

# THE MARTHA'S VINEYARD COMMISSION

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*Martha's Vineyard Commission  
Minutes for the Regular Meeting of  
July 15, 1999*

The Martha's Vineyard Commission (the MVC or the Commission) held a Regular Meeting on Thursday, July 15, 1999, at 7:30 p.m. at Commission Offices in the Olde Stone Building, New York Avenue, Oak Bluffs, Mass.

At 7:36 p.m., with a quorum present, Richard Toole, Chairman of the Commission and the Selectmen's Appointee from Oak Bluffs, opened the Meeting.

**Public Hearing: Pearlson Office Building, Town of West Tisbury (DRI #496).**

Michael Donaroma, Chairman of the Land Use Planning Committee (LUPC) and the Selectmen's Appointee from Edgartown, opened the Pearlson Office Building Public Hearing by reading aloud the Notice of Public Hearing.

**"The public is invited to a Hearing concerning the following Development of Regional Impact (DRI #496):**

- Applicant:** Eleanor Pearlson  
Tea Lane Associates, Inc.  
Old Farm Road  
Chilmark, Mass.
- Location:** State Road (North Tisbury Business District)  
West Tisbury, Mass.  
West Tisbury Assessor's Map 16, Lot 100
- Proposal:** To construct a two-story building for offices and a studio apartment. Project includes a parking lot and site landscaping.
- Date and Time:** Thursday, July 15, 1999, at 7:30 p.m.

**Place:** Martha's Vineyard Commission  
Second Floor Conference Room  
Olde Stone Building  
New York Avenue  
Oak Bluffs, Mass.

**A copy of the Application and Plan are on file at the Commission Offices for public inspection. Written testimony may be submitted prior to or during the Hearing.**

**This Hearing is held in accordance with Section 14 of Chapter 831 of the Acts of the Commonwealth of 1977, as amended, and Chapter 30A, Section 2, of the General Laws of the Commonwealth, as modified by said Chapter 831."**

#### **Applicant's Presentation.**

**Peter James Breese** introduced himself as **the architect** who had designed the office building. He also introduced Jim Hogan, there to represent Tea Lane Associates, Inc., and Glenn Provost, a civil engineer, who had done the siting. He noted that David LaRue from Vineyard Gardens, who had designed the landscape plan and done the analysis of the existing vegetation, could not be present that evening.

Mr. Breese began by remarking that the written summation provided by MVC Staff member David Wessling and distributed to the Commission members provided a good overview of the project, a "plus-or-minus-4,000-square-foot office building," as he described it, 30 feet high. [The referred-to document, Staff Notes dated July 12, 1999, can be found in the Meeting File of July 15, 1999, as well as in the DRI File.]

Mr. Breese explained that two plans had been developed for the site. The building's size required 27 parking spaces, he continued. If the Commission demanded more planting on the site, then the number of parking spaces would be reduced; however, the Applicant was pursuing approval for the 27 spaces. [In Mr. Wessling's LUPC report, the number of spaces is given as 28; in the Staff Notes, the number provided is 19. This discrepancy was addressed later in the Meeting. See page 6, paragraph 6, of these Minutes.]

The building would be set back 40 feet from the front property line, Mr. Breese continued. Between the edge of State Road and the front property line there was an additional green space, about 18 feet in width, maintained by the State. He pointed out that the landscape plan showed that State-controlled area as clear; actually, what would go there was up to the State. Currently, he noted, there were pitch pines "that have reached the end of their life span" in that area.

John Best, a Commission member at large from Tisbury, asked Mr. Breese to "locate [the building] vis-a-vis other buildings on State Road." Mr. Breese related that on the Vineyard Haven side was a small antiques store in a structure previously used by Brickman's; on the west side toward West Tisbury was a little red house. "The red house is still within the Business District," explained Mr. Breese, "but is currently used for strictly residential use."

The proposed building would be positioned to the east side of the site, continued the architect, because with the new Martha's Vineyard Co-operative Bank structure and the small antiques store, the office building would complete a zone of building, using the relationship of the buildings as a substructure for that commercial area. The driveway had been brought around the far side, he explained, to increase its distance from the driveway shared by the bank and the store.

There was a brief discussion among the Commission members about where exactly the site was. Mr. Donaroma asked if there were any other questions from the members about the location. Michael Colaneri, a Commission member at large from West Tisbury, asked what the setback was in that area; 30 feet, replied Mr. Breese. And the height of the building will be 30 feet? asked Mr. Colaneri. Right, said Mr. Breese. "It's not in the Roadside District," pointed out Lenny Jason, Jr., the County Commission representative.

Mr. Donaroma asked about the lighting plan. Mr. Breese explained that there would be lighting on the porch itself, but not shining up onto the building. In addition, there would be a small wooden sign that would be lighted until the timers in that district turned them off at 10 p.m. There were no sidewalks at present, but there would be a stone walkway that could connect with any future sidewalk, said Mr. Breese. And the lights would be pointing down, in the soffits over the porch? asked Mr. Colaneri. Yes, replied Mr. Breese.

Mr. Best inquired as to the nature of uses on the site. Mr. Breese replied that on the first floor would be a real estate office. Before he answered fully, Mr. Jason asked if there would be just one curb cut. There was some discussion of drainage on the site and where the driveway would be placed. Mr. Jason wondered if the driveway could be moved over so that when the house next door became commercial, it could share the driveway with the office building. "I believe we could do that," said Mr. Breese. There was further discussion about the driveway and the location of a utility pole.

John Early, the Selectmen's Appointee from West Tisbury, wanted to know if any thought had been given to linking the properties in this subsection along the back of the rear property lines. **Glenn Provost, the engineer who had done the site plan**, said that location of the leaching field of the office building would be a problem; there was no other location for the field other than along the back. Using the site plan, he explained the reasons for the present design, how, for instance, a low area in front was being utilized for natural drainage. He added that if the leaching field were moved and cars would be

driving over it in the back, there then would have to be additional vents, something that had been done at the Martha's Vineyard Co-operative Bank nearby.

Mr. Provost continued, noting that the linkage across the back of the properties was a possibility that would require some cooperation with the other business owners. Mr. Jason and Robert Zeltzer, a Commission member at large from Chilmark, continued to discuss such linkage. Then Mr. Colaneri pointed out that in a letter to the Commission regarding this project, the West Tisbury Fire Chief had expressed concern that there was no place for a fire truck to turn around at the site. Mr. Colaneri suggested that linkage around the back would provide such an area.

Mr. Best asked once more about the uses on the site. Mr. Breese explained how Tea Lane Associates would have a first-floor office, along with storage space in the basement. He pointed out where the handicapped-accessible bathroom, a reception area and a kitchen would be, as well as a shared conference room. Mr. Breese's future architectural office would also be in the building, on the second floor, in addition to a studio apartment or an additional office space.

Mr. Jason wanted to know where the elevator was. "The handicapped lift is right here," said Mr. Breese, pointing to a space next to the reception area. Mr. Jason wondered if the Applicant had the variance for the lift. No, said Mr. Breese, not yet.

Linda Sibley, a Commission member at large from West Tisbury, wanted a more detailed description of the landscaping, which Mr. Breese provided. Mr. Donaroma and Mr. Jason joined in the discussion of the landscaping, with Mr. Donaroma translating some of the Latin names of the plants to be used and providing some information about pear trees.

Ms. Sibley also pointed out that when the Commission had considered the Martha's Vineyard Co-operative Bank project, they had asked for an easement to the Town across the back in case a linkage plan was ever developed. The bank had also granted an easement inside their property line for a bicycle or walking path, in case it was not feasible to do such a path on the State property, she said.

Mr. Provost then returned to the drainage issues and the natural low areas in front that they hoped to utilize for drainage. They were trying to keep construction and equipment out of that area so that when the water ran off the parking lot, it would naturally go down into those low areas. He also pointed to two settling basins, explaining, "If the water filled in quicker than the rate it was going out, it would go into these settling basins, and then it would go in a pipe out here to a leaching area for the stormwater." So if something were constructed in that area, it would seriously impact the drainage system being proposed, Mr. Provost said.

Mr. Colaneri then discussed the potential problem if the driveway were moved, as had been proposed. "No, I don't think so," said Mr. Provost, "because we're just shifting." Mr. Jason wondered about moving the basins more to the east, but Mr. Provost explained that they were trying to keep the drainage system as natural as possible.

**Staff Report: David Wessling, Commission Staff Member.**

Mr. Wessling began by noting that Messrs. Breese and Provost had described the project accurately. The site was about an acre of land, he said, which basically sloped from the back to the front. Very little of the natural contour would be changed, mostly to divert the flow of water off the lot, he explained.

Mr. Wessling pointed out that the proposal would drastically alter the landscape pattern of the site. Trees and shrubs would be removed to construct the building, parking area and underground structures (that is, the septic and drainage systems). Moreover, after development the building would be quite visible along the road. West Tisbury's zoning bylaw, Mr. Wessling continued, required a 40-foot buffer between the residential zone and the business zone, and the current plan provided for less than that. The bylaw also required a 20-foot green belt.

Mr. Wessling then reviewed the two letters reproduced in the Staff Notes. As noted earlier by Mr. Colaneri, he said, the Fire Chief wanted a turnaround area for trucks. [The letter read: "[T]he only thing I have a problem with is I don't see any place to turn a fire truck or any truck around. This situation must be addressed."] In her letter the West Tisbury Chief of Police supported the proposal but was concerned about the sight lines. ["I would like to see a fairly wide driveway with the brush kept back for clear visibility of on-coming traffic. Clear access and egress is most important."]

MVC Transportation Planner Andrew Grant, as well as Mr. Wessling, had looked at the traffic generation rates and had concluded that they would be a bit higher than the Applicant had suggested, although the project should not have any detrimental effect on State Road traffic, said Mr. Wessling.

There was also a letter from the West Tisbury Planning Board, which had been distributed to the Commission members. The Board expressed some concern about the relationship of the site to the Greenlands Water Resource Protection District. Thus, the Board wished to minimize the amount of paving and required parking. In addition, in order to preserve as much of the Town's rural character as possible, they recommended that as much of the parking area as possible be located behind the building, said Mr. Wessling.

The final point made by the Planning Board was that although under current zoning bylaw a variance was required for the studio apartment, they strongly supported the provision of housing.

Mr. Wessling remarked that there was also a letter from an abutter, Antone Rezendes, which stated in part: "[A]lthough this property is zoned for commercial use, its current use is residential and we would not be willing to share an access drive with the proposed office building." This point had been discussed in LUPC, Mr. Wessling added.

Mr. Wessling then invited questions from the Commission members. Mr. Colaneri noted that the architect had stated that the studio upstairs could be either an apartment or another office. The Application was for an apartment, replied Mr. Wessling. Mr. Jason mentioned that the Applicant would need a variance for a residential use in the Business District.

Mr. Colaneri then observed that it was his impression that West Tisbury was now considering revising the zoning bylaw, having seen the merits of allowing such a residence to be located over a commercial use. "That's really a benefit," he said, "and that's an asset that they really should be looking at more closely, and I think that's why the Planning Board is encouraging at least this proposal ... to look at that and not to have three businesses on that site, but to have two businesses and an affordable housing complex." There was further discussion of this issue. Mr. Jason emphasized that it was a variance that would be required, not a Special Permit.

"Would you like to ask the Applicant what his proposal would be if he can't have an apartment?" asked Mr. Donaroma. Mr. Breese explained that the Applicant would be making an affordable housing contribution in any event; the amount according to the formula would be \$2,198. [According to the Staff Notes, the amount would be \$2,197.] Mr. Breese continued that initially the Applicant hadn't planned to have an apartment in the building. But in a conversation with Kate Warner of the West Tisbury Planning Board, she had suggested to him that they provide some year-round housing. The owners of the building would be satisfied with either an office or an apartment, he added.

Mr. Jason noted that if, in fact, the studio apartment was provided as affordable year-round housing, then the payment to the Dukes County Regional Housing Authority would not be necessary. "And you still get to keep the rent," said Mr. Colaneri. There was more discussion of the affordable housing provision. **Jim Hogan of Tea Lane Associates** said that they had chosen to do both. Was it required that this be year-round housing and did the Town have the ability to require it? asked Mr. Zeltzer. "We could require it, as well as the Town," noted Mr. Colaneri.

Mr. Toole pointed out the conflicting numbers of planning parking spaces. [See page 2 of these Minutes.] "The 27 is what we're looking for," said Mr. Breese. He explained how with the larger number of spaces, they could provide room for an easier turnaround on the site. "You mean if there were no cars there," said Michele Lazerow, a Commission member at large from Oak Bluffs. "That's right," said Mr. Breese.

There was further discussion of the amount of space allotted for parking, including the Town's requirements for such and how it could be arranged that the site not be opened up so much, that is, that not so much vegetation be removed. Mr. Colaneri believed that the Applicant and the Commission should at least explore the concerns of the West Tisbury Fire Chief and do further work on the parking design while at the same time attempt to "break up" the empty areas. He pointed to the empty lot on the Martha's Vineyard Co-operative Bank site: "That's a great, big, huge empty lot back there. It looks like a gravel pit. I don't think that we should be encouraging these businesses unless they really show a need to do that. Do you want to maintain the, you know, the woodiness of the area and what have you? ... I don't think you need to pave them all. There are times to pave ..."

Ms. Sibley said that she agreed with Mr. Colaneri about not developing the entire site. Moreover, she noted, the landscaping seemed to be "very much in the back. It may be wonderful from the point of view of the neighbors, the residential neighborhood ... but Michael [Colaneri]'s vision of seeing all the way to the back of the parking lot is largely the result of there not being a lot of landscaping in the front. And you can't have it right at the State Road, because it would affect the sight lines. But you could certainly have more trees ..." She then indicated on the site plan where those additional trees should go. Ms. Sibley also noted that a lot depended on what species of trees there would be. For instance, one would want shade trees for the parking lot, but one would also want some evergreens for the five months of the years that there were no leaves. The Commission members discussed this further.

Mr. Donaroma agreed that the bank was "wide open." "It was a horse pasture," Mr. Jason pointed out. "This may not be the forum for this," noted Mr. Donaroma. As for the project before them, though, Mr. Donaroma believed that some judicious landscaping could mitigate any potential impression of emptiness on the site. Further discussion of the landscaping and parking ensued.

There being no more questions from the Commission members, Mr. Donaroma asked for testimony from Town Boards; there was none. He then asked in turn for testimony from members of the public in favor of the proposal, in opposition to the proposal and in general; there was none. Subsequently, he invited the Applicant to have "the last word." The Applicant declined, whereupon Mr. Donaroma closing the Public Hearing. The time was 8:15 p.m.

#### **Discussion of Site Visits.**

There followed a discussion of a visit to the proposed site of the Pearson Office Building. The following Monday, July 26, was suggested by Mr. Donaroma. The Commission members and the Applicant's representatives discussed this for five to six minutes.

Then the conversation turned to the abutter, Mr. Rezendes, and his refusal to share a driveway with the office building. Mr. Jason suggested, "We could accept the Applicant's offer that in the event the property to the south becomes commercial, that they offer the opportunity to share a driveway. That way, the guy that comes in last can pay for the move." Mr. Provost pointed out that both owners could share a driveway without its being right on the lot line. Ms. Sibley thought that it all had to be planned out during the present Application process. Otherwise, the plantings could not adequately enhance the site, and one would have to start all over again when the driveway was moved. More discussion of this matter ensued.

It was agreed that the site visit should take place at 5:30 p.m. on July 26. Then Mr. Colaneri wondered why a site visit was necessary. Mr. Donaroma said that at least he [Mr. Donaroma] should go so that he could consider the planting scheme.

[Marcia Cini, a Commission member at large from Tisbury, arrived at the Meeting at 8:30 p.m.]

The subject changed to the Herring Creek III subdivision site visit scheduled for 1 p.m. on Sunday, July 25. Mr. Zeltzer remarked, "One p.m. seems to destroy the day. Would it be possible to have it at either like 10 or 9:30 a.m. or 4 p.m., not smack in the middle of the day?" A discussion followed. Some members wanted the site visit to be on Tuesday, July 27, at 5:30 p.m. It was decided to "shoot for Tuesday," as Mr. Toole put it, and if the representatives of the Applicant could not attend that day, the site visit would be on Sunday, July 25, as originally planned, only at 9 a.m.

**Item #6, Decision: Island Propane Written Decision (DRI #495).**

Mr. Colaneri made a Motion to move to Item #6, Decision: Island Propane, duly seconded. All voted Aye, and Mr. Toole asked for discussion.

Mr. Colaneri had a comment about Condition 1.a. on page 3 of the Written Decision. "That should be made very, very clear that that's tanks that are fixed to the ground and tanks that have wheels on them," he said. Then he suggested the following wording: "That there be no more than 60,000 [gallon capacity in] fixed tanks on the site -- permanent, bolted-to-the-ground ones with all the safety specifications, whatever's a good wording -- and the trucks that are going to end up being there shall not exceed the remainder, for a total of 90,000 gallons."

There was mention of the smaller tanks for residential use on site. Mr. Donaroma suggested using the term "maximum storage capacity." "The law's the law," he continued, adding that the Applicant had made it clear that the wording in the license was for a total capacity of 90,000 gallons, with the possibility of how and where those gallons could be stored spelled out. Mr. Early introduced the idea that if there were empty residential

storage tanks on the site, that this storage capacity might be counted in the 90,000-gallon total. Therefore, he suggested the wording, "No more than 90,000 gallons of propane shall be stored on the premises." After more discussion, Mr. Donaroma's wording was settled on.

Regarding Condition 2.a., Mr. Donaroma pointed out that if the Applicant wanted to sell the propane to a low-income customer at a lower-than-market rate, he could not do so according to the current wording of the Condition. Ms. Lazerow suggested wording it thus: "at the same rate or below that charged to other customers"; or "no more than that charged to other customers."

"Why are we singling out the Town of Aquinnah?" asked Mr. Early. "Jennie was very concerned about that," replied Mr. Colaneri, referring to Jane A. Greene, known as Jennie, the Selectmen's Appointee from Chilmark. He continued, "In the rules and regulations that govern their [the propane companies] activity, they can essentially not deliver, and the agency that she represents had a lot of difficulty getting other people to deliver up there." Mr. Best said, "There's no reason to single out Aquinnah, you're right." "But that's what this says," said Mr. Colaneri.

Ms. Sibley noted that she thought the intent was to include the Dukes County Regional Housing Authority units and the tribal units as being official affordable housing. "But that's what it seems to say here," she added. The discussion continued. Mr. Zeltzer thought that certain economic realities had to be recognized, for instance, that the delivery of a large order to, say, a hotel was more economical than delivering the same total amount of propane while making a number of stops at residential units. Mr. Early thought they should use the phrase "the same rate schedule."

The discussion turned to the delivery surcharge tacked onto the bills of some customers in Aquinnah that Ms. Greene had referred to the week before. [See page 26, paragraph 3, of the Meeting Minutes of July 8, 1999.] Then Mr. Early said the following: "I think it's unfortunate that we got involved in the discussion at all. I talked to one of the propane suppliers and was told that they had never been contacted about delivering to Gay Head. They would be delighted to take on any new customer they could. So it may have happened in one case. There was also some discussion last week about running out of propane last winter, and I talked to a supplier, too, and was told that they'd never run out of propane. They'd extended propane to a company that was temporarily out. So I don't like to see last-minute, bad information get involved in these Decisions."

"Well, I don't think she [Ms. Greene] made it up," said Mr. Zeltzer. "We did vote on this," he continued. "The only thing that I would change on that is 'the rate as charged to other similar customers on the Island,' because if these people are in business, they've got to have the right to run their business ... They have to have different rates, I'm sure." Ms. Sibley was of the opinion that Mr. Early's wording ("the same rate schedule") was the best

one. A discussion between Mr. Zeltzer and Ms. Sibley ensued about social engineering and the company's ability to utilize sound business practices. Finally, the Commission members agreed to adopt Mr. Early's wording.

Mr. Colaneri made a Motion to Approve as Amended, duly seconded. There was no discussion. The Motion carried, 5 to 4, with 1 abstention. The roll call vote went as follows:

AYES: M. Colaneri; M. Donaroma; M. Lazerow; R. Toole; and R. Zeltzer.

NAYS: J. Best; J. Early; L. Jason, Jr.; and L. Sibley.

ABSTAINING: M. Cini.

#### **Item #4, Reports.**

Mr. Toole delivered the **Chairman's Report**. He reminded the Commission members that the Herring Creek III Public Hearing was scheduled for July 29 in the Old Whaling Church. Mr. Colaneri expressed concern that the Commission had to pay for the use of the Whaling Church, and a brief discussion of that subject ensued. Ms. Sibley pointed out that the Whaling Church provided an excellent sound system, and "if we go anyplace else, we don't even get a sound system."

Mr. Toole also announced that Carroll's Realty Trust would be formally withdrawing its Application (DRI #472). There was still no word on the Windy Gates proposal (DRI #494), he said. However, Mr. Jason said he had heard something to the contrary. MVC Staff member Bill Veno explained that the Chilmark Planning Board had agreed to meet the Monday before with the attorney for Mr. Robinson, the Applicant. That attorney still had not be able to talk to his client, Mr. Veno went on. So the Planning Board decided that since they were "in no immediate hurry," they would wait three weeks, then "prompt" the Applicant.

Mr. Toole then told the Commission members about the Monument to Population Awareness being proposed by Mal Jones, which, if built, would be the tallest building on the Island. The Public Hearing Preceding a Concurrence Vote was scheduled for August 5, he said. The Commission members discussed this proposal briefly.

Mr. Toole announced that the July 22nd Meeting, which was to have been devoted to a discussion of growth management on the Island, would be postponed until a later date. Charles Clifford, Executive Director of the Commission, explained that he had spoken to Mr. Early, Chair of the Planning and Economic Development Committee (PED), and had decided that he would like to cancel the session on the 22nd and move it to August 19 instead.

Mr. Clifford added that he would be meeting with Commission Counsel Eric Wodlinger on July 26 to talk about what role the Commission could legally play in the 240-building-permit limitation. Then Mr. Clifford would be meeting with the subcommittee of the All Island Selectmen's Association on July 29. That would give them "two weeks to pull a lot of things together by the 19th of August and talk seriously in a Meeting here about growth management and what options are available and which direction we can go in, where we are now, where we stand and what we've got done."

Would there be a document available at that time? asked Mr. Colaneri. Not a document, but an outline, replied Mr. Clifford, who offered the Commission the option of going forward on July 22 anyway. "We just won't have John [Early]'s committee up and running by the 22nd," he said. There followed some discussion of the timeline involved and the establishment of a mutually acceptable meeting time for the committee.

Mr. Toole also noted that the next Affordable Housing subcommittee meeting would have a special meeting place: Marcia Cini's law office on Winter Street in Edgartown.

Mr. Toole then mentioned the forum on the following Sunday entitled "Vineyard in Conflict: What Next?" sponsored by the *Vineyard Gazette* and WBUR. "No MVC members were invited?" asked Mr. Colaneri. Mr. Toole read the list of panelists; there were no Commission members on it.

The conversation turned briefly to the radio tower being proposed in West Tisbury by a public radio station. Ms. Sibley wondered if the project would be coming before the Commission. No, towers aren't on the DRI Checklist, responded two Commission members at once. "We didn't put anything on the Checklist?" asked Mr. Colaneri. Mr. Clifford explained that the Commission had had a Public Hearing, then just dropped the issue. The Town could do a discretionary referral, he added.

Mr. Donaroma delivered the **LUPC Report**, describing their meeting with representatives for Island Transport and Pier 44. "We gave them a bunch of things we're going to be looking for," he said, "and he [Joe Fornis] is going to be putting a bunch of stuff together. It's incomplete at the moment." Traffic considerations would clearly be an issue, Mr. Donaroma added. Overall, the Applicant was not ready for Public Hearing and would be returning to LUPC again.

Mr. Colaneri mentioned that they had also discussed setting up ground rules. "We're going to talk about the site and everything on the site," explained Mr. Donaroma, "nothing to do with the boat or the water. We're going to talk about the uses of the lot, period. Not the lot down the street [Tisbury Wharf] or up the street, [but] that lot."

Mr. Donaroma said they had left open the question of how "heavy" a study on the traffic on the road would be required. "There's some differences of opinion on that," he said. "He's [Joe Forns is] going to meet with Staff and come up with numbers ... He's going to have to work on it, I guess."

"What kind of information do we have about the traffic along there?" asked Ms. Sibley. "Obviously, we must have counts for just gross numbers." Mr. Wessling replied, "We have traffic counts on the road, and we have some studies on nearby land uses." "And do we have level of service information for different times of the day and what happens to level of service when buses come out? Do we have that kind of thing?" asked Ms. Sibley. Mr. Wessling explained that calculations could be made after Staff had received some information that they would be requesting. A brief discussion of the traffic issue followed.

Mr. Jason wondered what was happening with "the train," that is, the Black Dog Cafe Expansion (DRI #498). Mr. Donaroma indicated that the Applicant had not come in to LUPC yet. "They're not going to come in," commented Mr. Colaneri. It was Mr. Donaroma's opinion that the Applicant would slowly start to work on the rail car. "No, he said in testimony that he wouldn't touch it, it would sit there," said Mr. Zeltzer. Mr. Best said, "The Building Inspector referred it, didn't he? So he can't." Further discussion about the proposal ensued.

Reporting on the **Affordable Housing Subcommittee**, Ms. Cini said they were waiting for material from the Dukes County Regional Housing Authority on what their short-term and long-term needs were. They were also drenching up information on the impact of commercial development on affordable housing. Ms. Cini requested of Mr. Clifford that when he spoke to Attorney Wodlinger, he ask him about "that agreement-versus-exaction business."

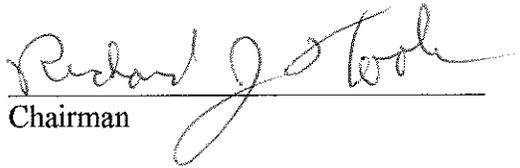
Regarding the **Cell Tower Study Group**, Ms. Lazerow reported that although the group had not met since the last Commission Meeting, she had given some thought to the suggestions of Ted Kreines, the consultant who had spoken before the Edgartown Planning Board. Ms. Lazerow related how Mr. Kreines had emphasized the need for a master plan for cell towers, an area in which he had much experience. There was a brief discussion about Mr. Kreines and his services and expertise, as well as about some new technology for disguising the antennae. Then the discussion turned to cell towers in general and master plans for them in particular.

As the talk wound down, it appeared that there was some consensus for conducting another Public Hearing on the subject of cell towers as a prelude to adding them to the DRI Checklist. Then Ms. Sibley suggested that although having cell towers on the DRI Checklist could be an interim measure, treating them as DRIs would not work in the long run. "There really needs to be planning," she said, "there needs to be an effort to find places where they can go and function effectively. Otherwise, we're going to have

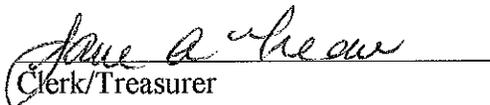
someone come in here, we're going to say no to them because they've chosen a bad spot, and it won't be their fault, because no one's ever helped them choose good spots."

"Does this body support the idea of the Martha's Vineyard Commission going after a master plan?" asked Mr. Toole. Yesses as well as noes were heard. "Yes," said Mr. Jason, "but I think we should at least let the subcommittee come back with a recommendation." The discussion continued for a few more minutes.

Providing the **Legislative Update**, Mr. Clifford said that he could not speak for anything that had been reported in the *Vineyard Gazette* recently. "I don't know if we're going to get our money or not," he said. "I don't trust anybody up there. Let's adjourn." Ms. Sibley noted that there had already been a Motion to Adjourn, as well as a second. The Meeting adjourned at 9:14 p.m.

  
Chairman

  
Date

  
Clerk/Treasurer

  
Date

PRESENT: J. Best; M. Cini; M. Colaneri; M. Donaroma; J. Early; L. Jason, Jr.;  
M. Lazerow; L. Sibley; R. Toole; and R. Zeltzer.

ABSENT: C. Brown; J. Greene; B. Hall, Jr.; T. Israel; M. Ottens-Sargent; J.  
Vercruysse; T. Henson, Jr.; M. Allen; M. Bolling; and A. Gallagher.

***Summary of Revisions to the  
Meeting Minutes of July 15, 1999  
Proposed by Commission Members  
in the Meeting of August 5, 1999***

There were no revisions to the Meeting Minutes of July 15, 1999, proposed by the Commission members.

[An excerpt from the Meeting Minutes of the Special Meeting of August 5, 1999 follows immediately. It describes the actions taken by the Commission with regard to the Minutes of July 15, 1999.]