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**Minutes of the Commission Meeting  
Held on October 15, 2015  
In the Stone Building  
33 New York Avenue, Oak Bluffs, MA**

**IN ATTENDANCE**

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

P Tripp Barnes (E-Tisbury)	P James Joyce (A-Edgartown)
P John Breckenridge (A-Oak Bluffs)	P Joan Malkin (A-Chilmark)
P Christina Brown (E-Edgartown)	- Yvonne Boyle (A-Governor)
- Harold Chapdelaine (A-Tisbury)	P Katherine Newman (A-Aquinnah)
P Robert Doyle (E-Chilmark)	- Doug Sederholm (E-West Tisbury)
- Josh Goldstein (E-Tisbury)	- Abe Seiman (E-Oak Bluffs)
P Fred Hancock (E-Oak Bluffs)	- Linda Sibley (E-West Tisbury)
P Leonard Jason (A- County)	P Ernie Thomas (A-West Tisbury)
	P James Vercruysse (E-Aquinnah)

Staff: Adam Turner (Executive Director), Bill Veno (Senior Planner), Paul Foley (DRI Planner), Priscilla Leclerc (Transportation Planner), Sheri Caseau (Water Resource Planner).

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

**1. Executive Committee Report**

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Commissioners Present: T. Barnes, J. Breckenridge, C. Brown, R. Doyle, F. Hancock, L. Jason, J. Joyce, J. Malkin, K. Newman, E. Thomas, J. Vercruysse.

**Joan Malkin** presented an update on the performance objectives for Adam Turner.

- The Executive Committee met in September and the process that was used to formulate the performance objectives was individual consideration for Adam Turner's six month objectives.
- The committee met to discuss and focus on key issues and they asked Adam Turner to share his list of objectives.
- The committee talked through both their list and Adam Turner's list and the current list of objectives was formulated.
  - Understand the Local Environment - meet with all major MVC constituencies to become familiar with their concerns and interests and to build relationships and open dialog with their respective members. Share findings with Commissioners and staff as appropriate.
  - Communication - develop an ongoing communications plan/strategy and begin implementation as soon as practical.

- Staff Development and Assessment - develop a plan for the development and performance evaluation of staff for the year ending 30 June 2016. The plan should include relevant goals for each staff member with periodic review and feedback. The plan should also include opportunities for staff development as applicable.
- Issue Prioritization - review, assess and prioritize the strategies outlined in the Island Plan which are within the purview of the MVC to accomplish. Develop a plan which outlines a path to achieving the most impactful/important initiatives.
- These objectives were through the first of the year and at the end of January 2016 the year end objectives will be set.

**Robert Doyle** asked if metrics were set for the objectives. **Joan Malkin** said no, in most cases these are plans and strategies and there are deliverables.

**Katherine Newman** thought this was a great process and that it is often talked about but not actually done.

## 2. MINUTES

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*Commissioners Present:* T. Barnes, J. Breckenridge, C. Brown, R. Doyle, F. Hancock, L. Jason, J. Joyce, J. Malkin, K. Newman, E. Thomas, J. Vercruyse.

**Joan Malkin moved and it was duly seconded to approve the minutes of October 1, 2015 as written. Voice vote. In favor: 9. Opposed: 0. Abstentions: 2. The motion passed.**

## 3. NEW BUSINESS

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*Commissioners Present:* T. Barnes, J. Breckenridge, C. Brown, R. Doyle, F. Hancock, L. Jason, J. Joyce, J. Malkin, K. Newman, E. Thomas, J. Vercruyse.

### 3.1 Discussion

**Christina Brown** asked if anyone is going to the meeting on October 19, 2015 regarding the surplus State lands that may be turned over for local purposes. **Adam Turner** said he is not attending but has spoken with the individual that is planning the meeting and the Governor's office is quite serious about relinquishing state owned land that the State does not have a strategic plan for. The MVC staff is putting together a list of possible properties on the Island that could be considered. There was a presentation at MARPA on this issue.

**Adam Turner** said there was a meeting today about TA Connect. This group will help agencies identify personnel that they can use to help coordinate with on specific projects. There is a website to identify the project and its attributes and then the group would call back to coordinate connection with organizations that can help. West Tisbury also attended the meeting today.

**Trip Barnes** recused himself from the meeting.

## 4. DEBETENCOURT HIGH POINT LANE GARAGE – TISBURY DRI 656 PUBLIC HEARING

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*Commissioners Present: J. Breckenridge, C. Brown, R. Doyle, F. Hancock, L. Jason, J. Joyce, J. Malkin, K. Newman, E. Thomas, J. Vercruysse.*

*For the Applicant: Joe DeBettencourt*

**Fred Hancock**, Chairman noted that Trip Barnes and Linda Sibley are direct abutters.

**John Breckenridge**, Public Hearing Officer opened the public meeting at 7:15 p.m. and read the public hearing notice. The applicant is Joe DeBettencourt, the location is High Point Lane, Tisbury, part of Map 22-A Lot 13.11. The proposal is to construct a 5,166 gsf vehicle repair garage with three repair bays able to accommodate trucks, a vehicle inspection station, offices, waiting area and storage. The public hearing process was reviewed.

#### **4.1 Staff Report**

**Bill Veno** presented the following:

- The applicant is Joe DeBettencourt and the project location is High Point Lane, Tisbury, part of Map 22-1 Lot 13.11.
- The proposal is to construct a 5,166 gsf (4,500 sf footprint) vehicle repair garage with three repair bays able to accommodate trucks, a vehicle inspection station, offices, waiting area and storage. The proposal involves major topographical alteration to prepare the site to be regraded and supported with retaining walls.
- The site locus was reviewed.
- The zoning is B-2 Commercial.
- The location abuts the Town Annex Trailer on one side, a recently reviewed DRI 653 on the other and Shirley's Hardware parking and storage containers on a third side. Across High Point Lane is a capped landfill and the Park & Ride. There are vacant commercial buildings (proposed drive-thru bank) and a gravel pit with exterior construction storage.
- The applicant specializes in mechanical repair of large trucks. The proposal involves major topographical alteration to prepare a slightly larger than half-acre site on a hill that drops 30 feet to be regraded and supported with retaining walls on all sides. The proposal places retaining walls at or near the property lines to maximize the applicant's use of his property which results in alteration of abutting land and vegetation. The applicant is further proposing to get the Town's permission to lower the grade of Town owned land between his project and the Town Annex parking which would allow the applicant to reduce the height and cost of the retaining wall.
  - **Katherine Newman** asked what the height of the retaining wall is.
  - **Bill Veno** said from above the grade it is from 10 to 12 feet.
  - **John Breckenridge** said you would have a ten foot wall plus the fence on top.
  - **Bill Veno** confirmed that.
- The revised site plan was reviewed.
- The DRI referral was from the Tisbury Building Inspector.
- LUPC met on September 14, 2015 and September 28, 2015.
- A site visit was done on October 15, 2015.
- Key Issues.
  - Site Alteration: The half-acre site on a hill with a 30 foot drop has to be totally cleared, regraded and supported with 10 foot high retaining walls on both the upper and lower sides, with tapering walls below and above the proposed High

Point Lane entrance and at the rear property line. How much change to the natural grade is appropriate for this site? Is it appropriate and permissible to use public land to optimize private land?

- Vehicular Circulation: The proposed access is through one mid lot entrance and not at the access easement at the western boundary as suggested by the 2012 subdivision plan. This would mean probably at least one additional entrance along High Point Lane for the remaining undeveloped lot of the subdivision.
  - Intensity of Use: The use proposes to cover the entire re-engineered site. The placement of retaining walls immediately within or near the property lines impacts the vegetation of the adjacent land. Is this too much intensity of use for this property?
  - Character Issues: How will the character of this area change if this proposal is developed as proposed? Development of these two lots will require major grading and retaining walls on all four sides and house a large metal building. All of the tree canopy fronting High Point Lane and most of the trees on Town property at the top of the hill will be removed and replaced with a row of new trees.
  - Land Use: The island of Martha's Vineyard has a limited supply of land for industrial uses and appears to have a growing demand for it. Where will future industrial and light industrial uses go?
- The proposal is not an NHESP designated habitat.
  - A four foot wide strip planted with five scarlet oaks is proposed along High Point Lane. The site plan shows removal of 15 trees on Town property new to the Annex. After lowering the grade of the Town's property, the applicant proposes replanting with six scrub oaks and eight arrow-wood viburnums. No plant buffering is proposed for the elevated west side of the property facing State Road.
  - The Tisbury Board of Selectmen considered the request to regrade the property and they agreed with the concept and referred to the Planning Board.
  - The floor plans were reviewed as well as the South, West, North and East elevations.
  - Site photos were reviewed.
  - Correspondence.
    - September 22, 2015 email exchange with Tisbury Tree Warden Paul Wohler stating there are no public shade trees along or on the applicant's property warranting preservation due to snow hazard or sickness.
    - September 28, 2015 letter from the Tisbury Board of Selectmen stating acceptance of the applicant's proposed grading and planting of Town property if satisfactory to the Planning Board and Building Inspector.

## **4.2 Stormwater Report**

**Sheri Caseau** presented the following.

- The site is in the Tashmoo Watershed which is impaired.
- The Lake Tashmoo Watershed budget is 5.6 kg/acre/yr. For the proposed lot size the maximum allowable load is 3.25 kg/yr.
- According to Massachusetts Sewage Design Flow (310 CMR) the load for a garage with 4 bays would use 187,800 gallons a year with a load of 14.93 kg/yr with a Title 5 and 8.10 kg/yr with an I/A system, both of which exceed the maximum allowable load.

- Water use records for three similar operations in the Town of Tisbury (Precision, Island Tire and Willoughby) indicate that the nine year average water use is 24,259 gal/yr but the last four year average use is up to 28,000 gal/yr. Two of the operations used 33,000 gallons in the latest year.
- The nitrogen load from 28,000 gals/yr would be 3.71 kg/yr with a Title 5 system over the allowable load and 3.14 kg/yr with an I/A system including roof and stormwater runoff which is within the allowable load.
- The project has stormwater catchment capacity for a 25 year storm event.
- Proposed mitigation.
  - Applicant allowed to install and use I/A system that reduces effluent nitrogen content to 19/mg/l or less for minimum 10 years. After that time the applicant will connect to the sewer if the proposed sewer system is installed.
  - Applicant installs a water meter and submits records annually; if water usage exceeds 28,000 gal/yr a mitigation fee will be applied.
  - O & M for I/A system is filed with MVC and maintenance and monitoring records are submitted annually to the Tisbury Board of Health and the MVC.
  - I/A system effluent is monitored for nitrogen. If effluent is above 9 mg/l applicant will return to the MVC to find options to reduce nitrogen.

**John Breckenridge** asked why the storm catchment is for a 25 year storm rather than a 100 year storm. **Sheri Caseau** said a 25 year storm is 3.5 inches of rain in 2 hours and a 50 year storm is 7 inches of rain in 2 hours. The applicant would have to use catch basins and cisterns for over the 25 year storm projection.

**Leonard Jason** asked if the way the roof is pitched doesn't it run toward the town property. **Fred Hancock** said it does. **Bill Veno** showed the runoff direction from the slope of the roof to the retaining walls and grade.

### **4.3 Transportation Report**

**Priscilla Leclerc** presented the following.

- The site is proposed to be accessed from a single new entrance on High Point Lane. The entrance looks to be 24 feet wide which should provide adequate access and side lines.
- Based on the 5,166 sf for an automobile service bay use, the ITE estimated trip generation is 82 daily trips (in and out) with 17 total PM Peak Hour trips approximately 8 in and 9 out during the PM peak hour.
- Possible mitigation is to include bike racks and encourage VTA transit use.

**John Breckenridge** asked if there are any requirements for parking on this site. **Priscilla Leclerc** said not really for an auto center. Town parking in B-2 zoning was looked at and not a lot was required.

**Leonard Jason** asked if the project requires a Special Permit. **Bill Veno** said it did not.

**Leonard Jason** said that B-2 zoning use to require a tree be planted for every eight parking spaces. **Priscilla Leclerc** said that is in the MVC policy but it might not necessarily be for Tisbury.

### **4.4 Commissioner's Discussion**

There was a discussion about the landscaping ,the retaining walls and the topography of the property.

- **John Breckenridge** noted the landscaping buffer will be on town property.
- **Bill Veno** confirmed but noted that on High Point Lane the landscaping is on the applicant's property.
- **John Breckenridge** said a couple of members of the Planning Board did attend the site visit and it was suggested that they provide feedback to the MVC. He also thought a perspective of how the property will look would be helpful.
- **James Vercruysse** noted that the elevations indicate what part of the building will be seen with the retaining walls in place.
- **Ernie Thomas** asked what is the profile of the back retaining wall to the building.
- **Bill Veno** said approximately 10 feet to the retaining wall and about 15 feet on the rear property line.
- **Katherine Newman** asked if there is a retaining wall on two sides of the building.
- **Bill Veno** said there is.
- **John Breckenridge** noted that the trees shown on the site will be removed.
- **Bill Veno** said he checked with the Town Tree Warden and there are no shade trees on the Town property. Any shade trees on the applicant's location were either a snow hazard or sick and did not need to be retained.
- **John Breckenridge** noted the topography is very complex.
- **Christina Brown** asked if for a project like this are there any local or town permits required for the removal and addition of fill as well as building the retaining walls.
- **John Breckenridge** said the Planning Board and the Building Inspector would weigh in. The building is being proposed to the back of the lot since new fill will be in the front of the lot and there will be settling in that area.
- **James Vercruysse** said the retaining walls will have to be engineered and approved by the Building Inspector.
- **Christina Brown** wondered how far the Commission has to go to be sure the retaining walls and the project are safe but it appears that will be taken care of.
- **John Folino** said the landscaping being proposed to be cut down is from the Town's property. The applicant's landscaping would then be exposed to the Northeast/Northwest wind and would no longer be protected.
- **Joan Malkin** said she thought the trees were being taken down because the root system would be exposed.
- **John Folino** said that is correct as a result of the weather conditions. The curb cut is not located on the easement because there is about a ten foot difference in elevation.
- **Ernie Thomas** asked when the retaining walls are put in would there be a plan with perhaps footings.
- **Leonard Jason** said the Building Inspector will ask for an engineered plan for the retaining walls.
- **John Breckenridge** noted that what is being reviewed is a preliminary schematic.
- **James Vercruysse** asked if the Feeder/Connector Road is still active or is it dead. Is there a map showing the location and would the engineering for the rear retaining walls have to consider that.

- **Bill Veno** showed the plan for the Connector Road and the Access Road.
- **Fred Hancock** asked if the Access Road goes through the property location.
- **Bill Veno** said it did not.

There was a discussion about access to the property.

- **Leonard Jason** asked if the applicant needs a curb cut from the Town to enter High Point Lane.
- **James Vercruysse** assumed the applicant would need permission.
- **Joan Malkin** asked if there are conditions for that.
- **John Breckenridge** said it would be done by a surveyor.
- **Fred Hancock** said at LUPC there was testimony about the access easement to be used as a utility easement.
- **Leonard Jason** asked how the access would be for the other undeveloped lot.
- **Bill Veno** showed where another curb cut would be located.

#### **4.3 Applicants' Presentation**

**Joe DeBettencourt** presented the following:

- Bill Veno's presentation was very thorough.
- Old junk cars will not be held on the property. Cars will be flipped and rotated within a day or two of their appointment.
- Being able to do our work safer and more thoroughly is the goal.
- The project will also allow updating the equipment.

#### **4.4 Commissioner's Questions**

There was a discussion about the number of parking spaces needed and their relationship for additional landscape.

- **John Breckenridge** asked if there is any flexibility in the number of parking spaces to allow for further landscaping.
- **Joe DeBettencourt** showed where a parking space could be eliminated to make it look more attractive. He does not want the project to look like concrete and steel.
- **Joan Malkin** asked what the number of bays and parking spaces are for his current business and are they filled.
- **Joe DeBettencourt** said he has 2 bays and 17 to 18 parking spaces and in the summer they are full. My reputation surpasses me and customers come from all over the Island. They get a fair deal and the car will be fixed right so they come to me and wait for an appointment. With more bays he would be able to handle the business. He has contracts and does work for Verizon, Comcast, the State Police and the towns. They take up spots and time to service the contracts.
- **John Breckenridge** asked what the distance will be from the parking spaces to the building.
- **Joe DeBettencourt** said it is 35 feet.
- **John Breckenridge** asked if 5 feet of that could be given to a landscape buffer.
- **Joe DeBettencourt** said not really but perhaps he could plant a tree between the cars. There is a drain in the front wall. Currently he has two oak trees and he wants to have

shade at the proposed location and he will work on that. It will be easier to work on the landscape plan when the walls are done.

Here was a discussion about the landscape plan.

- **Joan Malkin** suggested that it would be easier if the relocation of the parking spaces and the possible area for planting a tree was shown on a plan.
- **Joe DeBettencourt** asked if the MVC is asking to hide the retaining wall.
- **Joan Malkin** said just to have some vegetation on the property.
- **Joe DeBettencourt** said you probably won't see the building from State Road when the last parcel of property is built on.
- **Fred Hancock** said it seems that the hillside of the lot, the wall, will be seen and with a two foot wide utility access corridor there may be room to plant and soften the wall.
- **Joe DeBettencourt** said the other property will be built on at some point and at some point it will be back filled.
- **John Breckenridge** said a visual perspective from State Road and High Point Lane would be helpful.
- **Paul Foley** said the applicant would have to provide a perspective sketch.
- **Joan Malkin** said there will be five trees and the property will be completely developed and that is a concern.
- **Joe DeBettencourt** said he can't remedy the grade without removing the trees and he is open to replanting trees. But the trees can't be in the way of accessing the building especially with 40 foot long trucks that will be serviced and entering and exiting the property.
- **John Breckenridge** said the MVC is trying to understand the flexibility of the plan.
- **Christina Brown** said in the applicant's proposal when the trees are taken down on the town line is he saying he will replant trees on the town property and maintain them.
- **Joe DeBettencourt** said yes and he is using the Polly Hill list to find acceptable species.
- **Tom Pachico** said it will be worked out with all parties and town boards.

There was a discussion about the retaining wall.

- **Katherine Newman** asked if there are alternative materials that can be used for the retaining wall.
- **Joe DeBettencourt** said the wall has to be safe and it won't be a flat block wall, it will look like a rock wall that is stacked.
- **John Breckenridge** said that Leonard Jason made a good point earlier that ultimately the engineer will tell a lot of what the wall can be.
- **Katherine Newman** said that visuals of how the applicant would like the wall to look would be helpful.
- **Joe DeBettencourt** said the wall will not be seen from High Point Lane after the driveway on. He has four feet after the wall to soften it but on the Dias property side. He will work with the other landowners to make it work.
- **James Vercruysse** asked if the applicant needs agreements with the abutter on the Shirley Hardware side since the applicant will be cutting into the property for the retaining wall.
- **Joe DeBettencourt** said Jesse is on page and he is the only abutter on that side and he would be glad to obtain a letter from him to submit to the MVC.

- **James Vercruysse** said it would be really helpful to have a visual regarding the grades and the retaining wall. How the wall will intersect the building and how the trees will look at well.
- **John Breckenridge** said perhaps something similar to a streetscape.
- **Paul Foley** said the applicant really provides that type of document.
- **Tom Pachio** said the wall may change once he meets with Chris Dias.

**Adam Turner** asked when the applicant is meeting with the Planning Board. **Tom Pachio** said in about a week. **Adam Turner** said he will check with the Planning Board as to when the meeting is scheduled and will plan to attend and come up with global concepts that all parties can look at.

**Christina Brown** asked how many employees the applicant is planning to hire. **Joe DeBettencourt** said at least three technicians.

**Ernie Thomas** asked if the applicant will be closing his other shop. **Joe DeBettencourt** said he is not, it will stay as is.

**Joan Malkin** asked if the utilities will be above ground or underground. **Joe DeBettencourt** said underground. **Tom Pachio** said there is a pole on the right side that runs the lines across to his side of the property and then they will go underground.

#### **4.5 Public Testimony**

**Danny Roger** is the site contractor for the project. The retaining walls will be designed by the engineer and will take into fact the weight loads and bearing. On the town property as you dig into the embankment 90% of the roots of the trees will be severed and exposed to the wind so they will blow over. The outcome of the entire project will look nice. It will be a safe project and a nice looking project with a good outcome.

**Fred Hancock** asked for the retaining wall on the town side, on top of the hill, will that be done at angle repose. **Danny Roger** said yes.

**Joan Malkin** asked if the wall on the Shirley Hardware side is 15 feet and is that due to the setback requirements. **Joe DeBettencourt** confirmed it is and the wall is 16 feet.

**Peter Goodale** is an abutter and is in favor of the project. With regards to the 35 feet in the parking area it is needed for the turning radius for the trucks that are being serviced.

**Trip Barnes** is speaking as member of the public and not as a Commissioner. As an abutter he is in favor of the project. It will be very nice and as it progresses the landscaping will be able to be fit in. People are already commenting on how nice his building is looking on Evelyn Way.

There was a discussion about the engineering plans.

- **John Breckenridge** said the public hearing could be continued until November 5, 2015 and the MVC would look forward to hearing the Planning Board comments as well as hearing any comments from the Building Inspector. Hopefully the applicant may have some signed engineering plans to review.

- **Leonard Jason** said the MVC could make the engineering plan a condition.
- **John Folino** said the final engineering plans won't be done until the MVC approves the project.

**John Breckenridge** noted there are still a lot of what ifs and pieces to put together for this project.

**John Breckenridge**, Public Hearing Officer continued the Public Hearing until November 5, 2015.

**Trip Barnes** rejoined the meeting.

## **5. BEACH STREET DEMOLITION – EDGARTOWN DRI 658 WRITTEN DECISION**

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*Commissioners Present: T. Barnes, J. Breckenridge, C. Brown, R. Doyle, F. Hancock, L. Jason, J. Joyce, J. Malkin, K. Newman, E. Thomas, J. Vercruysse.*

**Leonard Jason** asked why Beach Street is deleted on line 154. **Paul Foley** said Beach Street is a private way but Dunham Street is a public way.

**Paul Foley** noted that the word "properties" on line 246 should be singular "property".

There was a discussion about 1.3 under Section 5 Conditions, 1 Development and Future Review.

- **Christina Brown** thought the language should indicate that any such modified plan be filed with the commission.
- **John Breckenridge** suggested language as substantially modified.
- **Leonard Jason** thought the MVC was concerned with the applicant making the house bigger and substantially as proposed may be ambiguous but smaller would be okay. The scale of the building should not be bigger than proposed.
- **Joan Malkin** and **Fred Hancock** suggested deleting the "as proposed".
- **Christina Brown** felt the language should be as proposed.
- **Fred Hancock** said that was covered in 1.1, once the applicant does the demolition and builds the house they don't have to come back to the MVC. Should section 1.4 be added to cover the modification issue?
- **Leonard Jason** asked what if the applicant wants to build onto the house.
- **Joan Malkin** said it was the demolition that brought the project to the MVC.
- **Christina Brown** said perhaps instead of adding a section 1.4 to add that a modified plan be filed with the MVC it could be added under 1.1.
- **Joan Malkin** suggested keeping 1.3 as written.

**John Breckenridge** noted that section 6.2 needs to be corrected the Decision is not filed with Oak Bluffs.

**Joan Malkin moved and it was duly seconded to approve the Written Decision with the amendments as discussed. Roll call vote. In favor: T. Barnes, J. Breckenridge, C. Brown, R. Doyle, F. Hancock, L. Jason, J. Joyce, J. Malkin, E. Thomas, J. Vercruysse. Opposed: none. Abstentions: K. Newman. The motion passed.**

**Joan Malkin** excused herself from the meeting.

## **6. CAPE COD EXPRESS DOCK MODIFICATION – EDGARTOWN DERI 268-M WRITTEN DECISION**

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*Commissioners Present: T. Barnes, J. Breckenridge, C. Brown, R. Doyle, F. Hancock, L. Jason, J. Joyce, K. Newman, E. Thomas, J. Vercruysse.*

There was a discussion about relieving the applicant from the 1998 landscape plan.

- **John Breckenridge** noted that with regards to line 74 there was a suggestion to relieve the applicant of the 1998 plan.
- **Paul Foley** said there is language included for that in section 2.2 Commission Review
- **Adam Turner, Bill Veno** and **Fred Hancock** all noted that language should state that the Commission amends the appeal to permit an existing buffer and relieve the applicant of the plan submitted in 1998.
- **Paul Foley** said that is also noted on line 35 but can also be reiterated under the Findings section of the written decision.
- **Fred Hancock** said line 35 indicates that the MVC modified.
- **Paul Foley** suggested changing the heading under 2.2 to Minor Modification Approval.

**Ernie Thomas moved and it was duly seconded to approve the Written Decision with the amendments as discussed. Roll call vote. In favor: T. Barnes J. Breckenridge, C. Brown, R. Doyle, F. Hancock, L. Jason, J. Joyce, E. Thomas, J. Vercruysse. Opposed: none. Abstentions: K. Newman. The motion passed.**

**Katherine Newman** excused herself from the meeting.

## **7. DIAS HIGH POINT LANE – TISBURY DRI 653 WRITTEN DECISION**

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*Commissioners Present: T. Barnes, J. Breckenridge, C. Brown, R. Doyle, F. Hancock, L. Jason, J. Joyce, E. Thomas, J. Vercruysse.*

**John Breckenridge** and **Adam Turner** agreed that under Section 3.4, A2 line 150 the language should be revised to “not served by town sewer”.

**Fred Hancock** noted the language on line 152 should be revised to “Stormwater shall be retained on site”.

There was a discussion about Section 5 Conditions, 2 Access.

- **James Vercruysse** said if someone buys the next lot they would not be able to access it by that road.
- **Fred Hancock** said they could come back to the MVC for a modification or the new project could request access by that road.
- **Christina Brown** wondered if there was a different way to word this more tightly. Access should be on Lot 4 and not any subsequent owner.
- **John Breckenridge** suggested revising the language to state to access this property.
- **Robert Doyle** thought the reasoning was if there was retail versus wholesale the MVC would take another look.
- **Bill Veno** thought the MVC only has to reference the parcel number.
- **Leonard Jason** said the use should be noted.
- **Bill Veno** said the use is already noted in 1.1.2 Building Use.

- **Fred Hancock** suggested removing Specialty Builders Supply and leaving the lot number.

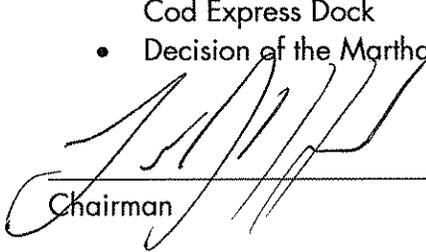
**John Breckenridge** noted that the parenthesis needs to be closed on line 291" (6)".

**James Joyce moved and it was duly seconded to approve the Written Decision with the amendments as discussed. Roll call vote. In favor: J. Breckenridge, R. Doyle, J. Joyce, E. Thomas, J. Vercruysse. Opposed: none. Abstentions: T. Barnes, C. Brown, F. Hancock, L. Jason. The motion passed.**

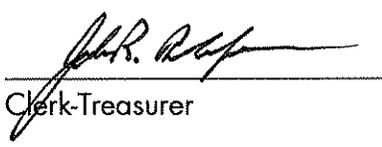
The meeting was adjourned at 9:15 p.m.

DOCUMENTS REFERRED TO DURING THE MEETING

- Minutes of the Commission Meeting – Draft, Held on October 1, 2015
- Performance Objectives for Adam Turner for first 5 months as Executive Director
- Martha’s Vineyard Commission DRI #656 DeBettencourt High Point Lane MVC Staff Report – 2015-10-14
- Martha’s Vineyard Commission Memo to the MVC Commissioners, Dated October 7, 2015, Transportation- DRI #656 DeBettencourt High Point Lane
- Letter to the Martha’s Vineyard Commission Dated October 15, 2015 from the Town of West Tisbury Office of the Selectmen, Re: Joseph de Bettencourt Proposed Development of Parcel #22-A-13.11 (Lots 2 and 3)
- Emails from Paul Wohler Superintendent Tisbury Water Works, Dated September 18-22, 2015, RE: High Point Lane shade trees
- Floor Plans and Elevations Joseph DeBettencourt High Point Lane, Tisbury MA
- Draft – Decision of the Martha’s Vineyard Commission DRI 658 Beach St. Historic Demolition
- Draft – DRI Modification Decision of the Martha’s Vineyard Commission DRI 628-M Cape Cod Express Dock
- Decision of the Martha’s Vineyard Commission – Draft, DRI 653 – Dias High Point Lane

  
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 Chairman

11-17-15  
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 Date

  
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 Clerk-Treasurer

11/23/15  
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 Date