

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 October 16, 2014
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) | - Leonard Jason (A-County) |
| P John Breckenridge (E-Oak Bluffs) | - James Joyce (A-Edgartown) |
| P Christina Brown (E-Edgartown) | P Joan Malkin (A-Chilmark) |
| P Harold Chapdelaine (A-Tisbury) | P W. Karl McLaurin (A-Governor) |
| - Madeline Fisher (E-Edgartown) | P Katherine Newman (A-Aquinnah) |
| P Josh Goldstein (E-Tisbury) | P Doug Sederholm (E-Chilmark) |
| - Erik Hammarlund (E-West Tisbury) | P Linda Sibley (E-West Tisbury) |
| P Fred Hancock (A- Oak Bluffs) | P James Vercruysse (A-Aquinnah) |

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

Chairman Fred Hancock called the meeting to order at 7:00 p.m.

1. MINUTES

Commissioners Present: T. Barnes, J. Breckenridge, C. Brown, H. Chapdelaine, J. Goldstein, F. Hancock, J. Malkin, K. Newman, L. Sibley, J. Vercruysse.

Josh Goldstein moved and it was duly seconded to approve the minutes of September 4, 2014 as written. In favor: 9. Opposed: 0. Abstentions: 1. The motion passed.

Josh Goldstein moved and it was duly seconded to approve the minutes of October 2, 2014 as written. In favor: 10. Opposed: 0. Abstentions: 1. The motion passed.

Doug Sederholm joined the meeting.

2. HARBOR VIEW HOTEL – EDGARTOWN DRI 614-M3 MODIFICATION REVIEW

Commissioners Present: T. Barnes, J. Breckenridge, C. Brown, H. Chapdelaine, J. Goldstein, F. Hancock, J. Malkin, K. Newman, D. Sederholm, L. Sibley, J. Vercruysse.

For the Applicant: Sean Murphy (Lawyer and Agent).

2.1 Staff Report

Paul Foley presented the following.

- The packet on information contains the LUPC meeting notes, Conditions and Compliance, and the modification request.
- The modification request is to install stovetops and microwave/convention ovens in eighteen existing suite units.
- The sales of the Harbor View Hotel suites has been slower than expected as one of the main reasons is the inability to prepare meals.
- The MVC approved a two-phase \$55 million renovation of the Harbor View Hotel in 2008.
- On August 13, 2009 the MVC allowed the modification to switch the uses of the Penniman and Snow Cottages. This included removing the first floor spa and restrooms/storage from the approved Penniman Cottage and reconstructing the Snow Cottage to incorporate a new spa with an English garden instead of the approved two three bedroom condominiums and storage.
- The Land Use Planning Committee (LUPC) voted unanimously to recommend to the full Commission that the modification is not significant enough and does not require a public hearing as a DRI, and to approve the proposal.
- The original project has not been done so the applicant is not in non-compliance.

2.2 Applicant's Presentation

Sean Murphy presented the following.

- The eighteen units were already renovated prior to the modification request.
- The applicant is trying to sell the eighteen units and when sold the lender will free up more money to complete the project.
- The sale of the units is crucial to the renovation of the hotel. It is the suite sales that will provide the funding to renovate the remainder of the hotel property per the 2008 plans.
- The intent of the individuals buying the units is to use the units approximately three weeks. Potential buyers have balked about the inability to prepare meals and having to eat out all three meals each day.
- The applicant went to the Town and the Town said they needed to go back to the MVC.
- The modification is for 5 units in the Collins Cottage, 6 units in the Huxford Cottage, 3 units in the Luce Cottage, 2 units in the Osborne Cottage, and 2 units in the Rowley Cottage.

Linda Sibley moved and it was duly seconded that the modification does not rise to the level requiring a public hearing. Voice vote. In favor: 11. Opposed: 0. Abstentions: 0. The motion passed.

Christina Brown moved and it was duly seconded to accept the modification to install cooktops and microwaves in the cottages.

- **John Breckenridge** noted the motion should be specific to the eighteen suites in the five cottages.
- **Christina Brown** agreed to revise the language of the motion to include the eighteen suites in the five named cottages.

Roll call vote. In favor: T. Barnes, J. Breckenridge, C. Brown, H. Chapdelaine, J. Goldstein, F. Hancock, J. Malkin, K. Newman, D. Sederholm, Linda Sibley, J. Vercruysse. Opposed: none. Abstentions: none. The motion passed.

3. AQUINNAH LIGHTHOUSE MOVE C.R. 3-2014 CONCURRENCE REVIEW

Commissioners Present: T. Barnes, J. Breckenridge, C. Brown, H. Chapdelaine, J. Goldstein, F. Hancock, J. Malkin, K. Newman, D. Sederholm, L. Sibley, J. Vercruysse.

For the Applicant: Adam Wilson (Town Administrator)

Josh Goldstein questioned why the Commission was reviewing this again and thought it was a ridiculous waste of time. **Fred Hancock** said that the overall project was presented earlier to the Commission and it was explained that they would later be coming in for a formal decision on whether or not the move should be reviewed as a DRI; that is what the Commission is doing now.

3.1 Staff Report

Paul Foley presented the following.

- The trigger is 8.3 of the DRI Checklist.
- The packet of information includes the LUPC Meeting Notes, the referral letter, a letter to the VTA, a letter from the Tribal Historic Preservation Department, PAL scope, USGS survey letter, the consultant list, criteria, and the plan.
- LUPC recommends to the full Commission that the key issue of archaeology is being addressed by the appropriate authorities and the proposal does not require a public hearing review as a DRI.
- The site plan was reviewed.
- The lighthouse will be moved 135 feet away from the original location.
- The original stone foundation was found during a survey and it will be kept after the lighthouse is moved.
- The new site lies along a clay vein and will cause the least amount of disruption to the day-mark which is important for navigation.

Doug Sederholm advised the Commission that he represented the sellers of the lot which is now in the ownership of the Town of Aquinnah. It is not a conflict but he wanted to disclose that information to the Commission.

3.2 Applicant's Presentation

Peter Temple presented the following.

- He is the Chairman of the Planning Board and is not the applicant.
- The Planning Board met and referred the project to the MVC requesting that the MVC not concur.
- The Planning Board felt there are protections in place to protect the resources.
- The National Historic Preservation Act protection is also in place with the National Park Service.
- Everyone is working as a team to determine the best way to deal with the plan.
- There is a change to the plan which is an improvement. The change will let the applicant know if the areas are supersensitive or already disturbed. The Public Archaeology Laboratory (PAL) said the goal of the intensive (locational) archaeological survey will be to locate and identify any significant archaeological deposits that may be present within the proposed impact area. The intensive survey will also be designed to collect basic information on the locations and densities of cultural deposits within the project area and

make recommendations regarding the need for additional archaeological testing if necessary.

- All Island towns have voted to provide CPA funds therefore all towns have indicated their support for the project.

Adam Wilson presented the following.

- A presentation was done for LUPC on August 7, 2014.
- The Gay Head Lighthouse Committee submitted its recommendation for approval to the Aquinnah Board of Selectmen.
- It is felt that the archaeological issues are covered when it is time to proceed with the lighthouse relocation.

Doug Sederholm moved and it was duly seconded that the MVC not concur with the referral and let the Town of Aquinnah proceed with the project. Roll call vote. In favor: T. Barnes, J. Breckenridge, C. Brown, H. Chapdelaine, J. Goldstein, F. Hancock, J. Malkin, K. Newman, D. Sederholm, L. Sibley, J. Vercruysse. Opposed: none. Abstentions: none. The motion passed.

John Breckenridge noted the referral was a mandatory referral and for a Commissioner to make a comment about it being ridiculous is not appropriate.

4. SALTWATER RESTAURANT SEATS – TISBURY DRI 485-M8 MODIFICATION REVIEW

Commissioners Present: T. Barnes, J. Breckenridge, C. Brown, H. Chapdelaine, J. Goldstein, F. Hancock, J. Malkin, K. Newman, D. Sederholm, L. Sibley, J. Vercruysse.

For the Applicant: Sam Dunn

4.1 Staff Report

Paul Foley presented the following.

- The packet of information contains the modification request, LUPC meeting notes, the Tisbury Board of Health minutes, and a letter from the Tisbury DPW.
- Prior to Saltwater, the location was Soda Pops owned by the Zeltzers.
- Sam Dunn is selling the Saltwater restaurant to the owners of the State Road restaurant (the Kenworths).
- The applicant expanded the building and added 500 square feet and came back to the MVC and enclosed the outside patio increasing to 77 seats.
- The MVC approved the capacity of 77 seats and the current configuration. The capacity was based on five people sitting in the booths. He has found that six to seven people can actually fit in the booths and the buyer's attorney would like that detail included. The Kenworths want to make this official to guarantee that the restaurant can continue under their stewardship as it has under Sam Dunn's, to operate at an effective capacity of 82 seats.
- Sam Dunn submitted a letter to the Tisbury Department of Public Works and minutes of the Board of Health meeting of June 24, 2014. The letter from Glenn Mauk (Director of DPW) states that on March 16, 2009 the Sewage Review Board voted to approve a total flow of 1,725 gallons per day (gpd) for the restaurant and that sewer use billing records indicate

that the largest quarterly flow was 136,500 which averages out to 1,500 gallons per day. Mr. Mauk concluded that leaves 225 gpd that is not being utilized and therefore a request for more flow based on a slightly increased capacity is not necessary.

- The Board of Health, based on the letter from Mr. Mauk, approved the request for an increase from the approved allocation of 77 seats to 82 seats.

4.2 Land Use Planning Committee Report

Linda Sibley, LUPC Chairman said LUPC passed unanimously to recommend to the full Commission that the modification to allow a total capacity of 82 without adding seats or tables is not significant and does not require a public hearing review as a DR, and should be approved.

Josh Goldstein moved and it was duly seconded that the modification is not significant enough to rise to the level requiring a public hearing. Voice vote. In favor: 11. Opposed: 0. Abstentions: 0. The motion passed.

Josh Goldstein moved and it was duly seconded to approve the modification from 77 seats to 82 seats.

- **Christina Brown** said the LUPC recommendation was to approve from 77 seats to 82 seats without additional tables or chairs.
- **Sam Dunn** said if the Kenworths reconfigure the restaurant they want to know they can operate with the same number of people.
- **Joan Malkin** said LUPC noted the capacity is to remain the same.

Roll call vote. In Favor: T. Barnes, J. Breckenridge, C. Brown, H. Chapdelaine, J. Goldstein, F. Hancock, J. Malkin, K. Newman, D. Sederholm, L. Sibley, J. Vercruysse. Opposed: none. Abstentions: none. The motion passed.

Joan Malkin noted the problem of "incrementalism" needs to be addressed and suggested that the subject be discussed at a future DRI review.

5. BRENNAN MIXED-USE MARINER'S LANDING – EDGARTOWN DRI 648 CONTINUED PUBLIC HEARING

Commissioners Present: T. Barnes, J. Breckenridge, C. Brown, H. Chapdelaine, J. Goldstein, F. Hancock, J. Malkin, K. Newman, D. Sederholm, L. Sibley, J. Vercruysse.

For the Applicant: Mark Nicotera, Chuck Sullivan

Linda Sibley, Public Hearing Officer, opened the continued public hearing at 7:30 p.m. and noted that the MVC was informed by counsel that the original public hearing is valid since the correct map and lot number were posted.

Mark London noted that the public hearing was re-advertised, giving people who may not have been aware of the first session of the hearing to testify tonight.

Doug Sederholm recused himself as he is a direct abutter.

5.1 Staff Report

Paul Foley presented the following.

- The packet of information contains the MVC Staff Report and the project plans.

- The plans have been slightly revised with drainage and landscape.
- Key changes to the Staff Report include traffic.
 - With respect to parking, staff looked at the existing uses along Mariner’s Landing and the adjacent part of Mariner’s Way for parking needs and supply. Staff prepared a chart outlining the parking needs and the total demand is 71 spaces and the total supply is 83, so even with this project there seems to be adequate parking.
 - Delays at the Mariner’s Landing intersection are estimated to increase 1 second from 12 to 13 seconds and at Mariner’s Way to increase 1.1 second from 17.6 to 18.7 seconds, with levels of service respectively remaining at B and C.
 - At the “Triangle” intersection the project would generate an additional 5 trips toward Upper Main Street and 2 trips from Upper Main Street toward the project or an estimated increase of 1.4% in the PM peak hour at the “Triangle”. Although there is existing congestion at the “Triangle” intersection MVC staff considers the additional 7 peak hour trips to be negligible.
- At the last public hearing James Joyce had asked about the existing usage of the parking lot and it was reviewed on the site plan.
- It was asked at the last public hearing if the project was a DRI; the previous projects were denied twice and remanded twice so there was not a previous DRI.
- The site plan and elevations were reviewed.
- The abutter was concerned about the height of the project and a pole was erected and reviewed by the abutter with the applicant.

5.2 Applicant’s Presentation

Chuck Sullivan presented the following.

- There are no changes to the landscape plan. A 10 foot no cut buffer zone will remain between the residential area and the abutter. Any re-grading or landscaping that is disturbed will be redone.
- The building set back in the B-2 District is 10 feet.
- There will be small decorative ornamental shrubs for the parking lot as well as large evergreens.
- Only three handicap parking spaces are needed but there could be as many as five.
- The drainage and lighting plan was reviewed. All roof runoff will go into gutters and downspouts and into drainage pits located around the perimeter. Runoff will be taken care of on site. There are also existing catch basins in the driveway.
- Lighting is minimal and only what is needed by code.
- The light specification was reviewed for the deck and the lights will not face the residential area.
- Light specifications were shown for the commercial units and they are dark-sky rated. The bulb is fully covered.
- The fence to enclose the dumpster area is natural cedar.

John Breckenridge asked what plants will be between the two parking lots. **Chuck Sullivan** said the existing mature trees will remain.

Joan Malkin asked about the side door at the gable end of the residential units. **Chuck Sullivan** said it is a second means of egress from one of the units and there is no sidewalk leading to it. The door goes directly to that apartment and eliminates the need for a stair as well as the need to re-grade.

Joan Malkin noted the lighting on the outside porch is the smaller lights and asked what is being used on the two corners. **Chuck Sullivan** said motion-sensor-activated spotlights for security purposes.

James Vercruyse asked what the material on the ramp is. **Chuck Sullivan** said it is poured concrete and is also retaining for the loading dock. There is a trench drain at the bottom of the ramp.

Fred Hancock asked what the surface treatment is for the parking lot. **Mark Nicotera** said it is paved by the Bank and natural stone, crushed stone or pea stone elsewhere.

Mark Nicotera presented the following.

- The posed questions from the last public hearing were reviewed.
- Poles were put up and the applicant went with the abutter, the Schwartz's, on October 3, 2014 to review the height of the project. During the review a "hole" was found and Mr. Brennan offered to plant a ten-foot tree which was acceptable to the abutter.
- The abutter also asked for a chain-link fence along the back of the property to prevent animals coming onto their property and this was agreed to by Mr. Brennan.
- The applicant offered to the abutter that they can work with Mark Nicotera at any time on any concerns and they were pleased.
- The property was measured and the property line is 100 feet from the abutter's deck.
- The applicant has a very good working relationship with the Schwartz's.
- The hauling trucks that are currently on the property were a lease by the current owner and that will not go with the new project.
- The project has energy efficiency initiatives. Certificates have been issued that demonstrate that the applicants have committed to robust efficient construction. The current Town of Edgartown energy compliance requirements area HERS Score of 100. The residential spaces are modeled at HERS 51 without any offsetting components by the utilization of robust wall systems featuring continuous insulation, windows with an aggressive u-value and additional attic and roof insulation.
- HVAC noise pollution; a typical condenser is about 70 to 76 decibels and the brand that the project will be using is 58 decibels. As comparison a conversation is 60 decibels, a vacuum cleaner is 70 decibels, and a garbage disposal is 80 decibels. The equipment being used for the project is substantially quieter.

5.3 Commissioners' Questions

There was a discussion about a walkway.

- **Linda Sibley** noted the MVC Transportation Staff suggested a walkway be designated along Mariner's Landing between the proposed site and the Edgartown-Vineyard Haven Road to facilitate and encourage connections with the Shared-Use Path and transit.
- **Paul Foley** said the MVC cannot condition the walkway because it is not on the applicant's property.

- **Mark Nicotera** said it is a good suggestion and the applicant will do what they can and will look at it.

There was a discussion about the affordable housing contribution.

- **Katherine Newman** said the affordable housing contribution is \$7,000 and asked if Christine Flynn had made a suggestion.
- **Paul Foley** said the MVC generally looks at gross square feet in a mixed-use project.
- **Mark London** said that Christine Flynn has indicated that this is how the policy was applied in the past.
- **Mark Nicotera** said the applicant read the MVC policy and based the offer on the policy.
- **John Breckenridge** asked Mark London if he could have Christine Flynn check the square footage and prepare what the mitigation would be with the basement included as well as excluding the basement if it is being used as passive storage.

John Breckenridge asked if utilities are included in the rent. **Mark Nicotera** said the units are condominiums that the applicant will be selling.

Christina Brown asked if the two apartments that are going to the applicants will be solar.

Mark Nicotera said they are net zero and the other apartments will be built with the ability to hook into the solar.

Harold Chapdelaine said it seemed the units would sell at an affordable range and the applicant is bringing eight units to the work force so the project is a benefit to the community.

5.4 Testimony from Public Officials

Fred Mascolo, Chairman Edgartown Planning Board, said the Planning Board likes the project and is in favor. The Planning Board feels the project is low impact in a B-2 District and provides eight more units of housing that will be moderately priced. With regards to traffic concerns, there are 10,400 trips a day that go by the project so the addition of 7 more trips will not significantly impact the area. The benefits outweigh the detriments.

Bob Sparks of the Edgartown Planning Board said the Planning Board is pleased with the traffic, lighting and parking as well as the way the Schwartz's are pleased with the communication with the applicants. There will be follow through with the abutters and the project will have little impact on them.

5.5 Commissioners' Discussion

Linda Sibley noted that the offers are sprinkled throughout the report so she would like to have them as a list from the applicant and MVC staff can help with that.

There was a discussion of the process to review the project.

- **Mark Nicotera** asked what the process is going forward as winter is approaching and asked if the Commission could give the applicant any indication of the acceptance of the project so they could move forward with additional planning and design which is costly.
- **Linda Sibley** reviewed the process for the applicant. In summary the written record would be left open for one week, LUPC would meet on October 27, 2014 and Deliberation and Decision would be on November 6, 2014.

- **Joan Malkin** said she is only aware of one instance which sought a tentative review of what the Commission felt and wondered if that would be helpful for the applicant since it is not definitive.
- **Linda Sibley** said the MVC has a normal process to follow, and we should continue with the normal protocol.

Linda Sibley, Public Hearing Officer, closed the Public Hearing at 8:10 p.m. and left the written record open until 5:00 p.m. on October 21, 2014.

James Brennan said he would reach out to the abutter, Mr. & Mrs. Schwartz, about the close of the written record.

Josh Goldstein excused himself from the meeting and Doug Sederholm rejoined the meeting.

6. NOVA VIDA ALLIANCE CHURCH EXPANSION – OAK BLUFFS DRI 603-M2 WRITTEN DECISION

Commissioners Present: T. Barnes, J. Breckenridge, C. Brown, H. Chapdelaine, F. Hancock, J. Malkin, W.K. McLaurin, K. Newman, D. Sederholm, L. Sibley, J. Vercruysse.

3.3 Benefits and Detriments

Doug Sederholm suggested deleting the word “religious” on line 220 under section A1.

Doug Sederholm suggested deleting the word “all” on line 229, adding “at the time of construction” after building and on line 230 delete “at the time of construction” after nitrogen loading.

There was a discussion about section D.

- **James Vercruysse** asked if the MVC has the authority to allow or disallow a curb cut even though town zoning regulates this.
- **Linda Sibley** said the MVC does have the authority. It argued this question and voted on it.
- **Fred Hancock** said it is in the Island Road District.
- **Doug Sederholm** said as a DRI the MVC can make that decision, and then the applicant can go to the town.

5. Conditions

There was a discussion about section 3.3

- **Doug Sederholm** was curious and questioned the language “achieved” and questioned if the applicant shall do it this way or not.
- **Fred Hancock** said the original question was about having operable windows.

There was a discussion about section 3.15.

- **Fred Hancock** questioned the language “outside amplification”.
- **Doug Sederholm** said the language should be revised to “no amplification of sound outdoors”.

8. Traffic, Parking and Access

Joan Malkin noted that in the future, the language used for section 8.1 should be more specific and wondered what the current language really means.

9. Wastewater

Christina Brown suggested adding language to section 9. "installed at the time of construction".

Doug Sederholm noted "will" should be revised to "shall" throughout.

Linda Sibley moved and it was duly seconded to approve the Written Decision with the grammatical changes as noted. Roll call vote. In favor: T. Barnes, C. Brown, F. Hancock, K. Newman, D. Sederholm, L. Sibley, W.K. McLaurin, J. Vercruyse. Opposed: none. Abstentions: none. The motion passed.

7. LAGOON RIDGE SUBDIVISION – OAK BLUFFS DRI 464-M2 WRITTEN DECISION

Commissioners Present: T. Barnes, J. Breckenridge, C. Brown, H. Chapdelaine, F. Hancock, J. Malkin, W. K. McLaurin, K. Newman, D. Sederholm, L. Sibley, J. Vercruyse.

Fred Hancock noted that on line 42 "Form B" should be added after Applicant's.

2.1 Referral

There was a discussion about 2.1.

- **Christina Brown** questioned why the project took four years from May 2010 to July 2014.
- **Paul Foley** said the November 2013 date needed to be added.
- **Linda Sibley** said it is confusing and wasn't the prior project a much different project.

3.4 Benefits and Detriments Section A3

Joan Malkin noted that with regards to the impact on abutters, it was said that that issue would come back to the MVC in the Form C, and asked that this be added.

Fred Hancock said phasing is discussed further in the Decision.

Conditions Section 7 Wastewater

There was a discussion about section 7.1 and 7.2.

- **John Breckenridge** said that "and will have wastewater nitrogen reduction" in the last sentence is redundant to what is being said in section 7.1 which is more specific to avoid hauling onsite septic. He suggested eliminating that language in section 7.2.
- **Paul Foley** said Cluster B was not originally in section 7.1 and Cluster B was added in section 7.2.
- **Linda Sibley** asked if section 7.2 refers to the wrong cluster.
- **Joan Malkin** said there are 25 units in total and 21 have their own special systems and 4 other units are not in Cluster B so the section is confusing.
- **Paul Foley** suggested clarifying the language by adding 4 units to Cluster B and 17 units to Cluster C in section 7.1.
- **Linda Sibley** noted that among the 21 units on the nitrogen removal system, 4 of the units are limited to one bedroom.
- **Mark London** suggested adding the word "the" in section 7.1 "As offered by the Applicant, the..."
- **Paul Foley** noted there is no mention of Cluster A and there should be.
- **Joan Malkin** said it would be nice if the details were clear before the Form C.

- **Linda Sibley** suggested adding Cluster A as section 7.3 and then renumbering the rest of the sections for Wastewater.
- **Doug Sederholm** suggested revising the language as noted by Mark London and then delete the language in section 7.2 after "15,000 square feet".
- **Fred Hancock** read the final revised language for section 7.2.

Doug Sederholm suggested adding the word "effluent" before Testing in section 7.5. "Effluent testing shall be ..."

6. Conclusion Section 6.1 Permitting from the Town

There was a discussion about section 6.1.

- **Fred Hancock** questioned if the second paragraph makes sense since the project is a subdivision and a Form B.
- **John Breckenridge** suggested adding "Form B" after Applicant's in the second sentence.
- **Linda Sibley** suggested deleting the last sentence of section 6.1 and replace with "Form C must be referred to the MVC".

Linda Sibley moved and it was duly seconded to approve the Written Decision with corrections as noted. Roll call vote. In favor: T. Barnes, C. Brown, F. Hancock, J. Malkin, K. Newman, D. Sederholm, L. Sibley, W. K. McLaurin, J. Vercruysse. Opposed: none. Abstentions: none. The motion passed.

8. NEW BUSINESS

Commissioners Present: T. Barnes, J. Breckenridge, C. Brown, H. Chapdelaine, J. Goldstein, F. Hancock, J. Malkin, K. Newman, D. Sederholm, L. Sibley, J. Vercruysse.

8.1 Search Committee

Fred Hancock, Chairman appointed the members to the Executive Director Search Committee and read the section of the MVC By-Laws regarding vacancy of the Executive Director. The members for the Search Committee have all expressed an interest to be on the committee, namely: John Breckenridge, Josh Goldstein, Joan Malkin, Katherine Newman, Doug Sederholm, Linda Sibley, James Vercruysse and Fred Hancock. The first meeting date is to be scheduled and a draft notice will be issued to get the process going.

There was a discussion about public input.

- **Katherine Newman** asked if the Committee members receive input from all communities and how does that input get expressed to the Committee.
- **Fred Hancock** said the community can talk to their MVC representative and the MVC could hold a public meeting.
- **Joan Malkin** asked how that public input affects the appointment of an Executive Director and perhaps that can be explored at the first Committee meeting. There may be many ways to submit helpful feedback on the process.
- **Fred Hancock** noted the Search Committee will have advice from counsel on the interview process.

Linda Sibley said she was glad that Mark London gave the MVC a lot of warning about his departure but the Search Committee should discuss timing. The Open Meeting Law allows the initial screening to be in Executive Session but when put forward to the public, it puts the applicant in a position that their current employer will know they are job searching. The Committee should look at a calendar for scheduling.

8.2 Executive Director Report

Mark London said that next Wednesday there will be a presentation by the Commonwealth about the revisions to the Ocean Plan. During preparation of the first plan, the state identified two Wind Energy Areas; one right off of Gosnold and the other right off Nomans Land. The MVC's Wind Energy Plan, prepared a few years later, indicated that the two identified areas were problematic. The new Ocean Plan draft identifies the same problems the MVC had identified, but the two Wind Energy Areas are still in the plan. The MVC will reach out to the towns and interested people could attend the meeting and could ask for clarification of why these areas are still in the plan. The meeting is at 5:00 p.m. at the Katharine Cornell Theater.

Joan Malkin asked if the MVC will be targeting the people that know about the Ocean Plan.

Mark London confirmed they would.

Doug Sederholm asked if the MVC has veto power. **Mark London** said the MVC has power over Martha's Vineyard Wind Energy Area but not the Gosnold one; he has reached out to the Gosnold Board of Selectmen.

8.3 Reports from Committees and/or Staff

Planning and Economic Development Committee (PED)

Christina Brown, PED Chairman said PED met last week and the TIP and the Unified Planning Work Program were reviewed. Notes will be sent out with the information given at the meeting.

Finance Committee

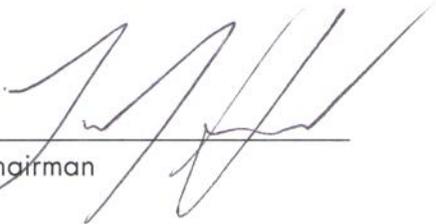
Harold Chapdelaine noted a meeting is scheduled for October 30, 2014 and he will be out of town for that meeting. **John Breckenridge** said the meeting has been rescheduled for October 28, 2014. There is a General Session with the town finance committees on November 5, 2014.

The meeting was adjourned at 9:15 p.m.

DOCUMENTS REFERRED TO DURING THE MEETING

- Minutes of the Commission Meeting – Draft, Held on September 4, 2014
- Minutes of the Commission Meeting – Draft, Held on October 2, 2014
- Martha's Vineyard Commission Land Use Planning Committee, Notes of the Meeting October 6, 2014
- Decision of the Martha's Vineyard Commission DRI 614 Harbor View Hotel Expansion
- Modification Request from Sean Murphy for the Harbor View Hotel, Dated August 4, 2014
- Town of Aquinnah Planning Board Review Committee Referral of Relocation of the Gay Head Lighthouse, Dated September 29, 2014

- Town of Aquinnah Office of the Town Administrator letter to the VTA, Dated October 3, 2014, RE; Lighthouse Relocation/Aquinnah Circle Rd Closure
- Tribal Historic Preservation Department Letter to the Save the Gay Head Light Relocation Sub-Committee Chairman, Dated October 6, 2014
- Letter to the Town of Aquinnah from PAL, Dated October 14, 2014, Intensive Archaeological Survey
- Letter to the Gay Head Lighthouse Relocation Committee from the United States Department of the Interior, Dated June 2, 2014
- Consultants and Advisors to the Save the Gay Head Lighthouse Committee
- Site Elevation under Selection Criteria for the Gay Head Lighthouse Relocation
- Plan Detail for the Gay Head Lighthouse Relocation
- Email to Paul Foley, Martha's Vineyard Commission from Sam Dunn, Subject: Saltwater Modification, Dated October 2, 2014
- Tisbury Board of Health Meeting Minutes, June 24, 2014
- Department of Public Works Town of Tisbury Letter to Sam Dunn, RE: 79 Beach Road Sewer Flow Request (Saltwater Restaurant), Dated June 23, 2014
- Martha's Vineyard Commission DRI #648 Brennan Mixed-Use MVC Staff Report – October 16, 2014
- Brennan Mixed-Use Plans and Elevations
- Mariners Landing DRI 648 Additional Information
- Draft Decision of the Martha's Vineyard Commission, DRI 603-M4 Nova Vida Alliance Church Expansion
- Draft Decision of the Martha's Vineyard Commission, DRI 464-M2 Lagoon Ridge Form B Subdivision



 Chairman

11-18-14

 Date



 Clerk-Treasurer

11-20-14

 Date