



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

**Minutes of the Island Road DCPC Committee Meeting
Held on October 20, 2011
Martha's Vineyard Commission, Stone Building, New York Ave.
Oak Bluffs, MA 02557**

8 **IN ATTENDANCE**

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

10 P Christina Brown (E-Edgartown) P Doug Sederholm (E-Chilmark)
11 P Erik Hammarlund (E-West Tisbury) P Fred Hancock, Chair (A-Oak Bluffs)

12
13 Staff: Jo-Ann Taylor (Coastal Planner, DCPC Coordinator), Bill Veno (Senior Planner)

14 Others: Ben Hall, Jr. (partial attendance latter part)

15 **Chairman Fred Hancock** called the meeting to order at 8:30 a.m.

16 **Fred Hancock** invited review of the draft minutes from October 13. **Erik Hammarlund** moved
17 to adopt the minutes as drafted. **Doug Sederholm** seconded. The motion carried
18 unanimously.

19 **Fred Hancock** began by stating that there is consensus that the District designation should be
20 amended from the original 1975 text, both to clarify that public access is not necessary in order
21 for the Commission to protect the character, and also to loosen up the uses a bit.

22 **Christina Brown** noted that the group had received draft text suggestions from Ben Hall, Jr.
23 She proposed 2 substantive items for discussion.

- 24 • The group discussed and rejected the suggestion to remove “common scheme ways”
25 from line 40.
- 26 • The group discussed and rejected the suggestion to strike bullet b at lines 112-116.

27 **Fred Hancock** invited discussion of whether or not to delete the paragraph at lines 59-66
28 beginning “Provided that the character of the Special Way is protected....”.

- 29 • The paragraph was apparently intended to differentiate between the Major Roads and
30 the Special Ways.
- 31 • It may not be needed.
- 32 • It refers to development outside the District, which may be confusing.

33 There was unanimous agreement to drop the paragraph.

34 **Fred Hancock** suggested including in Section 5.V.A. 2 a reminder that stone walls may not be
35 moved, removed or otherwise altered, except for repair, except by Special Permit, per Section
36 5.III.A. regarding guidelines applicable in both zones. There was consensus to include a note to
37 that effect at the end of line 95.

38 There was also discussion regarding that same section about why lesser setbacks may be
39 allowed by Special Permit for certain fencing on lots less than one acre in size.

- 40 • The smaller lots may not have room to buffer the full 20 feet.
- 41 • The larger lots are then left to bear the brunt of turnouts, drainage swales, etc.
- 42 • There was discussion of this number in 2007, and staff data provided.

43 There was consensus to leave the number at “less than one acre” for hearing.

44 **Christina Brown** asked for a definition of “impervious material” regarding the prohibition on
45 paving. It may be desirable to elaborate in Section 5.V.B Uses.

46 There was discussion of bullet b in Section 5.V.B. regarding allowing vehicular use as
47 Permitted if the Special Way was the only legal means of access, lines 107-111.

- 48 • In 1975, the Permitted Uses were those which did not result in direct vehicular access.
49 The Uses allowed by Special Permit were those which DID result in direct vehicular
50 access.
- 51 • The draft amendment would loosen up the repertoire of Permitted Uses by identifying
52 instances where vehicular travel would not require a Special Permit.
- 53 • It would be difficult for the landowner to prove that there is no other access (proving a
54 negative).
- 55 • There was discussion of having the Planning Board or MVC review whether or not the
56 Special Way was the only legal access. It was noted that introducing a review board
57 would take the use out of the realm of Permitted Uses.

58 There was consensus to move the example (e.g..) to the end of the bullet and leave the bullet
59 in to be revisited.

60 **Fred Hancock** directed the Committee, for homework, to be prepared to continue discussing
61 Uses.

62
63 The meeting was adjourned at 10:03 a.m.
64

65 Jo-Ann Taylor

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67 Next meeting: Thursday, October 27, 8:15 a.m.

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69 DOCUMENTS REFERRED TO DURING THE MEETING

- 70 • Island Road DCPC Committee **Draft** Amendments For Discussion Purposes Working **Draft** 10 14 11
- 71 • 2008 Amendments (negated in the “Judgment”, continued defense by MVC)
- 72 • 1975 Decision of the MVC Designating the Island Road District as a DCPC
- 73 • Critical Planning District Qualifications
- 74 • Chapter 831 of the Acts of 1977 as amended
- 75 • Minutes of October 13, 2011 (approved and finalized during the meeting)