Minutes of the Commission Meeting
Held on September 7, 2006
In the Stone Building
33 New York Avenue, Oak Bluffs, MA

IN ATTENDANCE

Commissioners:  (P = Present; A = Appointed; E = Elected)
P    James Athearn (E – Edgartown)
P    John Best (E – Tisbury)
P    John Breckenridge (A – Oak Bluffs)
P    Christina Brown (E - Edgartown)
P    Carlene Condon (A – Edgartown)
P    Martin Crane (A – Governor Appointee)
P    Mimi Davisson (E – Oak Bluffs)
P    Chris Murphy (A – Chilmark)
P    Katherine Newman (A –Aquinnah)
P    Ned Orleans (A – Tisbury)
P    Megan Ottens-Sargent (E –Aquinnah)
P    Deborah Pigeon (E – Oak Bluffs)
P    Jim Powell (A – West Tisbury)
P    Doug Sederholm (E – Chilmark)
P    Linda Sibley (E – West Tisbury)
P    Paul Strauss (County Comm. Rep.)
P    Andrew Woodruff (E – West Tisbury)

Staff:  Mark London (Executive Director), Paul Foley (DRI Coordinator), Christine Flynn (Affordable Housing & Economic Planner), Bill Wilcox (Water Resources Planner), Jo-Ann Taylor (Coastal Planner/DCPC Coordinator).

1. MULLEN WAY DCPC: PUBLIC HEARING


For the applicant: Ron Montorosso, attorney

Linda Sibley opened the public hearing.

Doug Sederholm said he has filed a written disclosure that he shares office space with Marcia Cini who represents one of the property owners. He is a tenant and is not a partner with Marcia Cini and has no financial interest in this matter. He spoke with the State Ethics Commission attorney of the day who advised there was no conflict of interest because he has no financial interest.

1.1 Staff Presentation

Jo-Ann Taylor described the available public documents, nomination, and the Chapter 831-based criteria.
General Qualifications:
- There must be a regional need for special planning regulations to protect the district from losses from inappropriate development.
- The Commission shall find that the present public or private regulations in a substantial part of the district cannot assure protection and that damage to the district or impediments to proper development will be a substantial loss to the region or to two or more towns. The nomination papers make a case for this being appropriate.
- It is true that the existing regulations may not allow the Planning Board to consider the devastating effect of a large development on the character of the quiet tree-lined rural street of turn-of-the-century bungalows. After Commissioners have heard testimony, they must determine if there is a regional need for special regulations.
- Regarding damage to the district, the nomination makes the case for protecting the neighborhood as a small part of the Island’s fabric. The Commission must determine whether damage to this neighborhood by itself will be a loss to the region or to two or more towns.

Size and Shape of the District
- Should the Commission vote to designate the district, it will also vote a boundary and a name for the district. Should the Commission find that the district warrants a designation, it could consider Mullen Way as one part of a Neighborhood District including several areas, it could put it into the Special Places District, or it could designate it the Mullen Way Neighborhood District.
- Should the Commission vote to designate the district, the boundary could be by lots.
- The Commission may find that it is inappropriate to designate one small neighborhood, or it could find that it is appropriate to have a Mullen Way District or a Neighborhoods District.

Specific Qualifications
- Cultural or historic resource district is one qualification. In order to qualify, the district must contain a place, landscape, way or view which is in some special way expressive of the character of the Island, tradition of the Island residents, and of special interest to Island visitors.

Hazardous District
- A hazardous district contains hazards due to marginal soil or topographic conditions which render it unsuitable for intense development. The designation is usually reserved for natural conditions.

Jo-Ann Taylor explained the procedure.
- Should the Commission make the designation, the designation would include goals and guidelines which are given to the Town.
- The Edgartown town boards would be responsible for developing subsequent regulations.
- The Commission would hold a public hearing and would vote conformance or the regulations with the guidelines.
- Finally, the town would vote at a town meeting with a 2/3 majority for approval. Then the moratorium would be over.
- If the Commission should vote against the designation, the nomination would be over and can’t be revisited by the Commission for a year except by a 2/3 vote by Commissioners.
• In considering the designation, Commissioners should consider whether regulations could be promulgated that would remedy the critical need that has been brought up.
• Goals and guidelines could include a site plan review.

1.2 DCPC Nomination

Rob Coad said he has lived on Mullen Way for over thirty years. He’s tried to find another street in Edgartown like Mullen Way. He feels this special place needs protection; it’s part of the fabric that creates the character of the Vineyard.

Ron Montorosso handed out a summary of his presentation.
• The proponents are asking for a direction from the Commission to the Edgartown boards that would promulgate regulations that would prohibit any further extension of Mullen Way of more than 50 feet.
• The proponents are trying to undo the mistake of making Mullen Way a public way that can be extended into further subdivisions.
• Proponents want:
  - regulations to limit extendibility of Mullen Way.
  - regulations to prohibit any widening of Mullen Way.
  - architectural regulations limiting the style to small bungalows and capes, consistent with existing architecture.
  - regulations to protect the second oldest house in Edgartown which is currently at the end of Mullen Way.
• He presented his argument for the Commission’s authority to approve the Mullen Way DCPC.
  - Because of the development possibilities, the existing regulations don’t protect the neighborhood. One project could increase the number of houses in the neighborhood by 53%.
  - The maximum number of lots that could be developed at the end of the road could be 14 lots, increasing the neighborhood by 100%.
  - The scale of the houses would be inappropriate.
  - The historic nature of the neighborhood is worth preserving.

2.3 Town Boards

Alan Wilson, Edgartown Planning Board Chairman explained the 6 DCPCs in Edgartown.
- The Coastal District is a special area that needs protection.
- Special Places District has historical significance.
- The Island Road District crosses the Island.
- The Cape Pogue District on Chappaquiddick has a special need for protection.
- The Katama Airfield is a sandplain.
- The Edgartown Ponds District is protected.
• For each of the DCPCs, the Planning Board has to have site plan review for changes.
• He believes a Mullen Way DCPC will not prevent a subdivision. The Planning Board can review the proposal and approve a subdivision. He feels that this is an inappropriate use of the DCPC designation.
• Another member of the Planning Board, Fred Mascolo, has told him that he is opposed to the designation.

Roger Becker, Edgartown Planning Board, said:
  • He is very interested in finding out whether the Commission feels that protecting neighborhoods street by street is appropriate.
  • He’s still up in the air; each neighborhood has particular things that need to be preserved.
  • Mullen Way residents should have the ability to protect themselves.
  • This may be the way to protect neighborhoods. But it really depends on the people being regulated and whether they’re willing to limit themselves in terms of a building moratorium, size limitations and the resultant property value.

Linda Sibley pointed out that the building moratorium is not necessarily a year; the process may move more quickly.

2.4 Public Comment

Pam Young, of Mullen Way, said her house is about 1000 square feet. When her grandchildren visit, they rent down the street; they walk and play on the street. She is concerned about traffic, speed, and safety if there were a development at the end of the road.

M.J. Rogers said the street is lovely and seems frozen in time.
  • The houses’ values aren’t necessarily about money; there is something to be said about the neighborhood.
  • There is the politics of fear; there’s been an argument about what if Mullen Way were to become a DCPC it would somehow set a precedent that would weaken the Vineyard. We are so much richer when we try to preserve history.
  • The proponents have definitely met the threshold for the criteria and she is hoping that the Commission will give the application consideration.

Nelson Smith said he is speaking in favor of a DCPC or some other mechanism that would adequately review and regulate development in a small neighborhood.
  • Officials will probably be looking at the same thing in other neighborhoods on the Island.
  • People will be buying up lots and houses so they can have access to interior lots. That’s a natural thing if someone has the opportunity, but the Island needs a better regulations framework to try to maintain a cultural community and existing neighborhoods and some quality of life.

Les McAndrews lives on the corner of Pease’s Point Way and Mullen Way. She and her husband have written a letter in support of the DCPC.

Bob Tersigni, Mullen Way, said he really enjoys Mullen Way.
  • He kept his property on Mullen Way because he likes the neighborhood.
  • An ambulance that came to his house had to back up the street because the street is so narrow.
  • A major development would be detrimental to the neighborhood.

David Young said:
• While Mullen Way is a very short street and only 17 feet wide, there are 25 entry points for bikes, cars, and pedestrians. The sightlines are not good.
• Any development that would increase traffic would have a significant impact and would deteriorate the neighborhood. The residents would end up bearing the cost of someone else’s neighborhood.
• The developers recognize that there’s a significant problem with the road and have sought other access.

Claire Thatcher said she is on the fence because she’s not sure what will happen if the DCPC designation goes forward. She loves the neighborhood and the house at the end. She can’t imagine it being changed into a thoroughfare or a big development.

Mike Kidder, Edgartown, said the original development is no longer on the table.
• He feels that the DCPC is an end run. At a neighborhood meeting he was told that it wasn’t the bungalows the DCPC would protect; the concern was preventing a large development.
• He doesn’t understand why the town boards can’t deal with the issues rather than making each neighborhood a DCPC.
• The nomination calls the Edgartown Planning Board unsophisticated; the Planning Board has done a fine job.
• The nomination is full of exaggeration.
• Is the DCPC the right thing or should some kind of Island-wide survey be done to determine what Islanders want to save?
• He hopes that DCPCs are saved for wider, bigger things.

Bill Pinney said that a lot of the support seems very personal; he asked whether Mullen Way is really more historical than any other street in Edgartown.
• The DCPC is the wrong approach for stopping a development. It would be appropriate if the DCPC were town or Island-wide.
• This doesn’t seem to have the same effect or connection as the other DCPCs.
• The designation also doesn’t take into account future residents of Mullen Way.
• The designation might have unintended consequences in the future that the Island doesn’t want.

Marcia Cini represents Mike Kidder.
• Kidder is the owner of the vacant land which comprises 2/3 of the designated area. He is not a professional developer and there is currently no plan for development.
• Only four Mullen Way residents signed the petition.
• There are houses built between 1958 and 2001 which range between 700 square feet to almost 3000, and range in value from $350,000 and $1 million.
• The bungalows are charming and she agrees that a house doesn’t have to be Federal style to be worthy of preservation.
• However, the DCPC criteria are the issue. Edgartown Planning Board does have the power to keep this neighborhood attractive and safe and provided supporting documents. That’s what planning boards do and this planning board does it well.
• It would be foolish to extend the Edgartown Historic District into this neighborhood. She suggested that establishing the boundary of a DCPC would be difficult.
• In terms of safety, it’s well-known that you can’t promote a hazard and ask regulators to protect the hazard. Out of scale developments are a problem but she encouraged Commissioners not to use the DCPC process in this way.
• This doesn’t fit the Special Places District qualifications.
• There will be another way to protect small neighborhoods.

**Berkeley Johnson** submitted a letter. His background is in planning and zoning.
• From a zoning standpoint, people who have bought property on Mullen Way have known the zoning.
• If the Commission gets into local planning and zoning, then Islanders will find they live on another Nantucket without diversity.

**Tom Teller** said he has lived on Mullen Way for 50 years.
• At that time, every house was occupied by year-round residents. Today only five houses are occupied year-rounders.
• Neighborhoods are made up of people, not houses.
• He urged Commissioners to not accept Mullen Way as a DCPC.

**Roy Langley**, Edgartown, said Mullen Way deserves every protection it can get, but it should be through the Planning Board and the court system.
• To decide Mullen Way is the only street that deserves protection is wrong.
• He pointed out that in the last five years, Edgartown has lost 400 home sites. The tax base in Edgartown has shrunk.
• The marketplace is going to determine the future of streets like Mullen Way.

**Suzanne Lanzone** said she would like the Edgartown Planning Board to do their job. As a realtor, she knows other equally sweet neighborhoods.

**Sam Feldman** started to speak about Michael Kidder’s character. Linda Sibley said it’s not appropriate to talk about people’s integrity or character; it’s only appropriate to consider the facts of the application.

**Mike Cook** said he was asked to send e-mails to Paul.

**Joe Derby**, Edgartown, said that the sad thing is how personal this is.
• He knows the street and loves it, but this proposal is wrong.
• If the residents of the street had read Chapter 831 and the DCPC requirements, they would see that their passion is misplaced. The zoning board has the responsibility to regulate the street, not the Commission.
• The Edgartown Community Development Plan that states that Mullen Way should be developed.
• He believes the Commission should say no and the Town Planning and Zoning Boards should stand up and do their duty.

**Linda Sibley** explained that each town developed a community development plan that included identifying areas appropriate for residential and development, commercial development areas, and areas appropriate for conservation. **Mark London** clarified that this is a macro study that outlined general areas based on a set of criteria; it didn’t look street by street or property by property. In general, in-town areas seemed more suitable for development than rural area.
Melissa Norton Vincent grew up on Mullen Way.

- Her grandfather ran a construction company with 25 men who traveled up and down the road in vehicles and they didn’t need the Martha’s Vineyard Commission to manage the road.
- People lived there year round and it was a neighborhood. Time has changed the nature of the neighborhood.
- There are other streets in Edgartown like Cummins Way that are similar. It should be the Planning Board and town’s decision how they are dealt with.

Bob Andrews, Edgartown, doesn’t support the DCPC nomination. He is an architect and has been involved for 30 years in planning and land use. The rules and regulations of the planning and zoning boards should deal with Mullen Way.

Siamak Adibi, Chappaquiddick, said he has only heard the question of traffic in relation to the DCPC. The proponents haven’t made a cohesive argument for any other reason. Building on Chappaquiddick shows that the Planning Board hasn’t been armed with enough rules to really regulate.

A Mullen Way resident who didn’t identify herself said the neighborhood meeting was also very disturbing for the Mullen Way residents who attended.

- The owner of the 7 acres said he wouldn’t discuss plans for the land until the DCPC was off the table.
- She said she, too, was sorry that he paid $6 million for the property but she doesn’t feel the residents should have to mitigate the burden.

Roger Becker said he wants to address the issue of the Planning Board’s regulatory power.

- He can truthfully say that the Planning Board doesn’t have much of a say to deal with what the proponents of the DCPC are looking for.
- He hopes that in the record, they could put the Edgartown Subdivision Control Law before the Martha’s Vineyard Commission so they could see what the Planning Board is looking at when they look at subdivisions.
- It looks at street safety, but it doesn’t say how it will protect tree overhang or limit size of the houses.
- The Planning Board would not have any architectural review over the proposed subdivision and the 8 acres.
- It would not have any control over density besides lot size.
- It would not have control over the number of bedrooms, except what the Board of Health required, which is 10,000 sq. feet per bedroom. On a 20,000 square foot lot, a house would get 6 bedrooms.
- The Planning Board could have the developer widen the road to the width of the right of way.
- Town counsel has said the Planning Board may or may not be able to require the developer to buy an additional ten feet of right of way on Mullen Way. The Planning Board has been advised that their powers in relation to the right of way are very unclear.
Linda Sibley said when the Commission designates a DCPC, the town then develops the regulations consistent with the intent of the district.

- The town has to vote the regulations just as they do any other zoning regulations with a 2/3 majority.
- The Commission doesn’t take over a district in the town; it gives the town the ability to develop certain regulations that might not be possible under the zoning enabling regulations. Once the town adopts the regulations they become part of the town by-laws and are administered by the town.

Roger Becker said the Planning Board couldn’t regulate architecture or lot size; that’s part of the state zoning laws.

Megan Ottens-Sargent said regulations could be adopted under Board of Health or historic legislation.

Linda Sibley said the Commission does have the authority to impose DCPC regulations, but it hasn’t in a very long time. When the town voted down the Chappaquiddick DCPC, the Commission rescinded it.

Jo-Ann Taylor said the regulations are developed by the Planning Board, Conservation Commission, Board of Health, and Board of Selectmen.

Eric Peters spoke against the designation; he doesn’t believe this street is more worthy of designation than any other and it would be more appropriate to designate a neighborhood than a street.

Megan Ottens-Sargent asked whether, under the Subdivision Control Law, the developer is required to widen the road. Roger Becker said the width of the road is under the purview of the Planning Board; sometimes narrower is safer.

There was a discussion of the justification for designation.

- Doug Sederholm said his recollection is that in order to designate an area as a DCPC the Commission has to specify why the area is of critical concern for the region.
- Ron Montorosso gave the following reasons.
  - The historic aspect is of critical concern for the region. It is a community that reflects the culture of Martha’s Vineyard; it’s a picture of the way that people think about the Vineyard.
  - Mullen Way is important to the economy and to preserving the Vineyard the way it is. These neighborhoods form the fabric of the Island. If the small areas are picked off one by one the character of the Vineyard will be gone.
  - There aren’t dozens of these neighborhoods any longer. Mullen Way is unique because of the width of the road and at the end of the road are 8.5 developable acres on which it is possible to build 8 to 14 houses at the end of the road.

Glenn Hearn suggested having the Planning Board and developer try to work it out. If they can’t, the Planning Board can then refer the project to the Commission. This developer isn’t going to try to put in 16 houses with squash courts and swimming pools. He was against the designation.
Linda Sibley clarified that a referral back to the Commission would be a discretionary referral and treated as a DRI.

Marcia Cini said that the owner of the 8.3 acres is fully committed to the Planning Board’s right to require adequate and safe access. She said the developer would figure out the right treatment for the ‘historic’ house and do it.

Ron Montorosso said that the goal is to allow only four lots and not to allow any extension of Mullen Way by changing it from a public way. He said they’ve been through the Planning Board process and they’re trying to protect the neighborhood as a whole. He’s not read that a requirement of a DCPC is related to the size of the area.

There was a discussion of access.

- Carlene Condon asked how the developer would propose to provide safe and adequate access on a 12 to 17 foot right of way.
- Marcia Cini said they are supporting the Planning Board’s right to require safe and adequate access.
- Mike Kidder said Andy Grant did a traffic study that was presented to the Planning Board. He added that on a small road people go slowly; on a big road people go fast. He added that in the previously considered development, they proposed doing the construction in the winter.

Linda Sibley closed the public hearing.

2. WOODLAND BUSINESS CENTER:DRI NO. 39M-2 – WRITTEN DECISION


Carlene Condon asked for clarification of the traffic description. Mark London said that the intention was to point out that the theoretically calculated delays would be on the Woodland property, which is private property, as opposed to a delay on a public street as had been the case with a proposal across the street.

John Breckenridge suggested more specific language in Section 4.6 than stormwater maintenance such as maintenance schedule or maintenance contract. Mark London suggested that schedule or maintenance be added in brackets.

John Best said he sees no reference to the energy policy. A statement that the applicant will come back to the LUPC with an energy conservation plan was supposed to be included in the written decision. Mark London said that this was an oversight and staff would add the energy conservation statement at Section 4.8.

Carlene Condon moved, and it was duly seconded, to accept the written decision with the findings and conditions as set out in the document of August 24th with the changes as discussed. A roll call vote was taken: J. Athearn, J. Best, J. Breckenridge, C. Brown C. Condon, M. Ottens-Sargent, D. Pigeon, J. Powell, L. Sibley. Opposed: None. Abstentions: None. The motion passed.
3. MULLEN WAY DCPC: DELIBERATION & DECISION


Katherine Newman said she’s heard the issue of preserving character and the issue of why just Mullen Way. She wondered if there’s some way in the future to bring the issue to the Island Plan Committee and identify the neighborhoods on the Island that are worthy of the same kind of protection before development becomes the trigger for protection.

Jim Athearn said he agrees that deliberation through the Island Plan is a good thing.
- The preservation of this neighborhood is a good thing; there are dozens of other things that are worthy of consideration as well.
- In talking to people around the Island, he’s surprised at how much the rebuilding of houses bothers people, more than the environment or open space.
- If the DCPC regulations were tossed back to the town, it would be helpful to the Island Plan to see what the town might come up with. However the chance that the town would approve a DCPC for Mullen Way is unlikely.

Christina Brown said there are many neighborhoods on the Island that are experiencing a lot of change.
- She is impressed with the range of people who signed the petition and imagines they were signing it thinking of their own neighborhoods.
- She thinks that a working group under the Island Plan umbrella would be appropriate to examine the issue of neighborhoods.
- She urged and invited people to help determine how traditional neighborhoods should be defined and how to preserve their unique characteristics. It’s not fair to ask one planning board to create the regulations.

Carlene Condon said she usually has clarity at this point in the deliberations but is having more difficulty coming to a decision.
- The Commission has heard testimony that the Planning Board should deal with development on Mullen Way, but they’ve heard that there’s not a lot the Planning Board can do to maintain the integrity of the neighborhood and what’s special about it.
- She can’t picture a large development co-existing with this narrow street, but she struggles with designating this street a DCPC.

Ned Orleans said he would like to see the Commission preserve unique neighborhoods across the Island but he would submit that the Commission hasn’t defined ‘unique’ and doesn’t know what the process should be for defining and preserving unique neighborhoods.
- Designating a DCPC doesn’t seem the right thing.
- If this will be under the aegis of the Island Plan, it needs people who are interested in defining unique neighborhoods.
- Doing it one neighborhood at a time doesn’t seem the right way.
Christina Brown, responding to Carlene Condon, said, if the vacant land is developed, the Town could send the project to the Commission as a discretionary DRI referral.

Megan Ottens-Sargent said the letter from Edgartown Police Chief might not support the mitigation of two traffic turnouts; if the police chief objects to a plan, what does the Planning Board do? Christina Brown said that in 23 years, this is the first time she’s seen a letter like this from the police.

Megan Ottens-Sargent asked Jo-Ann Taylor about the option of the Commission finding that the neighborhood might belong to a new special neighborhoods district, allowing Mullen Way to become the first neighborhood to be protected. Jo-Ann Taylor explained that there is a precedent for a single area to be nominated as part of a larger designation; other neighborhoods could be added with a similar process.

Chris Murphy said the issue reaches out to more than Mullen Way and that can be dealt with through the Island Plan.
- If the Commission approves the nomination of the DCPC, the clock stops for any further development in the neighborhood.
- The vote seems to be whether the Commission finds it necessary to stop the clock while the Island Planning Committee discusses the issue.

Martin Crane said if Mullen Way is designated a DCPC, then the Commission is setting a precedent unless there are specific unique characteristics of the designation, and he did not hear special and unique characteristics. Chapter 831 is a special piece of legislation that was given to balance preservation and development; this DCPC designation would dilute the power of Chapter 831. To be proactive, look at the issue Island-wide.

Doug Sederholm agreed with the general sentiment that’s been expressed.
- The problem is that the proponents have identified a very important issue, but designating Mullen Way as a DCPC isn’t the right vehicle for protecting the neighborhood.
- Creating an Island-wide Neighborhood DCPC might have a lot of value to the Island. In designating a DCPC, the Commission could specify why the area is of critical concern to the region.
- But standing alone, Mullen Way is not of critical concern to the region; it is when it’s looked as a piece of the fabric of the dozens of other neighborhoods.
- It doesn’t mean that the people in the neighborhood don’t have recourse. The Planning Board has the ability to refer development to the Commission as a DRI and the Commission has the ability to deal with traffic.

Jim Athearn said the one thing he’s seen that’s unique is the 17 feet way on a dead end street that’s also a public way.
- He’s not sure that the Commission or a committee can plan Island-wide for all the special characteristics of the Island neighborhoods.
- Mullen Way might have to be addressed as Mullen Way, just as Music Street is addressed as Music Street.
- This is important work to do.
Kathy Newman said the one thing that’s good about this process is that everyone is thinking about Mullen Way and future development can be reviewed as a DRI.

John Breckenridge said everyone has said that a DCPC designation can’t be treated lightly.
- He has great difficulty setting aside compassion for the residents and the simplicity and symbolic quality of Mullen Way, but he has equal difficulty applying the regional extraordinary unique standard that would qualify Mullen Way as a DCPC.
- He doesn’t feel comfortable saying that Mullen Way can be the cornerstone of that standard for neighborhoods.

Andrew Woodruff said he’s never been more torn about a decision.
- He doesn’t think that designating Mullen Way will stand the test of the DCPC process.
- If true, it makes him uneasy that there are only four signatures from the Mullen Way neighborhood.
- He is inclined to support the designation but isn’t sure.

Linda Sibley said she doesn’t think this will stand the test of the DCPC process.
- This has clearly touched a nerve. People are really concerned about seeing neighborhoods altered.
- Doing this wrong could be a catastrophe.
- Criteria have to be developed. They have to be things that make planning sense.
- She is worried about what happens to Mullen Way but she’s worried about what happens to all the neighborhoods and has reluctantly concluded that a larger process would be better.

John Best said he couldn’t get comfortable with the designation.
- He has to rely on the fact that if a plan comes before the Planning Board and they have concerns, they will refer it as a DRI. He thinks it would be appropriate as a DRI.
- The one issue is the narrow road and the traffic.

Jim Powell said the Town of Edgartown has a precedent. He described a project in Edgartown in which town boards worked together to meet regulations.
- He wants the whole process to be encouraged and he wants to be proactive to protect all neighborhoods.
- He believes that the Planning Board and Mullen Way need to realize that the Commission is trying to work for the greatest good of the whole Island.
- The proposal doesn’t fit into the criteria as a DCPC but it might come back again as a DRI. Local officials need to hold the final decision.

Deborah Pigeon said she is very torn and isn’t ready to vote tonight.

Jim Powell moved, and it was duly seconded, that a vote be taken on the DCPC designation. A voice vote was taken. In favor: 11  Opposed: 3. Abstentions: None. The motion passed.

Jim Attearn moved, and it was duly seconded, to designate Mullen Way a DCPC.

Jim Attearn amended the motion that the Commission designates a Special Neighborhoods District of which Mullen Way is a member.
Linda Sibley suggested that she poll Commissioners whether they would consider voting yes on the motion so she can determine the process and length of the meeting.

Kathy Newman said the amended motion was not what she anticipated voting on.

Jim Powell moved, and it was duly seconded, to suspend the rules and extend the meeting until 11:15 p.m. In favor: 12. Opposed: 1. Abstentions: 0. The motion passed.

Jim Athearn withdrew his motion.


Christina Brown moved, and it was duly seconded, that the Commission, possibly under the aegis of the Island Plan, would put together a working group to examine the character of neighborhoods for the protection and preservation of neighborhoods and community character with a report with specific and concrete suggestions forthcoming in the next six months. In favor: 12. Opposed: 0. Abstentions: 2. The motion passed.

4. TOM’S NECK FARM SUBDIVISION: DRI NO. 483- REQUEST FOR EXTENSION


Jim Athearn moved, and it was duly seconded, to approve the request for extension for Tom’s Farm Subdivision. A voice vote was taken. In favor: 15. Opposed: 0. Abstentions: 0. The motion passed.

The meeting adjourned at 11:15 p.m.

Chairman

Date

Clerk-Treasurer

Date

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