

# THE MARTHA'S VINEYARD COMMISSION

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## MINUTES OF MARCH 4, 1993 MARTHA'S VINEYARD COMMISSION MEETING

The Martha's Vineyard Commission held a Special Meeting on Thursday, March 4, 1993, at 7:30 p.m. in the Commission Offices, Olde Stone Building, New York Avenue, Oak Bluffs, MA.

Michael Donaroma, Chairman of the MVC called the meeting to order at 7:35 P.M.

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ITEM #2 - Discussion - there was none.

ITEM #3 - Minutes of February 18, 1993  
Ms. Greene moved approval of the Minutes with one correction. The meeting discussed in ITEM 6 was a February 25 meeting and not a March 25 one. - duly seconded.  
On a voice vote the Minutes as corrected were approved with 3 abstentions (Hall, Donaroma, Jason).

ITEM #4 - Reports

CHAIRMAN'S REPORT - Mr. Donaroma asked Mr. Schilling to mention a couple of items of note. Mr. Schilling explained the absence of the Executive Director. Mr. Donaroma raised an issue regarding quorum. Mr. Schilling discussed the memo that had been distributed by the Executive Director. Mr. Schilling further discussed the matter of voting on the Herring Creek application.

LUPC - Mr. Schweikert reported on the two previous meetings. He discussed the meeting with Herring Creek Farm applicants. Ms. Greene discussed the meeting with the Golden Dragon applicant and the A & P in Edgartown. A discussion of the A & P proposal followed.

PED - Mr. Early noted that there would be a meeting on the 17th of March.

Agricultural Task Force - Mr. Wilcox noted that there was to be a meeting on the 24th of March. He further discussed the use of Logos this season. A number of people offered suggestions as to who might be interested in the use of the logo stickers.

Legislative Liaison - there was none.

ITEM #5 - Possible Discussion

Daniele DRI - request for reconsideration. Mr. Schilling

discussed the request and explained the procedures. Mr. Hall asked what the reason for reconsideration was. A discussion of the proper procedure was followed. Mr. Schweikert asked to hear from the applicant. Mr. Peters discussed the change for the proposal. A discussion of whether the matter if reconsidered would need to go to public hearing.

Mr. Early moved to reconsider the decision on the Daniele DRI as voted by the MVC - duly seconded. Mr. Jason explained why he felt that nothing new had been offered to address agricultural lands and affordable housing.

Mr. Donaroma explained what the vote was all about. A discussion of meeting affordable housing followed. A discussion of reconsidering the vote and what options were open to the applicant followed. Mr. Hall felt the applicant was attempting to negotiate a new plan. He discussed this matter further.

A discussion of the history of the parcel followed. Ms. Greene discussed her feelings with respect to changing the plan.

Mr. Peters was allowed to speak and noted that he could have offered this proposal sooner but was not permitted to.

Mr. Sullivan discussed the information that was put forth in the public hearing.

Mr. Colaneri felt the best move was not to reconsider and have the applicant come back anew.

On a roll call vote the Commission voted 6 Nays, 2 Yeas with 5 abstentions (Donaroma, Riggs, Sargent, Briggs, Vanderhoop) not to reconsider the vote on the Daniele DRI.

ITEM #6 - Possible Vote - Written Decision - Daniele DRI  
Ms. Greene moved approval as written, duly seconded. It was noted that the date of the Decision needed to be 1993. On a roll call vote, the Commission voted 6 Yeas, 1 Nay with 6 abstentions (Briggs, Donaroma, Riggs, Sargent, Hall, Vanderhoop) to approve the Written Decision as printed.

ITEM #5 - Possible Discussion - Written Decision - Sturges & Pearlson  
A discussion of the conditions placed on the proposal followed.

ITEM #6 - Possible Vote - Written Decision - Sturges & Pearlson  
Ms. Greene moved approval as written, duly seconded. On a roll call vote the Commission voted 9 Yeas, 0 Nays with 6 abstentions (Best, Briggs, Sullivan, Schweikert, Sargent, Vanderhoop) to approve the Written Decision.

ITEM #5 - Possible Discussion - Transfer Station DRI. Mr. Colaneri moved to move to ITEM 6, duly seconded. So voted.

ITEM #6 - Possible Vote - Transfer Station DRI  
Mr. Schweikert reviewed the recommendations of the LUPC:  
1. subject to approval of DEP

2. make regional concept - others could use or join
3. lighting, drainage and landscaping to LUPC

A discussion of these items followed.

Mrs. Marinelli questioned the need for the Zone II study.

Mr. Sullivan discussed a third party condition.

A discussion of a possible action or non-action by DEP followed.

Mrs. Marinelli questioned the need for the Zone II study Mr. Sullivan discussed a third party condition. A discussion of a possible action or non-action by DEP followed.

Mr. Sargent asked for a clarification of the user/partner condition. Mr. Jason discussed this condition.

Mr. Hall discussed the issue of whether there could be more than one transfer station on Island. A discussion of this issue followed.

Mr. Hall discussed the issue of at which site the final disposal would final disposal occur and how separation could occur to use multiple disposal sites. A discussion of this matter followed.

A discussion of the size of the proposal followed.

Mr. Hall further questioned how the system would work.

Mr. DeBettencourt attempted to respond to the issue.

Ms. Wild explained further how the system would work.

Mr. Sullivan expressed concern over a third party condition with DEP.

A discussion of this matter followed.

Mrs. Marinelli questioned why even have this condition.

A discussion of this matter followed.

A discussion of how contractual arrangements might be worked out followed.

Mrs. Marinelli asked to hear from K. DeBettencourt on the DEP issue.

Mr. DeBettencourt discussed the DEP regulations and Zone II areas of wells.

Ms. Greene discussed some of the concerns of the MVC regarding the water quality in the area.

A discussion of whether there should be a condition that mentions DEP and Zone II followed.

Mr. Wilcox discussed the relationship of the Zone II and the well. A discussion of what was best followed. Mr.

Schweikert moved deletion of this condition, duly seconded; so voted.

Ms. Greene asked to add the following - landscaping, drainage, grading return to LUPC and that security lighting be kept to a minimum.

Mr. Hall asked that for the record the trucks coming to the transfer station would be able to divert the solid waste to the proper destinations based on existing contracts. He felt that needed to be very clear.

A discussion of the drainage issue followed.

For the record it was noted that there was no composting and no hazardous waste facility proposed.

On a roll call vote the Commission voted 11 Yeas, 0 Nays with 3 abstentions (Best, Riggs, Sargent) to approve the DRI with conditions.

ITEM #5 - Possible Discussion - Maciel Marine

Modification or new DRI

A discussion of past activities at the boatyard followed. Paul Petricone, Maciel Marine, discussed the proposal to remove certain structures and replace with a new structure higher on the lot, the replacement structure to have the same square footage as those removed. He discussed the uses of the structures and what would be moved where.

Mr. Colaneri questioned whether there was any recommendation from LUPC. A discussion followed.

A discussion of the size of the new proposed structure followed. A discussion of how visible the proposed structure would be followed.

Mrs. Marinelli questioned the usage of the new structure.

Mr. Petricone indicated primarily boat storage.

Mrs. Marinelli questioned the storage of chemicals and how they would be handled. A discussion of this issue followed.

Mrs. Marinelli urged careful review since the Lagoon was a very fragile area that had suffered already.

A further discussion of the visual impact of the structure followed.

Mr. Colaneri felt the proposal was in the right direction and should be handled without a public hearing.

Mrs. Marinelli further discussed the issue of degradation of the Lagoon and the need to be very alert and careful when reviewing this matter.

A procedural discussion of what the MVC options were followed.

A discussion of whether there was any other chemical or fuel storage in the area followed.

A discussion of the role that Oak Bluffs might play in the review followed.

Mr. Hall again discussed the procedural issues related to how the MVC deals with modifications. Mr. Colaneri discussed past Lagoon Pond studies with respect to contamination.

A discussion of the uses of other buildings on the site followed.

Mrs. Marinelli discussed the potential effect of high tides on the new building. A discussion of this issue followed.

Mr. Petricone discussed the new EPA regulations that boatyards need to comply with. A discussion of these regulations followed.

Mr. Best questioned the order in which activities would take place should there be approval. A discussion of this matter followed.

A discussion of whether the proposal was a DRI or not followed.

Mr. Colaneri questioned what action the Tisbury Conservation Commission had voted on.

A discussion of dredging and disposal of spoils followed.  
A discussion of future filling followed.  
Mr. Schweikert questioned what the various permits allowed with respect to filling. A discussion of this matter followed.  
Mr. Donaroma felt that everything should be on paper such as how things are to be stored, where the building was to be located, elevations, how much fill in area.

A discussion of future EPA rules followed. Ms. Greene suggested a letter outlining all the things that were the concerns of the Commission. A discussion of what was being sought followed. Those present discussed the making of a list of required items for submittal:

- toxic storage areas
- plans and elevations of buildings
- indication of all proposed site work
- permits for dredging and filling

A discussion of the existing grading followed. Mr. Colaneri moved to go to ITEM 6 - duly seconded - so voted.

ITEM #6 - Possible Vote - Maciel Marine  
Modification of New DRI

Ms. Greene said the proposal was not a significant change to a previous DRI and that the following should be submitted for the record:

- toxic storage areas and how handled;
- plans and elevations of proposed building;
- indication of all proposed site work;
- copies of permits for dredging and filling;
- schedule of construction and demolition and moving of equipment

A discussion of the schedule of demolition and occupancy followed.

The motion was duly seconded.

On a roll call vote the Commission voted unanimously to consider the modification as insignificant.


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.

ATTEST

  
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Michael Donaroma,  
Chairman

3/22/93  
Date

  
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John Best,  
Clerk/Treasurer

4/1/93  
Date

Attendance

Present: Best, Briggs, Colaneri, Donaroma, Early, Greene, Hall,  
Jason, Marinelli, Riggs, Sargent, Schweikert, Sullivan, Vanderhoop

Absent: Bryant, Sibley, Benoit, Clarke, Allen, Bolling, Chapin,  
Gallagher