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**Minutes of the Commission Meeting  
Held on September 27, 2012  
In the Stone Building  
33 New York Avenue, Oak Bluffs, MA**

**IN ATTENDANCE**

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

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|------------------------------------|---------------------------------|
| P John Breckenridge (E-Oak Bluffs) | - Chris Murphy (E-Chilmark)     |
| P Christina Brown (E-Edgartown)    | - Katherine Newman (E-Aquinnah) |
| P Peter Cabana (E-Tisbury)         | - Ned Orleans (A-Tisbury)       |
| P Tim Carroll (A-Chilmark)         | P Camille Rose (A-Aquinnah)     |
| - Martin Crane (A-Governor)        | P Doug Sederholm (E-Chilmark)   |
| P Erik Hammarlund (E-West Tisbury) | P Linda Sibley (E-West Tisbury) |
| - Fred Hancock (A-Oak Bluffs)      | P Brian Smith (A-West Tisbury)  |
| P Leonard Jason (A-County)         | P Holly Stephenson (E-Tisbury)  |
| - James Joyce (A-Edgartown)        |                                 |

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

Acting Chairman Doug Sederholm called the meeting to order at 7:05 p.m.

**1. LEAF MIXED-USE (DRI-637-2) EDGARTOWN – WRITTEN DECISION**

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Commissioners Present: J. Breckenridge, C. Brown, P. Cabana, T. Carroll, E. Hammarlund, L. Jason, C. Rose, D. Sederholm, L. Sibley, B. Smith, H. Stephenson.

**Doug Sederholm** stated that this is a review of the written decision for DRI 637-2 and the Commissioners will review the written decision page by page.

**John Breckenridge** said that on line 125 section 3.1 Project Description, it would be more appropriate to talk about the scale and the massing of the building. This was agreed to.

**Christina Brown** asked that in section 3.4 Benefits and Detriments, A3, line 176 that the words "and problematic" be removed. This was agreed to.

**Paul Foley** noted that in section 4 Decision, line 254, the date will be revised to September 27, 2012.

**John Breckenridge** questioned the 25% noted on line 318 section 5.1 Open Space. **Paul Foley** said that 20% is required but the Applicant states that this project will have 25% maintained as open space although he questioned whether the open space was actually "useable and contiguous" as called for in the Edgartown zoning.

**Mark London** said that in section 8, Landscaping, Fred Hancock had comments regarding flexibility about the requirement to obtain the Certificate of Compliance before the Town issues a

Certificate of Occupancy, in the event that project is completed in winter. Fred suggested that the language be revised to state that it allows LUPC to determine that if it is not feasible to complete the landscaping, that monies be put in escrow to complete the landscaping when the weather permits which would allow for the Certificate of Compliance to be issued. **Christina Brown** then noted that for continuity, this should then be section 8.3 and the current section 8.3 should be made section 8.4.

**Leonard Jason** questioned we are talking about the Certificate of Compliance or the Certificate of Occupancy. Section 6.1 was read which notes that "The Town building inspector shall not issue a Certificate of Occupancy until it has received a Certificate of Compliance issued by the Executive Director or DRI Coordinator of the Martha's Vineyard Commission confirming that the following condition in this decision has been satisfied..." Leonard Jason was satisfied with that language.

**John Breckenridge** addressed maintaining the landscaping in perpetuity. The Oak Bluffs Conservation Commission now requires an 80% survival rate after two years. **Christina Brown** noted that Edgartown is now doing perpetuity. **John Breckenridge** thought that perhaps that was rigid. **Christina Brown** felt that for this project, it was acceptable to have perpetuity

**Christina Brown moved and it was duly seconded to approve the written decision with the changes as indicated. Roll call vote. In favor: J. Breckenridge, C. Brown, T. Carroll, C. Rose, D. Sederholm, H. Stephenson, L. Sibley. Opposed: none. Abstentions: P. Cabana, E. Hammarlund, B. Smith, L. Jason. The motion passed.**

## **2. NEW BUSINESS**

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*Commissioners Present: J. Breckenridge, C. Brown, P. Cabana, T. Carroll, E. Hammarlund, L. Jason, C. Rose, D. Sederholm, L. Sibley, B. Smith, H. Stephenson.*

### **2.1 Scheduling**

**Paul Foley** noted that there will be a LUPC meeting on October 15, 2012 for the Island Fuels Modification.

**Doug Sederholm** said there will be a LUPC meeting on October 4, 2012, 5:00 p.m. – 7:00 p.m. to continue the DRI Checklist review.

**Mark London** said that if the draft Wind Energy Plan for Dukes County is well received, it should be possible to do the deliberations and decision at the October 18, 2012 Commission meeting.

**Paul Foley** said that the MVC meeting on October 18, 2012 will also cover the Aquinnah DCPC [subsequently withdrawn], Island Fuels Modification Review, and Sepiessa Housing Expansion Public Hearing.

The meeting was adjourned at 7:30 p.m.

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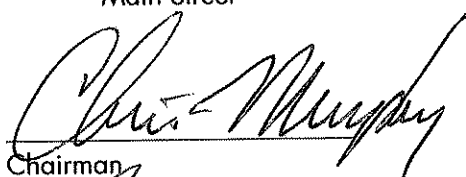
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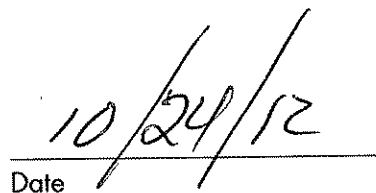
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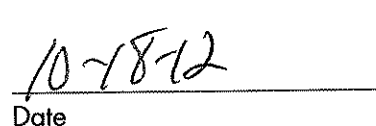
### DOCUMENTS REFERRED TO DURING THE MEETING

- Decision of The Martha's Vineyard Commission – Draft 2, DRI 637-2 Leaf Mixed-Use/284 Upper Main Street

  
Chairman

  
Date

  
Clerk-Treasurer

  
Date