



PO BOX 1447, OAK BLUFFS, MASSACHUSETTS, 02557, 508-693-3453
FAX 508-693-7894 INFO@MVCOMMISSION.ORG WWW.MVCOMMISSION.ORG

**Minutes of the Commission Meeting
Held on September 18, 2014
In the Stone Building
33 New York Avenue, Oak Bluffs, MA**

IN ATTENDANCE

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

P Tripp Barnes (E-Tisbury)	P Joan Malkin (A-Chilmark)
P John Breckenridge (E-Oak Bluffs)	- W. Karl McLaurin (A-Governor)
P Christina Brown (E-Edgartown)	P Katherine Newman (A-Aquinnah)
P Madeline Fisher (E-Edgartown)	P Doug Sederholm (E-Chilmark)
P Josh Goldstein (E-Tisbury)	P Linda Sibley (E-West Tisbury)
P Erik Hammarlund (E-West Tisbury)	P James Vercruysse (A-Aquinnah)
P Fred Hancock (E-West Tisbury)	
P Leonard Jason (A-County)	
P James Joyce (A-Edgartown)	

Staff: Mark London (Executive Director), Bill Veno (Senior Planner), Paul Foley (DRI Planner), Jo-Ann Taylor (Coastal Planner).

Fred Hancock, Chairman called the meeting to order at 7:00 p.m.

1. ELECTION OF MVC TREASURER

Commissioners Present: T. Barnes, J. Breckenridge, M. Fisher, J. Goldstein, E. Hammarlund, F. Hancock, L. Jason, J. Joyce, J. Malkin, K. Newman, D. Sederholm, L. Sibley, J. Vercruysse.

Fred Hancock said the MVC had received the resignation of Brian Smith as the West Tisbury appointed member. The MVC appreciates the time Brian Smith gave to the MVC and he was thanked for his service and was wished well in his future endeavors. Therefore, the MVC is in need of a Clerk/Treasurer and the floor was asked for nominations to fill the unexpired term until the end of year.

Linda Sibley moved and it was duly seconded to nominated John Breckenridge to fill the unexpired term. It was noted that he has previously held the position. Voice vote. In favor: 13. Opposed: 0. Abstentions: 0. The motion passed.

Fred Hancock said that he would be appointing the Finance Committee for the coming year soon. It has traditionally been filled mainly by the town and County appointed Commissioners.

2. OAK BLUFFS FISHING PIER – DRI-628-M2 MODIFICATION REVIEW

Commissioners Present: T. Barnes, J. Breckenridge, C. Brown, M. Fisher, J. Goldstein, E. Hammarlund, F. Hancock, L. Jason, J. Joyce, J. Malkin, K. Newman, D. Sederholm, L. Sibley, J. Vercruysse.

For the Applicant: Ross Kessler (Mass Division of Marine Fisheries, Public Access Coordinator)

2.1 Staff Report

Jo-Ann Taylor presented the following.

- Last year a modification was approved that raised the height and the structure so the pier would have steel pilings.
- The proposed modifications are self-contained solar powered lights, a bait cutting station, and a water pump.
- The applicant would like to place self-contained solar charging lights on the inside posts of the pier to create a safe environment for getting to the end of the pier after dark. The lights would also act as a deterrent for unwelcomed intentions. The lights would be placed at the "L" and a few along the pier length.
- The bait cutting station would be a place to enable people to cut bait and prevent damage to the pier, decking and benches.
- The water pump would be attached to the same part of the pier as the bait station. It would be an old fashioned hand pump that would pump salt water to the cutting area to keep it clean and also be a place for anglers to wash their hands.
- Two specific conditions in the Decision deal with lighting and running water.
 - 4.5 As offered by the Applicants, the pier is not to be provided with amenities such as running water and electricity, but rather is to retain the unadorned quality off the pier as presented.
 - 3.1 As offered by the Applicants, no lighting is proposed on the pier. Reflectors, including radar reflectors, may be installed as necessary for public safety and navigation.
- Samples of the proposed lights have been installed on posts outside the MVC building.

2.2 Applicant's Presentation

Ross Kessler presented the following.

- The preferred light is the stainless steel sample due to its reliability.
- The lights are needed for safety and to deter any mischievous activity.
- The lights would be positioned to face down.
- The bait cutting station would be built into the inside corner of the end of the "L". It would be solid, attractive and easily cleanable.
- The water pump would be a hand pump and be attached to the same part of the pier as the bait station. It would pump salt water up to the cutting area.

Doug Sederholm asked how many lights and where would they be positioned. **Ross Kessler** said along the walkway facing the town and some at the end also facing the town. There would be five at the end of the "L" enough to create lighting at people's feet approximately every 20 feet. He would be willing to entertain lights just at the end of the pier for safety reasons.

Jo-Ann Taylor said the MVC has received a letter from the Oak Bluffs Conservation Commission that states they have voted to allow the modifications. The Oak Bluffs Pier Regulations

do not allow lighting on piers but the Conservation Commission determined that this is an exception since it is a public pier, open 24 hours, and lighting is a safety issue.

Christina Brown joined the meeting.

2.3 Land Use Planning Committee (LUPC) Report

Linda Sibley, LUPC Chairman, presented the following.

- LUPC met on August 11, 2014.
- LUPC recommended that the proposal should be presented to the full Commission and requires a public hearing because lights on the pier were a concern during the approval.
- LUPC had suggested that samples of the lights be brought to the MVC meeting.

2.4 Commissioners' Questions

There was a discussion about the lighting.

- **James Joyce** asked if there are lights on the SSA pier that stay on all the time.
- **Fred Hancock** said they are turned off after the last boat.
- **Joan Malkin** asked how long the solar lights stay on and last.
- **Ross Kessler** said with a sunny day with a full charge, until morning. The stainless steel sample is dimmer and is a softer light.
- **Fred Hancock** noted that the MVC needs to decide tonight if this modification needs to have a public hearing.
- **Joan Malkin** and **Doug Sederholm** said the MVC would need the specifications of the lights, especially if the MVC goes to a public hearing.

Erik Hammarlund moved and it was duly seconded that the modification is significant enough to require a public hearing, noting that lighting was a big issue and people felt very strongly about it.

- **Katherine Newman** said she would like to see how much light the MVC is talking about.
- **Linda Sibley** respectfully said she did not think it matters what the light looks like. It is a public issue and therefore requires a public hearing.
- **Doug Sederholm** agreed with Linda Sibley and believes the MVC should give the neighbors and the fishing community an opportunity to comment.
- **Josh Goldstein** disagreed. It is a safety issue and the pump is needed. This discussion is a waste of the MVC's time and is why the public may also believe the Commission can be a waste of time.
- **Joan Malkin** said it would be helpful if one or two of the lights were installed before the hearing so the public could see what was being presented; it would help to expedite the process.
- **Katherine Newman** asked how the issue came about and is it a safety issue.
- **Ross Kessler** said there was a visit to the pier by the Mass Department of Fish and Game in the spring before the ribbon cutting and the Director brought up why there were not any lights. With his newly created position, he was asked to look into it.
- **Katherine Newman** asked if there are any other piers in the area that have lights.
- **Ross Kessler** said there are lights on the big pier on the Bass River but the small pier does not have any.

- **Doug Sederholm** said it may be a no brainer for safety to put up lights but he was approached by two members of the fishing community that are against it and the public has the right to be heard.
- **Leonard Jason** asked if the fishermen mentioned why they were against the lights.
- **Doug Sederholm** said he was told fishermen always have their own lights.
- **Madelyn Fisher** said it is not just fishermen that are going out on the pier.
- **Erik Hammarlund** asked if the other issues can be approved and then the lights be reviewed separately.
- **John Breckenridge** asked what happens to the carcasses at the bait station.
- **Ross Kessler** said the station is for cutting bait only, no filleting.
- **Linda Sibley** said the people who sat on this DRI will remember there was a big issue from the neighborhood that the pier not be illuminated at night. There was a public hearing, the MVC made a decision, and for the MVC to reverse would be wrong without public input.
- **Trip Barnes** agreed with Josh Goldstein that this discussion is a big waste of time. The pier is across from a bar so the location with lights should not be a concern and it is a safety issue.
- **James Joyce** said Doug Sederholm heard from a couple of fishermen who didn't like lights but for himself as a fisherman and with the Derby going on, he would like the lights.
- **Katherine Newman** suggested that the Commissioners see what the samples the applicant has with him look like in the dark, by turning out the lights in the meeting room.
- **Josh Goldstein** noted the lights are mounted outside and can be viewed.

The Commissioners reviewed the lights that were mounted outside.

Voice vote. In favor: 6. Opposed : 7. Abstentions: 1. The motion did not pass.

Joan Malkin said since the MVC is not having a hearing, it would be hard to justify making a decision tonight to see how impactful the lights are. The public also needs to see what the lights look like.

Josh Goldstein moved and it was duly seconded to approve the modification as submitted by the applicant using the stainless steel sample lights about every 20 feet on every other post on the North side and to install the bait cutting station and the water pump as proposed.

- **Erik Hammarlund** felt this has been a "slow-death" project, with a series of modifications. It is and it isn't safer to install lights. The lights can tempt people to use the pier at night. He did not see it as a safety issue, the lighting is ugly and the MVC should vote against it.
- **Katherine Newman** asked if there could be two stages for putting the lights up, so if more are needed after the first ones are installed, the applicant can come back for a modification.
- **Ross Kessler** said he is willing to first install the lights at the end of the "L" where people are fishing at night and then come back for future modifications if needed.
- **John Breckenridge** felt the question mark is the end of the "L"; the MVC needs to figure out how many are needed or not needed.
- **Joan Malkin** said it is unclear what the MVC is approving in the motion.

- **Josh Goldstein** said the motion is for lights on every other piling as described by the applicant and the bait cutting station and the water pump so the applicant does not have to come back to the MVC for additional modifications.
- **Fred Hancock** asked the applicant if he would be willing to remove the lights in the non-fishing section.
- **Ross Kessler** said he would like to defer to the anglers for the need and the suggested period for having the lights, but would be willing to not have lights from Thanksgiving to May.
- **Joan Malkin** asked whether the lights only on the "L" make the applicant happy or not.
- **Ross Kessler** said lights only on the "L" are acceptable since that is where most of the activity would happen.

Joan Malkin moved and it was duly seconded to amend the motion to install lights only at the end of the "L", the bait cutting station, and the water pump, with the dates of operation for the lights from April 1 to November 30. Roll call vote. In Favor: T. Barnes, J. Breckenridge, M. Fisher, J. Goldstein, L. Jason, J. Joyce, J. Malkin, K. Newman, J. Vercruysse. Opposed: E. Hammarlund, F. Hancock. Abstentions: C Brown, S. Sederholm, L. Sibley. The motion passed.

Joan Malkin asked the applicant, if the MVC has made a grave error, to please come back.

Ross Kessler said he is here to work on the pier as long as it takes to make it right and thanked the MVC.

John Breckenridge excused himself from the meeting.

3. NOVA VIDA ALLIANCE CHURCH EXPANSION – DRI 603-M4 DELIBERATION AND DECISION

Commissioners Present: T. Barnes, C. Brown, M. Fisher, J. Goldstein, E. Hammarlund, F. Hancock, L. Jason, J. Joyce, J. Malkin, K. Newman, D. Sederholm, L. Sibley, J. Vercruysse.

3.1 Land Use Planning Committee (LUPC) Report

Linda Sibley, Chairman presented the following.

- There is an original MVC Decision which is still valid and the applicant is looking to modify.
- LUPC recommended that the modification be approved with the offers and conditions as clarified.
- There was a wish on the part of the applicant to change the offer to allow amplified music in the community room. However, MVC Counsel advised that this would be substantive change to the offer after the close of the public hearing and LUPC recommended that it not be considered.
- LUPC voted to recommend, under the Traffic and Transportation offers 8.8 and 8.9 that the access remain on Ryan's Way, until a shared access can be worked out with the adjacent property.

Erik Hammarlund asked what the process will be to review the project. **Fred Hancock** said the MVC will look at the offers, review the Benefits and Detriments, and then discuss the project as a whole. When looking at the Benefits and Detriments, the MVC is comparing this proposal to the approved project.

3.2 Review of the Offers

1. Landscaping

There was a discussion about section 1.1.

- **Josh Goldstein** asked if the MVC would ask the applicant to hold money in escrow for the landscaping under 1.1.
- **Fred Hancock** said money held in escrow is usually done when it is not planting season and the planting cannot be done at that time.
- **Leonard Jason** thought it was a condition to have the landscaping done before a Certificate of Compliance was issued.

Erik Hammarlund moved and it was duly seconded that the landscaping be completed before the Certificate of Occupancy, but that LUPC have the discretion to require holding money in escrow if the landscaping cannot be completed at that time. Voice vote. In favor: 13. Opposed: 0. Abstentions: 0. The motion passed.

- **James Vercruysse** asked when the dollar amount would be determined and can it be phased in.
- **Fred Hancock** said LUPC would make that decision.

Doug Sederholm noted for section 1.2 he had a concern that installation of the existing berm will kill the trees that are there and LUPC should keep track of that.

Fred Hancock said with regards to section 1.5, one thing that has been brought up is if the applicant doesn't need space for all 43 parking spaces, it could be phased in.

There was a discussion about section 1.6.

- **Erik Hammarlund** asked if section 1.6 means a zero contribution to nitrogen or a minimal contribution.
- **Joan Malkin** said it is like slow-release fertilizer. It is released at a rate that can be taken up by the soil so it doesn't get into the water table.
- **Erik Hammarlund** asked why the MVC allows people to fertilize lawns in a restricted watershed.
- **Fred Hancock** said that is covered in section 1.7 and LUPC proposed the condition.
- **Doug Sederholm** said the current regulations apply as it pertains to commercial applications.
- **Fred Hancock** felt it didn't hurt to have it included.
- **Doug Sederholm** said section 1.7 is saying the applicant has to obey the existing law and if something else is wanted, then section 1.7 needs to be modified.
- **Bill Veno** said the nitrogen is in excess of what is allowed. It would be more than what a plant can take up. It is a law so section 1.7 is not needed.
- **Mark London** suggested the MVC leave section 1.7 in the offers because the Town law is not yet in effect.
- **Doug Sederholm** suggested language to say to remove the condition when the Town law is in place.
- **Leonard Jason** suggested eliminating the first sentence of section 1.7.

Christina Brown moved and it was duly seconded to delete the first sentence of section 1.7 and the second sentence of section 1.7 becomes part of section 1.6

therefore deleting section 1.7. Voice vote. In favor: 13. Opposed: 0. Abstentions: 0. The motion passed.

2. Equipment and Commercial Kitchen

Josh Goldstein said in Tisbury it is required to have grease traps pumped twice a year.

Joan Malkin and **Fred Hancock** said the applicant would have to comply with the Oak Bluffs Board of Health.

3. Noise

There was a discussion about section 3.2.

- **Erik Hammarlund** said the section is weird. The engineer testified about his report so testimony at the public hearing is too vague. How do you refer to his testimony?
- **Linda Sibley** and **Joan Malkin** agreed with Erik Hammarlund.
- **Fred Hancock** asked if the MVC is saying to take out the reference to the engineer's testimony at the public hearing and submit his written Possible Additional Applicant's Offers from Acoustical Engineer's Report.
- **Joan Malkin** said the ten items in the Draft Report come from the applicant's engineer and the applicant is willing to use that report as the offer. The MVC should remove the word Possible in the title in the Draft Report.
- **Mark London** noted that item 10 of the Draft Report is a catch all and it is suggested that this list replace section 3.2.

There was a discussion about the draft report "Possible Additional Applicant's Offers from Acoustical Engineer's Report".

- **Erik Hammarlund** said the language should be revised for item 2 to add "at least" before STC-30.
- There was a discussion to revise the language for item 5.

Joan Malkin moved and it was duly seconded to revise the language for item 5. to read "Outside A/C units shall be selected to minimize noise affecting residences. The location shall be on the west side". Voice vote. In favor: 13. Opposed: 0. Abstentions: 0. The motion passed.

There was a discussion about the language for items 6, 7, 8, and 9 of the Draft Report.

- **Erik Hammarlund** suggested language for item 6: "Music sound levels within the sanctuary shall not exceed the following".
- **Doug Sederholm** noted that item 6 impacts items 7, 8, and 9, and suggested language: "for the purpose of determining the ambient sound levels".
- **Linda Sibley** said items 1 to 9 are conditions and a substitute for section 3.2

Fred Hancock moved and it was duly seconded to eliminate the text of section 3.2 and replace the text with the attachment "Additional Applicant's Offers from Acoustical Engineer's Report" and call that section 3.2. Voice vote. In favor: 13. Opposed: 0. Abstentions: 0. The motion passed.

Erik Hammarlund moved and it was duly seconded that the windows shall not be open when the sanctuary is in use for church services.

- **Josh Goldstein** said it would make more sense to look for windows that don't open and that would also help with the concern of the neighbors regarding noise.

- **Christina Brown** said having windows that do not open could be stifling for the people inside. Amplified music was the big issue and opening windows when there is no amplified music is okay.
- **James Vercruysse** said the windows should be operable and not to have them open when only a person is speaking is ridiculous.
- **Christina Brown** said a church service with 30 people was not discussed at the public hearing. What was discussed was amplified music.

Voice vote. In favor: 2. Opposed: 11. Abstentions: 0. The motion did not pass.

There was a discussion about section 3.4.

- **Erik Hammarlund** suggested revising the language for section 3.4 to "amplified sound".
- **Joan Malkin** noted that Rosemarie Haigazian requested that section 3.4 be added to the offers so it was clear.

Doug Sederholm noted to revise the language for 3.5 from double doors to doors and to add "to the sanctuary" after "Both main entrances".

5. Church Services

There was a discussion about section 5.1.

- **Erik Hammarlund** noted the service times are very specific and if the church moves their service times they would have to come back to the MVC for a modification.
- **Mark London** said LUPC noted it was very detailed but that is what the applicant offered. The applicant has indicated that they might come back in the future to request a modification to allow amplified sound in the community room, and if they do, they could propose a rewording of this section.
- **Erik Hammarlund** suggested adding "the hours and days of services shall be as offered by the applicant".

Erik Hammarlund suggested revising the language in section 5.2 and replacing the word "above" with 5.1 and for section 5.4 replacing the word "noted" on the last sentence to 5.1.

6. Community Room and Other Spaces

There was a discussion about section 6.2.

- **Doug Sederholm** said section 6.2 does not make sense. He does not understand how you get 35 hours based on the number of hours of the church services.
- **Erik Hammarlund** said the community room is used during church services and after church services. The hours are for the community room.

Doug Sederholm noted section 6.4 and section 6.5 should state as offered by the applicant not LUPC Proposed Condition.

7. Exterior Lighting

Fred Hancock noted that the language "before receipt of the building permit" should be added to the end of section 7.1

Linda Sibley noted that the language "except those required by code" should be added to the end of section 7.6.

8. Traffic, Parking and Access

There was a discussion about section 8.8, 8.9 and 8.10 jointly.

- **Leonard Jason** said why not do the access right. The neighbors have complained about the access from Ryan's Way. He suggested designating access with the new curb cut so the Town of Oak Bluffs holds the easement for future development of the adjacent lot.
- **Joan Malkin** asked how the MVC could require that easement.
- **Leonard Jason** said the MVC would require the Nova Vida Alliance Church to grant an easement for the Commission to hold and grant to the Town of Oak Bluffs for a future curb cut.
- **Linda Sibley** said the MVC can't impose that on the adjacent lot.
- **Josh Goldstein** asked how it would hurt to do what Leonard Jason suggested.
- **James Vercruysse** said the map and lot number (Map 5 Lot 55) should be used and not refer to the Church of Latter Day Saints in 8.8, 8.9 and 8.10.

Linda Sibley moved and it was duly seconded to combine sections 8.8, 8.9 and 8.10 together as they are interrelated with the revision of the reference to the Church of Latter Day Saints to be Map 5 Lot 55.

- **Fred Hancock** said the existing DRI is a 150-seat sanctuary and a daycare center. What is being proposed now is a 150-seat sanctuary which would seem to be a lot less traffic. To do a separate curb cut seems extreme.
- **Joan Malkin** said she did not understand what Leonard Jason was proposing.
- **Josh Goldstein** said the MVC would require the applicant to submit an easement on their property that the MVC would transfer to the Town of Oak Bluffs so if the adjacent lot is developed the new curb cut could be created.
- **Leonard Jason** said that was not correct, he wanted the curb cut to be built now off the Vineyard Haven - Edgartown Road and it would be conditioned to the adjacent lot by the Town of Oak Bluffs.
- **Fred Hancock** said conceivably there could end up being a curb cut on both properties which is what the MVC is trying to avoid.
- **Doug Sederholm** said he is unilaterally opposed to Leonard Jason's proposal. He thought it is entirely inappropriate to cut off access from Ryan's Way at this time. There will have to be a curb cut when the other lot is developed and it will be dealt with in the future. He is opposed to create a new curb cut when the applicant's entrance is 50 feet away from the Edgartown Road on Ryan's Way. The MVC should be minimizing additional congestion on a major road.
- **Linda Sibley** said with regards to the adjacent lot, any good lawyer would say you cannot deny a property owner their own curb cut.
- **Doug Sederholm** did not think section 8.9 and 8.10 are necessary at this time.
- **Linda Sibley** said section 8.9 and 8.10 tells how section 8.8 can occur.
- **Joan Malkin** said in fairness to the Alliance Church if there is not some language in section 8.9 and 8.10 the applicant could get screwed.
- **Doug Sederholm** suggested changing the language from the Alliance Church to "the applicant and its successors".

Voice vote. In favor: 7. Opposed: 6. Abstentions: 0. The motion passed.

9. Wastewater

Erik Hammarlund said the MVC should condition section 9.5 to state before the building permit.

3.3 Benefits and Detriments

Fred Hancock noted that the MVC is looking at what benefits and detriments are compared to the previously approved project. What was previously approved was a 150-seat sanctuary on the second floor and a daycare center. The current proposal is for a community room, a residence on the second floor, and an addition for a 150-seat sanctuary.

Benefits

- For wastewater, composting toilets will be in effect immediately and there will be less use without a daycare center.
 - **Erik Hammarlund** said it would still be the same nitrogen output.
 - **Doug Sederholm** said it is clearly better that the applicant is using composting toilets and it is a better guarantee that less nitrogen will be put into the soil. Now there is a plan. There will also be less usage without the daycare center.
- There should be less noise.
 - **Fred Hancock** said the building will be shielding part of the sanctuary and there is not a daycare center.
 - **Erik Hammarlund** said the community room will have more use and more use on the weekends so there is not a noise reduction.
 - **Fred Hancock** said the general consensus of the MVC is there will be less noise with less use and the building shielding.
- There will be less traffic.
- The new building is more in character with the Island, even though it is big and high.
- Impact on abutters.
 - **Fred Hancock** said the absence of the daycare center would be a benefit.
- With respect to housing affordability, the proposal has workforce housing.
- The project conforms to zoning and DCPC regulations.

Detriments

- There will be a large building, about 4,000 additional square feet, so less open space.
- Scenic Values will be impacted with the addition for the sanctuary.
- Impact on Abutters.
 - **Josh Goldstein** said at the last meeting when the abutters were asked which plan they preferred the abutters said the current approved proposal.
 - **Erik Hammarlund** said it would almost be insulting to say there is no impact on the abutters after the abutters presented their testimony.
 - **Leonard Jason** said he thought he heard the abutters say they did not want a church at all.

Doug Sederholm moved and it was duly seconded to approve the proposal accepting the applicant's offers as clarified and the conditions as imposed by the MVC as discussed. The recommendations with the sound engineer are to be included when application is made for the building permit.

- **Josh Goldstein** questioned the applicant coming back to LUPC instead of the full Commission.
- **Doug Sederholm** said when a project like this comes back to LUPC, those who are most concerned usually attend.
- **Erik Hammarlund** said the MVC has made a decision that relies highly on a multitude of conditions that from a compliance perspective would be hard to enforce. He thought long and hard about presenting this issue but felt it was necessary from a compliance standpoint. He was shocked when the applicant came back and said they had taken a wall down to create a sanctuary and was clearly in violation of the approved DRI. This was also the case when the applicant stored vehicles on the property. He is not confident that the MVC would be able to enforce the compliance for the imposed conditions and the conditions are crucial to the success of the project. He does not think the offers are possible to enforce and if not enforced, the project will be really bad for the neighborhood. Without being able to enforce, the prior approval would be less of an impact for the neighborhood.
- **Doug Sederholm** said the compliance deals with the actual building. The noise conditions imposed are more robust and so are the wastewater conditions and hopefully will at least comply with the MVC grandfathered limits. The applicant did not follow the MVC decision on the existing DRI, which is unfortunate. The applicant did take down a wall but what was done was to use the building for church services. Was that awful? The whole project has been about the impact on the neighbors. The neighbors have done an excellent job, the best he has seen in the MVC, on opposing a project. The noise is the major issue and the MVC has done its best to minimize that; if the noise is not in compliance, the neighbors will be back to the MVC. The MVC needs to do better with compliance of projects. Overall the modifications proposed are better than what exists. It is a church in a neighborhood that wants a building to hold its services; that is what America is about.
- **Trip Barnes** said he has given this proposal an awful lot of thought. It is a church. For 35 years he has been on the Board of the Agricultural Society and has had to work under very stringent laws. The Agricultural Society was limited by hours and holding events such as weddings and has worked to be accommodating to the neighbors. He felt the Church is a good project and the applicant will be good neighbors. The MVC has sat through a lot here listening to this and has been accused of being bigots. The public has been frustrated. It is exciting to see a project like this and it is a benefit to us as a community to have people who want to start a church. These are the new immigrants and are good people and are not trying to pull the wool over anybody's eyes. The MVC should approve the project.
- **Josh Goldstein** addressed the applicant and said he would encourage their community to run for one of the open chairs on the MVC and come be part of the process.
- **Madelyn Fisher** said the project is a very large building, a huge expanse, and she does not approve.

Roll call vote. In favor: T. Barnes, C. Brown, F. Hancock, L. Jason, J. Joyce, J. Malkin, K. Newman, D. Sederholm, L. Sibley, J. Vercruyse. Opposed: M. Fisher, J. Goldstein, E. Hammarlund. Abstentions: none. The motion passed.

Christina Brown said she would like to recognize that the church has hung in through lots of discussions and changes and thanked them for doing so. This is a better plan.

Doug Sederholm addressed the applicant and said there is a lot of hostility between the church and the neighbors and strongly urged the Church to reach out to the neighbors. It will take years to mend, but perhaps the Church can reach out and then perhaps the neighbors will also reach out.

4. DOUG HOEHN BUILDING EXTENSION REQUEST – DRI 613

Commissioners Present: T. Barnes, C. Brown, M. Fisher, J. Goldstein, E. Hammarlund, F. Hancock, L. Jason, J. Joyce, J. Malkin, K. Newman, D. Sederholm, L. Sibley, J. Vercruysse.

Doug Sederholm moved and it was duly seconded to approve the six month extension to the original approval for DRI 613. Roll call vote. In favor: T. Barnes, C. Brown, M. Fisher, J. Goldstein, E. Hammarlund, F. Hancock, L. Jason, J. Joyce, J. Malkin, K Newman, D. Sederholm, L. Sibley, J Vercruysse. Opposed: none. Abstentions: none. The motion passed.

The meeting was adjourned at 9:45 p.m.

DOCUMENTS REFERRED TO DURING THE MEETING

- Martha's Vineyard Commission DRI # 628-M2 Oak Bluffs Public Access Facility Modification MVC Staff Report 9/18/14
- Letter to Ross Kessler, Mass Division of Marine Fisheries Public Access Coordinator from The Town of Oak Bluffs Conservation Commission, Dated July 16, 2014
- Martha's Vineyard Commission Land Use Planning Committee Notes of the Meeting of September 8, 2014
- DRI 603-M4 Nova Vida Alliance Church Expansion Offers and Conditions – Draft September 15, 2014
- Possible Additional Applicant's Offers from Acoustical Engineer – Draft
- Decision of the Martha's Vineyard Commission DRI 603- Nova Vida, Dated October 7, 2008
- Letter from Doug Hoehn to the Martha's Vineyard Commission , re: DRI 613 Vineyard Haven, Dated September 9, 2014

Chairman

Date

11-6-14

Clerk-Treasurer

Date

11/6/14