

THE MARTHA'S VINEYARD COMMISSION

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MINUTES OF OCTOBER 10, 1991

MARTHA'S VINEYARD COMMISSION MEETING

The Martha's Vineyard Commission held a public hearing on Thursday, October 10, 1991 at 8:00 p.m. at the Martha's Vineyard Commission Offices, Olde Stone Building, New York Avenue, Oak Bluffs, MA regarding the following Development of Regional Impact (DRI):

Possible Designation - Ocean Park, Oak Bluffs
as a District of Critical Planning Concern

John Early, Chairman of the Planning and Economic Development Committee (PED) read the public notice, explained the purpose of the hearing and discussed the order of presenters for the hearing process and opened the hearing at 8:06 P.M. He then asked Mr. Clifford to explain the DCPC designation process.

Mr. Clifford, using a flow chart, explained the full process and indicated where the process was at this time.

Mr. Early then asked Jo-Ann Taylor, MVC staff to further explain the nomination of Ocean Park. He then read the description and reason for the nomination as submitted by the Board of Selectmen.

Ms. Taylor discussed the boundaries as depicted on the maps displayed and discussed the various meetings that had preceded the hearing. She then read specific sections of the present zoning ordinance regarding special permits. She discussed the comments that some of the business community had offered during sub committee meetings. She discussed the various styles of architecture present around Ocean Park and the possibility of a loss of visual continuity should any businesses ever reach the maximum allowable height.

Mr. Early asked for Commissioner questions - there were none.

An unidentified member of the audience raised a question of why there was a small jog in the boundary lines on Samoset Avenue. Ms. Taylor noted that that was a Selectmen's proposed boundary line.

A brief discussion of the matter followed.

Mr. Early again explained the order of the public hearing; he then called for town boards.

Linda Marinelli, Oak Bluffs Board of Selectmen, read a prepared statement in favor of the proposed nomination of Ocean Park as a District of Critical Planning Concern. She discussed the boundaries, the need for protection of the visual and cultural values of Ocean Park, and the hope that the nomination will go forward.

Nancy Penn, Oak Bluffs Park Commission, indicated support for the DCPC nomination and discussed the cultural and visual value of the area.

Ms. Marinelli submitted three letters received late in the day for the record.

There being no additional boards, Mr. Early next called for proponents.

Eleanor Bagley, Oak Bluffs resident of Ocean Park, discussed the draft proposal and in particular in the goals and questioned why the term Victorian (Queen Anne) be eliminated. She was for the proposal.

John Kelly, Oak Bluffs resident of Ocean Park, discussed the architecture and indicated support for the proposed nomination.

Nancy Penn raised a question of which boundaries were being discussed. Mr. Early further explained the various boundaries and indicated that testimony would be accepted on all boundary proposals.

Rene Balkar, president of Oak Bluffs Association, read a statement from the Association favoring the DCPC for the residential areas of Ocean Park but not the commercial along Kennebec Avenue.

Mrs. Fleming Norris, Oak Bluffs resident of Ocean Park - businesswoman on Kennebec Avenue favored inclusion of businesses in area. Mr. Combra asked if she was a member of the Association. The response was yes.

Dr. Fleming Norris, Oak Bluffs resident of Ocean Park favors nomination and read a prepared statement.

Jay DeFelice, Oak Bluffs resident of Ocean Park, favors proposal and expressed concern about possible codes that would cost money. He discussed several questions he had.

James SanFilipo representing Sheila Nitza, property owner on Ocean Park, favored nomination and full boundary.

Tom Ward favored nomination of DCPC and discussed reasons but favored original nomination.

Joe Eldredge, architect, read a prepared statement and discussed his past experiences. He discussed the role of architectural review boards and how they are to help people. He discussed the Victorian style and the many styles included therein. He further discussed the issue of a business - residential mix. He then discussed how the process might work.

Mr. Early then called for those generally opposed to the nomination or that wished to speak to the nomination.

Loretta DeBettencourt, Ships Inn, read a statement favoring the original nomination without the businesses. She discussed her reasons and felt that a DCPC around and including Kennebec and Circuit Avenues for the businesses would be better.

Val Guardarent, Laundromat owner, discussed the residential DCPC

without businesses to be included. She felt a business DCPC would be best for the business people. She then submitted a statement.

A question regarding the various aspects of the Oak Bluffs zoning ordinance was put forth. Mr. Early felt that it was a potential point of discussion.

Mr. Early called for other testimony; there was none. He then noted that he had a lot of correspondence to be read into the record. He asked if those present who had submitted written comments would permit dispensing with the reading.

Mr. Early noted the correspondence had been received from the following:

- Mr. Ward - dispense with reading
- Ms. DeBettencourt - dispense with reading
- Kenneth J. Bettencourt - letter in favor but without businesses.
- Harland & Perry Westbrook - letter in support
- Joe S. Veira - letter seeking removal of business from DCPC
- (unreadable name) - opposed to any new regulations for aesthetic reasons
- John & Sharon Kelly - dispense with reading
- Dave & Debbie Morasco - letter of support
- Joe Eldredge - dispense with reading
- Mr. & Mrs. Nelson W. DeBettencourt - letter seeking elimination of business area and keep as originally nominated.
- Mr. & Mrs. Veira & others (same as above)
- John P. Sizek, Lawrence DeBettencourt & others - letter supportive of DCPC for residences but not for businesses
- William & Jacqueline Brown - letter in favor of DCPC
- Several names unreadable - letter in support
- Emily Sanford - letter discussing DCPC cultural and architectural impact

Mr. Early then called for any other statements that people wished to make.

Sharon Kelly discussed the jog on Samasett and explained why she felt it should be a part of the DCPC. She also discussed the role of the Oak Bluffs Architectural Assistance Committee and its past activities.

Anne Palmer discussed the land on Samasett and felt the line should include the property in question.

Mr. Early thanked all for their participation and testimony and he then closed the hearing at 9:12 P.M. with the written record remaining open for one week.

The Commission then took a brief break.

Jennie Greene, Chairman of the MVC reconvened the meeting at 9:23 P.M.

ITEM #2 - Discussion of Public Testimony

Mr. Clifford reminded all of the new format and the purpose of this

item.

Mr. Early expressed pleasure at the turn-out and quality of input. He discussed the definition of architecture that needed work.

Mr. Best asked for a reading from the Committee at other meetings regarding the feelings for boundary change.

Mr. Schweikert discussed the meetings that had been held regarding the boundaries, reasons, guidelines, etc. He felt the boundary issue was the most important issue to resolve. He also discussed having additional DCPC areas, the business community and the residential nature of the area.

Ms. Sibley discussed whether there could be various regulations or guidelines for business or residential.

Ms. Taylor discussed possible problems and solutions.

A discussion of this issue followed.

Mr. Hall suggested moving to ITEM #5.

Mr. Clifford noted that the record had been left open for at least a week.

Mr. Donaroma discussed the cultural usages of the park area.

Mr. Best raised a question regarding the jogs on the boundary line.

Mr. Early discussed the present situation. A discussion of the existing zoning boundary line and the usages allowed on "split" lots followed. Mr. Colaneri questioned whether lots that are split by the zoning lines can use the full lot for either or both use. Mr. Hall discussed his interpretation of how this issue worked.

Mr. Schweikert noted that the DCPC was only to be of an architectural nature and not one of usage.

Mr. Wey discussed the relationship of the lots on Kennebec Avenue to those on Ocean Park.

Mr. Combra discussed the original DCPC nomination and the original boundary lines.

Mr. Colaneri questioned the number of lots in the official nomination papers. Ms. Taylor noted that there were thirty-seven (37) lots.

Mr. Schweikert hoped for as much feedback as possible on the boundary location and discussed his reasons.

Mr. Lee discussed the uniqueness of Oak Bluffs and the visual impact of the Ocean Park area and further discussed his feelings about the business input at the hearing.

Ms. Greene discussed what future guidelines might entail.

Mr. Lee further discussed the look of some of the businesses in the area and offered some suggestions on the future.

Mr. Early felt the DCPC was a good thing and didn't want to see it die. He felt manageability was a key word and discussed a need to have things manageable. He further discussed the various viewpoints of having two (2) DCPCs for all involved.

Mr. Jason asked for photographs of the area. A discussion of the video that the Committee had seen followed.

Mr. Combra discussed the positive feel in the town both in the business community and other wise and felt that it would be best not to force people into a situation that may cause ill feelings.

Ms. Sibley discussed the relationship of Kennebec Ave. and Ocean Park and expressed concern for any impact upon Ocean Park caused by changes on Kennebec Avenue.

Mr. Jason further discussed the special exception aspect of the Oak Bluffs zoning ordinance. Ms. Greene further discussed the zoning ordinance. Ms. Taylor re-read the specific section of the ordinance

pertaining to special exceptions.

Mr. Early asked all to visit Ocean Park and judge for themselves whether there would be any impact or not should there be construction on Kennebec Avenue. He felt the guidelines needed to be very well done.

Ms. Sibley further discussed the lots that had double frontage and questioned the feelings of these owners. She also discussed the issue of businesses in the DCPC and the ineffectiveness of the jogged line boundary.

Mr. Colaneri discussed the greater value of saving the park and felt the line should be most rational in order to reach that end.

Mr. Combra suggested discussing the issue of lots zoned both business and residential with the Oak Bluffs Zoning Inspector. A discussion of this matter followed.

Mr. Early again reiterated that use was not the issue.

Ms. Taylor indicated the zoning boundaries on a map.

Ms. Sibley discussed further the line she felt best to follow.

Mr. Schweikert discussed the use of a line that follows the zoning district boundary.

Mr. Donaroma discussed the view of the hearing that all liked the residential area being included and not the business. He further discussed looking at the business areas separately.

Mr. Combra would rather see the zoning boundary followed and leave the business out.

Mr. Lee questioned whether there were any businesses who wanted to be in the district. A discussion of this issue followed.

Mr. Jason asked to see the video that the Committee saw.

A discussion of visiting the site followed.

Ms. Sibley discussed possible misunderstandings of what was being proposed.

Mr. Wey invited all to visit Ocean Park on Saturday when there would be a road race.

Mr. Schweikert questioned whether a DCPC could be amended or not in the future. The response was yes and a discussion of this issue followed.

There being no further discussion the Commission moved to the next item.

ITEM #3 - Minutes of October 3, 1991 - Mr. Early moved approval, duly seconded. By voice vote the minutes were approved with three (3) abstentions (Wey, Schweikert, Briggs).

ITEM #4 - Reports - Ms. Greene reminded all of the meeting in Edgartown on October 17 at 7:30 P.M.

A discussion of whether the Commission would meet after the presentation followed.

She further discussed the use of the notebooks for the Commissioners.

LUPC - Mr. Schweikert discussed the use of a new form for review of DRIs. He then discussed a letter from Leo Convery in response to the Standards and Criteria meeting. He then discussed the debate over the Housing Policy and the problem of deciding the guidelines for commercial. A discussion of this matter followed.

Ms. Sibley discussed the issue of stifling business and discussed the issue of commercial development causing a housing need.

PED - No report

DCPC COMMITTEE -

Mr. Early discussed the meeting and the comments received. A discussion of future meeting times followed. A discussion of needed information followed.

LEGISLATIVE LIAISON -

Mr. Combra discussed the status of the County budget program.

ITEM #5 - Possible Discussion - pass over

ITEM #6 - Possible Vote - pass over

ITEM #7 - Old Business - there was none.


ITEM #8 - New Business - there was none.

ITEM #9 - Correspondence - there was none.

There being no further business, the meeting adjourned at 10:30 P.M.

ATTEST


Jane A. Greene, Chairman 10/31/91
Date


Thomas Sullivan,
Clerk/Treasurer 10/31/91
Date

Attendance

Present: Best, Briggs, Colaneri, Combra, Donaroma, Early, Greene, Hall, Jason, Lee, Schweikert, Sibley, Wey

Absent: Bryant, Sullivan, Benoit, Clarke, Allen, Davis, Geller, Harney, Bolling