

# THE MARTHA'S VINEYARD COMMISSION

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MINUTES OF FEBRUARY 10, 1994

## MARTHA'S VINEYARD COMMISSION MEETING

The Martha's Vineyard Commission held a Special Meeting on Thursday, February 10, 1994 at 7:30 p.m. at the Martha's Vineyard Commission Offices, Olde Stone Building, New York Avenue, Oak Bluffs.

Michael Donaroma, Chairman of the Commission, called the meeting to order at 7:45 p.m. and noted that he would take ITEM #4 first.

### ITEM #4 - Reports

LUPC - Linda Sibley reported on the presentation by the West Tisbury School Building Committee on the proposed new school addition. She then discussed the Peter Sharp proposal and where it stands presently. She noted that the hearing was still in continuation pending an appeal to a state appeals board regarding the building code. A discussion of the reasons for the maneuvering followed. A discussion of this matter followed.

Mr. Schweikert questioned why the West Tisbury school was a DRI. Ms. Sibley noted the reason as being that the proposal served the residents of more than one town.

Mr. Donaroma then discussed the Convery DRI (Hall and Sibley left the room) and noted that the LUPC had recommended denial of the proposal. He felt there were good points on all sides.

### ITEM #2 - Discussion - Convery DRI

Mr. Donaroma explained how the committee had used the §14 and 15 of the Act to evaluate the proposal.

Mr. Colaneri discussed the LUPC minutes and felt that everyone should be aware of the mitigation measures that had been offered. He then discussed the noise issue and the difficulty in finding any mitigation measures. He discussed the locational issue of downtown or triangle and whether there could be mitigation.

Ms. Greene discussed the gathering at 11:00 p.m. on the site to determine sound measurements.

Mr. Sullivan questioned the mitigation of noise.

Mr. Colaneri explained the responses from the abutter regarding potential mitigation.

Mr. Sargent discussed the site visit and what was done during the testing. He discussed the issue of the area being a commercial district and questioned whether there ever could be mitigation.

Ms. Greene discussed the issue of the restaurant in the area.

Ms. Riggs discussed the loss of businesses in downtown settings.

Mr. Donaroma discussed the BII Master Plan and what was permitted in

the area by special permit. He discussed the history of the area and the changes made in the master plan for the area. He discussed why the Selectmen had asked for a review of the proposal. Ms. Bryant discussed parking issues related to the previous movie DRIs. A discussion of this matter followed. Ms. Greene questioned whether parking was needed on site.

Mr. Jason discussed the issue of meeting the ordinance and the master plan due to noise penetration. Mr. Donaroma further discussed the noise penetration and the mitigations that were offered. He felt that changes of hours might be a possibility. Mr. Donaroma then asked staff to give a listing of the correspondence received. Mr. Sargent further questioned whether any of the existing uses had ever gone through such a review. A discussion of this matter followed. John Schilling, MVC staff, read the names of those in opposition and those in favor who had submitted letters. Mr. Sargent then discussed the zoning in the area and how it came about. Mr. Sullivan discussed the moves from downtown areas and the loss of viable downtown areas.

ITEM #5 - Possible Vote - Leo Convery

Ms. Bryant moved denial since the benefits do not outweigh the detriments, duly seconded. Mr. Sullivan further needs to help the downtown areas. Ms. Bryant felt the noise issue was the major issue and explained her feelings about this. Mr. Donaroma discussed the issue of downtown vs the triangle area. He further discussed the commercial aspect of the area and felt that mitigation should be worked on further.

Mr. Jason further discussed how the proposal was in conflict with the MVC Policy Plan. Mr. Sargent further discussed the BII creation by the town. A discussion of this matter followed. Ms. Lazerow questioned when the movie theaters were added to the special permit list. Mr. Donaroma indicated 1989. Mr. Briggs discussed the historic quality of downtown areas and the need to do all possible to help them retain their character and quality. He further discussed this issue. Ms. Bryant discussed issues related to downtown areas. Mr. Donaroma discussed the economic value of a movie to the BII area. Mr. Jason read several excerpts from the Edgartown Master Plan. Ms. Greene felt the theater would be of no value to the downtown.

On a roll call vote the Commission voted 7 yea 2 nay 5 abstentions (Hall, Sibley, Schweikert, Lazerow, Sargent) to deny the proposal.

ITEM #2 - Discussion - Peter Sharp DRI  
(passed over)

ITEM #5 - Possible Vote - Written Decision - Herring Creek Farm. The Commission took a brief break to permit all present to read the Decision.

The Commission reconvened at 8:30 p.m.

ITEM #3 - Approval of Minutes - there were no minutes.

ITEM #4 - Reports  
PED - no report

ITEM #5 - Possible Vote - Written Decision - Herring Creek Farm  
Ms. Greene moved to approve the Written Decision as written, duly seconded.

Mr. Hall offered suggestions for fine tuning the language. A discussion of these suggestions followed. A question of the sandplain grassland restoration attempts being viable followed.

Mr. Hall further discussed the size of the mounded septic systems as related to the fragility of the area.

A discussion of the contents of the Decision and how it was set forth followed.

On a roll call vote the Commission voted to approve the written Decision with 12 yea, 0 nay 2 abstentions (Lazerow, Sargent).

ITEM #6 - Old Business - there was none.

ITEM #7 - New Business - there was none.

ITEM #8 - Correspondence - there was none.

There being no further business the meeting was adjourned at 8:52 p.m.

ATTEST

  
\_\_\_\_\_  
Michael J Donaroma,  
Chairman

3/17/94  
Date

  
\_\_\_\_\_  
Jane A. Greene,  
Clerk/Treasurer

3/17/94  
Date

Attendance

Present: Briggs, Bryant, Colaneri, Donaroma, Early, Greene, Hall, Jason, Lazerow, Riggs, Sargent, Schweikert, Sibley, Sullivan

Absent: Best, Vanderhoop, Clarke, Allen, Bolling, Chapin, Gallagher