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Minutes of the Commission Meeting Held on April 28, 2005 In the Olde Stone Building 33 New York Avenue, Oak Bluffs, MA

IN ATTENDANCE

Commissioners: Those present indicated with an 'P'. (A = Appointed; E = Elected)

P James Athearn (E – Edgartown)	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 (A – Edgartown)	P Jim Powell (A – West Tisbury)
P Mimi Davisson (E – Oak Bluffs)	P Doug Sederholm (E – Chilmark)
Linda DeWitt (A – Edgartown)	P Linda Sibley (E – West Tisbury)
P Chris Murphy (A – Chilmark)	P Paul Strauss (County Comm. Rep.)
Katherine Newman (A – Aquinnah)	P Andrew Woodruff (E – West Tisbury)

Staff: Bill Veno (Senior Planner), Paul Foley (DRI Coordinator); Srinivas Sattoor (Transportation Planner), Christine Flynn (Economic Development and Housing Planner)

1. JIM ROGERS HANGAR: DRI 586 – PUBLIC HEARING

For the applicant: James Rogers

Christina Brown opened the public hearing and read the hearing notice. The proposal is to build an 8 unit, 15,765 square foot airplane hangar.

1.1 Applicant's Presentation

Jim Rogers explained that his proposal was the successful bid for the Airport Commission's RFP for the seventh row of hangars.

- Seven of the units will become "condo" units.
- The 8th one will be kept for Mr. Rogers; he's the airplane mechanic on the island. He said he wants to work with everybody to deal with concerns, as does the airport.
- The hangar was designed to project noise and activities away from the Tennis Center. Large cedars will be moved and used as screens.
- There is 6 feet between the building and the fence; additional airport land extends beyond the existing security fence.
- The hangar corner closest to the fence/tennis center is not for airplane activity.

Doug Sederholm asked for clarification on what area is now paved and what will be paved. **Jim Rogers** explained the paving that will include a small paved strip behind the building.

Doug Sederholm asked whether any hangars were designated for commercial airlines; he is trying to anticipate the traffic use of the new hangars. **Jim Rogers** explained that the only "commercial" aviation use would be in his hangar. Cape Air will, in bad weather, put planes in large hangars and any of the hangars could be used for storage of commercial planes.

Paul Strauss asked whether it had been decided that the Airport should be a co-applicant.

Doug Sederholm read a memo the Commissioners had previously received from Mark London explaining MVC policies on fee waivers; in this case the project is proposed by a commercial enterprise. In general, fees have not been waived for government or non-profit applicants.

John Breckenridge asked about picking up space along the fence; the building design prohibits that.

Mimi Davisson asked several questions, which Jim Rogers answered:

- The size of the bays is 42 feet wide.
- There is nothing about the size of the bay that would limit their use to smaller planes only.
- Mr. Rogers performs about 35 repairs a year, grossing him about \$4,000; his insurance is \$6,000. The airport is required to have a mechanic on call and Mr. Rogers is qualified to do the work.

James Athearn said that, from the site visit, the building looked like it would be more like 30 feet from the fence. **Jim Rogers** explained that the plan is accurate.

Linda Sibley asked about a concern of the Tennis Center; windows and a door are on the hangar side.

1.2 Commissioners' Questions

Bill Weibrecht said that the airport is available to answer questions. He said he would be returning, at a later date and apart from Mr. Rogers' DRI request, to provide the Commission an overview of the airport master plan. [bullets indicate Mr. Weibrecht's replies to Commissioner questions]

Christina Brown asked for confirmation that the land for the proposed hangar is part of the airport master plan.

- This area of the airport has been planned for hangars since the 1980s. Part of the planning for hangars includes dealing with constraints like buffer zones. In the future, there will be another hangar in front and to the west.

Doug Sederholm said the neighbors have raised a concern about noise. What would be the magnitude of noise from this hangar?

- Noise level is difficult to quantify, but space will limit the use of the new hangar to smaller, light aircraft.

- The purpose of the hangars is for storage, not for moving planes in and out of, multiple times a day.
- This plan maximizes the airport space; the shape of the proposed hangar acts as an amphitheater pushing noise away from the Tennis Center.

Jim Powell asked for the distance of the existing hangar from the Tennis Center.

- The existing hangar is about 200-300 feet from the Tennis Center and screened from view by a wooded area that has grown up.

Linda Sibley asked how much noise is generated by taxiing versus take-off and landing

- Approximately 30 decibels, but there are many variables.

John Best disclosed that he is a member of the Experimental Aircraft Association, although he doesn't attend meetings. He commented that while eating at the airport restaurant, he's never found the airplane traffic noise a detriment.

Doug Sederholm disclosed that he is a member of the health club at the Tennis Center.

John Breckenridge disclosed that he is a member of the health club at the Tennis Center. He said he wanted to revisit the issue of the proximity of the fence.

Jim Rogers said airports are extremely conscious of noise because everyone is a neighbor. "Fly quiet" is a motto. He said he would certainly wheel his aircraft away from the door, rather than "drive" them.

Paul Strauss said that in the letter from the Tennis Center, they said a typical hangar owner might use the hangars once a week in the summer; that a repair facility will generate a "constant" level of activity. The testimony from the applicant indicates the opposite.

Mimi Davisson asked for clarification of the 6-foot buffer. Where would vegetation be planted?

- Screening plantings would be on the outside of the fence but still inside the airport boundary line.

Mimi Davisson asked whether there were any security issues that would prevent the building of a noise abatement wall?

- While it is possible to erect such barriers, there are a variety of concerns, including their unsightliness and effectiveness.

Paul Foley reported on correspondence the Commission had received regarding the application:

- a letter from the West Tisbury Planning Board supporting the proposal and requesting that the Commission not concur with the referral
- a letter from Mr. Weibrecht supporting the proposal
- a letter from the Vineyard Tennis Center opposing the project.

1.3 Public Comment

J.C. Murphy asked whether a jet could fit in the hangar area. He said that the noise from jets revving their engines is ear shattering. He asked if there was any way to erect a noise barrier wall so that any revving sound could be limited.

Ken Martin, owner of Vineyard Tennis Center and Spa, raised the following objections to the proposal, distributed photographs, and suggested some alternative sites:

- The March 2003 airport plan was the one he relied on as the VTC planned its addition.
- Photos showed a marker stake that he believed was the edge of the proposed building, about 20 feet in from the security fence. He never imagined that the distance between the security fence and the new building would really be just 6 feet. The distance between the split rail at the Tennis Center's parking area and the airport security fence is only 6 feet.
- In 1995 when VYT received the lease, much of the area was wooded; currently there is a natural buffer. Within the 6-foot distance, there is no room for any buffer.
- The proximity could be a real disadvantage to the business.

Bolton Hughes said he is in favor of the hangars for more storage.

Andrew Woodruff asked whether cutting off one bay would be a problem. **Jim Rogers** responded that he couldn't afford to have fewer bays.

Bill Weibrecht said the airport's RFP specified minimum door size and maximum square footage. The airport chose Mr. Rogers' proposal not based on cost, but on the best proposal for the site. If the project's parameters or specifics were to be changed by the Commission or another agency, the contract with Mr. Rogers would be void.

John Breckenridge asked for a response to moving the project to future lot G shown on the map. **Bill Weibrecht** replied that there are several access issues and non-aviation uses to consider.

Doug Sederholm said the specifics of the 6-foot space between the airport's security fence and the property line are unclear, including whether part of the Tennis Center's parking is on its leased land. He would like to know more about the exact boundaries of the Tennis Center's property and to know what can be done for sound barriers.

Andrew Woodruff asked about the hardship of moving the proposal from site H to site G.

Bill Weibrecht said site G would have restrictions that would prohibit breaking even. Fewer units would require larger wingspan and site G is limited. He believed the distance from the back of the proposed building to the property line is 26 feet. Other land for hangars is at the opposite end of the airport's property. The airport's goal is to house as many planes as possible.

Linda Sibley said she wanted to know how this is a regional issue and asked whether this is a landlord/tenant problem. View seems an irrelevant issue; noise is part of being next to an airport; however, fumes are a concern.

Jim Rogers said that jets could fit in the area. He said he would do all he can to make the Tennis Center happy. The screening issues are up to the airport.

Christina Brown said she was ending this portion of the public hearing but that the written record would remain open for a week for letters or additional information to be submitted

2. VINEYARD YOUTH TENNIS: DRI 539M – WRITTEN DECISION

Commissioners Present: J. Athearn, J. Breckenridge, C. Brown, M. Davisson, C. Murphy, M. Ottens-Sargent, D. Pigeon, J. Powell, D. Sederholm, L. Sibley, P. Strauss, A. Woodruff

Mark London presented the following corrections to the written decision:

- *Page 6, Line 215-216: . . . around the building and, in the parking lot, five
Approximately . . .*
- *Page 5, Line 210: Vineyard Youth Tennis would like to provide lessons between
8:30 and 7:00 p.m.*

Christina Brown moved and it was duly seconded to approve the written decision with the two corrections and authorize the chairman to sign the conditions.

A roll call vote was taken. In favor: J. Athearn, J. Breckenridge, C. Brown, M. Davisson, C. Murphy, M. Ottens-Sargent, D. Pigeon, J. Powell, D. Sederholm, L. Sibley, P. Strauss. Opposed: None. Abstentions: A. Woodruff. The motion passed.

3. MINUTES

Commissioners Present: J. Athearn, J. Breckenridge, C. Brown, M. Davisson, C. Murphy, M. Ottens-Sargent, D. Pigeon, J. Powell, D. Sederholm, L. Sibley, P. Strauss, A. Woodruff

Christina Brown moved and it was duly seconded to approve the minutes of March 17th, 2005, with the following changes:

- *Line 13: Deborah Pigeon (Elected – Oak Bluffs)*
- *Line 15: Andrew Woodruff (Elected – West Tisbury)*
- *Line 124: Andrew Flake*
- *Line 236: . . . Selectmen are asking the Commission to do something
the Selectmen . . .*
- *Line 245 and 276: Rita Spence*

A voice vote was taken. In favor: 12. Opposed: 0. Abstentions: 0. The motion passed.

Mimi Davisson said, according to the by-laws, Commissioners not present should be listed in the minutes.

Linda Sibley suggested that the Commission set aside some time to discuss minutes and their level of detail.

The meeting adjourned at 9:30 p.m.

Linda B. Sibley
Chairman

July 21, 2005
Date

Nathaniel J. Hears
Clerk-Treasurer

July 21, 2005
Date