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**Minutes of the Commission Meeting
Held on March 6, 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)	P W. Karl McLaurin (A-Governor)
P Christina Brown (E-Edgartown)	P K. Newman (A-Aquinnah)
P Madeline Fisher (E-Edgartown)	- Ned Orleans (A-Tisbury)
P Josh Goldstein (E-Tisbury)	P Doug Sederholm (E-Chilmark)
- Erik Hammarlund (E-West Tisbury)	P Linda Sibley (E-West Tisbury)
P Fred Hancock (A-Oak Bluffs)	P Brian Smith (A-West Tisbury)
- Leonard Jason (A-County)	P James Vercruysse (A-Aquinnah)
- James Joyce (A-Edgartown)	

Staff: Bill Veno (Senior Planner), Paul Foley (DRI Planner), Christine Flynn (Economic Development and Affordable Housing), Priscilla Leclerc (Transportation Planner). Jo-Ann Taylor (Coastal Planner), Sheri Caseau (Water Resource Planner)

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

1. MINUTES

Commissioners Present: T. Barnes, J. Breckenridge, C. Brown, M. Fisher, J. Goldstein, F. Hancock, J. Malkin, W.K. McLaurin, K. Newman, L. Sibley, B. Smith, J. Vercruysse.

John Breckenridge moved and it was duly seconded to approve the minutes of February 20, 2014 as written. Voice vote. In favor: 10. Opposed: 0. Abstentions: 2. The motion passed.

Doug Sederholm joined the meeting.

2. ISLAND HOUSING TRUST SURRENDER OF DRI-TISBURY (DRI 616) PUBLIC HEARING

Commissioners Present: T. Barnes, J. Breckenridge, C. Brown, M. Fisher, J. Goldstein, F. Hancock, J. Malkin, W.K. McLaurin, K. Newman, D. Sederholm, L. Sibley, B. Smith, J. Vercruysse.

For the Applicant: Philippe Jordi (Executive Director, Island Housing Trust)

Linda Sibley, Public Hearing Officer opened the public hearing at 7:05 p.m. and read the public hearing notice. The applicant is the Island Housing Trust and the purpose of the public

hearing is a request to surrender the Decision approving DRI 616, which was approved in 2008 and was never built. The location is 6 Water Street, Vineyard Haven.

2.1 Staff Report

Paul Foley presented the following:

- The current owner of 6 Water Street in Vineyard Haven is requesting the MVC to rescind a 2008 DRI Decision approving a project that was never built.
- The 2008 Decision is still technically in effect due to the Commonwealth's Permit Extension Act.
- The 2008 DRI 616 Decision approved a proposal with conditions to build a single three-story multi-use structure with a rental car business on the first floor and two apartments upstairs.
- The Island Housing Trust now owns the property and is going to apply for a 40B permit for a proposed five unit apartment building.
- The Island Housing Trust would like the previous DRI Decision rescinded so they would not have to go through the MVC DRI Modification Review.
- Site photos of the property were reviewed.
- Steve Bernier purchased the property and donated it to the Island Housing Trust.

Fred Hancock and **Linda Sibley** noted the new 2014 proposal should not be included in the discussion as it is not relevant and the public hearing is concerning the surrender of the Decision approving the project. The state's Permit Extension Act says: "(3) Nothing in this section shall affect the ability of a ...regional... governmental entity, ... to revoke or modify a specific permit or approval or extension of a specific permit ... when that specific permit ... contains language authorizing the modification or revocation...". The MVC DRI Checklist used to say "once a DRI always a DRI", but that was changed in 2010 with the revision of the DRI Checklist.

Christina Brown said the project was approved in 2008 and would have expired in 2010 but with the state Extension Act the project was extended. However, the MVC has the ability to rescind the decision.

There was a discussion about "once a DRI always a DRI".

- **Josh Goldstein** asked about this process and the former "once a DRI always a DRI" policy.
- **Fred Hancock** said that now, a DRI approval that has not been acted on expires after two years.
- **Josh Goldstein** asked what happens if the project is a DRI and the applicant comes back in five years and wants to remove the DRI designation.
- **Linda Sibley** said that cannot be done once the DRI designation has been acted on.
- **Fred Hancock** said it is clear that DRI designation cannot be removed if the project has been initiated. In this case, the MVC doesn't have a procedure for surrendering DRI approval yet, so the MVC thought the most rigorous action should be taken, which is to hold a public hearing.
- **Linda Sibley** noted that when the idea to rescind was discussed at LUPC it was realized that the MVC has never done this before and it was proposed to hold a public hearing because as a body the MVC would want to determine what the consequences would be if the decision was reversed. Once the MVC abolished "once a DRI always a DRI", if an

applicant wanted to surrender the approval a new decision needs to be made, which is the intention tonight.

- **Doug Sederholm** noted that if the decision was not reversed, the applicant would have to come back before the MVC for a modification.
- **Joan Malkin** said it seemed clear at LUPC that since the project has not been started, there was no reason to be saddled with a requirement that is now irrelevant.

2.2 Applicants' Presentation

Philippe Jordi presented the following:

- The Island Housing Trust has no intention in moving forward with the DRI.
- The Island Housing Trust will be working with the Town of Tisbury to apply for a "friendly" 40B comprehensive permit.

2.3 Public Testimony

Leslie Look said she approves of any project that has to do with housing.

Linda Sibley, Public Hearing Officer, closed the public hearing and the record at 7:20 p.m.

2.4 Deliberation and Decision

Fred Hancock, Chairman, suggested that the Commission move forward tonight and act on the request to rescind.

Linda Sibley moved and it was duly seconded to not have the request to surrender go to the Land Use Planning Committee (LUPC). Voice vote. In favor: 13, Opposed: 0. Abstentions: 0. The motion passed.

There was a discussion about the project being in a visible and vulnerable location.

- **Josh Goldstein** said he is concerned that this is a big project in a prominent location next to a pending large project and is also at Five Corners.
- **Brian Smith** said the discussion right now is whether the MVC should allow the applicant to surrender the DRI.
- **Katherine Newman** said the MVC should think of the new project as almost not existing and it does not matter where it is located as that is not the issue.
- **James Vercruyse** said there was a reason why the MVC thought to remove "once a DRI always a DRI". If the project doesn't trigger the DRI Checklist then it can move forward.
- **Christina Brown** said the MVC can treat this project like any other property. There is a Checklist and procedures but in the real world this is a public location that is visible and vulnerable.
- **Linda Sibley** said she cannot find any way that it would be fair not to have a blank slate when the project is completely different from what was approved.

Christina Brown moved and it was duly seconded that the Commission approve the surrender of DRI 616 from 2008 given that the project would have expired and the owner would then have been able to plan and move forward.

- **Fred Hancock** asked if the MVC would want to say the motion affects DRI 616 only and not future plans for the site and is at the request of the owner of the property
- **Christina Brown** agreed to amend her motion as noted by Fred Hancock.

- **Brian Smith** asked who can request to surrender the DRI.
- **Fred Hancock** said the current owner can request to surrender; when they bought the property the owner also acquired the DRI.

Christina Brown moved and it was duly seconded that the Commission approve the surrender by the Island Housing Trust of DRI 616 only (from 2008) given that the project would have expired without the Permit Extension Act and the owner would then be able to plan and move forward, and that the surrender of the DRI does not affect any future plans for the site. Roll call vote. In favor: L. Sibley, B. Smith, J. Vercruysse, K. Newman, F. Hancock, J. Malkin, C. Brown, M. Fisher, J. Breckenridge. Opposed: D. Sederholm. Abstentions: W.K. McLaurin, J. Goldstein, T. Barnes. The motion passed.

3. MACIEL MARINE – TISBURY (DRI 258) MODIFICATION REVIEW

Commissioners Present: T. Barnes, J. Breckenridge, C. Brown, M. Fisher, J. Goldstein, F. Hancock, J. Malkin, W.K. McLaurin, K. Newman, D. Sederholm, L. Sibley, B. Smith, J. Vercruysse.

For the Applicant: George Rogers (Owner), Reid Silva (Engineer)

Christina Brown recused herself from the meeting.

3.1 Staff Report

Paul Foley presented the following.

- The purpose is to review the project and decide if the modification is a significant change to the approved DRI requiring a public hearing review as a Development of Regional Impact.
- The marina was approved by the MVC in 1987 to construct a 4,000 square foot building to be used to work on boats in the water. There were five buildings already in place.
- DRI 258 was approved without conditions. The site is essentially the same as it was in 1987. One building has been relocated on the property.
- The proposal is to raise the existing retail/office building 6.5 feet out of the flood zone.
- It was noted at LUPC that the MVC probably needs to begin the discussion of what happens when all of the buildings want to be raised up out of the flood zone to avoid the insurance ramifications.
- Even though the flood elevation is higher with the new maps (it is 9 feet currently in the Velocity Zone and will be 10 feet in the proposed flood maps expected to take effect in 2014) the applicant has to build the top of the first floor boards at 10 feet. They are going to have the bottom of the frame at 10 feet-2 inches which is above what they would be required.
- LUPC noted that perhaps the raised area should have skirting.
- LUPC wanted to see a ramp, and the applicant will provide a ramp or a lift.

3.2 Applicant's Presentation

Reid Silva presented the following:

- The existing floor height was one issue that came up with the purchase of the building by the new owners.
- The building has to come up almost seven feet.

- The current flood zone is AE.
- The project had to be designed to the Velocity Zone standard since that is what is in place today.

3.3 Commissioners' Questions

John Breckenridge asked what was designed for the skirting. **Reid Silva** said lattice would work and it would be aesthetically pleasing.

There was a discussion about the ramp/lift.

- **Doug Sederholm** asked the applicant if they did not get relief from the architectural board, must they put a ramp or lift in and what would constitute relief.
- **Reid Silva** said there is little chance they would receive relief for the building since it would then not be handicap accessible.
- **John Breckenridge** noted there is currently a ramp at the back of the building.
- **George Rogers** confirmed there is a ramp.

Fred Hancock asked what the overall height of the building is when it is raised. **Reid Silva** said he did not know if the existing ridge of the building has been located. He spoke with the Building Inspector and it was determined it did not matter since it has to be measured from the flood elevation. He did not measure the existing ridge height.

John Breckenridge asked if the owner would be required to remove the second story of a building in a coastal zone in a specific area if they have to raise the building six feet. **Reid Silva** said in Aquinnah, the ridge height is measured from the flood height. However, in Tisbury, Ken Barwick said you are allowed to measure your height from the flood zone not from the ground level.

Linda Sibley noted that LUPC recommended to the full Commission that the project raised on stilts with appropriate skirting does not rise to the level of requiring a public hearing as a DRI.

Fred Hancock asked Ken Barwick about the need for a ramp on this building. **Ken Barwick** said the Town will measure to determine the height of the building from the lowest habitable floor. It is his estimation that every building opening will require a ramp or a lift due to the height.

Katherine Newman thought the only changes that would need to be made to the building would be those that are required by law.

Fred Hancock reminded the MVC that this is a modification of an existing DRI and the Commission is deciding if the change to bring the building up 6.5 feet requires a public hearing.

Josh Goldstein moved and it was duly seconded that the modification is not significant enough to require a public hearing. Voice vote. In favor: 12. Opposed: 0. Abstentions: 0. The motion passed

John Breckenridge moved and it was duly seconded to approve the modification plans as presented.

- **Linda Sibley** suggested that the MVC doesn't need to say anything about the modification since it is required by zoning and although the location of the ramp could matter for some projects aesthetically, this project is in a boat yard in an industrial zone.

Roll call vote. In favor: T. Barnes, J. Breckenridge, M. Fisher, J. Goldstein. F. Hancock, J. Malkin, W.K. McLaurin, K. Newman, D. Sederholm, L. Sibley, B. Smith, J. Vercruysse. Opposed: none. Abstentions: none. The motion passed.

W. Karl McLaurin excused himself from the meeting and Christina Brown rejoined the meeting.

4. COTTAGE CITY BOWLING ON UNCAS AVENUE – OAK BLUFFS (DRI-645) – DELIBERATION AND DECISION

Commissioners Present: T. Barnes, J. Breckenridge, C. Brown, M. Fisher, F. Hancock, J. Malkin, K. Newman, D. Sederholm, L. Sibley, B. Smith, J. Vercruysse.

Doug Sederholm recused himself from the meeting, and Brian Smith excused himself from the meeting, he had missed a public hearing and has not rehabilitated himself.

Fred Hancock noted the following.

- The MVC has received the final set of offers from the applicant as clarified at LUPC.
- The packet of information includes the LUPC notes.
- The MVC has received two acoustical reports, one from the applicant and one from Kathleen Barnett an abutter.

4.1 Land Use Planning Committee (LUPC) Report

Linda Sibley said after the LUPC reviewed the offers and considering the issues, the LUPC voted unanimously to recommend to the full Commission that it approve the proposal as presented with the offers as clarified at LUPC.

4.2 Commissioners' Discussion

Fred Hancock asked the Commissioners to look through the offers and present any concerns or questions or recommend something additional that would now be considered a condition.

There was a discussion about noise mitigation.

- **Joan Malkin** noted that with regards to noise mitigation there should be a Sound Transmission Class (STC) of 62 and she is pretty happy that STC 62 is appropriate based on her un-expert view. However, she is not happy if the applicant's efforts don't result with a STC 62. Offer 5.4 states "designed to achieve", but if the applicant misses the mark, materially they would have met their objective. If the STC does not meet 62, what additional measures would be taken?
- **Linda Sibley** suggested that the MVC might want to add that to the conditions.

Joan Malkin moved and it was duly seconded to add the following condition to the noise offer: If following industry-standard testing the STC level does not equal 62, the applicant will engage in further construction activities to meet STC 62, allowing the applicant some leeway.

- **Josh Goldstein** asked what would be the leeway.
- **Fred Hancock** thought perhaps the leeway could be plus or minus 2 decibels.
- **John Breckenridge** thought the leeway should be based on an average.
- **Trip Barnes** said the MVC has to give the applicant a certain amount of leeway. Based on the applicant's track record he will do what needs to be done.

- **Linda Sibley** noted the applicant can come back to the MVC for review if the STC is not met.
- **John Breckenridge** noted there is a catch-22 between what the engineer has designed – the STC 62 standard – and the Town of Oak Bluffs stepping in with noise regulations. He felt there is adequate protection.
- **Joan Malkin** noted that every ten decibels appears half as loud and she is comfortable with a leeway of plus or minus two decibels.
- **Christina Brown** noted the noise should not exceed STC 62.
- **Fred Hancock** clarified that the wall will reduce the decibel level by 62.
- **Joan Malkin** agreed to an amended motion.

Paul Foley restated the amended motion. If following industry standard testing the STC level does not meet 62 the applicant will engage in additional construction activities/materials to meet STC 62 plus or minus two decibels. Joan Malkin so moved and it was duly seconded.

Voice vote. In favor: 4. Opposed: 5. Abstentions: 0. The motion did not pass.

- **Linda Sibley** questioned what the MVC just decided on since the applicant offered noise mitigation in offer 5.4.
- **Fred Hancock** said the motion was to test to be sure the STC level was met.
- **Sam Dunn** noted that Mark London had revised the offer.

Linda Sibley moved and it was duly seconded to accept the applicant's verbal clarification at LUPC of his offer of meeting STC 62 and should construction as proposed not meet STC 62 the applicant will take appropriate action.

- **Christina Brown** said she thinks it is clearer if the applicant amends his offer this evening in writing. It gets confusing when the applicant has said things in hearings but it does not make it into the offers.
- **Sam Dunn** questioned how it might be handled when one part of the wall meets STC 62 and another part of the wall does not.
- **John Breckenridge** said it is noted in the acoustical report that the wall will meet STC 62 and if it doesn't, the neighbors can file a complaint with the Town. He felt the MVC is fine tuning the issue a bit too much and there are other tools to control.
- **Katherine Newman** said the neighbors have requested noise mitigation and are concerned about the noise levels. She agrees with Linda Sibley and Joan Malkin.
- **Sam Dunn** said he is making the offer but "God is in the details". There will probably be an argument about this. An abutter is probably going to say the mitigation isn't working and other processes will have to be done if the construction doesn't work.
- **Joan Malkin** noted the condition is for some assurance that the applicant's good efforts will be honored.
- **Linda Sibley** reiterated that the applicant will do what is necessary as stated at LUPC, [reading from the LUPC meeting notes] "Sam Dunn said he has said he would meet 62 decibels and if he does not meet it he will do what needs to be done to make it to 62".
- **John Breckenridge** asked the applicant just to be clear if he was agreeing with this.
- **Sam Dunn** said he is agreeing but noted it may be contested.

No vote was taken on the motion.

There was a discussion about operating hours.

- **Josh Goldstein** questioned the offer about Hours of Operation/Business Practices, “The business will generally be open daily, year round. The opening hour shall not be before 9 a.m.” and no specific closing time is stated.
- **Fred Hancock** noted that the MVC did not tell Sam Dunn when he could close; he was asked what his operating hours were.

There was a discussion about the landscaping abutting residential property.

- **Joan Malkin** said the question was raised at LUPC regarding the edge of the parking lot that abuts the residential property and she was reminded that the final landscape plan would come back to LUPC. She is concerned about the potential for noise and visual obtrusion on that property line.
- **Fred Hancock** said currently there is a fence.
- **Paul Foley** showed a photo of the area being discussed.
- **Joan Malkin** said since there is already a significant fence, she withdraws her concern.
- **Josh Goldstein** said the issue gives a good reason for Sam Dunn to be a good neighbor and if needed he would address the fence and correct what is needed.

4.3 Benefits and Detriments

John Breckenridge moved and it was duly seconded to approve the project with the offers and conditions as proposed.

Wastewater and Stormwater

- The project will use a FAST enhanced de-nitrification system which reduces the nitrogen levels well beyond a standard Title 5 system or simple de-nitrification system and allows the project to meet the MVC Water Quality Policy and help protect the water quality in Sunset Lake in the Oak Bluffs Harbor.
- The parking lot will be a permeable material and the stormwater is being contained in site.

Open Space

- Although the project is in the B-1 zoning district and is not required by Town zoning to provide open space, it does include an open area used mainly for parking.
- The space also includes trees and shrubs.

Lighting

- The project involves very limited exterior lighting and includes extensive offers that will mitigate the impact of this lighting.

Noise

- The project includes extensive measures to mitigate the impact of noise on the abutters and surrounding neighborhood, though people coming and going will add some noise and confusion to the neighborhood.

Energy

- The project will meet the Massachusetts Stretch Code.
- The project may include solar panels at the time of construction. If not, it will include conduits for the possibility of installing solar panels in the future.

Traffic

- There will be an increase in traffic but the levels should still be tolerable.

- The applicant is providing more parking spaces that the Oak Bluffs zoning requires.
- The traffic for the project could be considered a neutral issue.

Scenic Values and Character and Identity

- The site will have a new building, street trees and shrubs replacing the currently largely derelict buildings.

Impact on Abutters

- From some points of view, such as increased traffic and activity, the project will have a negative impact on abutters compared to the present largely unused property, especially during the evenings. These impacts could have been greater with other potential uses allowed in the B-1 zoning district.
- The project will also have benefits to abutters by replacing the largely derelict existing buildings.
- It isn't clear what effect the project will have on property values.

Affordable Housing

- The project includes two new affordable housing units permanently deed restricted to under 80% area median income.
- The housing will be monitored by the Dukes County Regional Housing Authority.

Town Services and Taxes

- The project should increase the property values of the subject property and its tax revenue for the town.
- The project may require more police services.

Town, Regional and State Plans

- The project takes a currently derelict property and puts it to productive use that reinforces the shoulder season and offers recreational activity year round. These correspond to objectives in the Island Plan and as stated in the first report on the Oak Bluffs Downtown Revitalization Plan as it promotes a year round economy.
- The building height and the site coverage is considerably less than allowed by zoning.

Appropriate and Essential

- It is an appropriate project in this location. It is one of the few locations on the Island where a project such as this would meet zoning and would also allow alcohol which appears to be an essential component of the project viability.

Linda Sibley said she noted at LUPC that she thought the MVC had an obligation to address the neighbor's concerns about limiting the use to beer and wine. The MVC has not been presented with any substantiation or information that indicates more rowdiness with hard alcohol versus beer and wine. Traditionally that issue is a responsibility of the Town and something the selectmen may consider when issuing a liquor license. The benefits are regional and the detriments are local and those issues lie largely with the Town.

John Breckenridge thought the bowling alley is a positive model project. There were twelve lanes and now it is down to ten lanes. The event area could potentially have a capacity of 100-150 people based on the square footage and it is being limited to a capacity of 50. Measures have been taken to mitigate sound. The hours of operation have been reduced. The applicant has taken measures for a beneficial project. The project sets a tone for Oak Bluffs with regards to

nitrogen. The Island economy is a water based and tourism economy and a Title 5 system does not address nitrogen. The project has put forth an innovative system which will protect the estuaries of the Island. The project is doing what is right for the Island and it is protecting the water and reducing the nitrogen. Every little baby step helps. The project is helping to make the Island a better place. It is a good project for the Island, the Town of Oak Bluffs, and the Island economy as a whole.

Christina Brown noted it is a good project and it will be good for the Island and the economy.

Roll call vote. In favor: T. Barnes, J. Breckenridge, C. Brown, M. Fisher, J. Goldstein, F. Hancock, J. Malkin, K. Newman, L. Sibley. Opposed: none. Abstentions: none. The motion passed.

Josh Goldstein excused himself from the meeting and Brian Smith rejoined the meeting.

Fred Hancock, Chairman recessed the meeting at 8:40 p.m. and reconvened at 8:45 p.m.

5. PRE DIASTER MITIGATION PLAN PRESENTATION

Commissioners Present: T. Barnes, J. Breckenridge, C. Brown, M. Fisher, F. Hancock, J. Malkin, K. Newman, L. Sibley, B. Smith, J. Vercruysse.

Jo-Ann Taylor presented the following.

- A first Pre-Disaster Mitigation Plan was prepared for the seven towns (including Gosnold) five years ago and it is now time for a five year update.
- The plan includes:
 - Define potential hazards,
 - Measure vulnerability,
 - Identify critical facilities,
 - Propose actions to mitigate damage.
- Recent New England hurricanes were reviewed. The 1944 and 1954 hurricanes were category 3 and they affected the Island. Sandy landed several states away and the Island saw the damage it created.
- Storm surge causes the most damage and loss of life in a hurricane.
- Nor'easters tend to stay for three days but have relentless pounding of the coastline. They can cause more damage than a hurricane even without the storm surge.
- Sea level rise:
 - Climate change has greatly accelerated the landward retreat of shorelines.
 - The 2013 update to the Pre-Disaster Mitigation Plan indicates 1.5 feet sea level rise by 2050 and 5 feet sea level rise by 2100.
 - Simulations were shown for the sea level rise in 2050 and 2100 for the Chappy ferry, East Chop Drive, Farm Pond, Dock Street in Edgartown and Five Corners.
 - Sea level rise will greatly affect the approach to areas such as the Lagoon Pond Bridge, Chappy ferry, and flat beach areas.
 - Salt marsh will be affected and is a concern to be cognizant about.
- Wildfire is another hazard, 18,000 acres burned in 1957 from Carver to Plymouth at a rate of 53 acres per minute and was primarily pitch pine and scrub oak.

- Dam failure is another concern. There are twelve dams in West Tisbury and four in Chilmark. In West Tisbury eight of the dams are rated low to moderate risk and four are rated at significant risk such as Old Mill Pond.
- Coastal erosion does not just affect the roads it will also affect salt marshes.
- Vulnerability issues were presented to each town and West Tisbury examples were reviewed. It is important to look at the geographical extent. Vulnerability of people was assessed seasonally. More people are vulnerable with the summer population. Assessment was made for # of buildings and their value.
- Flood and storm FIRM maps were shown. When the preliminary maps are adopted they will be the basis for the flood plain regulations.
- Flood vulnerability is assumed for buildings and people and is projected for build out.
- Hurricane Inundation Vulnerability:
 - SLOSH is the hurricane surge map and assumes where the hurricane landfall could be for each point and is very theoretical.
 - The only true SLOSH map is made after the storm. The SLOSH map is looked at for evacuation areas when a hurricane is predicted.
 - The Island fire departments use the SLOSH maps.
- Maps showing sea-level rise were reviewed.
- Pre-1978 homes near bluffs are difficult for the town Conservation Commissions to regulate as they are grandfathered under the Wetlands Protection Act. Sixteen homes in West Tisbury are within 100 feet of a bluff.
- There are measures to take before a disaster takes place. Critical facilities are identified by towns and it is important to do so in case the town chooses to go for the 75% federal funding allowed for a project.
- Outreach is an important mitigation measure. The SLOSH maps are provided to the first responders' stations and are on line.
- New Island-wide mitigation actions include:
 - Working with the Joint Transportation Committee (JTC) to make long range plans for public roads vulnerable to sea level rise.
 - Increase capacity in adaptation to climate change by incorporating 25-year storm calculations rather than 10-year volume into regulations and public infrastructure planning.
- Jo-Ann Taylor said she is hoping to submit the new PDM Plan soon for approval and the information will be available online.
- Homeowner associations may mandate cedar shake roofs and a pre-disaster mitigation measure would be asphalt roofs versus the cedar shake roofs and is a structural solution. Planning boards can put into their by-laws that a subdivision cannot prevent the installation of an asphalt roof.

Joan Malkin noted she would not like Jo-Ann's efforts to go to waste and wants to be assured her information is reviewed by the towns.

Trip Barnes suggested the MVC write a brief article each week for the newspapers to get the information out to the public.

Brian Smith asked if there is data on sea-level increase other than what was shown. **Jo-Ann Taylor** said she would send additional information to him.

Fred Hancock asked if the plan is sent to the state or federal level for approval. **Jo-Ann Taylor** said the plan first goes to MEMA and then onto FEMA.

Linda Sibley asked if there are simulations for sea-level rise for the roads around the hospital as she remembers that only one road would be available to approach to the hospital. **Jo-Ann Taylor** said there are not any simulations.

6. NEW BUSINESS

Commissioners Present: T. Barnes, J. Breckenridge, C. Brown, M. Fisher, F. Hancock, J. Malkin, K. Newman, L. Sibley, B. Smith, J. Vercruyse.

6.1 Citizen Planner Training Collaborative

Bill Veno noted the conference for Advanced Tools and Techniques for Planning and Zoning is being held on March 15, 2014 and if any Commissioner is interested in attending, to please contact him to make arrangements.

6.2 Chilmark Board of Selectmen Meeting

Joan Malkin said Mark London, Brian Smith, Fred Hancock, and she attended the Chilmark Board of Selectmen meeting to discuss the MVC budget. There were two areas of criticism from the members of the Chilmark Finance Committee. They misunderstood the budgeting process for the MVC and felt they were not able to provide their input.

There was a discussion about the MVC budgeting process.

- **Joan Malkin** noted that Brian Smith said at the Board of Selectmen (BOS) meeting that the BOS can contribute their input in the draft process of the budget and she thinks it would behoove the MVC to offer the BOS to participate earlier.
- **John Breckenridge** said in his past role as MVC Treasurer the MVC made efforts with the All-Island Finance Committee and the participation was modest to poor, the outreach was not successful.
- **Joan Malkin** said she would like to see further discussion on this at a later time.
- **Brian Smith** said he explained the process to the BOS; the MVC Finance Committee meets in late October/November, the draft budget is sent to the BOS in December for review and they have approximately six weeks to review. Per the MVC by-laws the MVC votes on the budget the third week of January. There were MVC Finance Committee meetings that the BOS could attend but the MVC did not receive any input from the BOS.
- **Fred Hancock** said the MVC sent the BOS a draft and asked for comment and wondered what else the MVC could do.
- **Joan Malkin** said she is only asking for the MVC Finance Committee to see if there is something that can be done in the future to make the process better.
- **Brian Smith** said the MVC did offer to the Chilmark BOS that in the future they can come and meet with the MVC Finance Committee.
- **Joan Malkin** said she is going back to her town (Chilmark) to see what process will help them with the MVC budget process and she asked the other Commissioners to do the same with their towns.

There was a discussion about the MVC's role as a regional planning board.

- **Joan Malkin** noted a second issue was raised by the Chilmark BOS. While the MVC does a fabulous job of planning there is a view by some that the MVC is only a permit processor. She is asking the MVC to be open to look at this perception and determine if it needs to be reviewed.
- **Linda Sibley** said the public at large does not see the planning activities, they see the regulatory process. There are people that are not comfortable that a super regulatory body is on the Island. When it created the MVC, the legislature felt that the special regulatory powers it was giving to the Island should be attached to a regional body and not at the local level. The MVC has power that the towns do not have and would not be given to them. If those powers were taken from the MVC they would vanish.
- **Katherine Newman** thought perhaps the MVC needs to use social media so the information gets out to the public.
- **Fred Hancock** noted he would review the idea with Mark London and the MVC is working on the website to make information more easily accessible.
- **Trip Barnes** said a lot of people cannot deal with a website, however, everybody reads the paper and felt the MVC is dropping the ball big time by not using the newspapers with weekly articles.

6.3 PED Committee

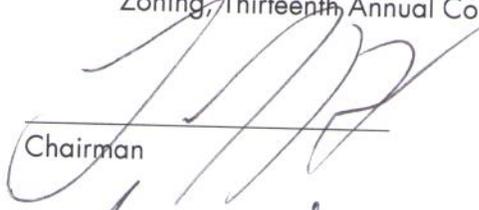
Christina Brown said a PED meeting needs to be scheduled and the meeting was scheduled for March 11, 2013 at 8:30 a.m. to review the Scenic Roads Initiative and understanding the planning efforts of the MVC and how to spread the word.

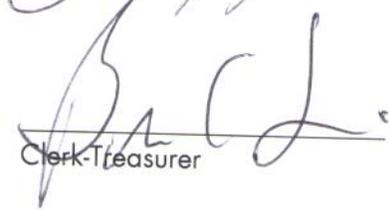
The meeting was adjourned at 9:55 p.m.

DOCUMENTS REFERRED TO DURING THE MEETING

- Minutes of the Commission Meeting – Draft, Held on February 20, 2014
- DRI 616 – Island Housing Trust – Surrender of DRI Request, Emails to Paul Foley dated December 22, 2013, Email from Paul Foley Dated November 20, 2013
- Martha’s Vineyard Commission Land Use Planning Committee Notes of the Meeting of January 13, 2014
- Martha’s Vineyard Commission Land Use Planning Committee Notes of the Meeting of March 3, 2014
- Cavanaugh Tocci Associates, Inc., Letter Dated February 26, 2014 to Sam Dunn, Subject: Oak Bluffs Bowling Alley – Sound Control
- Cerami & Associates, Letter Dated March 3, 2014 to Mrs. Kathleen Barnett, Re: Oak Bluffs Bowling Alley – Acoustic Review
- Applicant Offers, DRI 645, Uncas Bowling, Dated February 27, 2014 Clarified at LUPC March 3, 2014
- DRI 645 Post Public Hearing Review, Land Use Planning Committee Notes March 3, 2014
- Uncas Bowling Materials List and Outdoor Fixtures
- DRI 645 – Bowling & Bar on Uncas Avenues Correspondence List – Received February 2014 to March 3, 2014
- Proposed Bowling Center, 6, 13 & 19 Uncas Ave, Oak Bluffs, MA , First Floor, Elevations and Site Plan

- DRI 645 Bowling on Uncas Avenue Correspondence February 20-March 3, 2014 Packet of Letters Opposed
- DRI 645 Bowling on Uncas Avenue Correspondence February 20-March 3, 2014 Packet of Letters and Petition In Favor
- Citizen Planner Training Collaborative, Advanced Tools and Techniques for Planning and Zoning, Thirteenth Annual Conference


Chairman _____ Date 5-1-14


Clerk-Treasurer _____ Date 5-1-14