

THE MARTHA'S VINEYARD COMMISSION

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MINUTES OF JANUARY 18, 1990

MARTHA'S VINEYARD COMMISSION MEETING

The Martha's Vineyard Commission will hold a public hearing on Thursday, January 18, 1990 at 8:00 P.M. at the Martha's Vineyard Commission Offices, Olde Stone Building, New York Avenue, Oak Bluffs, MA, pursuant to Chapter 831, Acts of 1977, as Amended, Section 10 and Chapter 30A, Section 2 of the Massachusetts General Laws. The purpose of this hearing is for the Commission to receive testimony and determine if the proposed regulations conform to the guidelines for development of the Oak Bluffs Planned Development District of Critical Planning Concern specified in the Commission's Designation of this District on February 9, 1989.

Mr. Early, Chairman of the Planning and Economic Development Committee, thanked Mr. Jason, former chairman, for all the work the Committee has done in handling this nomination. Mr. Early then read the Oak Bluffs Planned Development District Public Hearing Notice, opened the hearing for testimony, described the order of the presentations for the hearing. The hearing began with some technical changes to the proposed regulations. Ms. Carol Borer, Executive Director, reviewed these changes.

Ms. Borer noted changes to the proposed regulations and explained that since these changes came in late this afternoon we were not able to incorporate them into the copies. Corrected copies will be available and will be mailed out with the agendas tomorrow in anticipation of next Thursday's meeting. (Original Legal Notice with Regulations and the corrected "Draft Regulations" documents are available in the DCPC and Meeting files. See underlines in "Draft Regulations", these are changes noted above.)

Following Ms. Borer's explanation of changes, Mr. Early called on Greg Saxe, MVC Staff, to make his presentation on the regulations.

Mr. Saxe began by stating that in addition to the wall maps there are maps at the back of the staff notes to acquaint you with the location of this DCPC and that there are several copies of the original designation decision and staff notes from that public hearing available for review. Mr. Saxe reviewed the physical characteristics of the site, the intent of the MVC designation decision guidelines and then discussed the proposed regulations. Mr. Saxe called attention to the staff notes which outlined steps that would be followed under these regulations. Four pages of these draft regulations outlined special permit submission requirements. The Planning Board would be the special permit granting authority. Mr. Saxe closed by stating that after this district's designation, all interested parties were

appointed to a Town committee which has met every two weeks for the past year and has spent recent months creating this draft by-law which was converted from Burlington and Edgartown Planned Development District by-laws. Mr. Saxe then asked Mr. Martin, Chairman of the Oak Bluffs PDD Committee, to make his presentation.

Mr. George Martin began by apologizing for reading his presentation but he wants to be sure to cover major points (a full transcript of his testimony is available in the meeting and DCPC file). Mr. Martin reviewed the history of this DCPC, the formation of the Town's committee and subcommittees, the committee's meeting schedule goals and objectives. He continued by stating that using the goals and objectives as our guide, we proceeded to study the feasibility of various uses. Because of this, where we have ended up, is greatly different than where we started. Basically the land use presently being considered is much less intensive than originally imagined. We have decided that this land would not be appropriate for a solid-waste transfer station. Also that this land would not be appropriate for a sewage treatment plant. We have, however, decided that there should be a small waste-water treatment plan to properly treat any waste-water generated on the site only. Of the 300 acres (+ or -), it is our belief that less than 90 acres should be developed - including municipal, civic, senior housing, recreational (other than a possible municipal golf course that will serve the Island), commercial-retail, professional, office, cottage industry, and light industrial. The light industrial which was originally thought to be a major component is now less than 20 acres. The Committee's meetings every other week were posted public meetings where we received input from any citizen that attended as well as testimony from experts provided by different sub-committees. A public hearing was held at the Oak Bluffs School Gymnasium on May 13, 1989, where a presentation was made by eleven committee members and all questions were answered for citizens in attendance. A survey was sent to every post office box in Oak Bluffs regarding the potential of building a municipal golf course. The results were an overwhelming endorsement of this potential land use. There were 208 surveys returned, which we have been told is a very high return. Of this number, the results were 176 favorable, 32 unfavorable. Mr. Martin took this opportunity to thank many people from the Commission, Town Committee members and some unofficial members for their work in this endeavor. He stated that the reason he wanted to thank everyone at this time is that Peter Martell has done all the work on the title jigsaw puzzle and I will let you ask him any questions you might have in this area when I have completed this report. The Committee spent the first two months developing the goals and objectives of this committee. We have spent the last two months fine-tuning the regulations that Greg presented to you. The regulations were adopted unanimously at the meeting with approximately 70% of the active committee members present. Where do we go from here? With a favorable vote on these proposed regulations, the committee will be working hard to develop a conceptual master plan for this property and preparing for our annual town meeting. We have the following simple goals to guide us during these next critical ten weeks: 1. To develop the land using the existing habitat, to maximize its natural beauty in such a way that the residents of Oak Bluffs will be proud of this area, not only five years from now, but

in fact for many years to come. 2. To develop the land to provide the following: A.) Job opportunities for the citizens of Oak Bluffs now and in the future. B.) Business opportunities for the citizens of Oak Bluffs now and in the future. C.) Revenue for the Town while minimizing additional required municipal services, thereby ensuring a more financially sound future for the Town of Oak Bluffs, and lessening the need for continual property tax overrides. 3. To develop the land for the following uses and ratios: A. 40% - recreational to benefit the residents of Oak Bluffs and the Island (Golf, tennis, walking trails). B. 30% - Conservation and green belt land. C. 30% - Business, municipal, other recreational, elderly care and housing.

Following Mr. Martin's testimony, Mr. Early called for questions from the Commissioners for either Mr. Saxe or the Oak Bluffs Committee.

Ms. Colebrook, Commissioner, asked what is the status of ownership? Mr. Peter Martell responded that there are 16 parcels and in one case 60 people own 1 50 acre parcel. We are attempting to identify them and enter into option agreements. Mr. Martin stated that what we plan to do will be done anyway regardless of the ownership. Eminent Domain will clear the title immediately and any petitions will be dealt with by Town counsel. Ms. Colebrook asked the status of Brine's Woodlot? The response was that the 90 acre parcel in question is still in the DCPC boundaries, although only 45 acres have to been found to have clear title.

Mr. Sullivan, Commissioner, asked if there are any watersheds on this property? Mr. Saxe responded that the surface water drainage is divided right down the middle with a portion going toward the Lagoon and a portion going toward Sengekontacket. He showed the water contour line from the U.S.G.S. He also showed the location of the Lagoon Municipal Well and stated that there are monitoring wells in between there and this site. Mr. Sullivan then questioned the availability of studies he has heard referenced? Mr. Saxe stated that this site was considered for a septic treatment facility so there is some comparative data that was done for that purpose available. Mr. Sullivan stated that he would like to see some discussion on those studies for his education.

Mr. Schweikert, Commissioner, asked about the parcel owned by Elder Services, is it part of this DCPC? Mr. Saxe responded no, it is outside the district.

Mr. Early asked about the access for the Elder Services parcel, isn't it through this lot? Mr. Saxe responded yes, access would either have to be through this parcel or through School House Village.

Ms. Colebrook asked Mr. Saxe, the Planning Board will be the special permit granting authority? Mr. Saxe responded yes, after the Master Plan is approved by both Town meeting and the MVC.

Mr. Ewing, Commissioner, asked, as I understand it the site was found unsuitable for a regional septic treatment facility but adequate for treatment of actual development sewage. Where would this treatment

facility be located? Mr. Martin responded almost exactly in the center of the parcel, as far as possible from all residential developments.

Mr. Sullivan asked, regarding 21.1.4 Section G, does this mean that at this point it will be out of the Commission's hands? Mr. Saxe responded that the Commission DRI review and Town Meeting would allow a review of the Master Plan and some specific aspects as cited in the changes made tonight. The Commission would act in an advisory role after that.

Ms. Sibley, Commissioner, asked, that would imply that the Master Plan would be quite detailed? Mr. Saxe responded that it is outlined in Section 21.1.5 and that the District Master Plan submission requirements are very general and do not require detailed site plans.

Mr. Jason, Commissioner, asked I assume that it provides the Town with the option to include Commission DRI review if it wants to refer it? Mr. Saxe responded yes, it does.

Mr. Ewing asked in regard to the 20 acres for light industrial use is there any list that people can get on for those want to develop there? Mr. Saxe responded that this procedure would be outlined in the Master Plan.

Mr. Jason asked if it is 20 acres or 20%? Mr. Martin responded that it is less than 30% of the total development.

When there were no further questions for Mr. Saxe or the Oak Bluffs Committee, Mr. Early reminded members of the public that testimony was accepted in the form of statements and that debate and deliberation were not permitted at this time. Mr. Early called for testimony from any State agencies, there was none. He then called for testimony from Town Boards.

Ms. Ann Mechur, Oak Bluffs Zoning Board of Appeals, stated that in review of all the town boards listed as participating in the development of these by-laws, the one you will find missing is the Zoning Board of Appeals (ZBA). We were told that our participation was not necessary due to the fact that the process didn't require the ZBA at any time. However, knowing people, there usually is a use for the ZBA in any planning or permit process. The ZBA would feel much better if they were assured that it would not be necessary for the ZBA to be used or write us in so we could serve as a stop gap before going to court. Superior Court has stated that they much prefer ZBA intervention prior to cases coming to their court.

Tim Sweet, Chairman of the Oak Bluffs Planning Board, testified that although this is the end of the DCPC it is just the beginning of a long planning process. These regulations set up the framework for this long term plan. All the questions that you are hearing here tonight will be heard again during this process when we come back with a comprehensive plan. We are still early in the planning stage and are just setting up the framework, not approving anything other than to go ahead at this point.

Mr. Early then called for testimony from the general public.

Ms. Linda Marinelli, Oak Bluffs resident, gave the following testimony: As a nearby resident of this proposed Business Park, I must express my serious concerns and reservations relative to the development of these 317 acres in the Barnes and County Road area. I attended the ad hoc Committee meetings as a taxpayer and a nearby abutter and I listened carefully to the pro and cons relative to the plans to develop this beautiful large tract of remaining land into a business park and a golf course. I am not thoroughly convinced that the proposed plans can generate the large sums of money that will be needed to pay the debt of the revenue bonds including interest while the golf course and the park are under construction. We presently have a cash flow problems meeting the debt obligation and if the debt is increased, I seriously question the ability of the town to pay it back, and if we cannot meet our obligation the bank forecloses and we loose all 317 acres and any buildings that re upon it. I feel that setting aside an areas for elderly housing, professional office space, fire house, and police station are all excellent ideal uses for the park, however, I believe that recreational uses should be spelled out in detail, that is to say, the uses that are allowed should be written into any regulations and those that the people feel are not appropriate should be spelled out in detail as well. I am very concerned that if this is not done we place Circuit Ave. in danger of becoming a ghost town. We cannot afford, if this proposal happens to fly, to allow businesses to go into the park that would detract from Circuit Ave. The concept is under consideration and is in the plans for a treatment and packaging plant, and I further understand that this proposal of a regional plant has been abandoned, however, in the district nomination it is written and I quote "from a regional standpoint this district includes areas that could contain future major public investment areas that could serve the residents of more than one town". Therefore there seems to be a great inconsistency that should be looked at carefully and or not be allowed be allowed to intrude into a residential area. I feel strongly that these points of inconsistencies must be cleared up prior to taking any further steps and language should be included into any regulations that the facility will be used only for residents of Oak Bluffs, if any of this plans happen to be approved then town meeting needs to approve prior to other boards approval. I always have felt that town meeting should approve anything prior to any other action and I sincerely feel they should be given a chance to say whether or nor their choice is a business park or a golf course. Doesn't the Commission have the authority to extend DCPC time frames, so that this can go to April Town meeting. My last concern is Chapter 40D, that has a provision in it that authorizes the Selectmen to appoint five people and they will be authorized to make all decisions relative to the park. Major decisions should come before the voters. We cannot know who will be the Selectmen in the future and who they will prefer to place on the board of directors of Financing Authority. If we do not have pre-established restrictions and or allowances, then this board will be in total control and we are helpless to do anything. I asked you to seriously consider each of my concerns to make the necessary corrections that will tighten up these very loose proposals if

ultimately this proposal is approved.

Corrine Moraine testified that she lives in Lagoon Estates and is concerned with the access and egress to this proposal. Is there any possibility that there will be access through developed areas? Mr. Martin responded that he is no traffic engineer but from his perspective he can only see the property contiguous to the Ice Arena and that will probably include 2 access and 2 egress lanes. There is no way that we will access through subdivisions.

Tim Sweet testified again that he can't emphasize enough, we do have some concerns as Ms. Marinelli has pointed out, but this is just the framework to ensure everyone that what could be done would be done involving this decision. The Master Plan will have to be approved by the Selectmen, Town Meeting and the Commission. I think it behooves us to take a crack at this.

Mr. Hans Stibolt testified that as someone who lives in the neighborhood, he shares the concerns Ms. Marinelli has offered. I believe this is the most critical issue this Town has faced. Concerning the thoughts I've heard that the land is free, it is not, whether it is taken by eminent domain or not. I question if this is the answer to the Town's financial problems.

Rob Renear testified that he is a resident and Trustee of Meadowview Farms, a neighboring residential subdivision, and that the Trustee's conducted their own survey of residents regarding the construction of a municipal golf course and we also received an overwhelming positive response.

Mr. Primo Lombardi, Oak Bluffs resident, asked if this process means to take this land and then figure out what to do with it? Mr. Martin responded no, on the contrary, we'll figure out what to do with it first. Mr. Lombardi asked, so nothing will be done until then? Mr. Martin responded that is correct.

Ms. Davis, Commissioner, asked if someone owns land in the DCPC and wants to build a house now, can they do it? Mr. Saxe responded that the moratorium on development in this district is still in effect until adoption of the regulations. When the regulations are adopted the first step will be adoption of a master plan and this will precede development. Mr. Martell added that there is presently no access/egress to the bulk of the property so until someone is in control of the access you can't get to the bulk of the property. There is legal contention as to who owns it. He continued that most of the land has been listed for the past 50-75 years as being of unknown ownership. There is no hardship being created at this time.

Ms. Colebrook, Commissioner, asked if there have been any applications for permits or inquiries for development? Mr. Martell responded that 2 permits had been rescinded as not being proper.

Mr. Ewing, Commissioner, asked about the statement that only 1/2 of the Brine Woodlot had clear title? Mr. Martell stated that when it was deeded to the Town the title wasn't fully held by Mr. Brine so the

acreage has been reduced.

Ms. Marinelli asked if it is within the purview of the Commission to extend the timeframe for its decision on the regulations so they could go to Town Meeting floor first? Ms. Borer, Executive Director, stated that the regulations must be adopted prior to February 9th or the land reverts to its previous zoning.

Ms. Ann Mechur asked if there were no provisions for extensions? Mr. Early responded no.

Ms. Elizabeth Talbot, Chairman of the Oak Bluffs Conservation Commission, asked if these regulations are adopted by the Commission and the Town decides it wants more stringent regulations can we go further? Ms. Borer responded yes, and bring them back to the Commission for their approval.

Mr. Early asked Mr. Martin if he would like to make a closing statement.

Mr. Martin stated that he thinks that we have the right plan and are moving in the right direction.

When there was no further testimony, Mr. Early closed the public hearing at 9:40 p.m. with the written record remaining open for one week.

Following the public hearing and a short recess, Mr. Filley convened the Regular Meeting of the Commission at 9:45 p.m. and proceeded with agenda items.

ITEM #1 - Chairman's Report

Mr. Filley called Commissioner's attention to a document in their packets sent over by the Town of Edgartown Planning Board which lists articles for 1990 Town meeting and a schedule for public hearings.

Mr. Filley reminded Commissioners of the round table discussion requested by the West Tisbury Planning Board to be held Monday, January 22, at 8:00 p.m. at the West Tisbury Church. A meeting has also been scheduled Tuesday, January 23 at 7:45 p.m to meet with the Edgartown Planning Board. All Commissioners are encouraged to participate. He stated that as these town board meeting develop we will be discussing issues such as standardized impact and exaction fees and reviewing and referral processes.

Mr. Filley also reminded Commissioners of the talk sponsored by the League of Women Voters on January 22, at 7:30 p.m at the Grace Church Parish House in Vineyard Haven. Mr. Richard Hall, environmental lawyer and co founder of the National Resource Development Council, would discuss the NIMBY philosophy.

Mr. Filley closed by reporting by there was a large contingent from the Vineyard present at the Governor's signing of the Cape Cod

Commission bill. He stated that the room was full of excitement and they are looking forward to their start up. They were very happy that the MVC showed their support. We also congratulated Mr. Connors for his work.

ITEM #2 - Old Business

Mr. Filley asked Ms. Borer to review correspondence received from the Steamship Authority.

Ms. Borer stated that Mr. Fuller of the SSA has been in contact with her. He has read our proposal and will be reviewing it with his staff and be back in touch with me in the next couple of days. There are certain components of the proposal that he feels they would be interested in pursuing.

ITEM #3 - Minutes of January 11, 1990

It was motioned and seconded to approve the draft minutes as presented. There was no discussion. This motion passed with no opposition, 1 abstention, Eber. (Harney was in favor, Davis and Allen abstained.)

Mr. Filley then took the agenda out of order and proceeded to Item #7.

ITEM #7 - New Business

Mr. Friedman, MVC Administrator, stated that Chuck Clifford had visited the office Tuesday. He was doing some research and needed some document copies. He looked great, healthy and happy. He asked that I say hello to everyone.

ITEM #5 - Discussion - M.V. Shipyard, Town of Tisbury

Mr. Filley asked Ms. Borer to update the Commission on the status of the M.V. Shipyard DRI.

Ms. Borer stated that the Commission asked for a written decision to be prepared tonight however, based on discussion with State officials and Mr. Barbini it appears they will be making some modifications to the plan so we will not be voting on a written decision tonight. Since Mr. Hale is on vacation this week, Mr. Barbini could not get the OK to proceed with the modifications. The changes are as follows: (1) the existing rip rap is not shown on the current plan and it will be modified to reflect this rip rap; (2) since Packer has withdrawn their bulkhead application, Mr. Hale might reconsider the installation of a bulkhead, so you will either see no bulkhead or a bulkhead above mean water level on the revised plan. There has been no additional correspondence on this DRI.

Mr. McCavitt, Commissioner, stated that he had shown these plans to his office at Coastal Zone Management and the main concern was the bulkhead. Removal of the bulkhead from the plan will reduce the review and permit process.

Mr. Morgan, Chairman of the Land Use Planning Committee, stated that LUPC had unanimously voted to recommend this DRI for approval.

Ms. Borer stated that the changes that are to be made will alleviate the permit process. We could take an oval vote tonight or wait and review the revised plan.

Mr. Jason stated that the reason we were going to vote on this tonight was because this project shouldn't be delayed needlessly. Since Mr. Hale choose to go on vacation and the revision will reduce the review process I think we should wait and see the revised plans.

Mr. McCavitt stated that it is probably better to see the revised plan and since the revisions would already reduce the permit process time it shouldn't be a problem in delaying it one week.

Ms. Borer asked, so it will be on the agenda next week for an oral vote and the following week for the written decision? This was agreed by consensus.

ITEM #8 - Correspondence - There was none.

Mr. Filley moved back to Item #4 on the agenda.

ITEM #4 - Committee and Legislative Liaison Reports

Mr. Morgan, Legislative Liaison, related the County Commissioners' decision to vote on a resolution relating to Chapter 807 to establish a county charter. There will be a question on the November State ballet regarding whether the County charter study should be undertaken or whether the County government should remain as is. Mr. Morgan closed by stating that the Governor signed the Department of Public Utilities roll back rate bill and the tax package that came up is now dead.

Mr. Fischer, Chairman of the Gay Head Cliff Area DCPC, reported that they had met at noon for a site visit of the Diem property. Mr. Saxe, MVC Staff, and Mr. Kent Healy and Jay Silva were present. He was nice to have Mr. Healy and Mr. Silva present to point our the areas of concern and the septic and house sites. The DCPC Committee will be meeting again Monday, January 22, at 4:00 p.m. here at the Commission offices.

Mr. Early, member of the GH Cliff Area DCPC Committee, stated that he was glad to have the opportunity to go to this site, it is truly a spectacular piece of property. One of the most important tracts on the Vineyard, in my opinion. It is a piece of the Vineyard that has to be protected. I urge all Commissioners to take a ride to Gay Head to look at this piece of property. There is nothing else like it and it is part of the Island's heritage.

Mr. Greene, member of the GH Cliff Area DCPC Committee, agreed and stated that it is an incredible spot and it is very hard to describe the beauty.

Mr. Morgan concurred that it is a magnificent parcel. Lot 10 is exposed to the sea in all directions and there is a magnificent bluff. The siting of any building or development on this bluff is so delicate that I urge you all to walk this site. We will be going out again on Monday at noon and I urge anyone that wants to attend to join us.

Mr. Ewing, Chairman of the Edgartown Ponds DCPC Committee, stated that there was no meeting this week. There will be a working session tomorrow at noon at the Dr. Fischer House in Edgartown with the Edgartown Planning Board to discuss draft documents for the formation of the Edgartown South Shore Ponds Advisory Committee.

Mr. Early, Chairman of Planning and Economic Development Committee, stated that the public hearing on the OB Planned Development District regulations tonight was well attended and that discussion and possible adoption of the regulations would be on the agenda for next week's meeting.

Mr. Bales, MVC Staff, reported on a CHAPA conference he attended this week which discussed new initiatives and programs offered to towns in Massachusetts regarding affordable housing and that these will count toward's the 10% mandated by the State. He stated that if the town has an affordable housing master plan it will go along way to protect the town again comprehensive permits.

Mr. Jason asked it will demonstrate the town's move toward compliance? The response was yes.

Mr. Filley reported for the Executive Committee by stating that the meetings on Tuesday and Wednesday with the West Tisbury and Edgartown Finance Committees went well.

Mr. Early stated that he is proud of his town and their finance committee. They expressed tremendous support of the Commission in acting on their budget and dealing with their fiscal finances.

Mr. Fischer, Clerk/Treasurer, stated that most towns commended the staff for sticking it out without pay raises for the next year.

Mr. Filley called a short recess until the 10:00 p.m. budget hearing.

Mr. Filley turned the gavel over to Albert Fischer, Clerk/Treasurer, who read the following hearing notice:

The Martha's Vineyard Commission will hold a hearing concerning its FY 1990-1991 budget on Thursday, January 18, 1990 at 10:00 p.m. at the Commission Offices, Olde Stone Building, New York Avenue, Oak Bluffs, MA.

Mr. Fischer read the hearing notice, opened the hearing for testimony, informed Commissioners that the budget information is supplied in their packets (copies are available in the meeting file), and introduced Norm Friedman, MVC Administrator, to make his presentation.

Mr. Friedman thanked the officers and members of the advisory committee for their patience during the budget preparation. He gave an overview of the development of the budget. Referring to page 1 of the handout, he stated that the first column represents the minimum amount that could be expended by the Commission and still maintain the current level of service. The center column represents what I estimate the Commission's income will be from outside sources such as contracts and grants from DWP, DEP, DZM, the fee schedule and mapping and copying. The balance is made up by local assessment and that is shown in the third column. The difference in the middle and last column from last year reflects the \$140,000 of State funding that was lost. The more outside money the Commission receives the less the assessments to the towns will be. Page 2 shows how the towns are assessed based on the equalized evaluation of the 351 cities and towns down by the State. Using this we develop a formula for determining the percentage that each town will be assessed. On Page 3 are the actual assessment figures. Since Gosnold doesn't participate in the DRI or DCPC process and by law they are only involved in the planning processes their assessment is small by comparison. It is unfortunate that we lost the \$140,000 of State funding. If we had this money the assessments would have only been \$50.00 higher for this fiscal year. Mr. Friedman continued that the equipment budget reflects the star-lift rental at \$5,000 and the rent has also increased. All other areas have been level funded or reduced. This budget is actually less than last years.

Following Mr. Friedman's presentation Mr. Fischer called for questions from the Commissioners.

Ms. Davis asked is this a typo or is the rent anticipated at \$1,500? Mr. Friedman responded it is a typo, it should read \$15,000.

Mr. Schweikert, Commissioner, asked where the DRI fees show up? Mr. Friedman explained that they are part of the middle column on the first page, they are not broken down individual. I estimate the fees will be approximately \$30,000 based on previous years and the current fee schedule.

Ms. Allen, Commissioner, stated that the last meeting she attended Ms. Harney stated that she was promised \$40,000 from the Governor, what is going on with that? Mr. Friedman stated that we are still hoping it will be coming through but we haven't gotten it yet.

Mr. Early commended the administrator on the herculean task of preparing a budget without the modern conveniences of a spreadsheet. He stated that he and Mr. Filley had created a 2 page spreadsheet and copies are on the table for review. The State's guarantee for funds was for Fiscal 1990 but it's still not here yet. He went on to state that any additional funds will impact the assessment but that we have other obligations that will come before reducing the assessments to the towns, e.g. the \$60,000 owned to Choate, Hall and Stewart, who have been very understanding but any State monies forthcoming would be first applied to that bill. In addition, all the towns are working towards step increases for their employees and I feel we are obligated to our staff to make adjustments in salary with any windfall we may

get. There were four or five versions of this budget prepared and the Executive Committee and the Executive Director and Administrator have worked very diligently on this budget for quite awhile. The Finance Committees seem very receptive.

Ms. Borer thanked Mr. Early and Mr. Filley for preparing the speedsheet budget and stated that it shows a comparison from this years budget and stated that the \$15,000 for rent is correct on this speedsheet.

Mr. Morgan stated he is concerned with our loss of \$140,000 in State funds in relation to a recent development I heard about concerning the Cape Cod Commission bill. As I understand it during discussion about the cost of the special election for the Cape Cod Commission bill, officials have been told not to worry about it since the State would pay some or all of the costs which are estimated to be approximately \$140,000. I think that we should call State officials and remind them of our \$140,000 in loss in light of this information.

Mr. Early thanked Mr. Friedman for the job he is doing and has done, making it through this fiscal crisis for this and future years. Mr. Friedman is the best and I liked to thank him.

Ms. Colebrook, Commissioner, asked how Gay Head could have had a 231.6% increase? In response the speedsheet comparisons Page 3 was used to show that the equalized valuation for Gay Head rose by \$106,420 or 178.6%.

When there were no further questions Mr. Fischer closed the hearing at 10:25 p.m.

Following the close of this public hearing, Mr. Filley reconvened the regular meeting of the Commission and proceeded with the remaining agenda items.

ITEM #5 - Discussion - MVC Budget - Fiscal 1991

There was no further discussion on the MVC Fiscal 1991 budget so Mr. Filley moved to the next agenda item.

ITEM #6 - Possible Vote - MVC Budget - Fiscal 1991

It was motioned and seconded to approve the MVC Budget - Fiscal 1991 as presented. There was no discussion. This motion passed unanimously.

ITEM #5 - Discussion - Regulations for Oak Bluffs Planned Development DCPC

Mr. Filley stated that since there were changes made to the regulations distributed tonight, I would like to see people review these changes prior to discussion.

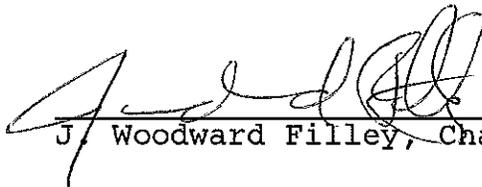
Ms. Borer stated that the changes would be incorporated into the draft regulations and mailed out with the agendas tomorrow.

ITEM #6 - Possible Vote - Regulations for Oak Bluffs Planned Development DCPC

The possible vote for these regulations will be on the agenda for next week's meeting.

The meeting was adjourned at 10:30 p.m.

ATTEST



J. Woodward Filley, Chairman 1/25/90 Date



Albert O. Fischer, III, 1/20/90 Date
Clerk/Treasurer
By James Young, Vice Chairman

Attendance

Present: Bryant, Colebrook, Early, Eber, Ewing, Filley, Fischer, Greene, Jason, Lee, Morgan, Schweikert, Sibley, Sullivan, Wey, McCavitt, Allen, Harney*, Davis.

Absent: Young, Geller.

* Ms. Harney left the meeting at 9:45 p.m. following the close of the Oak Bluffs Planned Development District Regulations Hearing.