



PO BOX 1447, OAK BLUFFS, MASSACHUSETTS, 02557, 508-693-3453
FAX 508-693-7894 INFO@MVCOMMISSION.ORG WWW.MVCOMMISSION.ORG

**Minutes of the Commission Meeting
Held on February 21, 2013
In the Stone Building
33 New York Avenue, Oak Bluffs, MA**

IN ATTENDANCE

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

P Tripp Barnes (E-Tisbury)	P James Joyce (A-Edgartown)
P John Breckenridge (E-Oak Bluffs)	- W. Karl McLaurin (A-Governor)
P Christina Brown (E-Edgartown)	P Jim Miller (A-Aquinnah)
- Tim Carroll (A-Chilmark)	P Ned Orleans (A-Tisbury)
P Madeline Fisher (E-Edgartown)	- Camille Rose (E-Aquinnah)
P Josh Goldstein (E-Tisbury)	P Doug Sederholm (E-Chilmark)
- 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)	

Staff: Mark London (Executive Director), Bill Venno (Senior Planner)

Acting Chairman Christina Brown called the meeting to order at 7:00 p.m.

1. MINUTES

Commissioners Present: T. Barnes, J. Breckenridge, C. Brown, M. Fisher, J. Goldstein, L. Jason, J. Joyce, J. Miller, N. Orleans, D. Sederholm, L. Sibley, B. Smith.

Doug Sederholm moved and it was duly seconded to approve the minutes of February 7, 2013 with the following corrections noted by James Joyce; lines 172, 374 and 376 should note that the statements were made by James Joyce. In favor: 11. Opposed: 0. Abstentions: 1. The motion passed.

2. VERIZON WIRELESS CELL TOWER-WEST TISBURY (DRI-640) CONTINUED PUBLIC HEARING

Commissioners Present: T. Barnes, J. Breckenridge, C. Brown, M. Fisher, J. Goldstein, L. Jason, J. Joyce, J. Miller, N. Orleans, D. Sederholm, L. Sibley, B. Smith.

Brian Smith, Public Hearing Officer continued the Public Hearing to March 7, 2013 without taking any oral testimony and without discussion.

Mark London noted that at the mid-hearing LUPC meeting on February 11, the Applicants indicated that they will make a new proposal for a 66-foot high tower located outside the Coastal District. The minutes of that meeting and the new proposal will be available on the MVC website.

3. COMCAST/NSTAR HYBRID UNDERSEA CABLE-TISBURY (DRI-641) CONTINUED PUBLIC HEARING

Commissioners Present: T. Barnes, J. Breckenridge, C. Brown, M. Fisher, J. Goldstein, L. Jason, J. Joyce, J. Miller, N. Orleans, D. Sederholm, L. Sibley, B. Smith.

Brian Smith, Public Hearing Officer noted that the MVC had received substantive written correspondence and he continued the Public Hearing to March 7, 2013 to receive oral testimony.

Mark London noted that the MVC had received several letters as well as extensive offers from Comcast on February 21, 2013, which will be available on the MVC website.

4. BARNES EVELYN WAY-TISBURY (DRI-411-M) CONTINUED PUBLIC HEARING

Commissioners Present: T. Barnes, J. Breckenridge, C. Brown, M. Fisher, J. Goldstein, L. Jason, J. Joyce, J. Miller, N. Orleans, D. Sederholm, L. Sibley, B. Smith.

Brian Smith, Public Hearing Officer closed the Public Hearing. He noted that the MVC has received the written offers but the Applicant wants to "tweak" the conditions before deliberation. The Post-Hearing LUPC meeting is scheduled for March 4 and the Commission's Deliberation and Decision is scheduled for March 7, 2013.

5. STAFF PRESENTATIONS ON PLANNING ISSUES

Commissioners Present: T. Barnes, J. Breckenridge, C. Brown, M. Fisher, J. Goldstein, L. Jason, J. Joyce, J. Miller, N. Orleans, D. Sederholm, L. Sibley, B. Smith.

Mark London noted that he and Fred Hancock want to schedule monthly reports for Commissioners on planning issues. The presentations will probably be about 15 to 30 minutes long and would be at the "regular" Commission meetings on the third Thursday of the month if possible. The aim is to start out with a series about the DRI Policies, to be followed with discussions of other planning issues.

The new Commissioners received a list and status report on DRI Policies as part of their Commissioners Handbook. Staff would like to update the other Commissioners' Handbooks, and will be sending them the latest Table of Contents so each Commissioner can identify what documents they need to update their Handbook.

The purpose of the DRI policies is to assist applicants in designing their projects and preparing their applications. The policies are largely based on how the Commission has treated various applications in the past. They are guidelines and are not absolute regulations. The current and planned policies are:

- Open Space Preservation Policy – need to update a map based on the latest analysis of open space significance in the Island Plan;
- Site Design and Landscaping Policy – adopted last fall;
- Energy and Environmental Building Policy;
- Water Quality Policy – needs to be updated;
- Affordable Housing Policy – the policy exists and work on draft revisions should be completed this year;

- Transportation Policy – there is no adopted policy; a draft policy was started a few years ago and needs to be completed;
- Building Design, Historic Preservation, and Archeology Policy –work should start this year.

Doug Sederholm noted that the MVC also adopted the Wind Energy Plan last fall.

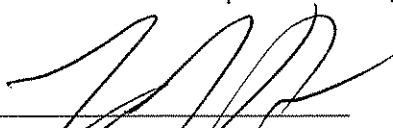
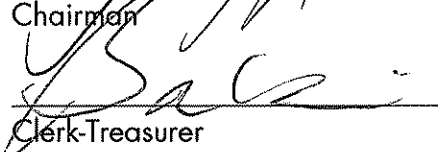
There was a discussion about the DRI policies.

- **Ned Orleans** wondered whether we should use the term policy or guideline. The purpose is to explain to applicants what the MVC policies are so the applicant can create their proposal within that framework if possible, and if not, there can be a discussion of the issue. In some cases, the Commission could modify the policy if needed. The Commission process should ensure that the applicant is informed about these policies.
- **Leonard Jason** felt that these were lists of suggestions that the applicant should follow, not regulations, and could be called concerns.
- **Christina Brown** noted that these might seem like regulations to some applicants.
- **Tripp Barnes** thought that the word policy conjures up a negative image with the public. Review of an application has to be case by case. Staff does a good job in walking applicants through the process.
- **Mark London** said that the DRI process starts with each new applicant coming for a staff-applicant meeting where staff points out to the applicant which policies pertain to the application. Staff makes clear that the policies are for guidance and are not regulations. He suggested that Commissioners read the box on the second page of each policy, which explains this. The policies should be revised every few years to reflect issues that arise. The Cape Cod Commission policies include mandatory minimum performance standards, while the MVC purposely did not do that.
- **Linda Sibley** said that the Commission goes around the the same circle over and over as to how the policies are named and used. No matter what they are called, they are policies built on precedent, to help the applicant understand what the MVC has historically been concerned with. This is much better than the alternative of not providing any guidance to applicants as they prepare their applications.
- **Bill Veno** noted that the policies are also a way to give some predictability to applicants and help provide some consistency to Commission decisions.

The meeting was adjourned at 7:35 p.m.

DOCUMENTS REFERRED TO DURING THE MEETING

- Minutes of the Commission Meeting – Draft, Held on February 7, 2013
- MVC Developments of Regional Impact – List of DRI Policies, Dated November 16, 2012

	3-14-13
Chairman	Date
	3-14-13
Clerk-Treasurer	Date