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Minutes of the Commission Meeting Held on April 14, 2005 In the Olde Stone Building 33 New York Avenue, Oak Bluffs, MA

IN ATTENDANCE

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

P James Athearn (E – Edgartown)	P Ned Orleans (A – Tisbury)
P John Best (E – Tisbury)	P Megan Ottens-Sargent (E –Aquinnah)
P John Breckenridge (A – Oak Bluffs)	P Deborah Pigeon (E – Oak Bluffs)
P Christina Brown (E - Edgartown)	P Jim Powell (A – West Tisbury)
P Mimi Davisson (E – Oak Bluffs)	P Doug Sederholm (E – Chilmark)
P Linda DeWitt (A – Edgartown)	P Linda Sibley (E – West Tisbury)
- Chris Murphy (A – Chilmark)	P Paul Strauss (A – Dukes County)
P Katherine Newman (A –Aquinnah)	- Andrew Woodruff (E – West Tisbury)

Staff: Mark London (Executive Director), Bill Veno (Senior Planner), Paul Foley (DRI Analyst/Planner), Bill Wilcox (Water Resource Planner), Chris Seidel (GIS Coordinator), Srinivas Sattoor (Transportation Planner)

1. VINEYARD YOUTH TENNIS: DRI 539-M – DELIBERATION & DECISION

Commissioners Present: J. Athearn, J. Breckenridge, C. Brown, M. Davisson, L. DeWitt, K. Newman, N. Orleans, M. Ottens-Sargent, D. Pigeon, D. Sederholm, L. Sibley, P. Strauss

Applicant: Alan Schweikert

Christina Brown, referring to the Draft Modifications to Conditions of Original Decision, reported that LUPC recommended all of the conditions, with the exception of 1d (parking) and 2c, which LUPC felt needed discussion by the full Commission.

- Condition 1a benefits children.
- Condition 1g deals with traffic and limits the number of classes.
- Condition 1h acknowledges the outdoor lighting, with shielding, and supports safety; LUPC would like to include a statement that the five existing pole lights were put up without review by the Commission.
- Condition 2a reiterates the mission of the program and supports limited adult/child play.
- Condition 5a reiterates the original decision but brings it up to date.

Overall, the requested changes expand the program for kids and are a benefit.

Christina Brown moved and it was duly seconded that the Commission accept the modifications to the original conditions as written.

Condition 1a: That the inflatable structure known as a "bubble" shall not be inflated and erected prior to October 1 of any given year and shall be deflated and dismantled no later than May 15 of any given year.

A voice vote was taken. In favor: 11. Opposed: 0. Abstentions: 1. The motion passed.

Condition 1d: That the Applicant may clear the designated area for use as a multipurpose area for informal play as well as for occasional overflow parking, provided a landscaping plan is submitted for the approval of [LUPC or ED] with the ground surface vegetated (e.g. grass, ground cover, etc.) and with maximum preservation of trees.

- **Christina Brown** explained that the applicant had asked for an expanded area that would be cleared and surfaced with pea-stone or grass. The original condition said the parking should be limited unless a demonstrated need was shown for additional parking. The traffic numbers didn't clearly demonstrate the need and tree removal was a concern.
- **Mark London** said staff questioned whether overflow parking space would still be needed given the increased hours that would eliminate overlapping classes.
- **Doug Sederholm** said the expanded hours might eliminate the need for additional parking. Also, he was not convinced that the size of the parking lot would resolve safety concerns.
- **Kathy Newman** said the congestion problem is in the winter, after school and in the dark; she suggested creating a semi-lot.
- **James Athearn** would support the condition because the additional parking lot is in the back and it doesn't involve a lot of trees. Even if VYT received the approval, it wouldn't be obligated to create the parking area.
- **Linda DeWitt** felt the impact of adding parking spaces would be marginal.
- **Linda Sibley** visited the site, wasn't sure that adding the space will solve the traffic flow problem, but felt clearing wouldn't have a big impact.
- **John Breckenridge** said currently the lot has enough parking for 18 vehicles, which, with proper scheduling, was ample. Traffic flow is the issue and proper signage and scheduling will solve the problem. Expanding the parking in relation to tournaments should be looked at carefully.
- **Megan Ottens-Sargent** asked whether lighting was part of the expanded parking plan. She asked whether the Commission should condition lighting and signage for traffic flow.
- **Ned Orleans** suggested letting the applicant use common sense to maintain safety. He suggested that the landscaping plan be submitted to the director.
- **Linda Sibley** said landscape plans have always been submitted to LUPC.
- The Commission agreed by consensus that the landscape plan should be submitted to LUPC.

A voice vote was taken. In favor: 11. Opposed: 1. Abstentions: 0. The motion passed.

Condition 1g: That the Commission accepts the applicant's offer of establishing hours of operation during the summer months of 8:30 a.m. to 7:00 p.m. provided that no more than seven classes are provided in one day.

- **Mimi Davisson** suggested that it might not be necessary to limit hours of operation to summer months and recommended, that dates be established to define "summer months".
- **Mark London** said in the winter months the hours aren't limited, but are in summer months.
- **Alan Schweikert** said the dates of the summer program were related to when kids were out of school.
- **Doug Sederholm** suggested that the wording could be kept as written.
- The Commission agreed by consensus to keep the wording as written.

A voice vote was taken. In favor: 11. Opposed: 0. Abstentions: 1. The motion passed.

Condition 1h: That the Commission accepts the Applicant's offer of providing outdoor lighting on-site, except for recessed lighting in the ceiling of the porch running around the building and in the area going from the parking area to the building, five approximately 8'-high pole lights as presently installed provided the up-lighting is shielded by use of baffles or by painting the inside of the upper panels of glass, and 2' down-shielded lighting along the walking path, all of said lights to be turned off no later than 8:30 p.m.

- **Mimi Davisson** said if the new parking area required lighting, VYT should have to come back to the Commission; however new lighting along the walking path was permissible provided it was 2' down-shielded lighting. She would like to see the final decision note that the five 8'-high pole lights were installed in violation of the original conditions. Commissioners were in agreement.

A voice vote was taken. In favor: 11. Opposed: 0. Abstentions: 1. The motion passed.

Condition 2a: That the Vineyard Youth Tennis Center shall provide services only for youth up to age of 18 years or graduation from high school, whichever occurs later; this condition shall not be construed to preclude adult/child play from being held up to two weekends per month for a maximum of three hours per day.

- **Christina Brown**, in response to Linda Sibley's question about wording, said LUPC found it difficult to get into describing relationships and the wording *adult/child* was sufficient.

A voice vote was taken. In favor: 11. Opposed: 0. Abstentions: 1. The motion passed.

Condition 2c: That the Applicant would be allowed to lend their facility for up to three charity fundraising events per year that raise money for the benefit of children, provided that the on-site parking is limited to the number of spaces on the approved plan, and that any additional parking is provide off site, with people walking to or being shuttled to the center.

- **Christina Brown** explained that LUPC thought that lending the facility for charity events was generally a good idea but LUPC couldn't decide on the number of events or their length.

- **Doug Sederholm** said three seemed like a lot. They could start with fewer, and if VYT found charity events useful, they could come back and expand the number.
- Commissioners discussed details of charity events and parking. Oak Bluffs police would oversee details of traffic.
- **Deborah Pigeon** said that charity events are so much work, she believed they will be self-limiting.
- **Mimi Davisson** suggested ending the condition with the words "off site" so as not to limit modes of transportation.
- Commissioners agreed by consensus to strike the last part of the last sentence and end Condition 2c at "off site".

A voice vote was taken. In favor: 9. Opposed: 2. Abstentions: 1. The amended motion to modify the condition passed.

Condition 5a: That the Commission accepts the Applicant's offer to work with the Town of Oak Bluffs and to make available, by land donation or other means, mitigation for potential traffic issues to accommodate predicted changes to the traffic patterns at the blinker light as well as the Applicant's offer to promote carpooling in order to reduce the number of vehicular trips to the site.

A voice vote was taken. In favor: 11. Opposed: 0. Abstentions: 1. The motion passed.

A roll call vote was taken on the motion to accept the modifications to the conditions of the original DRI decision, including the agreed-upon changes. In favor: J. Athearn, J. Breckenridge, C. Brown, M. Davisson, L. DeWitt, K. Newman, N. Orleans, M. Ottens-Sargent, D. Pigeon, D. Sederholm, L. Sibley, P. Strauss. Opposed: None. Abstention: None.

There was a discussion of traffic and parking safety.

- **Mimi Davisson** raised the safety issue of parents parking in the turnabout in the no parking zone. She wondered how to include a statement in the decision to encourage parents to follow posted rules.
- **Mark London** said that this type of suggestion has been made as a separate letter rather than in the decision.
- **Linda Sibley** has doubts as to whether the overflow parking would solve the safety problem. Perhaps the Commission can help VYT find a safety expert who could make suggestions as to traffic flow and safety.
- **Mark London** said that Srinivas Sattoor has already suggested some techniques to promote carpooling and safety.
- **Alan Schweikert** said he would like to present any suggestions the Commission has to the operating committee.

The Commission agreed by consensus to ask Mark London to draft a letter relating to safety solutions, the parking lot, and promoting carpooling.

2. ADOPTION OF MINUTES

Commissioners Present: J. Athearn, J. Breckenridge, C. Brown, M. Davisson, L. DeWitt, K. Newman, N. Orleans, M. Ottens-Sargent, D. Pigeon, J. Powell, D. Sederholm, L. Sibley, P. Strauss

2a. Minutes of February 17th

Ned Orleans moved and it was duly seconded to accept the minutes of February 17th, 2005, as written. A voice vote was taken. In favor: 9. Opposed: 0. Abstentions: 4. The motion passed.

2b. Minutes of March 10th

Mimi Davisson moved and it was duly seconded to accept the minutes of March 10th, 2005, as written. A voice vote was taken. In favor: 10. Opposed: 0. Abstentions: 3. The motion passed.

3. STAFF REPORTS

3a. Website

Mark London explained various aspects of the Commission's website:

- Staff reports and minutes of meetings can be accessed from the date on the calendar.
- Sometimes several documents will be grouped under one topic.
- Sometimes DRI plans will be available, particularly useful for the public before a public hearing.
- People can find documents and plans in various ways, especially by using the search function.

Linda Sibley suggested that the homepage have a narrative, which would guide viewers on how to find useful information.

Christina Brown said the website is very user friendly.

Mark London explained that the site is being maintained in house. Recent documents are all available. Older documents are being scanned in. All DRIs are listed. A list of links is also available.

3b. Pictometry

Mark London and **Chris Seidel** explained Pictometry – oblique aerial photography contracted by MassHighway for the entire Commonwealth and now available for the Vineyard.

- The photographs, taken in 2003 provide two levels of detail. Most of the Island has more general community shots. The Oak Bluffs and Vineyard Haven town centers have neighborhood shots that show finer detail.
- The photographs are geo-referenced, allowing accurate overlay of property lines, parcel boundaries, and roads.
- In Massachusetts, the images are being distributed through regional planning agencies. The MVC has installed the software and supplied the images to each of the towns. They

are not available to the general public or for commercial purposes without contracting Pictometry directly. The images will not be put on the Internet.

- The images can be used in the planning process in various ways. Staff has already used the photographs to measure lawn areas in watersheds. They can be used in DRI review to show the context and possibly to produce an image of how a building might look. An intern will use the images this summer to analyze the Island's roadside character and various techniques to protect it.

3c. Water Quality

Bill Wilcox explained the mapping of water quality results.

- The Commission received a grant from the DEP under the Clean Water Act to sample coastal ponds. The sample results were used to develop baseline figures for qualifying ponds for the Mass Estuaries Program. A number of partners collected samples from ponds around the island.
- Part of the grant proposal included the creation of a website presentation of information that will link sampling locations to illustrations of water quality.
- He displayed the graphs of water quality data showing dissolved Inorganic nitrogen; organic nitrogen, etc. They are working on a rating system of the ponds based on the summer averages.
- The web presentation will include a narrative of parameters, rating system, a description of the ponds and what to look for in the charts. This is still in draft form and may be on the website end of May.
- Data was collected in 2004, which will be added. Another grant is providing for data collection in 2005 with the same sampling stations and data analysis.
- A number of ponds have qualified for the Mass Estuaries Project, including Mememsha, Squibnocket, Tisbury Great Pond, Edgartown Great Pond, Lagoon Pond and Tashmoo. Data is being collected on Farm Pond and Cape Pogue, among others. Data collection is beginning on Katama Bay and a number of freshwater ponds.

Mimi Davisson asked whether water quality data could be compared with the number of building permits issued and other growth indicators.

Bill Wilcox explained that there are correlations. Water quality has declined, but there are year-to-year variations in water quality. Eelgrass beds have declined; eelgrass in Lagoon Pond has decreased 55 % in six years. Eelgrass is keystone habitat for these ponds.

3c. Traffic

Mark London explained that traffic counters were all over the Island last summer as part of an extensive traffic survey program. The presentation at this meeting is a draft preview of traffic counts from last year.

Srinivas Sattoor summarized the results of the counting program.

- Traffic counts are reported as *Average Weekly Daily Traffic*.

- Staff is in the process of adapting the winter computer traffic model, created by MassHighway for air quality monitoring, to summer conditions.
- Records are available since 1990 at 131 different locations.
- 76 sites are regularly monitored.
- 2 traffic-monitoring sites are permanent (except during plowing season).
- 39 different locations were counted last summer.
- Staff would like to do bike counts as well.
- Traffic is averaging growth at 2.5% a year.
- Since 1990, traffic has increased 37%.
- The peak hour is 4:00 p.m. to 5:00 p.m. The peak month is August.
- Beach Road near Five Corners is the busiest with 22,265 vehicles a day. In the summer, traffic between 8:00 a.m. and 6:00 p.m. is steady with a slight dip between 1:00 p.m. and 2:00 p.m.
- Left turning Five Corners traffic will be counted by hand.

Christina Brown said that Upper Main Street, Edgartown, has a count of 20,000 cars per day summer after summer. Edgartown hasn't had an increase in figures. **Mark London** said those areas that several heavily trafficked roads don't show significant increases in traffic, perhaps because there is no additional capacity.

Linda Sibley said Islanders might not notice traffic increases in heavily traveled areas, but might be more likely to notice increases on more rural roads.

Mark London pointed out the map on the wall that indicates where water testing and traffic survey activities are going on.

4. OTHER BUSINESS

4a. Letter from Wampanoag Tribe

Mark London explained that a Wampanoag Tribe archaeologist wants to work with the Commission; he will follow-up.

4b. Letter from Art Flathers on Composting

Mark London explained that he had met with Winn Davis about a possible collaboration between the Dukes County Commission and the Martha's Vineyard Commission on composting.

- As a result of the fact that four towns are not moving to privatize, the commissions may find it more useful to do a comprehensive analysis of managing the waste stream.
- They discussed organizing a workshop for the end of the summer and talked about inviting the operator of the Nantucket composting facility.
- He acknowledges receipt of letters, usually verbally.

4c. LUPC

Christina Brown explained that LUPC would be looking at the DRI checklist, particularly in terms of the big picture of regional impact. LUPC will work on the checklist on the first Monday of every month

Linda Sibley asked that Commissioners set a date for the DRI Road Trip. Commissioners agreed on Saturday, May 14th at 9:30, with details to follow.

4d. Linda DeWitt

Linda DeWitt said this would be her last meeting as a Commission. She said she felt privileged to have been on the Commission. She thanked everybody for a great experience.

4e. Airport

John Best asked about the Airport Master Plan including major expansion and a new freight terminal.

Mark London said that MVC staff reviewed the draft Master Plan and the Environmental Impact Statement, making clear that the Commission itself had not reviewed or approved the plan. He suggested that the Commission invite representatives from the airport to report on what's being planned.

Commissioners discussed the problems that arose when the new terminal was built and issues about whether it be reviewed by the Commission.

It was agreed to invite the Airport Director, Bill Weibrecht, to explain the Airport Master Plan to the Commission.

The meeting adjourned at 9:45 p.m.

Linda B. Sibley
Chairman

June 16, 2005
Date

Nathaniel J. Means
Clerk-Treasurer

July 7, 2005
Date