

# THE MARTHA'S VINEYARD COMMISSION

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MINUTES OF APRIL 19, 1990

## MARTHA'S VINEYARD COMMISSION MEETING

The Martha's Vineyard Commission held a meeting with Task Forces on the Comprehensive Plan, Thursday, April 19, 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, welcomed everybody to this meeting. He stated that developing the document entitled the "MVC Draft Policy Plan" that we will be discussing tonight has been a lengthy process and includes all the work done by the Task Forces, workshops and the Comprehensive Planning Advisory Committee (CPAC). We hope in distributing this draft and getting input we can firm up the Comprehensive Plan to cover areas that we feel are needed on this Island. Tonight we want to review the document and get comments on two things: 1) specific policies, (the action plans are still in a draft form) and 2) more importantly if anyone has any strong disagreement with the general ideas expressed in this Plan. He then introduced Mark Adams, MVC Staff, to give a review.

Mr. Adams stated that each of the Task Forces is represented here tonight. They put together their report about a year around which was a culmination of many varied meetings. This report was reviewed by the Advisory Committee and at workshops. He stated that workshops and documents prepared are listed on the last page. The full Commission has had three meetings on the draft, firmed up the policies and voted to approve these policies. He stated that the major topics are listed in alphabetical order to avoid listing them by priority.

Ms. Harney, Co-Chairperson of CPAC, stated that she agrees with the idea of alphabetizing the major topics. She thinks that the plan looks great.

Mr. Filley then asked Commissioners and Task Force members to introduce themselves, which they did. Following this he proceeded to a section by section review of the document asking for comments or questions for each section.

### I. ECONOMIC DEVELOPMENT AND ISLAND WIDE CAPITAL PLANNING.

Mr. Howard Ulfelder, Economic Development Task Force, stated that there are several points key to the action plan that don't appear to be emphasized as strongly as we would like. Particularly controls on the growth rate. Perhaps this was de-emphasized because it is controversial but we would like MVC comment on this. Mr. Schweikert, Commissioner, asked control on what type of growth, populations,

commercial? Mr. Ulfelder responded on all growth. A controlled rate of development that could perhaps be done using the Steamship Authority as a tool.

Mr. Ron Mechur, Physical Support Systems Task Force, stated that using a growth rate was dealt with on Page 29 in the section entitled "Land and Water Use and Growth Management". I believe that the challenge here is to take these actions and make them fit together like the hub of a wheel, overlapping. These are still pretty much in their own cubicle. Regarding Capital Planning I am very concerned about the language on Page 7 regarding Town Center Streetscapes. Oak Bluffs should be credited for its extensive park system already in existence. I am concerned that this plan should state points as clearly as possible.

Ms. Sibley, Commissioner, stated that because growth management is dealt with under land and water use and not economic development is something she finds lacking. The Economic Development Task Force focused on a sustainable rate of growth and felt it was important. I realize that we might not know how to turn this into an action plan at this time, but I still see it as a goal to achieve a sustainable rate of growth. Most of the economic anguish we are feeling now is a direct result of the past boom. If we could establish a steadier growth rate there would be less of the boom and bust scenario.

Mr. Ulfelder stated that he agrees there has been a lot of closings and consolidations among the business community and not all of them have been positive events. Many times they do not benefit the Island. Competition has suffered. Had there been more concern 5 years ago this might not have happened last year. Many people want the rural character but with urban services and that is something we have to deal with.

Mr. Michael Wild, Land and Water Use, stated that he has had years of experience in public planning and now a few years in the private sector and he doesn't see how you could manage these peak and bust periods. How do you manipulate events to get what you want? Some language in this document should be more forceful. One thing that has come up is the pinch on commercial spaces. We need locations where needed services won't be pinched out by seasonal services. Another thing that is needed is innovative zoning for neighborhoods to have needed services provided on a community basis. My key point is that some of these key topics should be more forceful.

Mr. Mechur stated that he believes that if there is any where the economy could be planned it would be Martha's Vineyard. We operate in almost a closed market and I think we could affect that market. I encourage you to try to continue to do that.

## II. GOVERNMENT COORDINATION

Mr. Paul Bagnall, Environmental Quality, stated that the policies should speak more to how we can affect State House decisions that concern Island issues. We should deal with State government as well

as local government. The State is beginning to realize that the Cape and Island are valuable resources that need protection.

Mr. Burton Engley, Health and Human Services Task Force, stated that the policies should address a higher level of involvement at the local level. It would give us a chance to encourage local boards, particular the planning boards, to rethink some things such as zoning.

Mr. Mechur stated that it is a complicated matter for the town to develop zoning by-laws and get 2/3rds approval on town floor. While I don't necessarily agree with all zoning many people have devoted much time to developing the zoning by-laws.

Mr. Wild stated that rezoning is an integral part of the Edgartown Ponds DCPC. It appears to me that zoning by-laws are created in layers like the formation of sedimentary rock. The Commission could have a role in this and it is not bad to review and alter these by-laws. You reevaluate them and make changes. The Towns seems to have a hard time doing this and need some assistance..

Mr. Engley stated that the main purpose, or function of the highway that passes the Edgartown National Bank is as an artery. The accesses feeding each lot are incidental functions. Anything done to change the zoning should be instrumental in increasing its primary function.

Mr. Mechur stated that regarding creation of new agencies, or as stated on Page 30, "Conservation Coordination," is already being done in many cases. For example there already is, or could be a coordination of conservation services at the Wakeman Center. We don't need more bureaucracy.

Mr. Wild stated that bureaucracy is an easy word creating an effective committee it could cut through bureaucracy. One thing I think is so important in the Edgartown Ponds Regulations is that it provides for the creation of a committee to study and advise on issues relating to the Ponds. To me this committee will be well-placed to streamline regulations and process.

Mr. Filley stated that networking was of key importance. Sharing of information can be very productive.

### III. HUMAN NEEDS: HOUSING

Mr. Ewing, Housing Task Force, commended the staff on the work that they put into this document. My only hope is that it doesn't sound flat. Many the things discussed in the Housing Task Forces were spoken repeatedly. There was much comment regarding working with the Housing Authority through memoranda of agreement and I hope this will come to fruition. Also working with the towns' resident homesite committees. The housing land bank didn't get approval but should continue to be explored.

Ms. Bryant, Commissioner, stated that she had worked on the development of the land bank. There was never a meeting where we thought that the land bank and housing could not work hand in hand. We

haven't given up on that idea but it has to be something that will pass legally.

III. HUMAN NEEDS: HEALTH CARE AND HUMAN SERVICES

Deborah Medders, Health Care and Human Services Task Force, stated that it always seemed that the Task Force was functioning in a vague, undefined area. That we couldn't get our points expressed succinctly. It is very gratifying and satisfying to see them now on paper. To have them as part of this document and see them dealt with on the same level as economic development, etc. feels good. One suggestion I have is that we give support to the idea of an advisory committee. I would be gratified to see this as part of a recognized entity such as the MVC and I hope it can continue this way. One other thing that we can't forget is the health care user and the need for outreach.

Mr. Engley stated that we are only a small part of the nation and some of these health and social problems are national in scope. We have to have outside influence and expertise to address these problems.

Mr. Mechur stated that on Page 19 there is an action for a primary health care facility. I am concerned about how such a health care clinic's function might be different from the Hospital's.

Ms. Medders stated that during our discussions we never directed this toward any particular agency. We just emphasized the need for more primary health care. There is debate that it should be less institutionalized and more community based.

Mr. Engley stated that there is not particular agency filling the bill. We should watch the Wamponoag Health Care Program.

Mr. Lee, Commissioner, stated that regarding primary health care one thing I would like to see added is Tick-related diseases. Since they are discouraging some people to live here year-round and frightening tourists it should be included. We should raise awareness and address ongoing care and it should be stated here.

Ms. Sibley seconded Mr. Engley's concern that many health problems are national. Given the financial problems of the State and the seeming disinterest of the federal government many problems may become worse and we should be deeply concerned.

Mr. Wild stated that we have talked about affordable primary medical care. If you are sitting in this room tonight and you have good medical coverage you are lucky. To get a good affordable community facility, particularly with a dentist, would be great.

Ms. Bryant stated that it is one thing to say we are aware of the national problems but it is just some words unless we make recommendations and follow through on them. It is just a bunch of words unless we have a solution.

Mr. Adams stated that the Visiting Nurses Program through M.V. Community Services is trying to maintain a Health Care Clinic and they are struggling to keep it going.

#### IV. LAND AND WATER USE AND GROWTH MANAGEMENT

Bob Woodruff stated that Land and Water Use Task Force made suggestions about who should carry out each action. We should suggest not only who but by when. Time frames should be delineated.

Doug Ewing stated that he sees this document as something that has to be retested. You have to go back to the policies and link them to actions. Being broad could be useful now but it should become more specific later.

Rez Williams suggested that besides avoiding urban and suburban qualities, we should also avoid the "artificial" and learn from some of Nantucket's mistakes.

Mr. Wild stated that he has never been an advocate of Master Planning because the key problem is transferability. The MVC should think about these policies in relation to the DRI standards and criteria, etc. and work for specific support to start clinics, etc.

Ms. Sibley stated that she would like to add that perhaps we should not be designating who will be responsible for implementing some of these actions. Many them have to be implemented by the Towns. We have to be careful that we don't tell the towns what to do.

Mr. Woodruff stated that there have been exhaustive meetings on this because it is a very important point. The towns should be involved in the steps of whom does what. A point that is very important is that this is not the Martha's Vineyard Commission Master Plan it is the ISLAND'S MASTER PLAN.

Mr. Filley suggested that the Task Forces were asked to set priorities for the actions and we will ask the towns to do the same.

Mr. Ewing stated that the feed back process is very important and should be continued. Prioritizing may not be as important as determining short and long term actions since there is much interdependence.

Mr. Engley stated there should be provisions for periodic revisions of the Master Plan.

Mr. Woodruff stated that coordination on land and water use would increase the communication. I think the recent Millbrook issue is a good example of that. There were several organizations involved in finding solutions. Perhaps a member of the Commission could chair a conservation coordinating council.

Mr. Wild stated that he was amazed by how many people on the Vineyard don't know what the Commission does. The population continuously

needs to be educated. At least 70% of the population doesn't know what the MVC is capable of doing.

Mr. Ewing stated that a handbook is a good idea to educate people on all the powers of the Commission and other agencies.

Ms. Eber, Commission, stated that the League of Women Voters has a handbook now.

#### V. TRANSPORTATION

Mr. Adams stated that transit and traffic management are interrelated and that we must manage traffic now since a full transit system may take some long-term planning.

Mr. Engle asked what the Task Force discussed in the way of the roads.

Mr. Mechur stated that one thing that was discussed was that we should not be widening the roads to accommodate cars.

There was some discussion about widening and/or expansion of the bikeway networks.

Ms. Bryant stated that we should be adding Federal responsibility to assist in providing transportation under V-2 on Page 35.

#### GENERAL DISCUSSION

Mr. D'Zmura stated that the availability and reliability of electricity didn't get much attention but it was in the Task Force Report. It shouldn't be overlooked.

Mr. Adams stated that it is addressed partially in Capital Planning. Other infrastructure needs, such as refuse disposal, are discussed in Capital Planning. Mr. D'Zmura stated it needs greater emphasis. Ms. Greene, Commissioner, read the section on energy from Page 9, I-25.

Mr. Sullivan, Commissioner, stated that there are so many worthwhile agendas in here but I keep running into the same thing, the need for money. I think self-sufficiency needs to be addressed. We want poultry. Well in the fields there are geese, but we import chickens. We want meat and the woods are full of deer, but we import beef. The issue of self-sufficiency should be dealt with.

Mr. Ulfelder stated that we discussed self-sufficiency and exporting and we came to the conclusion that it is not really viable. He stated that a very important message should be communicated and that is that we are basically a tourist oriented economy. It behooves us to A.) recognize this and B) to utilize it.

Mr. Farwell discussed a little island off the coast of the Carolinas whose whole industry is making hammocks. They make a fine quality product. That is something that we could do here. Mr. Woodruff then discussed a company named Bel Canto's in Boston that imports basil

from the Island. If they can ship that professionally there have to be several things that are possible.

Ms. Sibley stated that shipping isn't the problem. In many cases it is the cost of land and housing. Affordable land and housing are the problems.

Mr. Engley asked if anyone had spoken to Arnold Brown, Woodchips, regarding his decision to close down and go to the Carolinas. Mr. Ulfelder stated that the reasons he sold out was that he couldn't make a go of it.

Ms. Davis, Commissioner, stated that the best thing to do regarding hiring is to hire resident Islanders so they would already have housing. Regarding what you could sell, you could sell anything. My father used to say that you could sell air if it was marketed properly. The tourists will buy anything that has the name of the Vineyard on it. She related the story of the Vine Beverage that she saw marketed successfully in Baltimore, Maryland. There is not much overhead in its production and it is not even bottled on the Island. If you have enough initiative and a good product it will sell.

Anne Harney mentioned a weaving project on Nantucket.

Mr. Engley stated we are a tourist-related community and any successful business would have to involve the tourists. People would not buy many things if they thought they weren't from the Island.

Mr. Mechur stated that he understands why these issues were alphabetized but it is important to set priorities. He encouraged everyone to pick the 5 most important things and discuss how you would implement them.

Mr. Filley then stated that any task force members who are interested in participating in the town discussions are welcomed to do so. He encouraged them to speak to Mr. Adams or Ms. Borer.

Ms. Bryant stated that Mr. Studds would be here Sunday at 2:00 p.m. and that would be a good time to bring discussion on the oil bill. She stated she believed we should all take the time to set priorities on these issues.

Mr. Ewing stated that many plans have short and long term elements.

Mr. Early congratulated staff, CPAC, and task forces on all their work.

Ms. Bryant asked if there was any press in the audience? There was none. After a year of work I guess the media doesn't think this is worthy of attendance.

Mr. Jason asked so the next step is to go to the Towns? The response was yes.

Mr. Filley thanked the Task Forces and the staff. There was a round of applause. We have reach a plateau and I hope we all look enthusiastically toward the next plateau and the peak.

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Following a short recess Mr. Filley opened the regular meeting of the Commission at 10:45 p.m. and proceeded with agenda items.

ITEM #1 - Chairman's Report

Mr. Filley reminded Commissioners of the Earth Day Celebration at the High School Sunday from 12:00-4:00 p.m. The MVC will have a display there and he urged all Commissioners to attend. Mr. Studds will be making the keynote speech at 1:00 p.m. followed by an open meeting from 2:00 - 3:00 p.m.

ITEM #2 - Old Business - There was none.

ITEM #3 - Minutes of April 12, 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, Jason. (Harney, Davis, Allen abstained.)

ITEM #4 - Committee and Legislative Liaison Reports

Mr. Morgan, Chairman of Land Use Planning Committee (LUPC), reported that they will meet Monday, April 23rd. regarding Ferryboat Village and to continue discussion on the DRI check list. On April 30th we will be meeting regarding MVY Realty Trust Nobnocket Market for a discussion with traffic engineers. Also on the 30th, we will meet with representatives of the Vineyard Assembly of God DRI.

Mr. Morgan reported as Legislative Liaison by stating that if House Bill #2743 isn't separated prior to Wednesday it will die. It is important to write letter and lobby. Any letters that are prepared I will deliver Monday.

It was decided by consensus that the Commission will write letters to Senator Rauschenbach and Representative Turkington with cc:s to all the appropriate members requesting they annex the bill and report on it favorably.

Mr. Early, Chairman of Planning and Economic Development (PED), reported that they had met this afternoon with staff and discussed the Commission's role in the formation of the Master Plan for the Oak Bluffs Planned Development District (OBPDD). We had a lively discussion and asked Mr. Saxe, MVC Staff, to do two things. Develop an outline of staff time required and outline the master plan. After much discussion we decided that staff would fine tune the assessment of what has to be done and we would meet again next week and then meet with the Oak Bluffs Selectmen. We certainly want to participate in the program but some work is more appropriately done by professional engineering firms, etc. There are several options open to the Town of

Oak Bluffs. The Commission Staff is under tremendous burden now and the preparation of a Master Plan for the OBPDD will require a tremendous amount of time and involve subcontracts. It is a unique project for us to be involved in. The Commission has made a commitment to the Town of Oak Bluffs but we are not committed to completing the entire project, particularly under the current financial structure.

Ms. Sibley, Chairman of the West Tisbury Special Ways DCPC, reported that they had a brief meeting tonight to discuss an exemption for Mr. Gary Motteau to dig a utility trench. The West Tisbury Planning Board had no objection as long as the way is returned to its original condition. We voted unanimously to approve the exemption with that condition.

ITEM #5 - Discussion - Edgartown Ponds DCPC Regulations.

Mr. Bales, MVC Staff, used wall displays to review the location and zones of the DCPC. He briefly described the regulations and stated that the DCPC Subcommittee favor the regulations.

Mr. Steve Ewing, Chairman of the Edgartown Ponds DCPC Committee, stated that this has been a long process involving diversified groups resulting in these regulations. We are proud of them.

Mr. Filley called for general discussion.

Mr. Schweikert, Commissioner, asked if there was discussion about a request made at the Public Hearing regarding the fact that sometimes it was better to site a dwelling nearer to the pond? Mr. Ewing responded that this was discussed and we respected Mr. Evans' statement. However, our opinion was that wildlife also needs protection. We want to conserve the shore zone, feeling this is the most important to protect. We are trying to establish a buffer zone around the ponds. At a State-wide Conservation Commission meeting the State encouraged all conservation groups to tighten up their regulations to create buffer zones. Mr. Schweikert stated another comment he thought was relevant was extending this to other ponds on the Island. Mr. Ewing and Mr. Young stated this has been discussed. One way to do this would be to amend the Coastal District.

Mr. Filley thanked the DCPC Committee, its Chairman and MVC staff for all the work they have done on this District.

ITEM #6 - Possible Vote - Edgartown Ponds DCPC Regulations

It was motioned and seconded to approve and adopt the Edgartown Ponds DCPC Regulations as presented. This motion passed with a vote of 15 in favor, 0 opposed, 0 abstentions. (Harney was in favor, Allen and Davis abstained.)

Mr. Filley then took the agenda out of order and passed the gavel to Mr. Jim Young, Vice-Chairman, for the next agenda item.

ITEM #6 - Possible Vote - Written Decision, O. Stevens and Timothy

Leland DRI, Chappaquiddick

It was motioned and seconded to approve the written decision on this DRI. There was no discussion. This motion carried with a vote of 14 in favor, 0 opposed, 0 abstentions. (Harney was in favor, Allen and Davis abstained.)

ITEM #5 - Discussion - Gay Head Cliff Area DCPC Regulations

Mr. Saxe, MVC Staff, described the changes made to the regulations since the public hearing and answered questions from the Commissioners.

Ms. Colebrook asked if 150 feet no cut/no build zone renders any lots unbuildable? Mr. Saxe responded it might automatically require a variance.

Ms. Bryant stated that it is her understanding that the Conservation Commission is going to discuss moving it up to 150 ft. on town meeting floor. This would be in keeping with the Town's direction.

Mr. Lee, Commissioner, stated that Ms. LeBovit from the Zoning Board of Appeals thinks that 150 ft. would be proper as does the Conservation Commission. He stated that the only lot that would be unbuildable has no water on it anyway.

Ms. Borer asked if the Vanderhoop's have permits for their dwelling? The response was yes. There is a foundation and septic in now.

Ms. Davis, Commissioner, asked if you built in the 50-100 ft. zone it would cause erosion during construction wouldn't it? We should consider this. Mr. Jason stated that he thinks Mother Nature will do a lot more damage. Mr. Lee stated that one thing that was discussed is adding language governing the types and sizes of machines and the paths and areas to be travelled by these machines on the lots. The site destruction on Lot 10 was one thing that had us all crazy. Any sort of excavation would be radical.

There was discussion on the potential purchase of these lands by the Gay Head Wampanoag Tribal Council. The methods of raising funds, question of MVC jurisdiction if this is purchased by the Tribe, and period for possible acquisition.

Ms. Eber stated that regarding the 150 ft. no build/no cut zone it should be known that there is an estimated erosion rate of 2 1/2 ft. per year. The 150 ft. would be eroded in 75 years.

Mr. Lee suggested changing 5.b. wording regarding this zone to "at the time a project is proposed and a special permit is applied for".

There was discussion about the possibility of creating a floating zone and perhaps measuring the line every 5 years and moving it.

ITEM #6 - Possible Vote - Gay Head Cliff Area DCPC Regulations

It was motioned and seconded to approve and adopt the regulations with the following amendments: Section 10.03, 1. paragraph "f", page 3, remove "as an adjunct of construction"; Section 10.03, 2., paragraph "a" add after conditions in 4th line "types and sizes of machinery and paths and areas to be travelled by such" and add after wetland areas, "siltation barriers"; Section 10.03, 5., paragraph b, page 4: change to a 150 ft. no build/no cut; add language "at the time a project is proposed and a Special Permit is applied for,".

There was discussion of why #6, regarding variances, was included. Ms. Borer stated this is included so the Town or the MVC won't be accused of a taking.

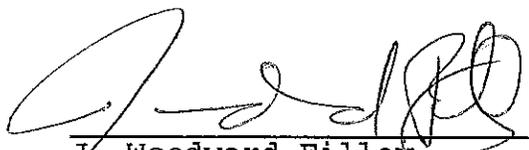
The motion to approve and adopt these regulations as amended passed with a vote of 16 in favor, 0 opposed, 0 abstentions. (Harney, Davis, and Allen were in favor.)

ITEM #7 - New Business - There was none.

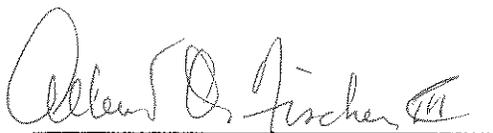
ITEM #8 - Correspondence - There was none.

The meeting was adjourned at 10:43 p.m.

ATTEST

  
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J. Woodward Filley,  
Chairman

5/3/90  
Date

  
\_\_\_\_\_  
Albert O. Fischer, III,  
Clerk/Treasurer

5-3-90  
Date

Attendance

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

Absent: Fischer, McCavitt, Geller.

\* Mr. Filley was not present at the table during the Leland DRI Vote.

\*\* Ms. Greene arrived at 8:20 p.m.

\*\*\* Ms. Allen arrived at 8:35 p.m.

\*\*\*\* Ms. Davis arrived at 9:00 p.m.