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Minutes of the Commission Meeting Held on November 2, 2017 In the Stone Building 33 New York Avenue, Oak Bluffs, MA

IN ATTENDANCE

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

P Gail Barmakian (A-Oak Bluffs)	- Michael Kim (A-Governor)
P Trip Barnes (E-Tisbury)	- Joan Malkin (A-Chilmark)
P Christina Brown (E-Edgartown)	P Katherine Newman (A-Aquinnah)
- Peter Connell (A-Governor; non-voting)	P Ben Robinson (A-Tisbury)
P Robert Doyle (E-Chilmark)	P Doug Sederholm (E-West Tisbury)
P Josh Goldstein (E-Tisbury)	- Linda Sibley (E-West Tisbury)
P Fred Hancock (E-Oak Bluffs)	P Ernie Thomas (A-West Tisbury)
- Leonard Jason (A-County)	P Richard Toole (E-Oak Bluffs)
P James Joyce (A-Edgartown)	P James Vercruysse (E-Aquinnah)

Staff: Adam Turner (Executive Director), Bill Veno (Senior Planner), Paul Foley (DRI Planner), Dan Doyle (Transportation Planner).

Chairman James Vercruysse called the meeting to order at 7:00 p.m. and noted that the Dockside Inn, Oak Bluffs DRI 271-M Modification Review will go directly to a Public Hearing, date to be determined.

1. CHAPPAQUIDDICK PERMANENT TOWER-EDGARTOWN DRI 662-M CONTINUED PUBLIC HEARING

Commissioners Present: G. Barmakian, T. Barnes, C. Brown, R. Doyle, J. Goldstein, F. Hancock, J. Joyce, K. Newman, B. Robinson, D. Sederholm, E. Thomas, R. Toole, J. Vercruysse.

For the Applicant: Brian Grossman, Dan Goulet

James Vercruysse, Public Hearing Officer, opened the Continued Public Hearing.

1.1 Staff Report

Paul Foley presented the following:

- The correspondence sent to the MVC by 3:00 p.m. on November 2, 2017 was presented.
- The applicant has submitted a new possible alternative of a monopine.
- The proposal is to remove a 104 foot tall temporary monopole tower and an 84 foot tall WISP antenna and replace them by constructing, operating and maintaining a Personal Wireless Service Facility, including "without limitation" a 115 foot tall monopole with antennas and associated radio communications equipment.
- Zoning is R-120 Residential with a minimum lot area of three acres. Section 23.3 allows the Planning Board to "exempt the (wireless) installations from dimensional requirements..." provided they have "no material impact on the safety, health, general welfare and quality of life in Edgartown." The stated purpose of Article 23 is to enable adequate and comprehensive cellular phone service "while protecting the character of residential neighborhoods."

- Local permits required are a Special Permit from the Planning Board and a Building Permit for the structure.
- There is an existing WISP antenna that is 84 feet tall on the property.
- The applicant submitted an alternative proposal on November 1, 2017 for a 115 foot tall monopine in order to mask the antennas and appurtenances in a fake tree.
- The Applicant Narrative dated 9/21/17 lists the following equipment:
 - A 115 foot high multi carrier monopole tower (the “Tower”).
 - Nine panel antennas (3 per sector) mounted on a platform at an antenna centerline of 112 feet, 21 remote radio heads (7 per sector) mounted behind the proposed panel antennas.
 - Four surge arrestors mounted to the antenna mounting platform.
 - Cables running underground through the proposed conduit from the Tower to the existing building.
 - Radio communications equipment cabinets located within an existing building.
 - One GPS unit attached to the existing building.
 - Two HVAC condensers on a proposed concrete pad located to the rear of the existing building where AT&T’s radio communications equipment cabinets would be located.
 - A 100 kW shared generator within a 6 foot high stockade fenced enclosure.
 - Two omni, 1 AF5 and 6 sector antennas currently operated by MV WiFi, LLC will be relocated from an existing 84 foot guy wired tower to the proposed monopole.
 - Space for additional future co-locators: Verizon to be one carrier and there would be room for another.
 - AT&T reserves the right to change the manufacturer, make, model, type and operating characteristics of the antennas and any other equipment based on availability, price, performance and other considerations and in accordance with all applicable laws.
- The permanent tower is planned for AT&T with a spot for Verizon and another carrier in the future. The proposed facility is intended to help bring advanced and improved wireless telecommunication and information technologies to Chappaquiddick.
- The applicant estimates it would cost approximately \$50,000-\$55,000 to remove the tower.
- Key issues include:
 - Alternatives: The Alternative Analysis prepared by SAI Communications did not evaluate any properties under three acres. The analyses thus eliminated 284 properties under three acres from their review.
 - The Alternative Analysis indicated that two other properties were identified within their search criteria, and with which AT&T has the option to sign leases. However, the Analysis states that the 14 Sampson Avenue site is “the most feasible alternative that is most compliant with the Bylaw overall.” It does not say this is the best site or why this is more feasible than the other two sites.
 - A 2011 RF Engineering Report (S2712) also prepared by SAI Communications compared three town owned sites on Chappaquiddick: 294 Chappaquiddick Road (Map 34 Lot 238) a three acre site (approximately 800 feet from Sampson Way, elevation 19 ft), 29 Old Indian Trail (Map 34 Lot 247) a 7.7 acre site (elevation 41 ft) directly abutting 3 Majane Way (elevation 59 ft), and Litchfield Road (Map 35 Lot 11) a 12.3 acre site (elevation 50 ft). The report looked at towers at 120 ft to 150 ft tall.
 - The 2011 Report concluded that “Coverage analysis... shows Parcel 34-247 (Old Indian Trail) covers the widest area providing the best value of

the three candidates and would be ranked first with Parcel 35-11 (Litchfield Road) as a close second.”

- The Report recommended a 150 ft tall tower, but showed a small difference in coverage at Old Indian Trail Road between a 150 foot and a 120 foot tall tower.
- The Old Indian Trail Road site directly abuts, and is 18 ft lower than one of the two alternative sites (2 Majane Lane) that the applicant has the option to lease now.
 - If the primary argument in favor of a cell tower is safety, does Sampson Road supply the most coverage possible among the alternatives for Chappaquiddick?
- Location: Is this the best location with the most coverage for cell service for Chappaquiddick?
- Visibility/Aesthetics: Many correspondents, including proponents, have expressed concern with the appurtenances that would be added onto the tower for additional carriers and capabilities. Some have expressed a desire for a stealth monopole.
- Appropriateness: Does the proposal change the use of the property from residential to industrial?
- Incrementalism: The 104 ft tower was permitted on a temporary basis on the site where an existing 84 ft tall WISP antenna is located, and now provides the basis for the 115 ft tall permanent tower.
- Alterations: What would the process for adding carriers be?
- Fall Zone: The house on the property where the antenna is proposed is within the fall zone of the antenna. Several buildings on the abutting properties are just outside the fall zone.
- Noise: Generators for the project could impact the residential neighbors. If more carriers are added, would there be a need for more equipment that would generate more noise?
- The applicant has supplied a noise study indicating minimal noise. Some have expressed concerns that the generators and the HVAC system on the small lot may be audible beyond the property, especially if more carriers are added to the tower.
- Correspondence received by the MVC was listed in the Staff Report.
- The site was reviewed.
- A comparison was shown of the WISP antenna, the 104 foot monopole, and the appurtenances that have been a concern of some of the public.
- The alternative sites were reviewed on a plot plan of Chappaquiddick.
- Photo simulations were reviewed of the existing WISP antenna, the existing temporary tower and the proposed tower. Before and after views were shown with the monopole.
- The current coverage plan was reviewed.
- Photos from one of the opponents were shown demonstrating the tower visibility from various locations.

1.2 Applicants' Presentation

Brian Grossman presented the following:

- The applicants have focused on a new submittal, as it was heard from the public with regards to camouflaging the tower. This can be done with a monopine.
- Whether the tower is at Sampson Avenue, Majane Lane, or Jerimiah Road, AT&T will not propose a concealed monopole.

- AT&T is licensed for multiple frequencies that will all be utilized for efficiencies, so whatever is proposed, there will be external antennas.
- The monopine would help to conceal the attachments and still meet AT&T's objectives.
- The temporary tower was built on a temporary basis to provide service by Memorial Day 2015.
- One of the concerns that arose was why not leave the temporary tower. There is a short lease and AT&T does not have the ability to renew that lease. There is also not an option to decide unilaterally to leave. AT&T will not move into a long-term agreement that does not utilize all of its licensed frequencies and efficiencies.
- The applicants are trying to work with the Town of Edgartown to meet their needs, AT&T's needs, as well as the subscriber's needs.
- Going through the temporary permitting process should not be held against AT&T now. No one has come forward with a proposal other than AT&T. Verizon will co-locate, but will not construct their own tower to provide service for Chappaquiddick.
- One major difference between the temporary tower and the proposed tower is that it would allow for additional colocation, and the colocation of the Chappy WISP antenna.

Dan Goulet presented the following:

- Michael Kim wanted to know what the difference in coverage was for the temporary site versus the proposed site, and wanted that quantified.
- AT&T provided 3G service, and sometime after the temporary site, 5G became available so AT&T deployed 4G service.
- He showed the service coverage for 500 MHz and 700 MHz. On the coverage map, he noted that the green area is under the yellow area, and in the overlapping area there is 700 MHz coverage. As you move away from the site, the 1900 MHz signal gets weaker and it transfers to the 700 MHz signal. It disperses, so all users are not on the same signal, as that would become saturated.
- The coverage slightly expands for the permanent tower versus the temporary tower with the same frequency.
- With the permanent site, the radios can be located behind the antennas, so there is no loss with the coax cable running to the radios that are stored in the shed with the temporary tower.
- AT&T is no longer using 3G and is deploying 4G, but will keep 3G on Chappaquiddick. The 3G service would be moved over to the new tower.
- By confining AT&T to the existing tower as it is today, only 58% of the spectrum is being utilized.
- The proposed frequencies will help cover the summer traffic, both on the beaches on Chappy and on the water. They are trying to accommodate that and service will not reach saturation.
- The proposed site allows AT&T to use all available technologies.

1.3 Commissioners' Questions

There was a discussion about coverage area.

- **James Joyce** asked what the white area was on the coverage map.
- **Dan Goulet** said the white area is unreliable coverage. In the winter, a call could possibly be made in that area, but not in the summer.
- **Brian Grossman** said the 2011 study is six years old. There have been network changes for optimization and the study did not account for 3G network technology. A new study would be needed for the coverage objective as it is now. From that standpoint, the 2011 study is not effective for this proposal.
- **Adam Turner** asked if the applicants feel they have provided information that supports what has been said.
- **Brian Grossman** said they have.

- **James Joyce** asked if the cell service on the Edgartown side would be improved as well.
- **Dan Goulet** said on the beaches, yes. The Katama silo will fill in the area on the Edgartown mainland side, and some service would reach the southern Chappaquiddick beaches.
- **Brian Grossman** said the silo site has been figured in with the proposal.
- **Dan Goulet** said it covers the southwest coastline on Chappaquiddick.
- **Brian Grossman** said it is a side benefit that helps Edgartown.

There was a discussion about the monopine.

- **Ernie Thomas** asked for clarification on AT&T's position on the monopine.
- **Brian Grossman** said if the Planning Board and the MVC agree that it meets the objective, AT&T would agree to build the monopine. If it is decided that the original proposal is better, AT&T would do that. They are willing to build either.
- **Christina Brown** asked for a picture of the proposed monopine and asked if the antennas are within the fake foliage, and if the picture is of an actual tower.
- **Brian Grossman** said the picture is a photo simulation.

Gail Barmakian asked as technology changes, is it foreseeable that in the next five years the changes will affect the positiveness of this site. **Brian Grossman** said no, not with the way network development is working. This is a macro site where there are large service gaps. There are also small pockets without coverage. But overall, there is broad coverage with the macro site and the smaller in-fill sites. 3G and 4G is the most current technology that AT&T is using, but it will not overshadow the need for macro sites. The way the service is needed will not affect the construction of the site.

1.4 Testimony from Public Officials

Adam Darack was involved with the Chappy Cell Tower Committee for the Town of Edgartown. A million different options were examined, and there was a broad spectrum of people on the Committee. When AT&T started talking with Bob Fynbo, it somewhat ceased to be a Town project. But with this temporary tower, there is better service and provides service for safety reasons. If it helps to save lives, the tower is worth it.

1.5 Public Testimony

Dana Strayton was not opposed to the tower on Chappaquiddick, but would like the MVC to consider that this is not an appropriate location, and there are two alternative sites. There are a lot of woods on Chappaquiddick and plenty of places to put a tower, instead of in an area with 1,000 homes. Everyone wants safety, but there are better alternative locations. She does not want to live near it. The monopine would work well at the Majane site. She respectfully asked the MVC to not expose the neighborhood to this and to find a location that works for everyone that would achieve the coverage goal. She wants public safety for as many people as possible. The proposed location would destroy homes, property values, and the neighborhood. It would be 123 feet from her bedroom, and it is just not the right place. She asked the MVC to please be respectful of the neighborhood, and consider that this is not the best location.

Bob Gurnitz said wireless service on Chappaquiddick has been studied for seven years and many locations have been examined. AT&T's lawyer has said that this will not go on forever. No other carrier will come forward. The Fire and Police Chiefs have weighed in that this is essential for safety. This project needs to move forward.

Steve Tirrell said he was concerned about the location and the fall zone. Safety is a concern. The Town has properties where the tower could be located. AT&T is a multinational corporation that should not be allowed to set up business in a residential area. Chappaquiddick helps make the Island what it is with its nature, wildlife and peacefulness. Please consider locating this somewhere else. If you looked out your

bedroom window and saw this, you would want to move it. He is a cancer survivor, and to have this thing in such close proximity scares the hell out of him.

Robert Strayton opposes the cell tower. There are a lot of deficiencies in the application. He has spent 30 years as a communication consultant from Texan Instruments to smaller software companies. He has an in depth understanding of the business of telecommunications, even though his main focus was marketing and understanding the carrier business model. The carrier needs to show there are no other compliant sites. He has read the application several times and has studied it closely. What is clearly evident is that Sampson Avenue is not the appropriate location. It creates a safety hazard, and has regional impact on the surrounding neighborhood. It has a negative impact on the quality of life. There are leased alternative locations, so the Sampson Avenue site technically cannot be approved. There is no legal existing use at the Sampson Avenue property. There was not a DRI review or a public hearing in 2008 by the MVC for an 84 foot guyed tower, so it is an illegal tower. He is currently appealing the Town of Edgartown as the business and the tower are illegal. Siting and existing use for this proposal is totally flawed and fails to meet any standard. No Building Permit exists and no Special Permit exists. The Town and Mr. Grossman know there is no legal existing use. There are a number of deficiencies on the site, such as its size and the tight confines on the lot. He showed the plot plan: there are five buildings on the site on 0.55 acres; it is overcrowded. The locations of surrounding homes were shown. The tower would be 125 ft to 130 ft away from homes. The notion that this tower can't fall down is preposterous, he pointed out what has happened in Puerto Rico.

- **James Vercruysse**, Public Hearing Officer, asked Mr. Strayton to summarize.

The septic system was not shown on the plot plan. The property was sold in 2016, and it would have to be Title 5 compliant, but that has not yet been proven. The slightest change to location, equipment or enclosure obviates the sound study. He said Mr. Draper had been warned to not attend.

- **James Vercruysse**, Public Hearing Officer, said that last comment was out of line.
- **Trip Barnes** asked when he purchased his house.

Mr. Strayton said he is a resident of the Town and has rights like everyone else. He purchased his home before Trip Barnes could purchase it. A typical shelter HVAC load is 6 tons or 72,000 BTUs for one carrier. He showed the site deficiencies.

- **James Vercruysse**, Public Hearing Officer, asked for his information to be submitted in writing for the record.

Mr. Strayton said with all due respect, he requested time to present.

- **James Vercruysse**, Public Hearing Officer, said as the Public Hearing Officer and he can set the amount of time for testimony.

Mr. Strayton pointed out that Mr. Grossman has repeatedly stated the "without limitation" clause because they cannot list every nut and bolt; but they need to, as each has its own strength requirements and specifications. The majority of people live along the perimeter of Chappaquiddick. Sampson Avenue does not cover two other neighborhoods on the island, including the Katama side. There are a number of deficiencies and the site fails on so many levels. To approve this site would be problematic.

- **Adam Turner** asked if he presented anything different than what he has submitted for the record.

There is more information and he will submit it.

Katherine Newman asked Bob Gurnitz to clarify on his statement that he had done studies in Town and looked at a lot of sites.

Bob Gurnitz said the Town had various committees and he was on all of them. Town properties were examined, and there were objections to all of them. Art Smadbeck proposed the idea to approach Bob Fynbo. There was already a tower there, and the Committee was able to have some indication that Comcast would work to provide a fiber optic system. There are Town records that show study after

study, dating back as long as seven years ago. It was studied by Town Committees, the Town, AT&T and AT&T consultants. If more studies are requested, it will kill the project because AT&T will walk away. It is all in the Town records. This project should move forward.

Jessica Berk was present representing the Straytons. She spoke with Mr. Turner this morning (November 2, 2017). She distributed a packet entitled "Zoning Bylaw Analysis November 2017 Counsel for Dana and Robert Strayton." The position is that the proposal meets none of the Bylaws.

Kristy Rose works for the Town and recently bought property in the neighborhood. Not all of the neighbors are against the proposal. It is for safety and the convenience of making cell phone calls. She worked with the Town for years to try and use Town property to site a cell tower, but there were no responses. This is the one chance to get cell service on Chappy, and it is important.

Molly Pickett said this is our one shot to put it in a reasonable place, so everyone gets service. She walked to the Majane Lane site; it is well buffered and wooded. She asked the MVC to go look at that lot and to consider the tower at that location instead of the proposed location.

Claire Thatcher had no objections to the monopole where it is now, but she would prefer if it was shorter. She was not keen on a tall pole with things bristling out of it. She was concerned about safety, not about people having advanced coverage to watch movies at the beach. She wondered if there was some compromise on the height from what is being proposed. She did not feel it needed to be moved, but maybe not be as tall.

1.6 Commissioners' Discussion

There was a discussion about site locations and coverage:

- **Ben Robinson** asked why the Majane Lane site was not viable from AT&T's view.
- **Brian Grossman** said there would be 10.1% less coverage on Majane Lane. No site would cover all areas, but the Sampson Ave site would cover the most.
- **Dan Goulet** said we are not necessarily concerned about area, rather than population coverage. Being in a wooded area may be good from an aesthetic perspective, but not necessarily from a service perspective. The tower would be above tree line, but the user would not.
- **Brian Grossman** said the area is still residential on Majane Lane, and the introduction of a cell tower would be adding a new use to the area. There is not a build cost difference that is driving the decision for the location of the tower.
- **Ben Robinson** asked if coverage area was the only primary consideration for site choice.
- **Brian Grossman** said yes, as it relates to Chappaquiddick and the overall coverage objective.
- **Ben Robinson** asked if AT&T considered siting conditions on anything other than coverage.
- **Brian Grossman** said yes, and weighing all the factors, the existing tower would come down and be relocated onto the new tower. The existing antenna is already on the property, so the tower would not be introducing a new use to the area. AT&T would need to construct an access road for Majane Lane, when utilities are already on the proposed site. The project would also require an environmental impact study on Majane Lane.
- **Doug Sederholm** asked if there was any lease concerns for Majane Lane versus Sampson Ave.
- **Brian Grossman** said availability is not an issue, it is fully leased.

Kristy Rose asked if there has been an environmental study on Majane Lane. There is a moth habitat issue on Chappaquiddick. **Brian Grossman** said a fully committed study has not yet been performed.

Adam Turner said the Commission has received a lot of information in the last three days and staff has not yet examined it thoroughly.

There was a discussion about tower height.

- **Doug Sederholm** asked how tall the tower would be if sited on Majane Lane.
- **Dan Goulet** said the analysis was run for all sites at 115 feet, the same height as the proposed tower on Sampson Ave.
- **Doug Sederholm** asked if the 10% less coverage was based on the same height tower.
- **Dan Goulet** said it was.
- **Molly Pickett** asked if the height of the tower or height above sea level was measured, because it would be different for Majane Lane versus Sampson Ave.
- **Dan Goulet** said the topography of Chappaquiddick is not the same, so the line of sight would be shadowed. So we talk height above the line of clutter which is what impacts the signal. So different areas of the island are covered and other areas the coverage is lost.
- **Molly Pickett** asked if a graph could be composed to show apples to apples so it will be clear cut. We keep getting confusing stuff and it doesn't make sense and in my mind it doesn't support what you are trying to do. I think they can present the data in a much clearer way that shows differences and simulates in a clear way and how many people are served.

Doug Sederholm said when the applicants say there is a 10% difference in population, are they saying Chappaquiddick or Chappaquiddick and Edgartown? **Dan Goulet** said any of the residual coverage that went across the water to the Edgartown mainland was trimmed out, so the numbers being presented represent only Chappaquiddick. Three supplemental reports have been submitted, and these tools we submitted. It is the only way it can be done. Data cannot be compiled from every house. A prediction tool was used to make the presentations. He has tried to present as simply as possible.

Ben Robinson asked if a crane analysis was done for Majane Lane. **Dan Goulet** said it was not done. Once one site is tested with the crane, the tree characteristics do not change from Sampson Ave to Majane Lane. The applicants applied the proven model to every location on Chappaquiddick.

Gail Barmakian asked when you say 10% less coverage is that for residents and no beaches. **Dan Goulet** said that is the population of permanent residents on Chappaquiddick, not the summer population. The population is 170, so it is approximately 17 people. The number seems small, but the overall population is as well.

Dana Strayton asked if Majane Lane could be looked at more thoroughly to see what population that covers since the tower would blend in much better there. She did not think that has been explored enough.

James Vercruysse, Public Hearing Officer, continued the Public Hearing until November 30, 2017.

James Vercruysse, Chairman, recessed the meeting at 8:30 p.m. and reconvened at 8:35 p.m.

2. MINUTES

Josh Goldstein excused himself from the meeting.

Commissioners Present: G. Barmakian, T. Barnes, C. Brown, R. Doyle, F. Hancock, J. Joyce, K. Newman, B. Robinson, D. Sederholm, E. Thomas, R. Toole, J. Vercruysse.

Fred Hancock moved and it was duly seconded to approve the minutes of September 14, 2017 as amended; Fred Hancock said on line 457 to revise the word lumination with luminaire, Doug Sederholm said to delete the word "but" on line 494 and to add language on line 495 after applicants "will continue to use the older system and ...", Robert Doyle said to add the word "Light" after Cape on line 516. Voice vote. In favor: 9. Opposed: 0. Abstentions: 2. The motion passed.

Christina Brown said the minutes are really valuable to have and are well done.

3. OAK BLUFFS TOWN HALL-OAK BLUF DRI 678 WRITTEN DECISION

Doug Sederholm and Robert Doyle excused themselves from the meeting.

Commissioners Present: G. Barmakian, T. Barnes, C. Brown, F. Hancock, J. Joyce, K. Newman, B. Robinson, E. Thomas, R. Toole, J. Vercruysse.

Adam Turner said on line 95 to add section E8 to Other Exhibits, to the list of exhibits, a letter from Mike Santoro regarding Oak Bluffs Streets and Byways Committee review of the project.

There was a discussion regarding lines 187-191.

- **Adam Turner** asked if the MVC was comfortable with those lines 187-191. The way it is written is how it was voted on, but some Commissioners were not comfortable with it. This was part of the memo and what was voted on. It was in the Benefits and Detriments draft which had some staff recommendations and that is how it was voted.
- **Fred Hancock** said the temporary trailers should be stricken, as it was not part of the LUPC discussion or the Commission's discussion.
- **James Vercruysse** asked if a motion was needed to revise the decision because it was not specifically talked about, or because it was in the staff notes.
- **Ben Robinson** said if it was a new building on a new site it might be different, but it is specific to this project.
- **Gail Barmakian** said it should stay, it is descriptive and factual and should be left in.
- **Adam Turner** said line 187-191 is the language that was in the staff memo and was voted on.

Fred Hancock moved and it was duly seconded to remove the last line of line 190 to 191; "The Commission notes that the temporary offices during construction will increase activity and noise to an adjacent location." Voice vote. In favor: 2. Opposed: 7. Abstentions: 0. The motion did not pass.

Adam Turner said that the language on line 162 should be replaced with "With respect to Open Space, Natural Community and Habitat, the Commission finds that the Applicant's plans for several grassed and traditional landscaped areas distributed around the structure misses an opportunity to create more varied islands of habitat that might encourage a more diverse array of fauna." This replaces the impervious increase of 30% which was in the staff report, but wasn't stated in the draft adopted by the Commission. The above language was voted by the Commission. The addendum language is what was actually approved.

Gail Barmakian moved and it was duly seconded to replace with the addendum language. Voice vote In favor: 9. Opposed: 0. Abstentions: 0. The motion passed.

Adam Turner said on line 252, the language should be added after rain swales, "utilizing drought resistant plants" as it was discussed and incorporated into the benefits and detriments at deliberation.

- **Fred Hancock** said it should come back to the LUPC if it comes back for approval.
- **Adam Turner** said it has not been designed yet.
- **Paul Foley** suggested adding the boiler plate language with regards to approval.
- **Fred Hancock** agreed.
- **Fred Hancock and Christina Brown** said the final landscape plan needs to come back to the LUPC before the Certificate of Occupancy is issued.

James Vercruysse moved and it was duly seconded that the final landscape plan will come back to the LUPC for approval before the Certificate of Occupancy is issued. Voice vote. In favor: 9. Opposed: 0. Abstentions: 0. The motion passed.

Adam Turner said for line 259, to replace Planning Board with Town. It is recognition that other agencies might be involved.

- **Fred Hancock** said it was originally only Planning Board.
- **Gail Barmakian** said the Planning Board has jurisdiction.
- **James Vercruysse** suggested language: the appropriate body by the Town of Oak Bluffs.
- **Christina Brown** said it was certainly appropriate for the MVC to send it to the appropriate board of a Town.

Christina Brown moved to change the Oak Bluffs Planning Board to the Town of Oak Bluffs. The motion was not seconded.

- **Gail Barmakian** said it is a Planning Board decision.

James Vercruysse moved and it was duly seconded to change the language on line 259 to the appropriate board by the Town of Oak Bluffs. Voice vote. In favor: 7. Opposed: 2. Abstentions: 0. The motion passed.

Adam Turner said the Commission made a motion and it was adopted regarding Green Development, the language needs to be decided on to be added as line 264.

- **Ben Robinson** suggested revising the addendum language to: The Commission strongly recommends that the applicant look at and move forward to seek healthy alternatives with regards to green development and materials used internally such as natural fiber carpeting, wood flooring and no vinyl.

Ernie Thomas moved and it was duly seconded to approve the Decision of the Martha's Vineyard Commission DRI 678 Oak Bluffs Town Hall as amended. Roll call vote. In favor; G. Barmakian, T. Barnes, C. Brown, F. Hancock, K. Newman, B. Robinson, E. Thomas, R. Toole, J. Vercruysse. Opposed: none. Abstentions: none. The motion passed.

Christina Brown said it is important that the Commission makes decisions and sticks to them. e should take our time deciding on a verbal decision so the written decision is clear. All of the language should be discussed.

Ewell Hopkins asked to address the Commission.

- He has asked to address the board with a couple of questions from the Oak Bluffs Planning Board.
- Is it the expectation that no action take place until the 20 day appeal period lapses?
- The Planning Board is working hard to have a seamless transition from the town level and the regional level.
- What is the opinion of the Board? Are you comfortable with the applicant going forward with this Decision or are you expecting us to do due diligence especially since parking is with the Planning Board.
 - **Gail Barmakian** said she thought the Town process may take more than 20 days, so if there is an appeal, it won't disrupt anything.
 - **James Vercruysse** said he believed most applicants move forward as they deem fit. If you think it would be appealed then you need to consider that.
 - **Fred Hancock** said with the exception of parking, the rest of the project was approved unanimously; and in the Public Hearing no one spoke against it.
 - **Adam Turner** said there were many questions that were addressed, and the materials will also go along with the decision.
 - **Christina Brown** said the Commission's Decision gives the permission to the local boards to approve it and move forward. If there is a major change, it would come back to us.
 - **Ewell Hopkins** said there are some questions on siting.
 - **Christina Brown** said if you pick it up and turn it around you would come back to us.

4. NEW BUSINESS

Commissioners Present: G. Barmakian, T. Barnes, C. Brown, F. Hancock, J. Joyce, K. Newman, B. Robinson, E. Thomas, R. Toole, J. Vercruysse.

4.1 Executive Director Report

Adam Turner presented the following:


- He attended the Wampanoag Tribal Conference on environmental issues. It was very interesting in tackling issues, such as trying to restore rivers and keep tribal lands native.
- The Housing Production Plan was adopted in Oak Bluffs. He commended Ewell Hopkins for that. The decision in Oak Bluffs was tricky and adopting it was good work.
- There are two presentations from Wind Power and they want the MVC's support as they submit proposals to sell power to Eversource and National Grid. There will be a presentation by both wind developers.
 - **Gail Barmakian** asked why the MVC is deciding, when all factors have not yet been decided.
 - **Adam Turner** said they need to have their decisions to the Federal and State by the end of the year, so they are asking for our support. They are bringing the cable to Barnstable and not Martha's Vineyard.

Trip Barnes asked if the November 30, 2017 meeting was set. He will get 100 people to attend to support the Chappy tower and get this project done. Also, all are invited to the ribbon cutting at the airport next Thursday at 12 noon.

The meeting was adjourned at 9:10 p.m.

DOCUMENTS REFERRED TO DURING THE MEETING

- Minutes of the Commission Meeting – Draft, Held on September 14, 2017
- Martha's Vineyard Commission DRI # 662-M Chappaquiddick Permanent Wireless Tower MVC Staff Report - 2017-11-02
- C Squared Systems New Cingular Wireless PCS, LLC (AT&T) Comparative Information, Dated October 30, 2017
- DRI 662-M Chappy Permanent Tower Correspondence As of November 2, 2017 at 3:00 p.m.
- Decision of the Martha's Vineyard Commission DRI 678-Oak Bluffs Town Hall Draft and Addendum – Oak Bluffs Town Hall
- Zoning Bylaw Analysis November 2017 Counsel for Dana and Robert Strayton – Jessica Berk


Chairman

12.14.17
Date


Clerk-Treasurer

12-14-2017
Date