

THE MARTHA'S VINEYARD COMMISSION

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MINUTES OF JULY 16, 1992

MARTHA'S VINEYARD COMMISSION MEETING

The Martha's Vineyard Commission held a regular meeting on Thursday, July 16, 1992 at 8:00 p.m. in the Commission Offices, Olde Stone Building, New York Avenue, Oak Bluffs, MA.

The meeting was called to order at 8:05 p.m by Jennie Greene, Chairman of the Commission.

ITEM #3 - Approval of Minutes

June 25, 1992 - on a motion by Mr. Jason, duly seconded, the minutes were approved with one abstention (Vanderhoop).

June 18, 1992 - on a motion by Mr. Jason, duly seconded, the minutes were approved with three abstentions (Alley, Marinelli, Vanderhoop).

ITEM #4 - Reports

Chairman's Report - there was none.

LUPC - Mr. Schweikert discussed the meeting to review the Land Bank Sepiessa proposal. He noted that the LUPC had made a recommendation which would be given later during the discussion period.

PED - there was no report.

Agricultural Task Force - Bill Wilcox reported on the meeting and the discussion of rates on the Steamship Authority. He noted the Authority was considering changing the method of charging for freight and was leaning toward length and not weight.

Legislative Liaison - Mr. Clifford noted that all of the MVC legislation had passed and had been signed and would be effective 90 days after the signing.

ITEM #5 - Possible Discussion - Boch DRI - Mr. Clifford noted that the Commission had received a letter of extension to the August regular meeting.

Land Bank DRI - Sepiessa Point

Ms. Greene stepped down as Chairman and left the room.

Mr. Schweikert assumed the Chair.

Mr. Schweikert further discussed the concerns of the LUPC

and discussed the lack of thoroughness of the submittal and the need to bring the proposal up to standard. He discussed the need for as-builts on the road; the need for an archeological site visit by Mass. Historical Society; a letter from the Nature Conservancy regarding satisfaction with final proposal; concern over information to the public; Mass. Natural Heritage review road in field.

Mr. Sullivan expressed his feelings on the proposal and felt that perhaps access to the pond and protection of the area could be accomplished by using the old road, provide all the facilities proposed and still be able to continue with the data gathering.

Ms. Sibley felt the new road appeared to be in a better location but felt there should be negotiations to close the old road prior to building the new road.

Mr. Schweikert asked to have the roadways clearly indicated on the air photo so that all would know where the proposal was.

Mr. Best discussed problems of using the old road for access and explained why. He also felt that with careful monitoring and management the old road could be used this season and the new road completed for next year.

Mr. Jason suggested building only the southern spur and use the rest of the old road.

Mr. Jason discussed a potential problem and asked if the proposal was being approved as presented but only the southerly spur be built and negotiate the closing of the old road.

Ms. Sibley indicated yes.

A discussion of what was before the Commission followed.

Mr. Colaneri discussed the Land Bank proposal with reference to the roadway.

Ms. Gallagher raised a question of exactly where the parking areas were. Mr. Clifford noted on the photo where the lots were.

Mr. Lee asked if there was a site video available and could it be shown.

Mr. Alley asked that reserve areas for additional parking be shown so that all would know where they were.

Mr. Vanderhoop asked if there was a total archeological survey done. There had been none. A discussion of this matter followed.

A video of the site was shown and narrated by Mr. Schilling. Following the video, Mr. Best clarified certain points such as no overnight usage, no boat storage on-site, etc.

Mr. Colaneri sought clarification of the numbers of spaces in the lots and the numbers that the lots could be expanded to. Lower lot would have 6; the middle lot 6 and the upper would be 6 - the expansion

would be lower lot 6; middle lot 12; upper lot 9.

A discussion of the fact that the reserve area was already included in those figures followed.

Mr. Best discussed the usage of the upper lots and that they should be restricted to those who seek to walk around the site with boaters only who prefer to use lower lot.

A discussion of this matter followed.

Ms. Sibley discussed discouragement of vehicle traffic to the lower lot unless they have a boat.

Mr. Alley further discussed the numbers of cars in the Tiah's Cove parking area and discussed parking along Tiah's Cove Road to lessen the burden on the Town.

A further discussion of traffic on the proposed road for vehicles and pedestrians followed.

Ms. Marinelli questioned the purpose of the proposal and felt that the number of cars did not open the site to the public.

Mr. Briggs questioned the Commission's past practices and asked if there ever had been reviews after a certain time. He further discussed the proposal before the commission.

Mr. Lee asked if the information requested at the hearing had been submitted. Mr. Schweikert indicated yes.

Mr. Best questioned where the middle parking lot would be located in reference to the existing and proposed roads.

Mr. Colaneri discussed the history of the purchase of the site and explained why the Commission should look favorably on the proposal.

Ms. Gallagher asked how one could determine the numbers allowed on 173 acres. Mr. Schweikert asked Mr. Potter of the Land Bank to respond. Mr. Potter indicated that there were such things as carrying capacity but were generally arbitrary in nature. A discussion of the range of possibilities followed including a ballpark range of 50-60 persons.

Mr. Jason questioned the relation of these parking lots to the size of the one at Wascosim's Rock. Mr. Potter indicated that the Wascosim's was smaller.

Mr. Schweikert called on Deborah Yennie for comment. She discussed the loss of certain activities if the parking was reduced.

Mr. Chapin asked if anyone could estimate the time to walk about 4,000 feet. A discussion of this matter followed.

Mr. Best further discussed the problem of permitting casual tours of the site. He further discussed the use of signage to control certain movements.

Ms. Marinelli asked if additional parking could be added and discussed

this matter further. A discussion of a review of a usage report followed. A discussion of expanded parking areas followed.

Ms. Sibley didn't feel it was right to condition an expansion of the parking areas. She felt the Land Bank was the best judge of numbers.

Mr. Alley clarified his request for a space for overflow parking near Tiah's Cove Road. A discussion of the ultimate number of parking spaces that may be available followed.

A discussion of whether such should be a condition thereon followed. Mr. Clifford suggested if it were the will of the Commission to have larger parking areas then it should be a recommendation and not a condition which imposes such a stipulation.

Mr. Donaroma discussed the plan and how long it had been worked on and that he felt it was a moderate plan and a good plan.

ITEM #6 - Possible Vote

Mr. Colaneri moved approval with conditions, duly seconded.

Mr. Jason felt the approval was for the road as presented with the understanding that the road not be built except for the southwest spur to give them a year to monitor usage.

Mr. Colaneri discussed the consideration of the neighbor and that it would be monitored thoroughly.

Mr. Donaroma discussed the improvements needed to bring the old road up to a usable standard.

Mr. Lee discussed the study by the Nature Conservancy and felt a recommendation or condition would be proper to ensure the wildlife recommendations being considered (page 45 of the Nature Conservancy report to Land Bank).

A discussion of the improvements to the old road that would be needed followed.

A procedural question followed.

Ms. Sibley further discussed the need to eliminate the existing road before usage of the new road.

Mr. Sullivan discussed the archeological studies needed before the new road is built and how usage of the old road would give access.

Mr. Best discussed the need for turn-outs off the old road and explained why.

A clarification of what was being considered followed. A procedural question was discussed.

Mr. Jason offered the following: approve the road as presented but

prior to construction applicant must consult with Mass. Natural Heritage Program; Mass. Historical Society, negotiate closure of the old Clam Point Road with the Bayers.

Mr. Best sought clarification of whether the existing road could be used by the Land Bank. Yes was the response.

Mr. Briggs raised a question of what the condition really was.

Mr. Sullivan raised a question regarding what was meant by consult.

A discussion of what was meant by negotiate with Bayers followed. A majority favored such a condition.

Mr. Jason offered a condition that the applicant submit a plan of the signage to the LUPC for approval. All favored this condition.

Ms. Marinelli raised a question regarding monitoring.

Mr. Colaneri offered a condition that the monitoring program put forth by the Land Bank for usage monitoring be submitted to the Commission for review and consideration.

Ms. Sibley questioned whether there would be annual reports on the habitats.

Mr. Lee wanted the monitoring to include not only flora and such but birds, invertebrates, all species and genus types found in the Nature Conservancy study.

Mr. Chapin felt that the Commission was getting too deeply into certain things.

All agreed to the monitoring program condition.

Mr. Alley suggested a recommendation to increase the size of lot one from 5 to 10 cars to minimize impact on Tiah's Cove Road.

Mr. Clifford noted the need for an as-built road plan.

Mr. Schweikert offered a condition for the submittal for the record of an engineered as-built road plan.

A discussion of toilet facilities on-site followed.

Mr. Jason recommended that the applicant provide toilets on-site.

Mr. Lee discussed the need to monitor the wildlife habitat in the area. He offered a recommendation that all these items be monitored. A discussion of what had been provided during the testimony regarding this matter followed.

A discussion of whether there had been any correspondence from the Nature Conservancy and the Land Bank subsequent to the hearing followed. There was no letter available.

Mr. Briggs questioned whether there were any restrictions on the use

of bicycles on-site. There was none.

Mr. Colaneri noted that he would favor the Nature Conservancy visiting the site periodically to assess the situation. A discussion of what was to be monitored by the applicant followed.

Mr. Clifford suggested that the Commission needed to concentrate on the location of the road and parking areas since that was before the Commission.

Ms. Sibley felt the applicant had planned to do these things and felt reference should be made to this monitoring.

Mr. Lee explained what he hoped to have clearly submitted in the annual report which should include some of the recommendations that he had previously cited.

Mr. Best expressed his feelings regarding the Land Bank and its concern for natural flora and fauna. He felt the Commission was endorsing the recommendations.

Mr. Jason moved the question.

On a roll call vote, the Commission approved with conditions the application of the Land Bank with 1 abstention (Vanderhoop).

Mr. Clifford noted that there was only one remaining item on the agenda.

ITEM #7 - Old Business - there was none.

ITEM #8 - New Business

Mr. Clifford read a letter from Sharon Britton regarding a problem with an accessory apartment in West Tisbury. She owns a lot (lot 13) in the Vine subdivision which was conditioned by the Commission to restrict the first 17 lots to single family residences only, the condition being directed at guest houses.

He further explained the problem and asked if the Commission viewed this as a duplex.

Those present agreed to have a letter drafted indicating the intent of the MVC decision regarding guest houses.

A discussion of this matter followed.

ITEM #9 - Correspondence - there was none

There being no further business the meeting was adjourned at 10:15 p.m.

ATTEST

Jane A. Greene 8/06/92
Jane A. Greene, Chairman Date

Thomas Sullivan 8/6/92
Thomas Sullivan, Date
Clerk/Treasurer

Attendance

Present: Best, Briggs, Colaneri, Alley, Donaroma, Early, Greene, Vanderhoop, Jason, Lee, Schweikert, Sibley, Sullivan, Marinelli, Chapin, Gallagher

Absent: Bryant, Hall, Benoit, Clarke, Allen, Bolling

[Handwritten marks]