MINUTES OF MAY 11, 1989

MARTHA'S VINEYARD COMMISSION MEETING

The Martha's Vineyard Commission held a Special Meeting of the Commission on Thursday, May 11, 1989 at 7:00 p.m. at the basement of the Old Whaling Church, Main Street, Edgartown, MA.

Mr. Early opened the special meeting at 7:15 p.m. and proceeded with agenda items.

ITEM #1 - Chairman's Report

Mr. Early welcomed Mr. David Araujo, new Commissioner representing Tisbury and reminded Commissioners of the meeting next week with Commission Counsel, Choate, Hall and Stewart, and stated that any questions they have should be submitted tonight.

ITEM #2 - Old Business - There was none.

ITEM #3 - Minutes of May 11, 1989

It was motioned and seconded to approve the draft minutes as prepared. There was no discussion. This motion passed with no opposition, 2 abstentions, Araujo, Scott. (Harney was in favor, Geller abstained.)

ITEM #4 - Committee and Legislative Liaison Reports

Mr. Morgan, Legislative Liaison, reported that on Monday at 9:15 a.m. Secretary of Affairs Lanzicos will be at the Council of the Aging in Edgartown. Representative Turkington and Senator Rauschenbach will be in attendance also. Senator Rauschenbach and representatives from health and human service agencies will hold a public forum at the Katharine Cornell Theatre on June 2, 1989 at 9:15 p.m. that will address concerns and testimony from all human service advocates as well as individual members of the public.

Mr. Young, Chairman of the Land Use Planning Committee, reported that they had met Monday to discuss the Playhouse Theatre DRI and stated there are many complexities here and there would be one more LUPC meeting on May 22nd. Next week we will discuss the Aquinnah Shop DRI to try and come up with a recommendation.
Mr. Filley, Co-Chairperson of the Comprehensive Planning and Advisory Committee, reported that they had met tonight and had a lively discussion concerning Health Care and Human Service. Next week we will meet Thursday at 5:30 p.m. to recap the Task Force materials presented and prepare for the upcoming public forums.

Mr. Ewing, Chairman of the Edgartown Ponds DCPC, reported that they had met Tuesday and again tonight. There were lengthy discussions involved in working out the guidelines for tonight's agenda items of discussion and possible vote.

ITEM #5 - Discussion - Swan Neck DRI, Town of Edgartown

Mr. Early opened the discussion and asked Melissa Waterman, MVC staff, to update the Commissioners on the DRI.

Ms. Waterman reviewed the staff update (available in its entirety in the DRI file) using wall displays to depict the changes made, specifically reduction to 5 lots, and the reasoning behind these changes.

There were no questions from the Commissioners for Ms. Waterman.

Mr. Young, Chairman of LUPC, reported that they recommend approval with conditions.

Discussion followed regarding the following possibilities for conditions: control of dogs; this was discussed and it was decided that this could best be accomplished by the applicant's offer to add protection in the covenants and enforce them with homeowner association fines using the caretaker as an animal enforcement officer; the wildlife management plan; it was decided to condition that plan and come back to LUPC for review.

Ms. Bryant, Commissioner, stated that LUPC and the applicant had spent a lot of time working out the details of this plan and she wanted to commend that process.

When there was no further discussion, Mr. Early moved to the next agenda item.

ITEM #6 - Possible Vote - Swan Neck DRI, Town of Edgartown

It was motioned and seconded to approve the Swan Neck DRI with the following condition: The Wildlife Management Plan will come back for LUPC approval. There was no discussion. This motion passed on a vote of 7 in favor, 0 opposed, 5 abstentions, Araujo, Filley, Scott, Young, Early. (Harney was in favor, Geller abstained.)

ITEM #5 - Discussion - Red Farm Modification, Town of West Tisbury
Mr. Early read a letter from Mr. Eric Peters on behalf of Red Farm Nominee Trust requesting an extension to July 14, 1989. Mr. Early stated that this discussion item and possible vote will therefore no longer be on tonight's agenda.

There was a short recess to prepare for the Public Hearing.

The Martha's Vineyard Commission held a public hearing on Thursday, May 11, 1989 at 8:00 PM at the basement of the Old Whaling Church, Main Street, Edgartown, MA regarding the following Development of Regional Impact (DRI):

Applicant: M.V. Refuse District
c/o Paul Hannigan
Box 2248
Oak Bluffs, MA 02557

Location: Off Meshacket Road
Edgartown, MA

Proposal: Construction of a Solid Waste Transfer Station qualifying as a DRI since the proposal is greater than 1,000 square feet and is designated to serve the residents of more than one town.

James Young, Chairman of Land Use Planning Committee (LUPC), read the M.V. Refuse District Public Hearing Notice, opened the hearing for testimony, described the order of the presentation for the hearing, and introduced Greg Saxe, MVC Staff, to make his presentation.

Mr. Saxe reviewed staff notes (available in their entirety in the DRI file) and reviewed correspondence summarized as follows:
FROM: Peter D'Zmura, DATE: May 1, 1989. Requests periodic public review - in time to affect each year's lease renewal. Screening is inadequate. Noise - waste container materials should be considered, noise barriers (e.g. evergreen plantings along fence), hours of operation (at a maximum cancel Sunday morning drop-off). FROM: Arthur Lindberg, DATE: May 1, 1989. Increase speed limit enforcement on Meshacket Road, is hazardous. FROM: John Bergquist (abutter), DATE: May 8, 1989. Request development be stopped until visual, noise, odor, and traffic impacts have been studied. Points out that many bikers and young children are in the area in summer, and that curves in road are dangerous. Effect on property values should be considered. Points out that building lots remain unsold despite reduced prices and resale values are down. Claims this contrasts to Island trends. Requests that another site be considered. FROM:
Sylvia Mader (resident of Meshacket Road), DATE: May 5, 1989. Opposed: noise of trucks travelling past her house will be unbearable. Access and location (at one end of the Island away from the ferry) make this an unsuitable site. Oak Bluffs landfill or State Forest better location both for noise and traffic impacts, and because they are more central. FROM: Robert Barley (resident of Llewellyn Way), DATE: May 8, 1989. Opposed: cites visual, noise, odor, and traffic impacts; the possibility of attracting rodents; and the unsightliness of proposed facility. Concerned that environmental impacts and property values have not been adequately addressed. FROM: Timi and Ralph Pirozzi (residents of Sweetened Water Farm), DATE: May 6, 1989. Opposed: concerned with noise and traffic on Meshacket and West Tisbury roads. FROM: Carole Melstrom (Llewellyn Way property owner), DATED: May 10, 1989. Opposed: siting facility so close to homes goes against values buyers associate with the Island. Worried about visual, noise, ground vibrations, and property value impacts. Clearing on parcel ruined resale and rental potential. Realtor sold lot with promises of landfill being capped and drop-off being located in current landfill's center. Facility should be located farther from residences. Proposed fence is inadequate screening for safety, noise, litter, and view. (Correspondence is also available in its entirety in the DRI file.) Mr. Saxe then showed a video of the site depicting the buffers, views through the trees, the depression on the site where the transfer station is to be located, and the dangerous curves on Meshacket Road. Mr. Saxe then answered questions from the Commissioners.

Mr. Ewing, Commissioner, asked about the groundwater and possibility of contamination from these leaching trenches? What exactly goes in these leaching trenches? Mr. Saxe responded that as the video depicted there is a very large depression, approximately 5 acres, the front is quite a bit higher than the back so water surface runoff from the whole site will collect in those basins as well as some of the surface runoff from the landfill. Mr. Saxe continued by stating that if they can go ahead with this site it allows them to cap the landfill which would therefore reduce if not negate all the contaminants in the runoff. Groundwater contamination probably wouldn't collect there because the flow is coming in the other direction from the landfill. Mr. Ewing asked, so it is just basically draining the site since the unloading/loading will be done under cover of some kind? Mr. Saxe responded yes. The packer trucks delivering solid waste to the facility will drop it within the building which has a cement floor surrounded by litter fencing. The front end loader operating within the building will then load it into the trailer. It is completely internal and they are not projecting there will be a lot of windblown trash at all outside the building.

Mr. Filley, Commissioner, asked if Meshacket Grove is serviced by
Town water? Mr. Saxe responded he is unsure. Mr. Filley then asked if the commercial haulers will be bringing waste from the entire Island? Mr. Saxe stated that the amount is limited because of MEPA review standards, I believe it is 50 tons per day. This facility will be servicing the towns of Tisbury, Oak Bluffs, and Edgartown and the recycling will be for Edgartown only.

Mr. Geller, Commissioner, asked if there are any drawings of what the proposed building would look like? Mr. Saxe responded that the applicant may have better drawings, he distributed the mechanical drawings available from the DRI file and went on to describe the materials used for this "pole barn" type structure.

Mr. Wey, Commissioner, asked about the proposed routes, specifically the Barnes Road section? Mr. Saxe stated that the routes are negotiable. Carroll's trucking has recommended some of the routes. The route you are referring to follows the Edgartown-West Tisbury Road to Barnes Road, follows Barnes Road to the blinking light and then left down the Edgartown-Vineyard Haven Road.

Mr. Young, Commissioner, asked in relation to the routes and the possible changes, isn't the Katama-Cleveland Town Road intersection one of the most dangerous on the Island in terms of accident statistics? Mr. Saxe stated that Mr. Larry Mercier, Highway Superintendent, is here tonight and could probably answer that better. There have been 7 vehicle accidents on Meshacket Road. Certainly there are questions on using Robinson Road.

Mr. Ewing asked along those lines, Robinson Road goes by the school, is there a schedule for what time of day this route would be used? Mr. Saxe stated it would have to correspond with ferry schedules and when the trucks are filled at the site, which will vary.

Ms. Bryant, Commissioner, asked if the school buses use these proposed routes? Mr. Saxe responded that we will have to research that.

Mr. Evans, Commissioner, asked if during the development of the truck route there was any discussion about widening the sharp curves on Meshacket or modifying that road in order to allow for tractor trailers? It seems like this route is a very round about way of getting out of town. Mr. Saxe stated there had been discussion about the widening of Meshacket Road especially previously when the road was paved. At that time there was public sentiment against widening it even though there were large salt trucks using the road. The widening of the road is obviously not in the control of the applicant.

Mr. Young called on Mr. Larry Mercier to address some of these issues.
Mr. Mercier, Highway Superintendent and a member of the M.V. Refuse District, stated that in regard to the Katama and Cleveland Town intersection accidents, I live very close to this intersection and in the 11 years I have lived there not more than 3-4 accidents have occurred, none of them have involved trucks to my knowledge. The road is travelled very excessively and heavily by Grant Brothers which haul stone back and forth to their pit using trailers. They use the route that is described as the one Carroll's wants to use. In reference to Meshacket Road and the sharp curves; we laid that road out 3 years ago and paved it 4 years ago. There was much discussion about straightening the road out at that time. It was determined that no one wanted to do that, they wanted to leave the sharp corners to retain the rural quality of the road. We paved the road 21 feet wide. It is 1 foot less than the Edgartown-Vineyard Haven Road. There are two sharp corners on it. Again to my knowledge there has never been an accident on that road which involved a truck. There have been, I believe, 8 accidents since the road was paved, all involving cars and 90% of them were at night. The salt trucks that were mentioned do use that road. They probably bring 30-40 loads per year. The State uses that road also as an access road when they are sanding. All their sand is hauled in large trucks. In reference to other trailers and semis that use that road, I happened to notice one at Athearn's Farm the day before yesterday unloading shrubs. The road is adequate to handle these types of vehicles. They have to proceed very slowly as all the traffic does. Those sharp corners are posted at 10 miles per hour. I hope that sheds some light for your discussion.

Ms. Sibley, Commissioner, asked how many trucks per day would use the routes? Mr. Saxe responded a maximum of 3 round trip tractor trailers and approximately 20 packer trucks. These packer trucks pick up trash so they are always travelling up and down this type of back road.

When there were no further questions for Mr. Saxe, Mr. Young called on the applicant to make his presentation.

Mr. Paul Hannigan, Manager of the M.V. Regional Refuse District, displayed additional copies of the plans and stated that he didn't have much to add to Mr. Saxe's presentation. The local drop off and recycling center is at the front of the site, the transfer station itself is 36 feet high, that is measured from the lowest point which is the pit where the tractor trailer sits to the top of the structure, the pit is 5 feet deep so the height of the structure is actually closer to 32 feet. The litter fencing is full height from the top of the 8 foot chain link fence to the roof. As Mr. Saxe stated there are several points that are negotiable. For instance, if there are preferred routes we will gladly work with Edgartown or other towns with regard to
the routes that trucks will be taking. The packer trucks that will be using the facility will be approximately 20 but some of these are from up-Island towns. Edgartown, Tisbury and Oak Bluffs are the main towns serviced but there will be packer trucks that pick up from other towns. Regarding the concern will we have enough time and manpower to pick up windblown litter: we are projecting that because this is not going to be a landfill and because it is going to be completely enclosed, there will be a very minimum amount of litter and we will very easily be able to take care of it. The fence that is mentioned between the existing landfill and the proposed site will remain. With regard to the question raised about periodic public review; I am sure that the Board of Selectmen will be holding something along those lines in Edgartown each year as we approach renewal date. Again I will reiterate, this is an interim transfer station. We are looking for the ultimate central site on the Island where we can put the permanent transfer facility. If it were not for the spirit of cooperation on the part of the Town of Edgartown towards the other 5 towns on the Island we would not be able to begin shipping half of our waste off to Seamass this year. When the offer was made it was made very clear that it would be a temporary site. We are looking for 3 years with a 5 year absolute maximum. The important activity that must continue for us now is to find a permanent site. Mr. Hannigan then addressed questions from the Commissioners.

Ms. Harney, Commissioner, asked, so the transfer station is temporary and the drop off facility is permanent? Mr. Hannigan responded yes, there will be a drop off recycling facility in each town as part of our overall plan. People will bring their household waste to this facility and the first thing they will do is recycle, then if there is anything left that has to be thrown away it will go into these containers.

Mr. Araujo, Commissioner, stated that his concern is when the truck takes a left at the blinker on Barnes Road it will then proceed to the intersection of the Edgartown - State Road which is a dangerous intersection. It will also have to negotiate 5-Corners. What is the latest these 3 trucks will be getting on the boat? Is 7:00 or 11:00 a.m. the latest? I also have concern with the question of whether or not these tractor trailer trucks will be stored at Carroll's Trucking or in the Steamship Authority parking area? Mr. Hannigan stated they will be kept on this site, they will not be kept elsewhere. Mr. Hannigan then discussed the schedule for the first period, July 1 - November 2, with the Steamship Authority and stated that most of the trips are in the morning on the 7:00 and 9:30 a.m. freight boats leaving the Island. Occasionally there is one as late as 11:00 a.m. The tractor trailers are going to be a maximum length of 55 feet. The last word I heard from Carroll's on the trucks they are purchasing is that they are 52-53 feet. There are currently box trailers this size using the roads and making the turns that
these vehicles will be making.

Mr. Geller stated he is still having trouble visualizing how these buildings will look, can you assist me with that? Mr. Hannigan stated there are no artist renderings. He explained the final appearance of the structures using the plans.

Mr. Early, Commissioner, asked what would happen to these buildings after the 3-5 year period? Mr. Hannigan responded that at the end of the lease the District will do whatever the Town of Edgartown want us to do with this site. We will remove the buildings or change them for other uses after the appropriate regulatory agencies are contacted. The lease is clear that we can't continue operations after the 5 year period. It is also clear that we can't have a central recycling facility, office space, etc. There is nothing the District can do on this site that isn't shown here.

Mr. Filley asked what will happen if you don't have another site assignment after the 5 year period? Mr. Hannigan stated our intent is to have such a site. We hope to be out within 3 years but we will definitely be out by 5. We are actively looking for a site elsewhere. This is not a desirable location for a permanent site because it is not centrally located on the Island but it is the only site where we can do it right now and we will be able to ship more than half the waste off-Island.

Ms. Sibley asked how large the packer trucks are? Mr. Hannigan stated that they vary in size from as little as 6 cubic yards to as much as 16 cubic yards. The largest truck is 31 cubic yards and that truck is owned by the District.

Mr. Jason asked what steps the District has taken to secure a permanent site? Mr. Hannigan stated prior to coming here we had identified and sought assignment of a permanent assigned site adjacent to the Tisbury landfill and we were stopped by an appeal. We have also been discussing the 232 acres within the Town of Oak Bluffs, they are looking at the possibility of development between County and Edgartown Roads. We are also looking at other large parcels on the Island. We previously looked at putting our facility on the airport property, that was road blocked. We have and will continue to look.

Ms. Colebrook, Commissioner, asked why it is imperative to leave Edgartown in 3-5 years? Mr. Hannigan stated that aside from the fact that is all the time the lease allows, a more central site would be better for everyone concerned. There would be less miles travelled by someone bringing refuse to a central site and that translates to lower costs all around. So the advantages of lower costs and more convenience would make a central site desirable. Clearly a more central site could be located directly accessible to a major road such as the West Tisbury-Edgartown
Road, the Vineyard Haven Road, etc. We believe that having and using this site while mitigating its effects as much as we can will get us out of the solid waste disposal crisis we are in.

Mr. Evans asked if the District thinks it will be more difficult to secure a permanent site if people think we have this site and the Island could push Edgartown into continuing with it? Mr. Hannigan stated that he doesn't believe so. Edgartown officials will get up and say there is no way you can use this site for more than 5 years so we don't see this as a roadblock.

Mr. Lee, Commissioner, asked if there is any possibility of using the State Forest in a few years as was suggested in the correspondence? Mr. Hannigan stated that there are many questions to be answered with regard to the State Forest and other large central sites. We have not eliminated that as a possibility and we will explore it. Mr. Lee asked if there had been a dialogue? Mr. Hannigan stated that they had spoken to representatives only on a very preliminary basis. It is clearly a very large site and given the crisis that exists and the need to manage our waste, it could be a good trade off to lose a couple of acres of the State Forest in exchange for making sure that we have managed our waste in an environmentally sound manner.

Mr. Geller asked assuming I am an abutter who bought the property under the assumption that the landfill would be capped and the drop off would be located in the current landfill site, what can I expect to happen in 5 years? Mr. Hannigan stated that in 5 years we won't be there anymore, using the rear portion of the site as a transfer facility. We will still be in the front with the residential drop off. Mr. Geller asked if the landfill will be capped and the area beautified? Mr. Hannigan stated that whether the landfill will be capped will be based on when it reaches its capacity which is based on how much we can pull out of the stream by recycling and sending to Seamass. Our projections are that only 10-12% of the waste stream once we are totally up and running, is going to be landfilled here on the Island. So will we have reached the capacity of the Edgartown landfill in 5 years? I can't answer that. Right now the Town is, as you go into the landfill to the rear, in the process of putting in a permanent cap but schedule-wise, the Town of Edgartown should handle that. A capped landfill is going to be shaped appropriately so that the drainage is shed appropriately and covered with a vegetative material so it will clearly be a much better looking area than it is now.

Mr. Young asked if the rear portion of the lot falls under Board of Health management at the expiration of this lease? The response was that the Town of Edgartown must answer that.

Mr. Filley asked what would happen to the operation of the
District if all the approvals for this were not obtained? Mr. Hannigan stated that the crisis that we are in would be that much worse. We would not be able to send the 52% of the waste stream off-Island. Our landfills would fill up that much more quickly. It would impede our ability to pull major portions of recyclables out of the waste stream. It would be, in my opinion, devastating. The environmental concerns would be, in my opinion, devastating. The environmental concerns would be very severe. Landfills that should be closed might have to be kept open longer than if we start shipping major portions of the waste to Seamass.

Mr. Jason what will happen to that site after 5 years, it won't have any garbage buried under it, will it? Mr. Hannigan responded, no. Refuse can never be buried on this site, the only thing that can ever happen is transfer. The DEQE assignment is very limited as to what can happen.

Mr. Ewing asked if composting is being considered as a possible alternative to shipping our trash off Island, like is being done on Nantucket? Mr. Hannigan responded, no, not for the municipal part of the waste stream. Composition of leaves and yard waste is definitely part of our overall plan. We cannot do that on this site, however, Mr. Ewing asked where they would do it? Mr. Hannigan responded we could do it at each of the existing landfills for the time being and then at the permanent site.

Mr. Young asked about the drainage trenches, there are 2 of them on the site. One below the transfer facility and one behind the enclosed trucking facility. These are theoretically just for run off from the site which will not have drained through any trash. It concerns me that the transfer building doesn't have any walls. What bothers me is not just from a noise pollution standpoint but also from the standpoint of rain flowing in there. Is there a drain inside that building for runoff from the floor? I would also think that there would be a certain amount of liquid associated with trash coming from the packer trucks. Mr. Hannigan responded that the fluid resulting from refuse being dumped on the floor is going to be picked up with a dry sweeping of absorbent material. It will be absorbed, swept up, and removed with the trash that goes off. Will rain ever blow in from the side? Yes, but the roof is going to keep the vast majority of the water out. Also refuse is not going to sit there in the building. As it comes in, it will be loaded into the trucks that will be stationed there. Mr. Young asked, it is also dumped by a tipping wall so it is closest to a wall? The response was, yes. Mr. Young then asked along the same lines, the trucks that are transporting it to Seamass are enclosed containers? Mr. Hannigan responded that is correct, the specifications for the contract were written that way and we did receive a lot of complaints. The loads will be covered at all times. We are concerned with any liquid being generated. Mr. Young added not to mention excess weight. Mr. Hannigan responded
that is absolutely correct. If they start out here during a
downpour then we would be paying on the ferry for the water that
was picked up on the trip.

Mr. Jason asked how much this is going to cost and what is the
schedule for completion? Mr. Hannigan stated that the projected
cost for development of the entire site is under $200,000, not
including the local drop off in the front. The scale is about a
$60,000 item. The local drop off cost is being born by the Town
of Edgartown through its payments to the District. Anything a
town can do on its own to prepare the site will reduce the cost
to the town. We are working with the Town of Edgartown to
reduce its costs and we will do that in all the other towns.
Concerning schedule of completion: as soon as possible. Our
target date to begin shipping waste to Seamass is July 1st. Mr.
Jason asked if Seamass is running now? The response is, yes.
They would take our refuse today if we could send it off.

Mr. Wey asked if there would be a fence around the whole
facility? Mr. Hannigan responded that a lot is fenced already.
Mr. Mercier stated that the Town has appropriated money to fence
about 200 feet in the back corner, 100 feet off Llewellyn Way and
100 feet along the farm property. It will be a stockade type
fence so it will reduce the visual impact along those ways. Mr.
Wey asked if this would pretty much enclose the whole area? Mr.
Hannigan responded no, the intent is to leave the buffer areas to
provide a natural visual screen. So as the design now sits
the fencing is not total.

Mr. Early stated that he assumes Edgartown is not leasing you the
property for $1 a year. I assume there is some benefit to the
Town in the lease terms? Mr. Hannigan stated there are direct
and indirect benefits. A direct benefit is payment in lieu of
taxes if the land were undeveloped, whether it is a payment or a
credit against our assessment it is still the same thing. An
indirect benefit is the fact that its being here, I assume, would
lower the cost of the private haulers in Edgartown.

Mr. Jason asked why this plan spreads over the whole lot? Mr.
Hannigan stated that the intent was to make use of the existing
depression. We also need the appropriate approach length for the
scale so it was situated in the middle area. Cost was a
consideration also, it is cheaper to fit into the existing
topography.

Mr. Early asked, so the only equipment will be one front end
loader? What are the hours of operations? Mr. Hannigan
responded yes 1 loader. There are no set hours yet. It is
likely to be as early as 7:00 a.m. There are no lights so there
can be no operation in the hours of darkness which will cause an
earlier shutdown in the winter months. This again is another
indication of the temporary nature of this facility. No lights
minimizes the costs while still allowing the job to get done.

Ms. Harney asked how much land do you want for the permanent site? Mr. Hannigan responded if we are able to put everything on it we want to, i.e. administrative offices, yard composting facility, central landfill facility, etc., we will need approximately 30 acres including buffers and access roads.

Mr. Evans asked what inert material is and how do you get it out of the waste stream? Mr. Hannigan responded materials that can't be recycled or sent to Seamass, i.e. building materials, blocks of concrete, chunks of asphalt, etc. Further technology will reduce the amount of the inert material and find ways to process these materials.

Mr. Araujo asked if more than one truck will be travelling at one time to and on the boats? Also are you working in cooperation with Communications to notify the local police department when the trucks will be in their area? Mr. Hannigan responded that they certainly can and will work with Communications in whatever they may require of us. Concerning trucks travelling together, some of our reservations for this first period do include two trucks on the same boat. Of the trips between now and November 2 there will be some during the summer scheduled out of Oak Bluffs on the freight boats. All our traffic on the Authority is via the freight boat. Our intent is to get the trucks there so that any time spent waiting in line would be at an absolute minimum.

When there were no further questions for Mr. Hannigan, Mr. Young then called on Federal or State Agency testimony. There was none. He then called on testimony from town boards.

Mr. Fred Morgan, Edgartown Selectmen and one of the Town representatives to the M.V. Refuse District, stated that they had wrestled with this problem for years. Up until this year the Island has probably invested approximately $2,000,000 in this project. If we didn't have this site at the present time we would still be looking for something and going nowhere. Within the past year as a result of a number of people on the District and with the cooperation of the Town of Edgartown effective July 1 we can look forward to shipping refuse off this Island. Much of the refuse that would be buried in the Town of Edgartown will also be shipped off the Island. A question came up what are the advantages to the Town of Edgartown. One of the advantages is that as of July 1 the Refuse District will be running the landfill and not the Town. The Refuse District will take over the operation of the landfill and the personnel assigned to the landfill by the Board of Health will be transferred to the District. But I think the main point is that this is something that we have close to the point of being up and running after waiting a number of years to see something happen. It would be a shame at this point in time if we were not operational by July
1st. Neighbors are upset and we should try to pacify them. But this is a temporary site not a permanent one and we need to enforce this view. Also I would like to point out that Edgartown had started the process of withdrawing from the District because we were unhappy with their progress. That process has been terminated at the annual town meeting this year by remaining in the District. The voters voted to do this and they understood exactly what was going on. They were informed about the temporary transfer site and all the facts having to do with its operation. They were informed about being able to ship our refuse off Island starting July 1st. On the basis of facts and the information they received, primarily from Larry Mercier and myself, they voted to remain in the District. They also voted favorably on the lease. One question that came up was the 20 year lease. That is for the landfill and the drop off station. It has nothing to do with the temporary transfer site. I can't overemphasize the point that here we are just about operational and ready to ship and I think that this should be a major consideration, not only for the Town but for the whole Island. The Board of Health has supported us in our efforts. They supported the fact that we wanted to utilize the area for a temporary transfer site basically to get started so that we don't have to wait another year to start shipping waste off Island. Based on the information and the fact that the voters of Edgartown have approved this and know exactly what is going on and we should be operational by July 1st, I would hope that you would approve this request.

Mr. Young asked what the terms are with respect to time in the District's contract with Seamass? Mr. Morgan stated that the District signed a 15 year contract. Mr. Young asked, so if we don't get started in a very short time we will have to renegotiate it? Mr. Morgan stated that the contract is based on the fact that we will start to ship on July 1st. I would like to point out that we delayed signing a contract with Seamass. Based on the engineering committee's activities we feel that we got a very good contract with Seamass. We can determine exactly what our tonnage is to be in shipping to Seamass. There is no limitation at the present time. We have the chance to experiment for a year or so. The more we recycle the less that will have to go to Seamass. We thought about signing a 5 year contract but after reviewing the option it was determined by the District that the 15 year contract would be the best contract.

Mr. Young then called on further public testimony.

Ms. Joan Borkow, member of the Edgartown School Committee, stated that the School Committee is extremely concerned. They were originally only extremely concerned about what was going to happen at the Cleveland Town Road and the Meshacket Road ends during school bus hours. We have many children in these neighborhoods walking down Meshacket Road to the West Tisbury
Road and out onto Cleveland Town Road to be picked up by school buses. Particularly when I hear the hours of these large trucks transporting materials, they are the precise hours that we have children who would be affected. We have kids leaving their homes from between 7:00 and 8:10 a.m. Many children going up and down both ends of that Road. Now I am particularly concerned to hear that you will be sending these large 50 foot trucks down Robinson Road because Robinson Road not only goes by the School it also goes between the School building and the playground. In fact, when the playground was built on the other side of Robinson Road from the School there was an agreement with the State that Robinson Road be closed and we presently are in violation of that agreement. We have never been called to act on it and we have been very lucky but I would imagine that the State would frown on 50 foot vehicles going down those roads during school hours. Particularly at the intersection of Robinson Road and West Tisbury Road which is a very bad intersection, visibility is very bad. We have many children crossing the street there between 8:00 and 8:20 a.m. in the morning and the idea of them having to compete with 50 foot trucks is really very frightening. I know that it has been brought up that the Town voters voted to approve of this plan but I don't think anybody ever considered that those trucks would go down Robinson Road and I have a feeling that every person who has a child in the Edgartown School who voted for this facility might reconsider their vote. I really feel that the Town has not been heard enough on this issue.

Ms. Colebrook asked Ms. Borkow if the School Committee had discussed their concerns with the Regional Refuse District? Ms. Borkow stated that they had no idea about this new proposed truck route. Mr. Young stated that it should be pointed out that these routes are new since the Land Use Planning Committee meeting. Ms. Borkow added that she is sorry to say that the Regional Refuse District didn't consult us before they instituted this route. Mr. Young stated again that this route is not set in place it is just a preference that Carroll's Trucking has made. Ms. Borkow stated that this is only one of their objections. We have so many kids going down these roads and in the winter at 7:00 a.m. it is dark on those roads. I think people in that neighborhood, myself included, worry enough about their children walking on those roads without the idea of not only the 50 foot trucks but also the additional packer trucks. They are large, they go faster than they should, they are not monitored, and the idea of increasing the burden is unthinkable in my mind. Mr. Young stated that these are all issues that our approval is empowered to address.

Ms. Harney, Commissioner, asked if there was any chance they could bring the buses farther up the roads to pick up these walking children? Ms. Borkow responded that it is something that we would like to have done in any case but with the number of buses we have it is just not feasible at this time in terms of
the Edgartown School route itself. The High School contracts with Island Transport for their buses and they tell us that is an absolute impossibility.

Ms. Sibley asked Mr. Hannigan if it would be possible to exclude the packer trucks from using the facility during the hours when the school buses are loading? Mr. Hannigan responded that anything is possible but it could cause problems since many packer trucks start as early as 5:00 a.m. and then they are ready at 7:00 a.m. to bring the load to the facility so they can get rid of it and start picking up in other areas of town. I can't answer that now. Concerning the tractor trailers, the 7:00 a.m. time is the boat reservation time so the trucks are leaving the facility at say 6:15 a.m. in order to make the boat. I don't have all the schedules in front on me but the boat times vary. We can be as flexible as possible but there are going to be some boundaries. Ms. Sibley then asked if there is any possibility for police escorts for these big trucks?

Mr. Young stated that rather than try to answer that now I am going to continue with Town Board testimony and maybe someone from the Town can address that. I will hold all Commissioners' questions until all public testimony has been received.

Mr. Peter Look, Board of Health Agent, Edgartown, stated that the Board of Health has unanimously consented to this project and that they wish that you would assist the Island in confirming this site so that the District could begin operation at the earliest possible time.

When there was no further Town Board testimony, Mr. Young called on testimony from public in favor of the proposal.

Peter Look, as a private citizen, stated that it is important for the Commission to look at this site as part of a regional picture. The majority of the trash that is going to be removed to this site is Vineyard Haven, Oak Bluffs, and Frank Fenner's trash. Frank Fenner delivers approximately 1/3 of our summer volume to the Edgartown landfill which would compute to about 7,000 cubic yards that leaves approximately 13,000 cubic yards that Edgartown will generate that will continue to be landfilled at this site. I think that from a regional perspective Edgartown has worked diligently to affect the District to be in operation and this site is witness to that. We must deal with our trash on a regional basis. To do it any other way would really be stupid. The regional system of trash management will help the community of Martha's Vineyard to more economically deal with the stuff that we throw away. This site is going to send stuff to Seamass to be incinerated and we need a regional system so we can stop sending things to Seamass and begin to recycle, we need a regional system to effect change in the way that packages bring things to the Vineyard in general. The six towns cannot properly
manage the aspects of waste management that need to be managed from a regional perspective and that is why I am in favor of seeing this come to reality. If for instance this didn't come about, Edgartown would be in a position to withdraw its leases, which are contingent upon its being operational by July 1st, and do the same thing on their own, to Edgartown's benefit because we could charge the other 5 towns to get rid of their trash and it wouldn't cost us anything. The regional system has to work to deal with trash. This is the first in a number of important steps the region can take to get to that point. Recycling is key, incinerating off Island is not, but we have to start somewhere and I think this is the only place we can start, right now. To address a few of the points made earlier: it is my understanding of general laws that any transporter of waste has to be licensed by the principle town in which he transports. So if there were any particular concerns about the time, method, or area in which the hauler would travel, the town which is the principle town of the hauler, in this case it would be Carroll's and therefore Vineyard Haven, would license the trucking company and therefore could place any type of limitations they saw fit. In regard to the 5 year term of this lease, it is 1 year renewable. However, if in 3 years time, 3 years from the date July 1st I believe, a central facility site has not been acquired by the District of 30-50 acres, then in the end of 3 years, Edgartown withdraws this lease and takes over immediately. It is going to take three years for the District to go through the assignment process relative to a central facility site. So they really don't have 5 years here, they have 3 years. If they do what they are supposed to do, then they might get the additional 2 years after that, one year at a time. I also believe that Edgartown is not the appropriate site for any long term place because of the issues we have heard tonight. But it is an appropriate place to begin and we do need to begin to address this problem in a regional way. I do believe that the Commission has some authority that no other organization or political body has on Martha's Vineyard relative to the District. Because nobody individually, as one group, has ever been able to tell the District anything and have them do it. This body can do that. I think that it is incumbent on you to see the Island as a whole and in this particular case the District, operates a regional facility that complies with the wishes of the community it is in, the wishes of the abutters it is around, and with the regional as a whole in dealing with our waste. The drop-off center is part of this proposal and I feel as a person that it not be limited to residential only because the Town of Edgartown is a little different from the other 2 principal suppliers of trash, Oak Bluffs and Vineyard Haven, who have municipal pick-up, Edgartown does not. So Edgartown has an impetus to recycle more than the rest of the Towns. If we eliminate the commercial people from using the drop off center then we force them into using the Seamass route, which forces incineration. Their principle trash in Edgartown is food waste, metal cans and such, and cardboard
boxes and plastic. So their principle waste is recyclable. If we do not allow them to recycle, if we force them to take it to Seamass it increases everybody's costs all along. So if you could see it within your duties to see that the drop off center is a drop off for all Edgartown property owners. Anybody in Edgartown should be able to use that local drop off. In regard to the central facility in the back, I think you could help screen it better for the abutters with some vegetation such as cedar tress, which could be planted in planters around the pole barn enclosure. I think that would help some of the noise problems. I think that it being in a pit will help also. It is next to an agricultural field. I do feel that the in town route, which was new to me tonight as well, and as a private citizen I am taken aback by it in a sense because it is going to affect our taxes, and it is going to affect Oak Bluffs and Vineyard Haven taxes more than anyone else because if you start putting the packer trucks on this in town route then you increase the time for their round trip and by increasing the time substantially for this in town route then you increase the cost because it will take longer to move the same amount of trash. If think the out of town route is a much faster and safer route, with the exception of that portion of Meshacket Road and I feel that the road can handle the weight of the trucks. I think that the road sees trucks of this type now and that some manicuring of the road system could be done to ease some of the concerns. I am really opposed to the Cleveland Town route and I think that if you decide on that route you should publicize that fact to give those abutters an opportunity to comment because I am sure there would be more of them here if they knew of this proposed route. The 4.1 acres that the salt shed occupies are owned by the State. They took it in a friendly taking and built the salt storage shed for us in return. However, they have neglected to address the issues related to runoff from their property onto this site. Any pressure that the Commission could put on them would be gratefully accepted by the Town of Edgartown. The zoning by-laws for this R-20 District do allow municipal uses. I am in favor of seeing this regional system here work and I think that it is incumbent upon us to see that this happens.

Kate Warriner, private citizen and Chilmark representative to the M.V. Regional Refuse District, stated that she thinks the trash situation here is a big problem, as it is around the country. But what is unique here is that we have a closed system on this Island, a sole source aquifer, and limited landfill space. People are constantly criticizing the District for not moving forward, costing too much money, and for generally looking like a lousy organization. The fact of the matter is that we are working very hard to do something with what is becoming an ever increasing problem here in the United States. This is a chance for the District to get started. It is not the only part of the District's program, it is only a part having to do with Seamass. Of course we want to compost, of course we want to recycle, but
that is separate. In order to get this one part of the program going we really need this assignment and we know nobody wants us. It is not like we are going to have any abutters say yes, the District is such a wonderful organization come and be next to us, nobody is going to say that. I think that what I would tell these abutters is look, you are lucky, this is a temporary transfer station. There is a 5 year limit on it. You're not the place we picked for a permanent site. This may be painful but it is short term, 3-5 years. It is an opportunity for the District to get up and get going and it's an opportunity for the Island to save landfill space.

Sherman Hoar, speaking as a citizen of Martha's Vineyard, stated that he is in favor of a regional approach. I am glad to see this District get moving as if it is no longer in cold molasses, just molasses. You have some very great powers and if you go ahead with approving this in any modified form I trust that you will set some major limits as to time: that you will in your approval require each year that you be provided with material to review in regard to their progress in obtaining another site; that you receive reports on perhaps a monthly basis on any progress on properties that they are considering to keep them on the ball because they have severely dragged their feet. Mr. Look mentioned that it was a 3 year process to get an assignment of a dump site. That is what Mr. Look went for first until the Commissioner of Agriculture and some residents tried to make sure that it was just a transfer station and that the existing landfill was capped. I believe that if you go to DEQE for this site as it said in the DEQE order they are going to have to go through every step they outlined. I want you to require that those 2 processes go on simultaneously so that eventually we can have a central site on a major highway already built for trucks with no school children and a place to actually work. To me the 3 years is much too long, if you put the pressure on them they can get the approval for the new site much more rapidly. They should talk to the Commissioner of Agriculture, the people in the Schools, talk to representative for the State, there is no reason that the State should not give that section of the State Forest, known as the barrens, since the Town of Edgartown gave where they now have their salt shed. So I hope that you set your limits and that you require reports.

Mr. Marc Widdiss, private citizen from Gay Head, stated that what disappoints him is the attitude he hears expressed in the correspondence which seems to reflect a phenomenon I have read about in the papers called the NIMBY philosophy, Not In My Back Yard. We have to tell these people that unfortunately your back yard extends all the way to Gay Head because we are on an Island and are all connected by that fact. If you don't think it is good in your back yard here I don't imagine you would think it is good anywhere on this Island. We all have to pull together on this. This is probably the most major problem that cries out for
a regional solution. We are all going to be generating trash and until we can find a way to get rid of our trash magically we have to come up with a solution and I think this is the best we can do at present. Hopefully we will be able to find a more suitable permanent site, that is not in anyone's back yard that it will offend, and that we will all be able to handle our trash for the next 30-40 years without any trouble arising. Another point I would like to address is the criticisms I heard regarding truck drivers, I think this is a big mistake. I think on the whole that you will find that truck drivers are some of the safest drivers in the country. Truck drivers are probably more aware of what is going on around them than most of the drivers I notice on this Island.

When there was no further public testimony in favor of the proposal, Mr. Young called on public testimony opposed.

Mr. Jim Athearn, owner of the property next door, stated that he is growing corn there now. He went on to state that Meshacket is a 30 foot right of way not 40 feet and that anyone considering widening that road would have to take a corner of his field at the first dangerous curve and a piece of Sherman's field, currently protected by conservation agriculture act restrictions, at the second dangerous curve. In regard to the proposed 100 foot buffer zone between this site and the edge of my property it is actually only 60 feet the way I measure it and then it drops off. The remaining 40 feet is in the air because it has already been cleared off. The final point is the concern with the word temporary because that word smacks as one of the worlds three big lies, there is a joke to that affect that I can't mention now. If I could be assured that it really was temporary then the concerns would be greatly reduced. As Sherman spoke it sounded very proper. But the word temporary must be very firmly underlined because the word temporary becomes permanent in a very short time and an alternative site becomes unthinkable once our site is working so well.

Mr. Steve DeFelice, Trustee of the Island Grove Residents Association, submitted written testimony for the record and reviewed the following points from the letter individually: 1. temporary regional transfer station and the implications of the word temporary; 2. entrance; 3. Meshacket Road; 4 sightliness; 5 hours; 6. trash; and 7 noise.

Mr. Filley asked Mr. DeFelice if Island Grove is on Town water? The response was yes.

Mr. Peter D'Zmura, resident of Llewellyn Way, stated he submitted written testimony to the Commission stating his concerns. Although I am not unconcerned with the local drop off site I will focus on the transfer station. We are being asked by the Refuse District and the Town of Edgartown to accept the new transfer
facility on faith when there is no evidence that they have considered many of the potential harmful impacts of the facility on the people who live near it. When there is no evidence that they have taken an understanding of these potential harmful impacts and tried to engineer the system to eliminate or at least reduce them. I think that is unacceptable. As an example of how the Refuse District has failed to do the minimum acceptable thing he stated the noise and vibrations currently being made and the fact that the proposed station will create the same effects. They might have surveyed the people in the area, looked at the equipment used and investigated sound barriers. We see nothing about this and other matters in the file. Mr. Chairman and members of the Commission, I don't think you should accept this. There are too many people that could be hurt, there is too much residential property that may be devalued to let this project go on with such a sorry basis. Furthermore to let this project go ahead without a thorough impact evaluation and a thorough re-review of the engineering design would set a poor if not dangerous precedent. I suggest that you set up a small ad-hoc group to advise you on what needs to be looked at and assist you in getting information from the applicant, and to assist you in evaluating the impacts. If this project were to go forward I urge there be at least 2 conditions, both of which have been mentioned here. The first is the findings of a permanent site should be expedited, the Edgartown site is simply not right and no amount of band-aids or paper shuffling is going to make it right. Secondly, provisions should be made for periodic reevaluation of the operational impacts of the facility taking actual experience into account. This will help us to deal with the facility in Edgartown but the real benefit will be to the future permanent facility.

Mr. Bob Blethen, driver of a tractor trailer for Averill Distributors, stated that he is not in opposition to the transfer site in Edgartown, however, I would be in opposition to using Cleveland Town Road, Robinson Road and Pease Point Way. From my standpoint you have to make 3 left hand turns into traffic and you also have to drive through a school zone. Robinson Road is a very narrow road and if you get a tractor trailer and a rubbish truck coming in opposite directions there is really no room for either truck to pass safely. I would much prefer to go out Meshacket Road and make 1 left turn onto the West Tisbury Road.

Mr. Young asked Mr. Blethen if he had any problems negotiating the turns on Meshacket Road? The response was that you have to go quite slow but there is no problem keeping the truck on the road. Mr. Young then asked, do you have to go into the opposing lane though? Mr. Blethen responded yes you do, but the speed limit is 10 m.p.h.

Mr. Geller asked if it would be possible to have the police block off the road at the end so there would be no cars coming against
you? Mr. Blethen asked if we are going to spend our tax dollars for 3 round trips per day? There was further discussion about this and schedules for trips on the Steamship Authority.

Mr. James Joyce stated that he thinks the DEQE decision is now null and void because when they made their decision they were talking about it being primarily an Edgartown transfer facility and it is now an all Island facility, which is not what they were discussing. The whole issue must be reexamined since there will be more trash with a greater threat to the water supply. He stated that the DEQE decision does state that Meshacket Road is dangerous and does need to be widened so before anything is allowed to leave there that road should be widened. When it was brought up at Town Meeting, I understood as did many others that it was 1 year not 3 possibly 5 years. So there is some inconsistency with what they tell you one day and what they tell you the next. He stated the inconsistencies he has heard in the opening times of the facility. He stated he doesn't see why buffers should be 50 feet on one site and 100 feet on the other. It should be consistent all the way around. Concerning the trucks on Robinson Road, the school was discussing closing the road down to all traffic for certain hours during the day and they are now talking about increasing traffic on this same road.

Diane Ravioli stated that it has been discussed when the trucks would leave the facility but I have heard no discussion on when the trucks will be returning to the site. Would that be during heavy traffic hours? Is it possible that these trucks could be taken at the end of the business day? The other point I want to make is that the gentlemen, Mr. Hannigan, stated that the facility would only be operating during business hours and now he says the trucks will begin operation at 6-6:15 a.m. I didn't know that those are business hours.

Harriette Hoar, stated that she thinks she sees an inconsistency in the staff notes; the statement in the DEQE decision that the capping of the site will reduce the possible groundwater contamination while the staff notes indicate the drop off facility will be permanent. Mr. Young stated that the difference is that the drop off center is permanent for Edgartown residences and the transfer station is a temporary regional site. So after the lease expires the back of the lot will no longer be utilized for the transfer facility it will come under town control again and what they do with it is a matter of conjecture at this point. The existing landfill site will continue to be capped and will continued to hold the 10-12% of Edgartown waste that will not go to Seamass or be recycled. Ms. Hoar stated that she shares other's concerns regarding the word temporary. She stated that if you do vote to approve I would ask you to specifically mandate no more than 3 years because as Mr. Look pointed out there is quite a lead time requirement for establishing a permanent site and if after 3 years one is not found we should
withdraw because good faith would be questionable. She questioned whether a pole barn construction with no walls is acceptable? The winds are extremely strong in this area and the idea that no walls are being required to retain this rubbish and the idea that all your wind is coming down from the heavens doesn't make sense. You do require some very serious wall barriers.

Mr. Norman Vunk, resident of Island Grove, who has lived on the Island for 25 years, stated that one of the things that bothers him is the use of Meshacket Road and I favor everything but that. The 3 tractor trailers don't bother me as much as the 20 packer trucks. The trucks that drive down there now obey the 10 m.p.h. limit but all the other drivers don't. This is a very dangerous road and I don't think that anybody wants to look back and say we could have reduced this traffic but didn't after someone dies. He urges the Commissioners to drive on that road.

Ms. Bryant asked if the school buses use that road? Mr. Vunk responded yes, you have to stop to let them get around the curves. There was further discussion on the number and times the school buses travel these roads.

Ms. Tess D'Zmura stated that in addition to the school children there are tourists, walkers and bicyclist, etc. on this road during the summer.

Mr. DeFelice asked if Dick Brown's property currently being used could be utilized to get trucks to Meetinghouse Way. Mr. Young stated this could be considered.

Mr. Hoar stated having had considerable dealings with DEQE when he was on the Sewer Commission and having been instrumental in making the appeal to DEQE to limit this to a transfer station and not a landfill, I want to comment on part of their order which may not have been discussed with your Commission. The order states that any plans have to be approved by DEQE. Have they submitted to your board the correspondence to date to DEQE showing any approval steps that DEQE may have made. If not it is going to delay the process even more if you approve one set of plans and DEQE comes up with a second.

Mr. Peter Look stated the concerning DEQE assignment, the Board of Health in the Town of Edgartown took it upon themselves to assign this site as a solid waste disposal site, approximately 4-5 months after the assignment process began DEQE signed in the solid waste bill of 1987 which had far reaching changes. In that process is the assignment of land for solid waste use. These changes make it a 3 year process to make any new assignment. It was never to say that it wouldn't be a regional transfer site. What they said it that it could be a transfer site. So the question of being regional or local won't come up. The order
modified the assignment to include the 6 points you have in front of you. In regard to having the trucks come in the main access now, this land is the only land that will ever be assigned to be landfill space, no one will permit a new landfill anywhere, and that is why it is so important for a regional body to take control of this land for landfill capacity. If we were to take this site and say you have to do it on the existing landfill site then you have effectively removed that landfill capacity from availability to the citizens of the Island. The State owns the landfill and the land has never been de-assigned and the State could begin dumping on that site at any time.

Sylvia Bader owner of a house on Meshacket Way, stated that as she sees it this is very important to get started. It seems to me then that the best thing to do is just get started with a very small scale operation. Maybe beginning with just Edgartown, that way we could be started and avoid all these problems.

Mr. D'Zmura responded to the "NIMBY", not in my back yard philosophy, by stating that he doesn't think people realize just how close to residential property this facility is. I don't think that this facility should be this close to anybody's property whether it be in Edgartown or Gay Head and I think it is important to get this point across. There is no screening, the trees are already cut, I woke up last weekend to hear the sound of chain saws and somebody cutting down more timber. I called about it and the answer came back as everything is OK and it is all according to plan. This thing is really in our back yard and right across from Island Grove. We should find a site where you have 500 feet of timber in all directions between this site and any residential property.

Mr. Young recommended that all Commissioners make a site visit of the Edgartown Dump area and that they approach by the Cleveland Town Road and exit via Meshacket Road with a side trip down Llewellyn Way.

Mr. Eugene DeFelice, resident of Island Grove, commented that from what we heard, no matter what entrance or exit is used in this case it will create some kind of a hardship. This indeed shows that it's not the perfect site, and I would hope that you as a board could make sure that this is a temporary site and I think that what we should do is look for a better solution for the benefit of everyone.

When there was no further testimony, Mr. Young called on questions from the Commissioners.

Mr. Geller complimented the woman who addressed the question of when the trucks would return to the site and asked that this question be answered? Mr. Hannigan responded that the trucks leaving on the 7-7:15 a.m. boat would return on the 11:15-11:30
Mr. Geller asked how they would address the concerns that have been raised regarding these tractor trailers operating at the same time as the school buses? Mr. Hannigan responded that the trucks are not unlike others that have operated for years and will be operating at the same time on these roads. We would of course choose the route that best addresses the concerns of all and see that the truckers follow that route but we need some route for the trucks to follow to get to the ferry.

Mr. Jason asked Mr. Hannigan to respond to Mr. Hoar's request that the DEQE correspondence be submitted for the file and also Mr. DeFelice's request that we consider the road that runs from Meshacket to Meetinghouse Way. Mr. Hannigan stated that they would submit copies of all correspondence with DEQE and that they tend not to generate much paperwork back our way but have been reviewing the plans and telling us to proceed to the next step as we proceed through the process. The other route that was mentioned clearly we will look at if you wish, as well as any other routes that might be possible. Concerning the time, when I mentioned 7:00 a.m. that is the time that we may be open to receive waste from the packer trucks. In order to make a 7:00-7:15 boat the full tractor trailer that was loaded the day before would have to be leaving the site at 6:15-6:30 a.m. I am not saying that we would necessarily open the gates at that time to begin to receive packer trucks so there is a difference with these times.

Mr. Young asked Mr. Mercier to shed some light on the road that runs through from across the dump entrance to Meetinghouse Way? Mr. Mercier responded that it would be feasible. It would be about a 2 mile trip over a dirt road to get back to the West Tisbury Road. He poses one other alternative that hasn't been addressed in lieu of using Robinson Road; that being that you would consider coming down Cleveland Town Road to Pease Point Way then turning at the corner of Main then proceeding up Main from there. That is the way that all the tractor trailers that go to Grant Brothers proceed. In the course of the day there could be as many as 15-20 trips when they are hauling stone from Vineyard Haven.

Ms. Bryant asked Mr. Hannigan, you stated that these are the same roads that are currently being used by trucks of this size, but aren't we talking about more of them and with a 12:30 p.m. return time aren't you talking about the same time that the kindergarten kids are getting out? Mr. Hannigan said we are talking 3 trucks and as Mr. Mercier just said 15-20 of these trucks are already there of this size, so 3 additional trucks I don't see as a major increase. With regard to kindergarten buses, if that is the time, yes there could be these trucks on the roads when the buses are travelling but so are the other trucks. In reference to the statements made about truck drivers, the only vehicle I have ever
seen pass a stopped school bus when the lights are flashing and it would endanger the children is a car or a pickup, I have never seen a large tractor trailer truck or any commercial truck do that.

Mr. Geller asked Mr. Hannigan about Mr. Look's suggestion that the local drop off should be for all property owners in Edgartown to allow commercial facilities to recycle their waste? Mr. Hannigan stated it was never our intent to prohibit restaurants, stores, etc. from recycling at this drop off, however with respect to disposable refuse this site will be only for household refuse. Mr. Geller then asked with regard to your timetable of shipping to Seamass July 1st, when would you have to have our approval or denial, as the case may be, from the Commission? How long will construction take? Mr. Hannigan responded the sooner the better. The type of buildings proposed are quick to construct but not overnight and that the rate of construction would depend on the builder.

When there were no further questions Mr. Young closed the public hearing at 10:52 p.m. with the record remaining open for 1 week. He suggested that the Commissioners' review the extensive correspondence in the DRI file.

Mr. Early reconvened the special meeting of the Commission at 10:53 p.m. and proceeded with agenda items.

ITEM #5 - Discussion - Designation of Edgartown Ponds DCPC, Town of Edgartown

Mr. Early introduced Melissa Waterman, MVC Staff, who reviewed the draft decision (available in its entirety in the meeting file), including the change in boundaries, the reasons for designation, and the proposed guidelines.

After many questions and lengthy discussion it was decided to make the following changes to the draft decision: Page 8, para 8 change wording to "The distances given for the zones within the Coastal District in the Edgartown Ponds Area DCPC are suggested."; Page 8, last paragraph, change to "A variance procedure shall be established for land where the imposition of the regulations may be demonstrated by the landowner to be unreasonable."; Page 11, Prohibited Uses, Intermediate Zone, change to "Uses not permitted by right or special permit including the creation of a residential lawn."; Page 12, end, added the following: "By majority vote of the Martha's Vineyard Commission, Swan Neck Subdivision, Thomas C. Wallace, Trustee, Map 43, Lot 3.3, Town of Edgartown Assessors Maps, shall be exempt from guidelines and regulations established for this District."; Page 13, para 2., change working after by-law for land to "within the originally nominated District".
ITEM #6 - Possible Vote - Designation of Edgartown Ponds DCPC, Town of Edgartown

It was motioned and seconded to designate the Edgartown Ponds Area DCPC with the amended boundaries and accept the draft decision and guidelines with the changes indicated above. This motion passed on a vote of 12 in favor, 0 opposed, 1 abstention (Evans). (Harney and Geller were in favor).

ITEM #7 - New Business - There was none.

ITEM #8 - Correspondence - There was none.

The meeting was adjourned at 12:00 a.m.

ATTEST

John G. Early, Chairman  5/25/89

James Young, Clerk/Treasurer  5/25/89

Attendance


Absent: Eber, Delaney, McCavitt, Allen.

*  Mr. Araujo and Mr. Filley left at approximately 10:40 p.m.
**  Mr. Evans arrived at 8:00 p.m.
***  Ms. Sibley arrived at 7:45 p.m.
****  Mr. Wey arrived at 8:05 p.m.