

# THE MARTHA'S VINEYARD COMMISSION

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MINUTES OF JULY 11, 1991

## MARTHA'S VINEYARD COMMISSION MEETING

The Martha's Vineyard Commission held a Special Meeting on Thursday, July 11, 1991 at 7:30 P.M. in the Commission Offices, Olde Stone Building, New York Avenue, Oak Bluffs, MA.

### ITEM #1 - Chairman's Report -

Ms. Greene noted that Michael Colaneri was celebrating his 48th birthday.

### ITEM #2 - Old Business -

Ms. Greene noted that Richard Goodell had submitted the revised parking and lighting plan in accordance with the decision. A discussion of the plans followed. Mr. Clifford explained the plans, one of which showed a basic lay-out and one that showed a revised lay-out which would take a future access road into account. Mr. Sullivan questioned the new lighting plan. Mr. Clifford pointed out the locations of the proposed installations and of what type they were. A motion, duly seconded, was made to approve the plan as submitted. On a roll call vote, the motion was approved.

### ITEM #3 - Minutes of June 27, 1991 -

On a motion by Mr. Early seconded by Mr. Sullivan, the minutes were approved as written with 4 abstentions (Hall, Combra, Wey, Geller).

### ITEM #4 - Committee and Legislative Liaison Reports -

LUPC - Mr. Schweikert discussed the meetings held. He noted that there was discussion on the standards and criteria which would be taken up in the future. He discussed the various meetings that had been held with Island Elderly Housing on their proposal. He noted that he would discuss the recommendations a bit later in the meeting. He also noted that the Committee had reviewed the Goodell proposals which had just been voted on by the Commission.

PED - Mr. Early discussed the meeting with the Oak Bluffs Selectmen regarding a DCPC for Ocean Park. Mr. Schweikert discussed the questions that he had been receiving regarding the issue. Ms. Greene felt that it had been a very positive meeting.

Ms. Bryant thanked the Executive Director for the nice letter sent to all members of the task forces who had worked on the Policy Plan.

ITEM #5 - Possible Discussion -

MVC BY-LAW CHANGES - Ms. Greene discussed the section with respect to quorums and noted that there were often problems raising a quorum with the "one from every town" requirement in place. Ms. Sibley discussed the number of times the problem had occurred. Mr. Early discussed the past problems. Mr. Geller felt that there should be a representative present from the town in which the DRI occurred. A discussion of what Section 10 of Chapter 831 contained followed. Mr. Colaneri questioned whether the issue of voting and attending all hearings to vote would be effected by this. The response was no. Ms. Greene suggested the Executive Director draft new wording for consideration. Ms. Sibley discussed the confusion of the wording in the section with respect to voting.

A discussion of this issue followed.

Ms. Greene offered best wishes to Ms. Harney on her recent marriage.

ITEM #5 - Possible Discussion -

D.C. REGIONAL HOUSING AUTHORITY DRI - Ms. Greene explained the subdivision request. Mr. Early moved to go to ITEM 6 of the agenda, seconded by Mr. Colaneri. So approved. Mr. Early then moved approval of the application as submitted, seconded by Mr. Colaneri. On a roll call vote the motion was approved with four abstentions (Hall, Combra, Wey, Geller).

ISLAND ELDERLY HOUSING DRI - Ms. Greene called upon Mr. Schweikert to give the LUPC recommendations. Mr. Colaneri hoped that all would read the letter from the Island Elderly Housing (IEH) attorney relative to the rolls of each party. A discussion of this matter followed. Mr. Clifford explained certain procedures that the Commission has followed in the past.

Ms. Bryant further discussed the matter with respect to additional conditions being placed on the application.

Mr. Hall discussed the issue of the relationship of the MVC statute and the Comprehensive permit statute. Ms. Sibley discussed the MVC procedures for amending decisions and the fact that there may not be a burden on applicants.

Mr. Clifford read the items that the applicant had come forward and proposed as acceptable. Mr. Clifford then discussed the issue of the location of the laundry and that the Committee had felt the basement would be the best location.

Mr. Clifford discussed the area entitled maintenance garage and noted that the Committee and applicant had agreed that a condition indicating that if the area were not used as a maintenance area then it should be used as a community room to serve the needs of the tenants and elderly and that it could not be used for a children's day care or similar activity. Mr. Clifford noted that the applicant had agreed to move one of the public handicapped restrooms to the area of the maintenance garage.

Mr. Clifford further noted that the applicant had agreed to make every effort to see that all corner apartments would have windows on all exterior walls.

Mr. Clifford then discussed the issue of the recycling bins and the dumpster, the LUPC recommends leaving the location of them up to the Oak Bluffs Board of Health.

Mr. Clifford noted that the applicant concurred to the creation of gardens and that the high school be contacted for advice on this location and establishment.

Mr. Clifford further noted that the applicant had agreed to provide an area well for the purposes of allowing windows to be used for natural lighting into the basement and laundry room area.

He also noted that the applicant had agreed to fight for the sidewalk on their property. Mr. Colaneri discussed the possibility of future priority for a sidewalk to the Edgartown Road. A discussion of this matter followed. Ms. Greene felt that perhaps the Commission could recommend that a way be found to pave the sidewalk all the way. Ms. Sibley discussed access to projects and that seeking priority for such is possible.

Mr. Clifford discussed the use of a similar condition as has been previously used regarding a letter from the Architectural Access Board with respect to compliance. Mr. Wey questioned the length of the road. Attorney Ament noted 1,700 feet total, 400 feet on the IEH property, 700-900 feet between Community Services and IEH property.

A discussion of how much the applicant needed to construct off-site followed. Mr. Colaneri discussed this matter in depth. Attorney Ament discussed the fact that there would be paving all the way and that the sidewalk would be a priority when funds could be found. A discussion of this matter followed. Attorney Ament explained that the plan was to pave from the end of pavement on Community Services parking area to the new complex. A priority was noted for the sidewalk. Mr. Clifford noted that the parking area had been revised. Ms. Greene asked if the new lay-out were part of the application. Following the discussion the answer was yes. Mr. Clifford noted disagreement over the submittal of papers indicating tenant associations. Ms. Bryant questioned whether there had been addressing of all concerns. Mr. Best explained one of the hand-outs which the LUPC had discussed with the applicant. Mr. Schweikert discussed the work of the LUPC. Mr. Fauteux discussed a number of his concerns regarding tenants rights and grievance policies, the laundry areas, sidewalks, access to trash and garden areas, ventilation to apartments.

Ms. Greene noted that the applicant had been asked for a copy of the policy and grievance procedures. A discussion of this matter followed. Attorney Ament read a draft of a policy.

Mr. Best questioned whether there were phone numbers included. Attorney Ament responded no and explained why. A discussion of the meaning of tenant emergency followed.

A discussion of whether there would be management or Board member numbers included in the emergency numbers followed. Mr. Best discussed the matter and suggested that some Board members may wish to have their numbers included. Mr. Hall indicated that he approved of the language with the inclusion of wording relating to direct access

to the Board without needing to go through management. Ms. Bryant discussed the need for tenant information to be clear and precise. She further discussed proper grievance procedures for tenant-management relationship. A discussion of the inclusion of Mr. Hall's suggested wording followed. Attorney Ament discussed the approval mechanisms and the need for HUD to clearly understand how the process works.

Ms. Bryant discussed accessibility to management. A discussion followed. Mr. Sullivan suggested acceptance of both wordings. Mr. Hall then discussed the issue of confidentiality. A discussion of this matter followed. Ms. Bryant discussed the need for confidentiality and also a grievance procedure. A discussion of this matter followed.

Ms. Greene noted that there had been a discussion of alteration of plumbing features to better provide access for the tenants. Mr. Hall discussed this matter in depth. Mr. Best discussed the matter and asked whether there had been any further word from the architect on this matter. Mr. Hutker discussed the need to address the issues related to safety and convenience. Mr. Hall suggested that revised plans be submitted. Mr. Clifford noted that there had been a suggestion that such matters be strong recommendations. A discussion of this matter followed.

Mr. Colaneri noted that there would be two lists one for conditions and one for recommendations. A discussion of this matter followed. Mr. Early discussed the substantial nature of some of the concepts being discussed.

Mr. Colaneri discussed the progress made during the weeks and the need to be very careful not to hurt the chances of the proposal. Ms. Greene and Ms. Sibley both discussed matters related to the issue of fixture locations. Mr. Best discussed anti-scald fixtures and the types of safety tubs available. He further discussed the hope that some of the bathrooms could be handicapped convertible. Mr. Hutker noted the possibilities of switching certain fixtures and rearranging certain features to achieve what is desired. Mr. Early discussed the need to make things fully accessible and felt that the designers were professional and they would take many points into account. He offered this as a recommendation.

Ms. Greene discussed the tenant selection procedures and read several related items and court cases. She felt that the process needed to follow the law. A discussion of the present selection process followed. Attorney Ament felt that if a condition was needed there would be no problem. He also noted that an affirmative fair market housing plan had been submitted to HUD and had been approved.

Mr. Hall raised a question regarding "moving carts" and felt that there should be some provided on each floor. Attorney Ament discussed the storage areas and that some could be used for cart storage. He did not feel that there would be a problem. Mr. Hall felt an adequate number should be provided.

Mr. Sullivan discussed and suggested that the applicant consider the newer types of insulation. A discussion of this matter followed. Mr. Best asked about answers related to energy conservation. Mr.

Clifford explained the status of the inquiries and that no response had as yet been received.

A discussion of this matter followed.

Ms. Greene asked Dr. Sandra Howell for any comments or suggestions. Dr. Howell suggested that the Commission needed to decide how much detail it wished to become involved in. She discussed the issue of the newer rules and the need not to push too hard during the transition period. She felt that the proximity of the trash disposal was of concern for this population and the paved drop-off.

Mr. Hall questioned the location of the laundry, basement or otherwise. Ms. Greene noted that the basement was in the location that was agreed upon. Mr. Hall further offered some wording which would obligate the applicant to make all plumbing fixtures accessible. Ms. Bryant concurred with Dr. Howell and also she felt that it was important to ensure all civil rights in tenant selection and to comply with the various aspects of the law.

Ms. Greene noted she hoped the Board of Health might opt to put the trash inside the structure.

Attorney Ament discussed some of his concerns with respect to the discussion.

A discussion of what would be asked of the Board of Health followed.

Mr. Lee questioned the use of the so-called maintenance area. Ms. Greene explained the alternative uses for that area. Mr. Lee asked then how would maintenance be handled and how safe would it be.

Attorney Ament noted that there was room possibly in the basement. A discussion of this matter followed.

Mr. Colaneri questioned how far the building needed to go to meet the code. Mr. Hutker indicated that it needed to fully meet code.

Mr. Early moved approval with conditions and recommendations, seconded by Mr. Colaneri.

Mr. Clifford read the list of conditions and recommendations.

Mr. Lee questioned the status of the new regulations. Dr. Howell indicated the status and what effect they may have.

On a roll call vote, the Commission approved the proposal with conditions.

ITEM #7 - New Business - There was none.

ITEM #8 - Correspondence - There was none.

On a motion to adjourn, the meeting was adjourned at 9:50 P.M.

ATTEST

Jane A. Greene  
Jane A. Greene, Chairman

7/18/91  
Date

Thomas J. Sullivan  
Thomas Sullivan,  
Clerk/Treasurer

7/18/91  
Date

Attendance

Present: Best, Bryant, Colaneri, Combra, Early, Greene, Hall, Lee, Schweikert, Sibley, Sullivan, Wey, Geller, Harney

Absent: Briggs, Donaroma, Hebert, Jason, Benoit, Clarke, Allen, Davis