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**Minutes of the Commission Meeting
Held on December 4, 2008
In the Stone Building
33 New York Avenue, Oak Bluffs, MA**

IN ATTENDANCE

Commissioners: (P = Present; A = Appointed; E = Elected)

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|---|--------------------------------------|
| P James Athearn (E – Edgartown) | P Katherine Newman (A – Aquinnah) |
| P John Breckenridge (A – Oak Bluffs) | P Ned Orleans (A – Tisbury) |
| P Christina Brown (E - Edgartown) | - Jim Powell (A – West Tisbury) |
| P Peter Cabana (A – Tisbury) | P Doug Sederholm (E – Chilmark) |
| P Martin Crane (A – Governor Appointee) | - Susan Shea (A – Aquinnah) |
| P Mimi Davisson (E – Oak Bluffs) | P Linda Sibley (E – West Tisbury) |
| P Carlene Gatting (County Comm. Rep.) | P Richard Toole (E – Oak Bluffs) |
| - Mark Morris (A – Edgartown) | P Andrew Woodruff (E – West Tisbury) |
| P Chris Murphy (A – Chilmark) | |

Staff: Mark London (Executive Director), Bill Veno (Senior Analyst), Paul Foley (DRI Analyst)

The meeting was called to order at 7:40 p.m.

1. EXECUTIVE DIRECTOR'S REPORT

Mark London reported that there will be a Smart Growth Conference, Friday, December 12, 2008, in Boston.

2. NOMINATING COMMITTEE

Linda Sibley reported that the Nominating Committee nominated Christina Brown as Chair, Chris Murphy as Vice Chair, and Ned Orleans as Treasurer. Nominations will be closed in two weeks at which time the vote will take place.

3. DRI ENERGY GUIDELINES POLICY: PUBLIC HEARING

Commissioners present: J. Athearn, J. Breckenridge, C. Brown, P. Cabana, M. Crane, M. Davisson, C. Gatting, C. Murphy, K. Newman, N. Orleans, D. Sederholm, L. Sibley, R. Toole, A. Woodruff

Commissioners gave some introductory comments.

- **Doug Sederholm** said a member of the public had asked the Commission to consider whether this economic climate is an appropriate time to be adopting environmental and building policies that might add cost to construction. He said it's also useful to think about energy on a macro level, specifically in relation to climate change and related costs.

- **Linda Sibley** commented that almost all energy-saving measures save money over time. The savings over the course of the mortgage more than make up for the additional cost.
- **Kathy Newman** said so much of the policy is understanding what is cost-saving. The Commission has the opportunity to educate people to use higher quality insulation, for instance, that will save them money.

3.1 Public Comment

John Best said, in regards to the comment made to Doug Sederholm, it would have more validity if the Commission dealt with residential construction on a more regular basis. He'd suggest that the Commission will be seeing less commercial development in a depressed economy. He'd be interested in a residential energy policy but that hasn't gone far in towns. In a case of a 40B, it's truly important that it be energy efficient.

James Weisman said he's aware that the Commission has been considering an energy policy but he isn't aware of what the policy says.

Chris Fried would like to see an attachment that says that this won't necessarily add to the cost of the building. A project in Washington, by going through the LEEDS process, actually saved money. By increasing insulation they reduced the cost of their heating and cooling system. He's more concerned about enforcement.

3.2 Commissioner Discussion

Commissioners discussed the DRI Energy Guidelines.

- On page five, the language might need to be tightened up in reference to square feet. The language needs to clarify that the figures apply to the total square footages, not just the new construct.
- The towns may not have the resources to move forward with an energy code. Towns don't have the ability to change the building code, but towns could implement Energy DCPCs.
- Energy guidelines could also be put forward by the Island Plan. There has been committee overlap.
- Commissioners agreed that guidelines set standards for the towns. The Commission is leading by example.
- Publicity of the policy included distribution to town boards, a press release, and an article in the Times. Comments were received from Chris Fried and Kate Warner. The energy subcommittee made an effort to get comments from professionals working in the field.
- Commissioners discussed the costs to a project of implementing the guidelines. The initial outlay may be more expensive, but the added expense pays for itself. There is a graduated scale for compliance. Energy Star ratings will be done by Cape Light Compact. For larger projects, a building would need to be LEED certifiable, but not certified, because of the administrative costs.
- Commissioners discussed whether to vote on the guidelines or wait and invite more feedback.

- Commissioners discussed options for enforcement. Commissioners questioned whether it would be reasonable to expect a town building inspector to enforce DRI energy compliance which is different from the building code.
- **Richard Toole** suggested that the Island should have an Energy Enforcement Officer who stays informed about energy requirements and is the energy expert on the Island.
- **Kathy Newman** suggested that the energy subcommittee remain an ongoing work group to continue evaluating the guidelines and what's working and not working.
- **Chris Murphy** reiterated that it's important to get the guidelines right. He suggested that the guidelines, if they are accepted, should be reviewed for the next six months so, if there are elements that don't work, they can be changed.
- **Mark London** said staff will add a reference to air infiltration and before and after blow tests.
- Commissioners discussed the regional impact of ventilation and its inclusion as a 'green' aspect, rather than as an energy aspect.

Doug Sederholm closed the public hearing.

Linda Sibley moved, and it was duly seconded, to adopt the energy policy for DRIs. A roll call vote was taken. J. Athearn, J. Breckenridge, C. Brown, P. Cabana, M. Crane, M. Davisson, C. Gatting, C. Murphy, K. Newman, N. Orleans, D. Sederholm, L. Sibley, R. Toole, A. Woodruff. Opposed: None. Abstentions: None. The motion passed.

Commissioners agreed that the policy be sent out to architects, designers, builders, building inspectors, and planning boards, with a brief explanation of the policy and a request for feedback. Copies could also be left at the offices of building inspectors.

Mark London will look into what it would take to join LEED.

4. IGREJA EVANGALICA ASSEMBLIA DEUS: DRI NO. 619 – DELIBERATION & DECISION

Commissioners present: J. Athearn, J. Breckenridge, C. Brown, P. Cabana, M. Davisson, C. Gatting, N. Orleans, D. Sederholm, L. Sibley, R. Toole

Richard Toole gave the LUPC report.

- LUPC members were impressed by how much work went into the final proposal.
- LUPC spent a lot of time with Bill Wilcox looking at water issues and run off.
- The architect deserves a lot of credit.
- LUPC unanimously recommended approval of the project with offers and conditions.

Paul Foley added that the applicant accepted conditions as offers.

John Breckenridge said it's been a benefit to have worked with Jamie Weisman for a third time and it's rewarding to hear that the DRI process has benefited the project, the town, the neighborhood and the Island. This particular applicant has taken extensive steps to listen to abutters and become an integral part of the community.

John Breckenridge moved, and it was duly seconded, that the project be approved as presented with offers and conditions as noted.

Commissioners reviewed the offers and conditions.

- Commissioners discussed the wording of capacity limits and the fixed seat offer.
- **Commissioners voted to delete the second offer under Sanctuary related to fixed seats.**
- The compressor is located inside the fence as set forth in the plans.
- Offer 9 should read . . . there shall be no parking on the lawn.
- Wastewater Offers 6 and 7. Add: *The plan shall be submitted to LUPC and shall be subject to approval.*
- The offer on nitrogen testing will be revised to read that nitrogen testing will be tested quarterly until it meets DEP threshold and then will be tested as required by DEP.

Commissioners endorsed LUPC benefits and detriments.

Richard Toole added that the church doesn't pay taxes but doesn't contribute children to the schools.

Carlene Gatting commented on the project.

- She had serious reservations about the project, particularly in terms of holding services in a residential community.
- She's been impressed by the compromises made by the applicant. She believes the neighbors aren't here because they're satisfied and comfortable.
- She congratulated the applicant.

A roll call vote was taken. In favor: J. Athearn, J. Breckenridge, C. Brown, P. Cabana, M. Davisson, C. Gatting, N. Orleans, D. Sederholm, L. Sibley, R. Toole. Opposed: None. Abstentions: None. The motion passed.

5. MARTHA'S VINEYARD SAVINGS BANK: DRI NO. 454M- MODIFICATION REVIEW

Commissioners present: J. Breckenridge, C. Brown, P. Cabana, M. Davisson, C. Gatting, N. Orleans, D. Sederholm, L. Sibley, R. Toole

Jim Athearn recused himself and left the meeting. He was congratulated for being appointed the Edgartown member for 2009. He thanked everyone for their support.

Paul Foley explained that the modifications to the approved plan are a faux barn door on the front, and a taller, thinner silo, as requested by the local planning board.

Mark London, in reference to the modification, said there's almost no plan that gets built 100% as approved. The Commission needs some kind of procedure whereby minor modifications don't have to be reviewed.

Linda Sibley moved, and it was duly seconded, that the modifications are insignificant changes not requiring a public hearing. A voice vote was taken. In favor: 9. Opposed: 0. Abstentions: 0. The motion passed.

Linda Sibley moved, and it was duly seconded, to approve the modification. A roll call vote was taken. In favor: J. Breckenridge, C. Brown, P. Cabana, M. Davisson, C. Gatting, N. Orleans, D. Sederholm, L. Sibley, R. Toole. Opposed: None. Abstentions: None. The motion passed.

The meeting adjourned at 9:30 p.m.


Chairman

5/7/09
Date


Clerk-Treasurer

5/7/09
Date