taken. In favor: 11. Opposed: 0. Abstentions: 3. The motion passed.

Responding to a Mimi Davisson's question, **Paul Foley** said that the target for distribution of minutes is the Friday of the week following the meeting. The goal is to approve the previous meeting's minutes at the next meeting.

Christina Brown noted, for the record, that Jim Hart submitted a landscaping plan with thickened vegetative buffer along Indian Hill Road.

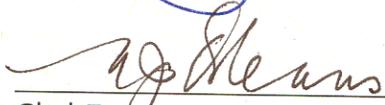
The meeting adjourned at 9:57 p.m.



Chairman

4-12-07

Date



Clerk-Treasurer

4-12-07

Date