

THE MARTHA'S VINEYARD COMMISSION

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MINUTES OF FEBRUARY 22, 1990

MARTHA'S VINEYARD COMMISSION MEETING

The Martha's Vineyard Commission held a special meeting of the Commission on Thursday, February 22, 1990 at 8:00 p.m. at the Martha's Vineyard Commission Offices, Olde Stone Building, New York Avenue, Oak Bluffs, MA.

Mr. Filley, Chairman, opened the special meeting at 8:15 p.m. and proceeded with agenda items.

ITEM #1 - Chairman's Report

Mr. Filley reported that Tuesday we had a very productive meeting with the Edgartown Planning Board. We discussed a few issues from the questions they submitted to us and a few we submitted to them. We discussed DRI thresholds and a bit about exactions. The meeting Wednesday with the Tisbury Planning Board was a briefer discussion regarding general Commission information. Again there was some discussion on thresholds. Notes from these and other towns' planning board meetings will be compiled and placed in a folder which will be available for use by the Commission and Land Use Planning Committee (LUPC).

ITEM #2 - Old Business - There was none.

ITEM #3 - Minutes of February 15, 1990

It was motioned and seconded to approve the minutes with a correction to page 11, change Hugh Taylor to Jean Taylor in paragraph 4. This motion passed with no opposition, 1 abstention, Early.

ITEM #4 - Committee and Legislative Liaison Reports

Mr. Morgan, Chairman of LUPC, reported that they will be meeting on February 26, 1990 to discuss the Leland Subdivision DRI on Chappy. We will also be conducting a working session on the DRI checklist and we hope a lot of people show up for that. It will be held here at the Commission offices at 4:30 p.m.

Mr. Morgan then reported as Legislative Liaison by stating that the list of bills on Natural Resources is not available yet. There are 45 bills that will be heard this week. Most of them are refiles and no oral testimony is accepted on refiles. The MVC sponsored bill, House Bill #2743, will be heard Wednesday. This is also a refile and there has been no special dispensation so we can be heard. The All-Island Selectmen and the MVC will be sending letters of support. Anyone else

who might wish to submit a letter should be sure it is in my hand no later than Monday afternoon. There probably isn't time to send them through the mail. They should be addressed as follows: Joint Committee on Taxation, Room 236, State House, Boston. Representative Turkington will be testifying as the legislator. I have met with the Chief Administrator from the Committee on Taxation, and also tried to speak with Chairman Flood but he was unavailable. Representative Turkington will speak to him before Wednesday. Copies of all bills filed this year by Representative Turkington will be available shortly in town halls and at the Commission for review. If anyone has any questions please don't hesitate to call. Mr. Morgan closed by reporting that J. Fair, of the Department of Marine Fisheries, will be here on March 30, at 6:00 p.m.. The location has not been set yet, but we hope to hold it in Vineyard Haven, possibly at the Katherine Cornell Theatre. Senator Rauschenbach, Representative Turkington and Mr. Fair will be holding a meeting to listen to complaints by local fishermen who are losing fishing and conch pots to large draggers, many of whom are out of State draggers. It should prove to be a very interesting affair.

Ms. Bryant, Commissioner, stated that Mr. Morgan should check with Mr. Gary Fauteaux of the Cape Organization for the Rights of the Disabled on the Katherine Cornell Theatre. I believe the elevator in the theatre is not adequate to meet handicap requirements. Mr. Morgan stated he will do so.

Mr. Early, Chairman of the Planning and Economic Development (PED) Committee, reported that himself, Mr. Jason, 2 Oak Bluff Selectmen and MVC staff had met this afternoon to discuss the direction that PDD will take. It was a very preliminary, informal discussion. The Oak Bluffs Committee will be meeting on February 28th. It is my understanding that they will be asking the Commission to assist them on the Master Plan for this District. PED will be meeting again next week.

Mr. Fischer, Chairman of the Gay Head Cliff Area DCPC, reported that they had met tonight to discuss the Diem exemption requests. J. Silva was here representing Mr. Diem. We voted unanimously to deny the exemptions and also voted unanimously to bring this before the full Commission for a vote. This is a very important decision. Mr. Fischer reviewed the exemption requests and some of the reasons for denial.

Commissioners are acquainted with these exemption requests in that several Commissioners attended site visits with the applicant's representatives and these requests were also discussed under Item #4, Committee Reports, at several Commission meetings.

It was motioned and seconded to support the Committee's decision and deny the exemptions. There was discussion regarding a draft letter prepared for the MVC to the M.V. Land Bank.

Mr. Lee, Commissioner, read the following draft letter: Dear Mr. Lengyel: We write you concerning the parcel of land illustrated in the enclosed location map. This property, currently owned by Peter

Diem, Trustee, Gay Head Realty Trust, is prominent within the District of Critical Planning Concern (DCPC) imposed by the Martha's Vineyard Commission in May of 1989. Lot 10 of this parcel, which is approximately outlined on the map, is the most sensitive portion of the whole property, and the lot that the DCPC committee wishes to protect from any development whatsoever. This land is particularly prominent when viewed from the water since it crowns the Gay Head Cliffs. The cliff faces themselves are under the ownership and protection of the Wampanoag Tribe of Gay Head. We who serve on the DCPC Committee have made a number of site visits in the past months, and have declined granting any exemptions regarding building on Lot 10 or on the other lots on this property. This is an extraordinary property. The bluff is a curious mixture of very fragile yet very stable land. Aerial photographs from twenty years ago compared with those of the present, show the basic outline of the parcel to be relatively unchanged. Erosion seems to be mostly on the lip of the bluff and seems to tend toward a gently sloping decline of the edge in the future. Any building on Lot 10 would change for all time the character of the entirety of the Gay Head Cliffs. We recognize that the Land Bank has considered this property for purchase in the past, and we are frankly imploring you all to reconsider this visually irreplaceable and historically important promontory of our Island.

The motion to support the Committee's decision and deny the Diem exemptions was amended to include approval of this letter. The motion was seconded. This motion passed with no opposition, 1 abstention, Colebrook.

Mr. Early also encouraged individual members to send letters and to urge their town officials to lobby for the Land Bank acquisition of these properties.

Ms. Greene, Commissioner, stated that the way the Land Bank is set up financially, Gay Head itself has very little funds for such an acquisition so it must be an Island-wide acquisition and support on this from other towns is very important. Mr. Morgan suggested that we ask each towns board of selectmen to write a letter.

Ms. Sibley, Chairman of the West Tisbury Special Ways DCPC, reported that they had met this evening. They reviewed the 1976 guidelines for the Special Ways Zone of the Island Road District. We have recommendations for a few changes and additions. We will have a draft for next week's discussion. We voted unanimously to recommend designation to the Commission.

ITEM #5 - Discussion - Regional Comprehensive Plan Goals, Policies and Action Plans.

Mr. Filley introduced Mr. Adams, MVC Staff, to continue his review of the document entitled: "The Martha's Vineyard Draft Policy Plan".

Mr. Adams distributed revised copies which included Sections II. - Economic Development and Island Capital Planning and III. - Transportation. Discussion by Commissioners and public followed Mr. Adams review on a topic by topic basis. A review of the entire

discussion of this document, including discussion from February 15th meeting, will be available shortly. Discussion on Housing, Health Care and Human Needs and Government Coordination will be continued to next week's meeting.

Mr. Early requested that since this document is updated so many time it would be a good idea to date every page of every version.

ITEM #6 - Possible Vote

Mr. Filley stated that since there will be discussion on the next week's agenda, there will be no vote on the Regional Comprehensive Plan Goals, Policies and Action Plans tonight. It will be rescheduled to next week as will the vote on the Harold Sears Written Decision.


ITEM #7 - New Business - There was none.

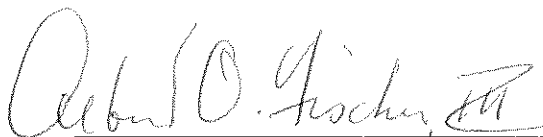
ITEM #8 - Correspondence

Ms. Borer, Executive Director, read a letter from R.H. Dickerman, President of Dickerman Overseas Contracting Co., which is summarized as follows: He states he owns a dry 200 acre island off the coast of Florida and that he is interested in discussing possible joint ventures, long term leasing or sale. Requests any interested associates or clients should call for a 75 page presentation folder. There was no further correspondence.

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

ATTEST


J. Woodward Filley, 3/1/90
Chairman Date


Albert O. Fischer, III, 3-1-90
Clerk/Treasurer Date

Attendance

Present: Bryant, Colebrook*, Early, Eber, Filley, Fischer, Greene, Lee, Morgan, Schweikert, Sibley, Sullivan, Young.

Absent: Ewing, Jason, Wey, McCavitt, Allen, Geller, Harney, Davis.

* Ms. Colebrook left at 9:30 p.m.