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**Minutes of the Commission Meeting
Held on August 8, 2013
In the Stone Building
33 New York Avenue, Oak Bluffs, MA**

IN ATTENDANCE

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

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|------------------------------------|---------------------------------|
| - Tripp Barnes (E-Tisbury) | P Joan Malkin (A-Chilmark) |
| P John Breckenridge (E-Oak Bluffs) | - W. Karl McLaurin (A-Governor) |
| P Christina Brown (E-Edgartown) | - K. Newman (A-Aquinnah) |
| P Madeline Fisher (E-Edgartown) | - Ned Orleans (A-Tisbury) |
| P Josh Goldstein (E-Tisbury) | P Camille Rose (E-Aquinnah) |
| - Erik Hammarlund (E-West Tisbury) | P Doug Sederholm (E-Chilmark) |
| P Fred Hancock (A-Oak Bluffs) | P Linda Sibley (E-West Tisbury) |
| - Leonard Jason (A-Edgartown) | P Brian Smith (A-West Tisbury) |
| P James Joyce (A-Edgartown) | |

Staff: Mark London (Executive Director), Bill Veno (Senior Planner), Paul Foley (DRI Planner), Christine Flynn (Economic Development and Affordable Housing), Jo-Ann Taylor (Coastal Planner)

Chairman Fred Hancock called the meeting to order at 7:00 p.m.

1. ARTS MV UPDATE

Commissioners Present: J. Breckenridge, C. Brown, M. Fisher, J. Goldstein, F. Hancock, J. Joyce, J. Malkin, C. Rose, D. Sederholm, L. Sibley, B. Smith.

Nancy Gardella from the Chamber of Commerce presented the following;

- A steering committee was created for the development of Arts MV.
- Arts MV is a partnership of arts and cultural organizations in collaboration with the business community to drive the Island creative economy.
- Successes include:
 - Implementation of an Arts App to showcase what is going on with the arts community.
 - A soft launch of the Fall for the Arts which is partnered with Cape Cod and Nantucket. This year Fall for the Arts will invite everyone back to the Island to enjoy all that is going on in October. This program is good for the soft season and invites those interested in the arts and culture to support the organizations and boost business as well.
 - Last year there was a speaker series that ran for five weeks which engages people in the creative economy from business to the arts. The Creative Economy Speaker

Series was very successful and discussed tourism as well as the cultural economy and helped to get this information to the community.

- This year businesses are promoting Arts MV to the summer people and hopefully to encourage all of the community to support this endeavor.
- Arts MV promotes architecture, landscape, hospitality, the media, print production, and the arts.

Christine Flynn noted that Arts MV in collaboration with the Cape and Nantucket is huge. It is a win-win for all of us when we have the opportunity to promote the Island in national and international markets. The Cape has over 330 events and the Island has 40 events and hopes to expand each year.

Joan Malkin asked how the MVC can support Arts MV. **Nancy Gardella** said one way is by supporting the speaker series.

Christine Flynn said that she and Mark London have been helping to launch the Arts MV events and the Chamber of Commerce has also been very active in this effort.

Mark London noted that there is a planning report from last year which is helpful to review. This year a grant application will be done in hopes of providing funding.

Nancy Gardella said Vineyard Haven is designated by the National Arts Place as a small town art place. There are twelve across the country. West Tisbury was also noted as the Athens of the Western World. The most important thing is to encourage the conversation and to keep the economy and business strong.

2. BAYSIDE/HOULAHAN SUBDIVISION (DRI-450-M2) PUBLIC HEARING

Commissioners Present: J. Breckenridge, C. Brown, M. Fisher, J. Goldstein, F. Hancock, J. Joyce, J. Malkin, C. Rose, D. Sederholm, L. Sibley, B. Smith.

Brian Smith, Public Hearing Officer opened the public hearing at 7:15 p.m. and read the public hearing notice. The applicant is the Tara Hills Trust and attorney Sean Murphy. The location is 53.89 acres off Katama Road across from Crocker Drive. The proposal is to create a nine parcel residential subdivision. The public hearing is continued until August 22, 2013 at the request of the applicant.

3. SEA-LEVEL RISE PRESENTATION

Commissioners Present: J. Breckenridge, C. Brown, M. Fisher, J. Goldstein, F. Hancock, J. Joyce, J. Malkin, C. Rose, D. Sederholm, L. Sibley, B. Smith.

Jo-Ann Taylor presented the following.

- She is working on an update of the Pre-Disaster Mitigation Plan and one aspect that has elicited a lot of public interest is sea-level rise.
- Estimates are that by 2050, sea-level rise could be as much as 1.5 feet and 5 feet by 2100. The data used is from Woods Hole and Nantucket.
- A slide presentation was shown to illustrate the extent of the rise with 1.5 feet and 5 feet in familiar locations on the Island. The tools came from NOAA. It is hard to visualize what

will happen by 2100 but by 2050 it may be more evident. The visualization is at high tide and is intended to provide and stimulate the imagination. The following locations were shown:

- Quitsa Pond in Chilmark;
 - Squibnocket Beach, Chilmark;
 - The Chappy Ferry, Edgartown;
 - The Boulevard Landing, Edgartown;
 - East Chop Drive, Oak Bluffs;
 - Farm Pond, Oak Bluffs;
 - Oak Bluffs Harbor Landing;
 - Seaview Avenue, Oak Bluffs;
 - Black Dog Restaurant, Vineyard Haven;
 - Vineyard Haven Harbor and the SSA Wharf.
- The following locations were reviewed which combines sea level rise with past observed storm flooding:
 - Dock Street, Edgartown;
 - Beach Road, Vineyard Haven at the shipyard/marine railway;
 - Five Corners, Vineyard Haven.
 - The video presentation will be available at Living Local and on the MVC website and the press has inquired about making it a hot link.
 - The purpose of the presentation is to inspire and create a need to look at options and then make intelligent choices.

Brian Smith asked what the sea level rise has been for the last 25 years. **Jo-Ann Taylor** said sea level rise use to be 6 inches per 100 years, but is rapidly increasing.

Mark London said the international panel on climate change made projections in 2007 and sea level rise is at or exceeding the high estimates; the panel is coming out with new ranges soon. Three situations will be looked at in the Pre-Disaster Mitigation Plan: normal high tide, flooding, and storm surges, which can be very high. If you add sea-level rise on top of what is already happening there could be a substantial impact.

Jo-Ann Taylor noted that she used the IPCC highest emission estimates and what it does to air temperatures. The IPCC has low, medium and high air temperature increases and we will hit the high number. As fast as air temperature is rising, sea temperature is rising faster.

4. NSTAR POLE EXPANSION (DRI-642) PUBLIC HEARING

Commissioners Present: J. Breckenridge, C. Brown, M. Fisher, J. Goldstein, F. Hancock, J. Joyce, J. Malkin, C. Rose, D. Sederholm, L. Sibley, B. Smith.

For the Applicant: Jeffrey Stevens, Mark Baldwin, Vern Oheim, Jerry McDermott

Brian Smith, Public Hearing Officer, opened the Public Hearing at 7:40 p.m. and read the public hearing notice. The applicant is NSTAR Electric Company. The location is Tisbury, Oak Bluffs and Edgartown. NSTAR Right of Way in Tisbury, Edgartown-Vineyard Haven Road from the Edgartown National Bank to about County Road, along the eastern edge of the State Forest, Edgartown-West Tisbury Road towards downtown Edgartown and turning back up Edgartown-

Vineyard Haven Road. The project was referred by the Tisbury Selectmen in June 2013 and was supported by a vote from the Dukes County Commissioners in July 2013.

4.1 Staff Report

Paul Foley presented the following:

- A public hearing was held on July 18, 2013 on whether to accept the Discretionary Referral. The MVC voted 13-1 to accept the Discretionary Referral to review the project as a Development of Regional Impact.
- The purpose of the project is to provide additional electrical capacity and redundancy in NSTAR's distribution network between the new undersea cable and the three down island towns.
- Much of the upgrade involves installing a second high capacity electrical cable that must be located at least ten feet above the existing cable and therefore requires higher poles. Additional mid-span poles are also needed in some areas to support the additional weight.
- The project affects several hundred poles. Most of these involve replacing existing poles with taller poles with a greater diameter. There may also be a widening of the cross-members which is to be clarified.
- The route and map of the location of the poles was reviewed.
- NSTAR admits that local permission is required for the 44 new mid-span poles but says that new local permissions are not needed for replacement of existing poles in locations previously approved by towns or MassDOT. They have received approval for new poles from the Oak Bluffs Board of Selectmen, are planning to seek approval from the Tisbury Board of Selectmen and have applied to MassDOT for approval for the new poles in Edgartown that they say are located exclusively on state roads. NSTAR cites MGL Chapter 166 section 22 as giving them the ability to replace approved poles without seeking additional permissions.
- Utility companies began erecting transmission poles on Martha's Vineyard in the 1920's. NSTAR says that they received permission from various towns for the existing poles currently being replaced with larger poles in 1969.
- In a decision dated March 19, 1969 the Cape & Vineyard Electric Company was granted permission to erect and maintain 59 poles in Oak Bluffs and 27 poles in Tisbury along Edgartown-Vineyard Haven Road. The decision states "... said poles not to exceed necessary wires, cables and fixtures and all of said wires and cables shall be placed at a height from the ground of eighteen (18) feet".
- Total installed power capacity to Martha's Vineyard is 55 MWe (megawatt electric) assuming all sources operate. In July 2011 a record loading peak was realized at 54.7 MWe and in July 2012 a peak of 55.4 MWe was achieved. Load forecast project peak load climbing to 73 MWe by 2022.
- Due to the recent failure of one of the three working undersea cables during the peak summer season NSTAR is using even more diesel generators than usual. There are five GM Electromotive Division Diesel Generators (DGs) on Martha's Vineyard permanently (three located in Oak Bluffs and two at the airport). Each DG is rated at 2.5MWe. The number of temporary GDs increases each year. This year NSTAR added eight temporary

DGs in anticipation of the summer season. With the failure in the second of four undersea cables NSTAR brought another seven DGs to the Island for a total of twenty generators.

- The MVC recently approved DRI 641 to install approximately 4.5 mile long undersea hybrid fiber optic and electric cable from Falmouth to Martha's Vineyard to supply both power and fiber optic cable capability. That project included two new utility poles extending from an upgraded riser station near the corner of Squantum Avenues and Main Street in Tisbury.
- NSTAR has apparently indicated that they are willing to move a number of telephone poles that protrude into Beach Street between Water Street and Main Street in Tisbury.
- NSTAR also recently announced their intention to resume spraying herbicides to control vegetation growth under utility poles instead of relying on mechanical cutting.
- Key issues include;
 - What alternatives were looked at to the present plan (e.g. alternate routes, undergrounding) and what is the possibility of implementing these options?
 - What mitigation measures could offset the impact of the proposed project?
 - In the longer term, can the community work with NSTAR on a collaborative process for maintaining and upgrading utility poles and wires that would better deal with community concerns including protection of scenic character in this visitor oriented economy? This could include a protocol dealing with cutting and trimming trees, restoring the environment after installation of new utilities, the possibility of undergrounding cable at least in the most critical areas?
- There has already been considerable cutting and trimming of trees to give greater clearance width from existing or the new higher lines.
- Current progress of pole replacements are as follows:
 - 3 of 56 poles set from West Chop to NSTAR's Vineyard Haven Substation in NSTAR Row.
 - 35 of 35 poles set on Edgartown-Vineyard Haven Road, Tisbury; 6 mid-span poles added.
 - 77 of 77 poles set on Edgartown Road, Oak Bluffs; 17 mid-span poles added.
 - 33 of 33 poles set in the State Forest, Edgartown (NSTAR ROW).
 - 8 of 81 poles set along Edgartown-West Tisbury Road, Edgartown. This is a state road and NSTAR has agreed with MassHighway not to begin work until after Labor Day. The MassHighway Permit has been issued.
- Correspondence has been received from Richard Toole asking the Commission and NSTAR to consider how much energy we consume, energy conservation and a more reliable and sustainable energy future.
- Photos were reviewed of the old poles and the new poles before and after in 2005 and 2013 at Mahoney's Garden Center, Sea Glen and the Campground. Photos of the extenders were also shown.
- NSTAR noted that once the trees grow back in and the poles weather, the new poles will not be as noticeable.

4.2 Applicant's Presentation

Jeffrey Stevens (in house counsel for NSTAR) presented the following:

- As a preliminary matter, the MVC calls NSTAR an applicant and NSTAR is not an applicant. NSTAR does not agree that the MVC has jurisdiction over NSTAR's work.
- A letter was sent to the MVC from NSTAR dated July 19, 2013 and it is part of the written record.
- NSTAR is not applying for a project of development and NSTAR does not require permits for the development they are doing as the project is governed by Mass General Law.
- M.G.L. c. 166 s.22 specifically states that "no order of the board of alderman or selectmen shall be required for renewing, repairing or replacing wires, cables, poles... once erected or constructed under the provisions of law...".
- NSTAR falls within the exemption. There are forty new poles and NSTAR has received grants of permission from Oak Bluffs and approval from MassDOT in Edgartown. NSTAR is seeking permission for six new poles in Tisbury and apologizes for installing the poles prior to receiving the permission.
- Installation of several poles at intermittent locations does not rise to the level of regional impact.

4.3 Commissioners' Questions

Mark London said the definition of a development permit in the MVC Act includes the word "permission". Since NSTAR needs the Tisbury Board of Selectmen permission to install the new poles, it a "development" and subject to MVC jurisdiction. The Commission determined that the addition of new poles is a substantial change. It is a benefit for NSTAR to explain to the Island and he suggests that we focus on the substance rather than the legal issues.

Brian Smith asked, with regards to the 1969 Decision, if the wires are higher than eighteen feet from the ground and is the number of poles being replaced what was granted in the Decision. **Jeffrey Stevens** said if the history is looked at with the build out of construction, the minimum clearance for streets, driveways and public ways is eighteen feet and are in compliance and NSTAR will get back to the MVC on the number of poles.

Mark Baldwin, NSTAR Manager, Maintenance and Operations deals with maintenance construction and emergency response. NSTAR needs to build a double circuit down Edgartown-Vineyard Haven Road. The reason for the height of the poles is due to the weight and stresses of new construction and the National Safety Code requirements with regards to spacing between the conductors. The replacement of the poles is part of a project of a very large magnitude to increase and provide reliability to the Island.

There was a discussion about the generators.

- **Joan Malkin** asked how many generators can be shut down once the project is completed.
- **Mark Baldwin** said generators were in use prior to the failure of the cable. There have always been generators on the Island and they will continue to be used.
- **Vern Oheim** said over the years there have been extra generators brought to the Island because the load has gotten so large. With the new cable and the new lines, the temporary diesel generators will be eliminated but the five permanent diesel generators will remain.
- **Joan Malkin** asked will the permanent diesel generators need to be used with the capacity of the new cable.

- **Vern Oheim** said that is hard to determine. Based on the increased loads over the years they may still be needed.
- **Linda Sibley** said the new wiring along these new poles is to accommodate the increased amount of energy needed to be supplied to the Island. Will these new wires alleviate the need of the generators, do the generators require permits, what permits, and who grants them?
- **Jeffrey Stevens** said there were a couple of issues with the Fire Departments and the loading of the diesel fuel. NSTAR met with the Fire Chiefs and the Fire Chiefs issued the permits.
- **Jerry McDermott** noted that the issue with the loading of fuel was requiring safety lighting. Refueling is not done at night.

Mark Baldwin noted the photos of the poles are not quite accurate. The poles in the photos are not the original height; 6-7 feet have already been cut off of the old poles. The visualization may be slightly skewed. What has been added to the poles is actually from the cross beams to the top. The height that has been added is approximately 5-8 feet from the cross beams.

There was a discussion about the poles;

- **Brian Smith** asked if the extended cross beams are permanent.
- **Mark Baldwin** said the extended arms of the cross beams are not permanent and will be removed once the installation is completed. Due to other communications cables on the poles, the distances that have to be maintained are due to wind and ice density requirements on the poles.
- **Fred Hancock** asked if the reason for the larger diameter poles is due to the size of the cable.
- **Mark Baldwin** said the height is due to the cable size and the diameter is due to the wind and ice requirements.
- **Brian Smith** asked if the new pole size is the future for the Island.
- **Mark Baldwin** said the requirements for this project are based on a main line feed. In downtown streets you would not be able to have this installation. There are no projects in place now for this type of installation.
- **Brian Smith** noted that this installation wasn't in place four months ago. There is no guarantee that this won't be the model for the Island in the future.
- **Mark Baldwin** said there are predominant roads that are used for main feeders.
- **Joan Malkin** stated that part of the new pole size is due to the express feed that was not on the Island previously and asked if NSTAR can reasonably speculate that within the next twelve months or several years it will be required.
- **Vern Oheim** said that right now there are not any projects like this on the books.

Joan Malkin asked if there are any generators Up-Island in Aquinnah, Chilmark and West Tisbury. **Mark Baldwin** said the generators are strategically placed to feed the three lines on the Island and NSTAR finds locations away from neighborhoods. The load needs to be balanced with the temperatures. The permanent generators supply the Island with adequate electricity with the newer devices in the field.

Joan Malkin noted that NSTAR has practically finished this project. If work like this commences in other towns it becomes extremely important. NSTAR needs to work together with the MVC and the towns to see if there are alternatives that won't raise concerns with the Commission.

Fred Hancock said that the new cable doesn't stop at the substation, it continues down the road. **Mark Baldwin** said it does and it comes through West Chop through the NSTAR right-of-way to the roadway and then re-enters the right-of-way. In a hurricane, NSTAR wants the main lines picked up first and then go to side taps and then the smaller neighborhoods.

Fred Hancock asked if the biggest load and density is in the Down-Island towns. **Mark Baldwin** said it is and NSTAR uses three lines and through switching, balances the load on the Island.

There was a discussion about the timeline of the work.

- **Linda Sibley** said she would like to see things not happen this way again with regards to the construction schedule. Tree cutting has never in the past been scheduled in the summer. If NSTAR was before the Commission the MVC would have said that the tree cutting could not happen then. Two weeks ago the Edgartown-Vineyard Haven Road was a nightmare and there were two construction trucks doing work. What was NSTAR thinking of to do this in July of all times?
- **Mark Baldwin** said that tree trimming was done prior and the work taking place was with the poles.
- **Linda Sibley** said she was referring to the poles when mentioning the construction work.
- **Mark Baldwin** said that NSTAR is trying to improve the distribution circuits on the Island as well.
- **Linda Sibley** asked if the work couldn't have waited for two months and why did preparation have to occur in July and was that question thought of?
- **Jeffrey Stevens** said that he assumes there is dialogue with local towns and the police departments.
- **Joan Malkin** noted that there is a considerable amount of utility work being done on South Road and she has noticed orange sleeves on the poles.
- **Mark Baldwin** said NSTAR is not doing that work. Comcast attaches to NSTAR's poles and the orange sleeves are for fiber optics. He noted there is a new house being built on South Road and it requires four new poles.

Doug Sederholm asked whether the new conductor is ten feet higher for separation between the two conductors and is required to carry the load or is it needed for redundancy. **Mark Baldwin** said the size of the conductor changed but the voltage remains the same and the conductor has higher capacity and can carry more load. It is a more durable construction.

Doug Sederholm asked if the larger capacity is building for the future need. **Mark Baldwin** confirmed that it is as well as a mixture of things and is a complexity of several aspects.

Brian Smith asked if the poles can be lower than 55 feet. **Mark Baldwin** said that NSTAR would have to go back to the engineer. He believes the original calculation was close to 55 feet.

Brian Smith asked what the lead time is to purchase the poles. **Mark Baldwin** said it is usually two weeks but it also depends on the demand and the supply availability can change.

There was a discussion about placing the lines underground;

- **Brian Smith** asked if there are any other ways to provide these lines such as underground.
- **Mark Baldwin** said it could be done underground but it is very costly.
- **Brian Smith** asked what the cost is for above ground versus underground.
- **Vern Oheim** said above ground is a lot less and would have to obtain the exact costs for each method.
- **Joan Malkin** asked if there is a Massachusetts statute to govern underground installation.
- **Jeffrey Stevens** said there is a statutory scheme that municipalities can request it and then there is a surcharge to customers in the community to pay for it.

Mark London said it would be great after the testimony about this project to spend a few minutes talking about future projects. For this project, the Commissioners have to consider several factors.

- Is this a good project in terms of the alternatives? Did NSTAR consider any alternatives? Can NSTAR give the MVC more details on the mid-span poles as they have the greatest impact?
- Then the Commission considers mitigation. What has been an irritant with Tisbury is the visual impact of the poles and the wires and the poles located on Beach Street that intrude into the road. The visual impact varies greatly depending on the vegetation in the area. There might be some opportunities for mitigation of the visual impact by adding vegetation that won't interfere with the poles.
- Are there any 55 foot poles that were installed in the past?

Mark Baldwin said there are H2 poles that are a little wider and he will provide the location so a site visit can be done.

Mark London asked if NSTAR can provide more information and details about the alternatives, the mid-span poles and mitigation. **Mark Baldwin** presented the following;

- NSTAR looked at using the existing poles and wires and it was not feasible in order to supply the Island.
- This type of installation has happened in other communities and it is the right construction to deal with a project like this.
- With regards to vegetation, NSTAR has worked with the arborist on the Island and had discussions on where to cut the trees. The trees cannot be cut mid limb as it will harm the tree. Eight trees were trimmed not to the liking of the Tisbury Department of Public Works and NSTAR is working with them to mitigate the situation.
- The engineer will have to provide more information regarding the mid-span poles. The sag weight increases with the length and weight of the wire and wind will place more force on the poles.

4.4 Testimony from Public Officials

Tristan Israel of the Tisbury Board of Selectmen noted that Tisbury asked the MVC to continue the public hearing since he had a medical procedure today and the Town Administrator is at a seminar. There has been a dialogue this week with NSTAR and Tisbury's DPW and Administrator. He is not sugar coating what he feels happened and understands the poles probably won't be taken down. But the process was horrendous and disingenuous. This is not about our need for

power and there is no argument about that. Last year the trees were cut on the Edgartown-Vineyard Haven Road and were butchered and were cut due to the need for storm prevention and now again there is cutting. The poles are above the tree line so they are very visible. Without any dialogue ahead of time with the Town this work was done and much of this could have been mitigated if there was dialogue. He may be more sensitive with the tree trimming and discussion of the alternatives. Doing work in the middle of the summer is poor planning. If NSTAR came to the Tisbury Board of Selectmen these concerns would have been brought up. The permit in 1969 was for 18 feet and that road has been widened and changed twice since 1969 and additional poles were put in. If you want a pole in front of your house you have a hearing with the Board of Selectmen. When NSTAR comes to the Board of Selectmen to install poles, we are laymen and really don't understand what they are always asking. Branches in wooded areas were tossed into the woods on people's property by the sub-contractor. That kind of communication could have been mitigated with the Board of Selectmen. Setting aside legal views, he would hope the MVC would still have a process and he believes the MVC has the ability to set some parameters. The process should go before the people of the Island so they can understand the scope of the project. Perhaps underground installation in some areas of the Island is worth looking at and that discussion should happen. He thinks NSTAR is moving to help with mitigation which is especially needed in this corridor. That corridor has been dramatically altered and it has been changed forever. Tisbury wanted two pieces of fiber optic for emergency services on the cable that came over to the Island and we were denied, so perhaps NSTAR can help with that.

Peter Cabana is the Dukes County Representative for Cape Light Compact and Cape Electric Cooperative and asked NSTAR for clarification on several issues.

- Is line 91 down? **Vern Oheim** confirmed it is.
- Are lines 99 and 97 in operation? **Vern Oheim** confirmed that they are.
- Where are the generators located? **Mark Baldwin** said at the Tisbury landfill, behind Island Foods and a permanent generator is in Oak Bluffs.

Ten generators are consuming 150 gallons of diesel fuel per hour, consuming 30,000 gallons of fuel per day. How much diesel has been purchased to date? He also believes that the same temporary generators will operate in the fall with two lines down. There are 7-8 emergency generators in Oak Bluffs so the Island has 19 emergency generators and 5 jet turbines, 3 at NTSAR and 2 at the airport. How many megawatts of electricity is from the mainland to the Island?

Mark Baldwin said it is 10 megawatts.

Peter Cabana continued. Therefore the emergency generators should be for backup and not the main source. He asked that the MVC get a schedule of when the two lines will get fixed or the Island will see a great deal more of emergency generators. A cable installed in 1996 failed and was repaired four times. In 1986 a cable failed and was restored six times. Only cable 97 has not been repaired. The MVC should have NSTAR explain what they will do in the future to provide reliable energy cables that can supply the Island's needs. The Island should be looking at 73 megawatts for the future.

There was a discussion about capacity:

- **Mark Baldwin** said that NSTAR has two lines and are constantly watching the lines to be sure not to exceed the capacity. NSTAR tries to come up with a plan for the generators

and how to rotate temporary and permanent units so proper maintenance is achieved. There are reasons why NSTAR runs the lines at certain megawatts and why and when NSTAR runs the generators.

- **Doug Sederholm** said he is sure the generators are not cost effective and that NSTAR does not want to run them all the time. He asked NSTAR to clarify if the two underwater lines are meeting the manufacturer's capacity and why not use the capacity rather than the generators and polluting the air?
- **Mark Baldwin** said as the upper limits of the cable are approached the cable could potentially fail. If the capacity is increased at a high rate for a long time the cable will fail.
- **Vern Oheim** said there are three rates for running the cables, long term, short term and optimal.
- **Mark Baldwin** said the capacity is 10-13 megawatts and NStar is running at 8-9 megawatts.
- **Fred Hancock** asked if NSTAR is planning on repairing cable 91.
- **Mark Baldwin** said yes and the repair should be done by November 1, 2013.
- **Vern Oheim** said the new cable will be up and running next year.

4.5 Public Testimony

Tom Sullivan presented some brief observations. Peak demands occur during the hottest days. There is an increasing need for power and that is growing. There should be peak alert initiatives and reach out to the community to help alleviate, but he has seen no sign of NSTAR doing this. NSTAR is rated 83 out of 95 utilities by its customers. We should be looking at programs that offer reasonable rates, restoring power after storms, and underground utilities. **Brian Smith** asked Mr. Sullivan to submit his information for the written record. **Mr. Sullivan** agreed.

Peter Rosbeck saw a transformer explode in Edgartown; it came down and burned the bricks on the sidewalk. Electromagnetic energy is transmitted from the lines. What about radiation emitted and does it cause cancer? The trees will grow but we also drive around during the winter when it is more barren. This Board (the MVC) is responsible and charged with environmental impact. The poles and the power lines are an intrusion on the Island. What is the plan for these power lines and power in the next fifty years? The Netherlands has all power underground except high power lines. The United Kingdom and Germany have a plan to put a certain percentage underground. Aesthetics are a big thing to deal with on Martha's Vineyard. What is the impact on wildlife? We didn't have the technology prior but it doesn't mean we cannot do it now, especially when it impacts the character and the aesthetics of the Island. We need to develop a plan. Can the lines go underground? He has put in about 20 miles underground on this Island and it doesn't cost as much as was noted. Underground utilities cause less damage during storms. In 2003, 10,000 people died from heat explosions in France and it would not have happened if the utilities were underground. Look at the lines around our towns and think of the fire he saw come down on the ground from the exploding transformer. Is it too expensive to have the lines underground? It can be done. In Florida there are new statutes. He asks that the MVC thinks about some of these things. This is the time to prepare and ask NSTAR for a plan. Underground power does not emit the same amount of electromagnetic fields as above ground wires and does not have a canister that can explode. What have we done to this Island and are we wise enough to find the funds to put all the lines underground. It will cost money but we can make the Island better and put power lines underground.

Linda Sibley asked if Peter Rosbeck would favor bringing proposals before all of the towns to use and having the taxpayer's money to do that. Would you favor the community contributing to that? **Peter Rosbeck** said underground power is important. The Island found a way when a hospital was needed. For the public to do something of this magnitude and good we could find a way.

Mark London noted that there are pros and cons and costs for undergrounding. It would be interesting to sit down with NSTAR on a twenty year plan for undergrounding at least the highest priority areas, and see how the costs would impact the Island and Cape Cod via rate increases. We could compare those costs to the long-term benefits, and have the community weigh in on the planning effort.

Christina Brown said if the MVC is talking about making a plan, she would like to have it in writing and have it include conservation efforts as well.

Brian Smith continued the public hearing to August 22, 2013.

5. NEW BUSINESS

Commissioners Present: J. Breckenridge, C. Brown, M. Fisher, J. Goldstein, F. Hancock, J. Joyce, J. Malkin, C. Rose, D. Sederholm, L. Sibley, B. Smith.

5.1 Reports from Chairman, Committees and/or Staff

Christine Flynn said Oak Bluffs and Edgartown will receive funding for the Fiscal Year 2013 from the Community Block Grant. Edgartown will receive \$816,000 and Oak Bluffs will receive \$959,000 for housing rehabilitation and child subsidy programs. Over \$18,000,000 has been received over the last three years. These programs are administered on the Island and created over 100 jobs on the Island. It is a regional collaboration and the two lead communities are Oak Bluffs who administers funds to Tisbury and Edgartown who administers funds to Chilmark, Aquinnah and West Tisbury every third year. The Cape and Islands have some of the largest wait lists for these programs.

Christina Brown said that PED (Planning and Economic Development) looks at, understands and assists with planning efforts. PED is talking about how to be more useful for the community with the planning efforts of the MVC as well as how the MVC communicates with the planners and the work being done.

Paul Foley said the Rhymes Propane Reloading Facility is on the agenda for LUPC and a preliminary staff report is on the MVC website.

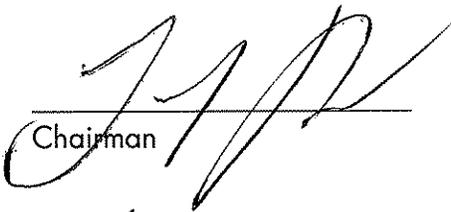
Brian Smith said that LUPC will meet on August 19, 2013 discussing Stop & Shop mid public hearing focusing on transportation.

The meeting was adjourned at 9:20 p.m.

DOCUMENTS REFERRED TO DURING THE MEETING

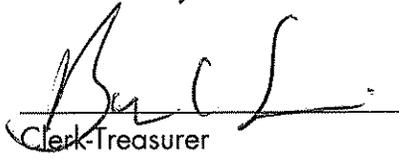
- Martha's Vineyard Commission, DRI 642 – NSTAR Poles Expansion, MVC Staff Report – 2013-08-07

- NSTAR letter to Mark London, Executive Director MVC, Dated July 19, 2013
- Email from Jerome McDermott (NSTAR) to Mark London re; Upcoming MVC DRI Hearing Thursday, August 8 at 7:30 p.m., Dated August 7, 2013
- Letter from Richard Toole to the M.V. Commission, re; DRI #642, NSTAR Poles Expansion



Chairman

9-19-13
Date



Clerk-Treasurer

10-1-13
Date