

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 June 3, 2010
In the Stone Building
33 New York Avenue, Oak Bluffs, MA**

IN ATTENDANCE

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

- | | |
|---|--------------------------------------|
| - Bill Bennett (A- Chilmark) | - Katherine Newman (E -Aquinnah) |
| P John Breckenridge (E- Oak Bluffs) | P Ned Orleans (A - Tisbury) |
| P Christina Brown (E - Edgartown) | - Jim Powell (A - West Tisbury) |
| P Peter Cabana (E - Tisbury) | - Camille Rose (A - Aquinnah) |
| - Martin Crane (A - Governor Appointee) | - Doug Sederholm (E - Chilmark) |
| P Fred Hancock (A - Oak Bluffs) | P Linda Sibley (E - West Tisbury) |
| P Lenny Jason (A - County) | P Holly Stephenson (E - Tisbury) |
| P Jim Joyce (A - Edgartown) | - Andrew Woodruff (E - West Tisbury) |
| P Chris Murphy (E - Chilmark) | |

Staff: Mark London (Executive Director), Bill Veno (Senior Planner)

Christina Brown opened the meeting at 7:45 p.m.

1. NOVA VIDA/ALLIANCE: DRI NO. 603M - MODIFICATION REVIEW

Commissioners present: J. Breckenridge, C. Brown, P. Cabana, F. Hancock,, L. Jason, J. Joyce, C. Murphy, N. Orleans, L. Sibley, H. Stephenson

Christina Brown explained that the applicants are requesting a modification of the approval.

Linda Sibley gave the LUPC report.

- The applicants haven't been able to do the interior modifications necessary to hold church services. They have been renting space on another property to hold services, which is no longer available. They would like permission to erect a tent on the lot for summer services.
- The neighbors who attended LUPC are concerned about noise.
- LUPC unanimously recommended that the requested modification for a tent in the front area requires a public hearing because it is a significant change.

Christina Brown explained that only question before the Commission is whether the modification is in line with the original approval or is a significant enough change to warrant a public hearing.

Darren Rubens, representing Nova Vida, explained the proposal.

- The tent would go in the overflow parking area.
- The remaining available should be adequate for the needs, but if necessary, additional cars could park at the high school and be carpooled to the building.
- The major concern at the LUPC meeting was noise. The neighbors' concern is especially at the end of services when people are leaving.
- This is temporary because the church has no place to practice.
- The tent would be closed in.
- The pastor and the church are willing to work with the Commission to control the noise.
- Services would be three days a week between 6:30 and 8:30 p.m.

Linda Sibley moved, and it was duly seconded, that the change is substantial and requires a public hearing.

- **Linda Sibley** explained that the noise concern by neighbors is amplified music. The tent would be up until September.
- **Darren Rubens** explained that the church might be looking for a different location because creating the church on the second floor is expensive and doesn't increase the value of the property.
- **Mark London** said that, in anticipation of a possible vote for a public hearing, staff advertised for a public hearing to be held on June 17th.
- **Jim Jones** asked whether neighbors had been notified.
- **Chris Murphy** said there isn't a notice requirement for a modification review. The public hearing gives the opportunity for public comment.
- **Lenny Jason** pointed out that there were neighbors at LUPC.
- **Kris Chvatal**, 8 Ryan's Way, explained that the neighbors' expectation is that holding services outside is a major modification and there will be a public hearing.

Christina Brown postponed the vote until the posted time of 8:15 p.m.

2. MARTHA'S VINEYARD HOSPITAL: DRI NO. 324M – MODIFICATION PUBLIC HEARING

Commissioners present: J. Breckenridge, C. Brown, P. Cabana, F. Hancock,, L. Jason, J. Joyce, C. Murphy, N. Orleans, L. Sibley, H. Stephenson

Linda Sibley closed the hearing. The Hospital will reschedule when they have documents ready to submit and the new hearing date will be advertized.

3. WAVE LENGTHS: DRI 623 – PUBLIC HEARING (CONT.)

Commissioners present: J. Breckenridge, C. Brown, P. Cabana, F. Hancock,, L. Jason, J. Joyce, C. Murphy, N. Orleans, L. Sibley, H. Stephenson

Linda Sibley continued the public hearing until June 17, at 7:45 p.m. The Edgartown Planning Board was unable to meet and report back to the Commission. The Planning Board may be able to report back to the Commission by June 17th,

Christina Brown explained that the Edgartown Planning Board, with the Upper Main Street Plan Design Guidelines and Zoning, are working with the applicant. The Commission would like the opportunity to hear from the Planning Board.

4. MINUTES

Commissioners present: J. Breckenridge, C. Brown, P. Cabana, F. Hancock,, L. Jason, J. Joyce, C. Murphy, N. Orleans, L. Sibley, H. Stephenson

4.1 Minutes of May 13, 2010

Commissioners agreed to the following changes:

Line 48 *current contractual arrangement*

Chris Murphy suggested that staff should have copy of the contract between the PA Club and Hospital.

Linda Sibley moved, and it was duly seconded, to approve the minutes of May 13, 2010. A voice vote was taken. In favor: 9. Opposed: 0. Abstentions: 1. The motion passed.

4.2 Minutes of May 20, 2010

Commissioners postponed consideration of the minutes until the next meeting.

5. COMMITTEE REPORTS

Commissioners present: J. Breckenridge, C. Brown, P. Cabana, F. Hancock, C. Murphy, J. L. Jason, K. Newman, N. Orleans, C. Rose, D. Sederholm, L. Sibley, H. Stephenson

PED is meeting at the West Tisbury Town Hall on June 16 at noon.

The Wind Working Group is meeting next Thursday at 5:00 p.m. There is a tour tomorrow morning of Cape Cod Turbines.

Christina Brown explained that Jim Athearn and the staff have been putting together some ideas about an on-going group that's a shift from the steering committee to a group of Commission members and interested citizens to keep the Island Plan issues and strategies going.

6. NOVA VIDA/ALLIANCE: DRI NO. 603M – MODIFICATION REVIEW

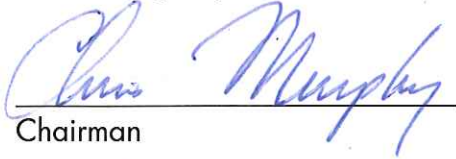
Commissioners present: J. Breckenridge, C. Brown, P. Cabana, F. Hancock,, L. Jason, J. Joyce, C. Murphy, N. Orleans, L. Sibley, H. Stephenson

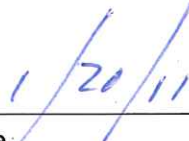
John Bradford, Oak Bluffs Planning Board explained that the requested tent might need a permit.

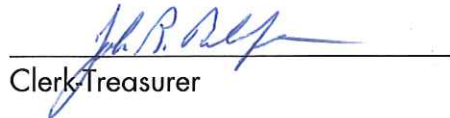
Kris Chvatal said that if the lot is non-conforming, the Planning Board may move an application for a tent permit review over to the Zoning Board of Review.


A voice vote was taken on the motion that the change is substantial enough to require a public hearing. In favor: 10. Opposed: 0. Abstentions: 0. The motion passed.

The meeting adjourned at about 8:17 p.m.


Chairman


Date


Clerk/Treasurer


Date