

THE MARTHA'S VINEYARD COMMISSION

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MINUTES OF AUGUST 5, 1993

MARTHA'S VINEYARD COMMISSION MEETING

The Martha's Vineyard Commission held a Special Meeting on Thursday, August 5, 1993 at 8:00 p.m. at the Martha's Vineyard Commission Offices, Olde Stone Building, New York Avenue, Oak Bluffs, MA.

There being a quorum present, Michael Donaroma, Chairman of the Martha's Vineyard Commission called the meeting to order at 8:15 P.M.

Mr. Clifford introduced the guests present:
Armando Carbonnel, Executive Director, Cape Cod Commission
Richard Armstrong, Special Assistant, EOE

He then introduced Ms. Trudy Cox, Secretary of Executive Office of Environmental Affairs. He noted that Ms. Cox came to the Commonwealth via Washington D.C. where she served as the Director of Ocean and Coastal Management at NOAA; and the past Director of the Save the Bay program in Rhode Island.

Ms. Cox indicated that she wished to briefly explain some of the coming programs of EOE and to have an interplay of question-answer with all present.

She then discussed the bond bill for open space acquisition and indicated that it would cover farmland preservation as well as other purchases.

She then noted that the state GIS system would be increased to provide more data and information more readily.

She discussed improvements hoped for within the local planning initiatives. She discussed there being funds for such planning being made available.

She then discussed a law interest revolving loan fund for land acquisition for quick purchases.

She discussed the impact of the Clean Air Act on the Commonwealth.

She discussed the leadership of the Executive branch with respect to vehicles and emissions.

She then discussed the Executive Order with respect to state pollution (state agency and state lands).

She also discussed the need for helping "green" industries or environmental industries to assist with the prevention of degradation of the environment.

She then discussed the proposed changes to Title V. She also discussed the need for considering alternative methods and systems.

She noted that she would like to hear ideas on how to improve the relationship between state government and the MVC.

Mr. Clifford introduced those present to Ms. Coxe.

Mr. Donaroma called for questions and comments.

Mr. Schweikert discussed the rehabilitation of Oak Bluffs harbor and the number of agencies that have taken a hand in the review and have often confused the issue. He asked how coöperation could be developed between the town and the state. He further discussed agency coöperation and used the Beach Road as an example of state agency bickering.

A discussion of defining the process followed.

Mr. Schweikert felt that the locals should be listened to more and agencies should be more helpful.

Ms. Coxe felt that MEPA should have a more coördinating roll. She noted that there was a new head of MEPA, Jan Ritsma, and hopefully there would be a better direction.

A discussion of these issues followed.

Ms. Bryant raised the issue of Norton Point Beach and the problems being generated with the replacement of the barrier beach. She explained the past history of changes in the area and the various restoration efforts that had occurred. She discussed the management plan and how the barrier beach needed restoration.

Larry Mercier discussed the meeting in the past with Commissioner Phillips and the problem of agencies not speaking to each other.

Ms. Coxe discussed a future meeting between the commissioners of DEP, DEM and MFW to discuss the issue and to attempt to resolve it all.

A discussion of co-existence plans followed.

A further discussion of restoration of barrier dunes and beaches followed.

Mr. Best raised several points regarding mandated sewers and alternative methods of septic treatment. Mr. Schweikert explained further the problems faced by towns on the Vineyard and the issue of innovative engineering.

A discussion of this issue followed.

Mr. Hall discussed the issue of siting treatment facilities on the Vineyard and the potential use of State Forest lands. A discussion of this matter followed. Ms. Coxe discussed the problems of usages of State lands for other than their intended uses.

Mr. Colaneri discussed the issue of providing funds for state mandated programs and felt that the State needed to be much more sensitive to this issue.

Ms. Bryant further discussed the issue of Norton Point and the various pieces of correspondence that would be made available to the Secretary. She then discussed the problem of management and control and questioned what the next steps would be.

Mr. Vanderhoop discussed working for the Tribal Council and the use of alternative systems for septic. He discussed a comprehensive resource management program that the Tribe had proposed for the Towns of Gay Head and Chilmark. He then noted the issue of filing fees and the

government to government relationship that did not appear to be working well.

Laurie White of the Aquinnah Wampanoag Tribal Housing Authority discussed the housing proposal and the issue of filing fees required by DEP. She discussed the attempt to gain the filing fee waivers. A discussion of this matter followed.

John Anderson, Bureau of Indian Affairs, spoke to the issue of the permits and fees and what the triggering mechanism for MEPA was and continued the discussion of the filing fee waiver.

A discussion of possible expedited review procedures followed.

A discussion of problems with the MEPA review followed.

Mr. Early discussed the issue of the State Forest and the problem of fire danger in the forest and the lack of maintenance and equipment to protect the area needs review to protect the resource.

A discussion of this matter followed.

Mr. Best discussed the problem of deteriorated bike paths in the State Forest and the need for serious repair. A discussion of this issue followed.

Mr. Hall discussed the issue of the lack of bathrooms at the beach facilities. A discussion of this matter followed.

Mr. Jason asked for clarification of the open space bond bill with respect to agricultural preservation. A discussion of this matter followed. He then asked about the Title V regulations. Mr. Armstrong discussed the proposed schedule for review and comment. He then raised the issue of a review similar to the old A-95 program. Mr. Carbonell explained how the Cape Cod Commission dealt with memoranda of understanding between agencies. He discussed single hearings to create a scope of review and move things along more readily and regularly. A discussion of this process followed.

Ms. Coxe then introduced Abbe Rock-feller and her use of alternative septic systems.

Ms. Coxe then noted that she was glad to be present and hoped that it was the beginning of a successful partnership. She further discussed the workings of the various departments under her office and how the agency heads were now working together.

Ms. Bryant also discussed the issue of resolving the barrier beach issue and the Tribal housing should be a top priority.

All present thanked Ms. Coxe for her attendance and for the information offered.

The Commission took a five-minute break.

Mr. Donaroma reconvened the meeting following the break.

ITEM #3 - Approval of Minutes of - July 8, 1993

On a motion by Mr. Early, duly seconded, the minutes were approved

with one abstention (Hall).

ITEM #4 - Reports

Chairman's - no report

LUPC - no report

PED - no report

Legislative Liaison - Ms. Bryant discussed the visit of the Secretary of the Interior Babbitt with Congressman Studds.

ITEM #5 - Possible Discussion-Written Decision-Airport Business Park
Mr. Colaneri asked for a clarification of a condition on page 6. A discussion of this matter followed.

A discussion of preparation of the development agreement followed.

Mr. Hall discussed what he felt were inconsistencies in the decision with respect to the proposal being consistent with the Edgartown Zoning Ordinance. A discussion of this matter followed. There was some confusion over the wording of a particular paragraph in the decision. All agreed to leave as is.

ITEM #6 - Possible Vote - Written Decision - Airport Business Park
On a motion by Ms. Greene, duly seconded, it was moved to approve as written. By Roll Call vote the Commission voted in the affirmative 8 yea 0 nay with 2 abstentions (Bryant, Donaroma).

ITEM #7 - Old Business -

Mr. Jason raised a question of the status of Herring Creek Farm.

Mr. Donaroma discussed the status as he knew it in Edgartown. Mr. Hall discussed a meeting that had been held with the Planning Board. Mr. Jason discussed the "on-hold" request by the applicant and since they had submitted all requested data we should move forward.

Mr. Donaroma discussed what was going on in the town.

Mr. Jason felt that if the plans were being changed there, perhaps the applicant might consider withdrawal.

Mr. Clifford discussed the status as of the early part of August. It was suggested that the applicant be notified that the MVC would tentatively schedule the continued hearing for the third Thursday in September.

A discussion of voting eligibility of certain members followed.

A discussion of the reports that had been sought and submitted followed.

Mr. Donaroma explained what the various boards in Edgartown were doing with the project. A general discussion of submittal requirements followed.

A general discussion of what constituted a new or greatly altered DRI followed.

All present agreed that the applicant should be notified that the Commission wished to move forward.

Mr. Best reported upon the results of the Tisbury Planning Board meeting on the Boch proposal.

ITEM #8 - New Business -

Mr. Donaroma read a letter from the Gay Head Selectmen regarding boat/bicycle ferry service in Gay Head and asking whether it was a DRI or not. Mr. Clifford explained how the new "cross-town" referral worked.

A discussion of whether such was a DRI or not followed.

Mr. Donaroma discussed which item on the check list would cover the proposal. A discussion of this matter followed.

A further discussion of parking in Chilmark, bicycle uses, operations in the area followed. Opinions pro and con were put forth.

a further discussion of the items on the checklist which were relevant followed.

a discussion of when to have the public hearing as per Chapter 831 followed.

Mr. Donaroma then read a letter from Leo Convery with a request to meet with the LUPC on Thursday to discuss preliminary retirement village proposal. A discussion of this matter followed. It was agreed to meet but all wanted to hold the meeting at 5:15 p.m.

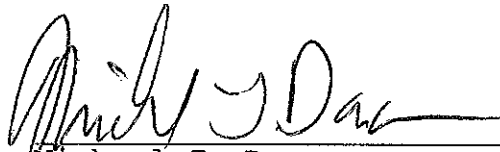
Mr. Clifford discussed the change of firms by Donald Connors from Choate, Hall and Stewart to Foley, Hoag and Eliot. Mr. Connors wished to retain the Commission as a client.

A discussion of this matter followed.

It was moved and duly seconded to retain Donald Connors as the MVC legal counsel and to send a letter to Eric Wodlinger so indicating same. Mr. Hall abstained from the vote.

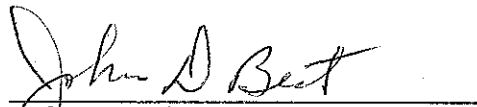
There being no further business, the meeting was adjourned at 10:45 P.M.

ATTEST



Michael J. Donaroma,
Chairman

8-19-93
Date



John Best,
Clerk/Treasurer

8-19-93
Date

Attendance

Present: Best, Bryant, Colaneri, Donaroma, Early, Greene, Hall,
Jason, Riggs, Schweikert, Sullivan, Vanderhoop, Gallagher

Absent: Briggs, Marinelli, Sargent, Sibley, Clarke, Allen, Bolling,
Chapin