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## Minutes of the Commission Meeting Held on March 15, 2018 In the Stone Building 33 New York Avenue, Oak Bluffs, MA

### IN ATTENDANCE

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

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

Staff: Adam Turner (Executive Director), Bill Veno (Senior Planner), Paul Foley (DRI Planner), Christine Flynn (Economic Development and Affordable Housing Planner), Jo-Ann Taylor (Coastal Planner, DCPC Coordinator), Dan Doyle (Transportation Planner).

Chairman James Vercruysse called the meeting to order at 7:00 p.m.

### 1. MINUTES

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

**Fred Hancock moved and it was duly seconded to accept the minutes of January 5, 2017 as presented. Voice vote. In favor: 13. Opposed: 0. Abstentions: 0. The motion passed.**

**Fred Hancock moved and it was duly seconded to accept the minutes of April 13,, 2017 as presented. Voice vote. In favor: 9. Opposed: 0. Abstentions: 4. The motion passed.**

**Joan Malkin moved and it was duly seconded to accept the minutes of June 1, 2017 as written. Voice vote. In favor: 12. Opposed: 0. Abstentions: 1. The motion passed.**

**Fred Hancock moved and it was duly seconded to accept the minutes of July 13, 2017 as written. Voice vote. In favor: 11. Opposed: 0. Abstentions: 2. The motion passed.**

### 2. EAST CHOP BLUFF REPAIR-OAK BLUFFS DRI 679 DEIBERATION AND DECISION

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

#### 2.1 Land Use Planning Committee Report

**Richard Toole** said the LUPC made suggestions on how the construction would be scheduled.

**Fred Hancock** said that some adjustments to the language for the offers and conditions were made.

**Paul Foley** said the LUPC recommended approval of the proposal with the offers as clarified and conditioned. The packet of information includes the LUPC notes, draft offers and possible conditions, and draft benefits and detriments.

**James Vercruysse** said the Written Record was left open for the applicant to be able to address questions.

There was a discussion about the phasing plan and the condition of the site.

- **Paul Foley** reiterated the Phasing Plan as noted in 2.4 of the Draft Offers and Possible Conditions: "The Applicant shall submit a revised phasing plan for the review and approval of the MVC within two (2) months of securing their first round of funding. Such plan shall outline which portions of the full project scope shall be implemented, when the work shall be done, how the site shall be secured between construction seasons, and any modifications or other relevant changes to the plan."
- **James Vercruysse** asked if the phasing plan should come back to the full Commission.
- **Linda Sibley** said she thought it should come back to the full Commission.
- **Adam Turner** asked Carlos Pena if the existing condition of the bluff was changed after the recent storms.
- **Carlos Pena** said the section was weakened and now has completely let go. Now there is undermining where the pavement is and the vegetation is completely gone (he indicated the location on the photo of the site) and will eventually reach Harrison Avenue. The weakened area is now from Brewster to Harrison and we are working with the Town of Oak Bluffs addressing the safety issues.
- **Linda Sibley** asked if it would survive until the Town receives funding.
- **Carlos Pena** said some of the berm is built up on asphalt apron and will eventually work underneath the asphalt.
- **Gail Barmakian** said the road is closed both ways until further notice.
- **Doug Sederholm** asked if it was closed to pedestrians.
- **Gail Barmakian** said it was not.

## 2.2 Offers and Conditions

**James Vercruysse**, Chairman, led the review of the Offers and Conditions.

### Offers

The Commissioners agreed on the following offers as written:

- 1. Storm Water Management
- 2. Construction and Phasing; 2.1 and 2.2
- 3. Materials and Design: 3.1, 3.2, 3.3
- 4. Landscaping
- 5. Exterior Lighting
  - **Christina Brown** asked if this condition meant there would be no lighting while the work is being performed.
  - **Fred Hancock** said it was intended to restrict that there be no lighting for the project after the project is done.
  - **Linda Sibley** said the MVC conditions for lighting are never about the construction project; it is always about the finished project.
- 6 A.D.A. Accessibility

There was a discussion on offer 3.3.4 Materials and Design.

- **Christina Brown** asked if a time limit should be set for 3.4 “final plan specifications including materials shall be submitted for the review and approval of LUPC.”
- **Doug Sederholm** asked for clarification from the applicant.
- **Carlos Pena** said the final plans would be submitted before the project was put out to bid, so no major changes would occur.
- **Doug Sederholm** suggested adding that language to the end of the offer.

#### Conditions

There was a discussion about condition 2. Construction and Phasing, 2.3 and 2.4.

2.3: A final construction and materials delivery plan shall be submitted for the review and approval of the Oak Bluffs Board of Selectmen with the intent of minimizing impacts and erosion to East Chop Bluff.

2.4: The Applicant shall submit a revised phasing plan for the review and approval of the MVC within two (2) months of securing their first round of funding. Such plan shall outline which portions of the full project scope shall be implemented, when the work shall be done, how the site shall be secured between construction seasons, and any modifications or other relevant changes to the plan.

- **Trip Barnes** said the road is currently closed, and asked if that would continue.
- **Gail Barmakian** felt there should be flexibility with regards to the phasing and the construction schedule.
- **James Vercruysse** questioned the language in 2.3 “except in extraordinary circumstances.”
- **Robert Doyle** said that more flexible language could be used, so that if money is available, the work could be done. There is a collapsing system there.
- **Linda Sibley** said the reason for restricting the time of construction has to do with the amount of traffic on the road during the time frame and that was the reason for restricting. The applicant made the offer, and they can come back to the MVC to change it later if needed.
- **Gail Barmakian** said it does not make sense to restrict the construction, considering what happened in the last three storms.
- **James Vercruysse** said there was a lot of testimony about the traffic and concerns from the neighbors.
- **Doug Sederholm** said it would take one meeting for the applicant to come back to the MVC and ask to do the work in the summer. If there is a good reason, they will get expedited service from the MVC.
- **Robert Doyle** said you do not want to hire your workforce and say perhaps for two months or five months. They were worried about the traffic, but people will be more worried if they can't get to their houses and their houses become part of the erosion problem.
- **Linda Sibley** said the MVC had the Public record open and we had time constraints to make the changes.
- **Fred Hancock** said for the possible condition 2.4, what was testified to the MVC was that the initial work on the southern part would have the access road closer to Brewster and there would not be a need for access on the Monroe end until there was a need for it and funding was available for it. The biggest need is at the southern end and where the most erosion is and the Town would be able to get the funding for that. We would not want the northern end access built until there was funding received for that part of the project to be done so it would not be left with an access road (and no funding for that part of the project).
- **Christina Brown** asked Fred Hancock to word that condition for the MVC.
- **Fred Hancock** agreed to do so.
- **Gail Barmakian** asked if it could be shortened.
- **Fred Hancock** said the condition could be that the northern access at the Monroe Avenue end would not be put in until funding was received for that part of the project.

- **Christina Brown** asked if he was suggesting that the MVC puts the condition in.
- **Linda Sibley** said on the draft offers and conditions, if the language is “as offered,” it is an offer and everything else is a condition.
- **Gail Barmakian** asked if a condition can be added on top of an offer.
- **Adam Turner** said it can.
- **Fred Hancock** said the language for the condition can be: In phasing, the northern access shall not be built until the funding is in place for the northern project.
- **Carlos Pena** said the ramp would not be built until after the funding had been received.
- **Fred Hancock** said the MVC wants to be sure that there isn't a small amount of money and only a part is started.

***Fred Hancock moved and it was duly seconded to add to the condition 2.4 that in phasing the northern access shall not be built until the funding is in place for the northern project. Voice vote. In favor: 12. Opposed: 0. Abstentions: 1. The motion passed.***

There was a discussion about condition 3 Materials and Design 3.5.

3.5: The Applicant shall investigate the use of alternatives and exceptions with the Massachusetts Department of Transportation with regard to the proposed style of guard rail to see if there is a historic and more appropriate alternative for the Vineyard.

- **Fred Hancock** said this is a condition and it should say more than investigate. It should be investigate and report back to the MVC.
- **Christina Brown** suggested that it also state why it comes back to the MVC, such as for approval.
- **Robert Doyle** said the language should be investigate and present.
- **Fred Hancock** said it should be specified for approval by the LUPC or full the Commission.
- **Linda Sibley** felt the approval should be left to the Town.
- **Gail Barmakian** felt it was a local issue rather than a regional issue.
- **Ernie Thomas** agreed that it should be a Town decision.
- **Fred Hancock** said originally they would not have thought of it if the MVC did not bring it up.
- **Linda Sibley** said it is a regional issue. The MVC is responsible for scenic values and this is a highly visible scenic location.
- **Gail Barmakian** still felt that it was a Town decision.
- **Fred Hancock** said the Town has binding power as it is a Town project.
- **Doug Sederholm** said the question is should the MVC have the last word.
- **Gail Barmakian** asked why burden this project given the current situation, why make it any longer of a process.
- **Linda Sibley** said if it was brought back to LUPC it would not take long.
- **Adam Turner** said the applicant could report back to LUPC for approval.

***Fred Hancock moved and it was duly seconded to add to condition 3.5 to come back to the Land Use Planning Committee for review and approval for selection of the proposed style of the guardrail.***

- **Doug Sederholm** said since the Town is the applicant, it is probable that the MVC would show a measure of deference.

***Voice vote. In Favor: 6. Opposed: 3. Abstentions: 4. The motion passed.***

***Linda Sibley moved to add condition 2.1a. To have construction during the summer months to prevent deterioration of the bluff.***

- **Doug Sederholm** said the applicant is the Town of Oak Bluffs, and if they need to do the work they would address the issue with the neighbors.

***Linda Sibley said she revises her motion: To have construction in the summer months.***

- **Michael Kim** asked if the MVC could accept offer 2.1 given the current situation.

- **Christina Brown** said it could be a condition.
- **Liz Durkee** said flexibility makes a lot of sense, with the erosion we don't know what will happen.
- **Gail Barmakian** said the MVC should not accept offer 2.1, and allow the applicant to work during the summer months if they find it necessary.
- **Linda Sibley** withdrew her motion.

**Adam Turner** said the way to do this is to not accept the applicant's offer 2.1, and add what Gail Barmakian said to allow the applicant to work during the summer months if they find it necessary.

***Gail Barmakian moved and it was duly seconded to not accept the Applicant's offer 2.1 and add the condition that the Town may perform construction year-round if they find it necessary. Voice vote. In favor: 13. Opposed: 0. Abstentions: 0. The motion passed.***

## **2.3 Benefits and Detriments**

### Benefits

The proposed development at this location is appropriate in view of the available alternatives. The existing revetment is failing and needs repair.

The proposed development would have a beneficial impact upon the environment relative to other alternatives.

**Wastewater and Groundwater:** the proposal is intended to protect an essential bluff from eroding into the ocean. The proposal includes appropriate storm water drainage improvements using best management practices to minimize erosion.

**Open space, Natural Community and Habitat:** the proposal is to stabilize the Bluff and the public road, which would allow future generations to enjoy the signature vistas of Cape Cod, the Vineyard and Nantucket Sound.

**Night Lighting and Noise:** the plan does not include lighting.

**Energy and Sustainability:** if the bluff is not stabilized it will be in imminent danger of eroding away, particularly during large storms.

The proposed development would have a significant overall effect upon other persons and property.

**Traffic and Transportation:** without the proposed stabilization of the Bluff, the road could literally fall into the sea.

**Scenic Values, Character and Identity:** the proposal to stabilize the Bluff would allow future generations to enjoy the signature vistas of Cape Cod and the Vineyard and Nantucket Sounds.

**Impacts on Abutters:** the project is essential to protect the viability of the abutters' properties in the future.

**Construction Process:** the construction will be done in the off season and will avoid overburdening the road network near the Bluff in order to not exacerbate the situation.

**Affordable Housing:** the project will not have an impact on the supply of needed low and moderate income housing for Island residents.

The proposal will conform to the DCPC.

### Detriments

Issues revolving around the future use of the road were not considered as part of this review.

The proposal will be more visible than the existing revetment.

- **Doug Sederholm** said there won't be a bluff if it is not done.
- **Linda Sibley** said there will be short term negative effect with the traffic.
- **Fred Hancock** said being able to reopen the road will be a larger positive impact.

Impact on Abutters: the abutters have expressed some concern with increased public access to the stabilized bluff and improved access.

Construction Process: the construction and delivery of materials could impose upon the residential neighborhood or island roadways, and possibly exacerbate the erosion situation on the Bluff. The Commission noted that the project materials cannot be delivered directly to the site by water, and that the material delivery will result in many truck trips to the area.

- **Linda Sibley** said with respect to the construction process, the Commission sees the detriments, but she noted that the project needs to be completed to provide a benefit to the residents.
- **Adam Turner** said that will be included in the Decision.

#### **2.4 Commissioners' Discussion**

**Christina Brown** said with regards to lines 26 and 48 for the Draft Benefits and Detriments, it is good to note that the vegetation will be appropriate for the environment. **Gail Barmakian** said the vegetation that is there is hardy and it works, but it is not known how well the new vegetation will work under the conditions, so she suggested leaving lines 26 and 48 as written.

**Gail Barmakian** asked if the public can actually access the beach from the walkway. **Carlos Pena** said the walkway and access can be done like the Scituate Lighthouse where the stones are set. **Gail Barmakian** said that should be stipulated in the Decision, so the rocks are set in order to have access to the beach.

**Linda Sibley moved and it was duly seconded to approve the offers and conditions as clarified and the Benefits and Detriments as discussed. Roll call vote. In favor: C. Barmakian, T. Barnes, C. Brown, R. Doyle, F. Hancock, B. Robinson, D. Sederholm, L. Sibley, E. Thomas, R. Toole, J. Vercruysse. Opposed: none. Abstentions: none. The motion passed.**

### **3. OLD COURTHOUSE ROAD DEMOLITION-WEST TISBURY DRI 680 DELIBERATION AND DECISION**

*Commissioners Present: G. Barmakian, T. Barnes, C. Brown, R. Doyle, F. Hancock, M. Kim, J. Malkin, K. Newman, B. Robinson, D. Sederholm, L. Sibley, E. Thomas, R. Toole, J. Vercruysse.*

#### **3.1 Land Use Planning Committee Report**

**Richard Toole** said there was a discussion to highly encourage an attempt to recycle and reuse the old building before giving it the axe.

**Doug Sederholm** asked how big the lot is. **Jen Rand** said it is a half acre.

#### **3.2 Staff Report**

**Paul Foley** presented the following:

- The LUPC moved to recommend approval of the demolition with the offers as clarified and conditioned.
- The packet of information includes the LUPC notes, the Offers and Possible Conditions Draft, MACRIS information, the MVC Policy for DRI Review Demolitions, and the Policy Matrix.
- Jen Rand clarified that it is a municipal project, so the offer was shortened to "The Town will consider reasonable offers to move the building if the move can be done within the Town's schedule."
- For the Offers and Possible Conditions, 1.1, 1.2 and 2.1 are offers and 2.2 is a possible condition for the MVC's consideration.

### 3.3 Commissioners' Discussion

There was a discussion about DRI sunset status.

- **Fred Hancock** said at the LUPC meeting, it was discussed that because this is a DRI for purposes of demolition, the applicant does not need MVC permission to move the building. Should the Commission consider that the DRI status would sunset with the demolition of the building?
- **Doug Sederholm** said it would take a vote at Town Meeting to take it out of perpetuity.
- **Jen Rand** said on April 10, 2018, Town Meeting will vote to transfer care and custody to the Affordable Housing Committee. Perpetuity is a tricky word and legally, the covenants can only be 99 years.
- **Doug Sederholm** said for the government it can be forever.
- **Gail Barmakian** said the MVC needs to honor the wishes of the Town.

***Linda Sibley moved and it was duly seconded to approve the project with the offers and conditions as clarified.***

- **Michael Kim** said he went to the building today and he was a bit torn with the Commission prohibiting its demolition, because it is not that important to regional impact. But if it is to be affordable housing, the building should be kept because it is easy to do that with the building and demolition is not always the cheapest way to do it.
- **Linda Sibley** said in terms of the MVC decision making process, if the Town were to convert to affordable housing, all of the historic value would be gone.
- **Michael Kim** disagreed.
- **Ben Robinson** said they would only get two bedrooms if it was converted to affordable housing.
- **Linda Sibley** said to preserve the building she believes it would be to have someone move the building.
- **Trip Barnes** said he worked with the Agricultural Society to move the building and they passed because it would have to be remediated in order to do so. He did something similar behind his house so it is shame it could not be done with this building. They should build it into a house right there.
- **Doug Sederholm** said the proposal before the MVC is to demolish the building, and the only issue before the Commission is if it has historical value to prevent demolition. The creation affordable housing is not before the MVC.
- **Gail Barmakian** agreed with Linda Sibley and the MVC should move forward.
- **Adam Turner** said when considering demolition, the MVC considers history, culture, design and condition among other things from the Demolition Checklist and the Town is asking to demolish.
- **Linda Sibley** said the Town is asking to preserve to the extent that it is possible and the only thing historic now with the building is the two fire doors.
- **Paul Foley** said someone has submitted a picture of the original façade.
- **Linda Sibley** said the building has already been radically altered and that is what the Town treasures now.
- **James Vercruyse** asked if the MVC sunsets the DRI, is there anyway that Affordable Housing could not use it as affordable housing.
- **Christina Brown** said being a member of an affordable housing committee she knows that things can change.
- **Linda Sibley** said they would have to come back to the MVC.
- **James Vercruyse** said the offer says "intent."
- **Doug Sederholm** suggested changing the language of 2.2 to "as offered by the applicant."
- **Fred Hancock** said the Affordable Housing Committee could trade or sell the property.

- **Gail Barmakian** said it is a DRI because it is a historic building, but if it goes away what difference does it make.
- **Fred Hancock** said affordable housing balances the benefits and detriments of a project.
- **Christina Brown** said because affordable housing is such a benefit the MVC looks at that. The building has historic value. It served as the Town Hall and courthouse records were stored there. It is a shame we can't have both. The building is publicly visible and she will struggle with this decision. She asked if the applicant testified that there would be two bedroom affordable housing.

***Linda Sibley revised her motion and it was duly seconded to approve the demolition of the building with the conditions and offers and the DRI status will sunset once it is transferred to affordable housing. Roll call vote. In favor: G. Barmakian, T. Barnes, C. Brown, R. Doyle, F. Hancock, B. Robinson, D. Sederholm, L. Sibley, E. Thomas, R. Toole, J. Vercruyse. Opposed: none. Abstentions: none. The motion passed.***

#### **4. NEW BUSINESS**

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*Commissioners Present: G. Barmakian, T. Barnes, C. Brown, R. Doyle, F. Hancock, M. Kim, J. Malkin, K. Newman, B. Robinson, D. Sederholm, L. Sibley, E. Thomas, R. Toole, J. Vercruyse.*

##### **4.1 Executive Director Report**

**Adam Turner** presented the following:

- Since he has been at the MVC, there has been a desire to develop a statistical profile to keep track of statistics and data. We have never been able to do it. We recently hired Alex Elvin to turn the data into a statistical profile, and we can give that information to the Towns to review for accuracy, and once it is all done, the Towns will be able to use it.
- We are working with Eversource, and we commend them for their work during the storms to return power. With regards to herbicide use, this year we will call for mandatory collaboration with all Island towns and the elimination of two of the herbicides. If anyone has a concern on these positions he asked that they let him know.
  - **Joan Malkin** said this should be part of their portfolio so Eversource understands what is expected as their players may change.
- The Edey Grant has just been submitted, and have clarity on our nitrogen for 25 years and it will be on our website. We will have Falmouth over again this spring for a nitrogen presentation and also have other presentations on what has been done on the Island as well as in Falmouth.
- The Town of Edgartown has begun their review of Stop & Shop and there are a lot of questions. It has been continued to their next meeting on April 3, 2018.
- The MVC Decision on Chappy Wireless has been appealed.

There was a discussion about Santander.

- **Joan Malkin** asked what the status is on Santander.
- **Adam Turner** said we have concluded with them and they will replace the roof with tile to meet the historic value, and they also want to make improvements to the building.
- **Fred Hancock** said they have to come to the MVC for modification of our decision for roof tiles.
- **Adam Turner** agreed.
- **Doug Sederholm** asked if they dismissed the lawsuit.
- **Adam Turner** said they did.

##### **4.2 Reports from Committees and/or Staff**



## Scheduling

**Paul Foley** presented the following:

- The MVC meeting on April 5, 2018 is for two DRI decisions, and there is a planning meeting on March 29, 2018.
- Flat Point Farm was postponed and is tentatively rescheduled for April 12, 2018.
- Dockside Inn Public Hearing is scheduled for the April 5, 2018 MVC meeting, and a site visit needs to be scheduled.
- There is an application for a historic demolition for Green Avenue in Edgartown and the applicant is James Joyce. It will be reviewed at the LUPC on March 26, 2018.
- The Beach Road Shared Use Path was referred as a discretionary referral by Ken Barwick, and we have to decide if there will be a public hearing by April 12, 2018.
  - **Adam Turner** said DOT is the applicant and the State has been working on it for four years. Their 100% plan will be completed sometime in April, so we want to schedule with the final plan and documentation completed. It will probably go direct to a public hearing.
- Oak Bluffs Barn Bowl and Bistro is applying for a small addition to their kitchen.
  - **Fred Hancock** asked if the MVC changed their opening hours.
  - **Paul Foley** said the MVC amended the decision, but the Selectmen denied it.
  - **Fred Hancock** noted there was an ad for a 7:00 a.m. breakfast.
  - **Paul Foley** said the MVC allowed opening at 8:30 a.m. and extended an hour in the evening, but the Selectmen did not extend.
  - **Gail Barmakian** said she did not believe the Selectmen can deny, but the MVC can.
- There is a DRI for the Huseby Way affordable housing, the VTA solar is on hold and it should be back in April, there is an expansion for the Vineyard Assembly of God Church, and the Edgartown Marina is on hold.
- The Harborview Hotel has been sold, so that may come back to the MVC.
- Chambers ANR (Edgartown) is in a lawsuit so that is on hold until resolved.

## Proposed Legislation

**Bill Veno** presented the following:

- There is a Senate and House bill in conference. The Governor has submitted his bill, which addresses the affordable housing proposals of the other bills.
- They want communities to have multi-family zoning; 40,000 sf lot size to have subdivisions of five units or more to be clustered; to require by right with housing lots of 5,000 sf or larger to be able to have an accessory apartment and put provisions on occupancy, such as year-round or owner-occupied.
- The Governor's bill has the most oomph behind it, but everything is still in a big flux. They should move in April on the bills.
  - **Adam Turner** said they have not made zoning changes in over a decade.
  - **Gail Barmakian** said it also changes requirements for variances and this will allow discretion.
  - **Bill Veno** said one bill loosens up variances and the other bill you don't have to document.
  - **Gail Barmakian** said this basically allows a board to grant a variance for many things.
  - **Bill Veno** said this tries to make the vote a simple majority vote rather than a super majority vote.

**Adam Turner** presented the following:

- The Air B&B bill is still going through legislation. It was trying to tax properties in Boston, but the Cape and Islands will also have a lot of seasonal units, and there are various bills with several different definitions.
- One bill has a 5% tax added and the Cape and Islands have a proposal to add 2.75% for wastewater.
  - **Joan Malkin** said is Senator Cyr not sympathetic to the Island to have its own proposal.
  - **Gail Barmakian** said the Cape created this on its own and added the Vineyard as an afterthought. It basically creates a Trust and the Island would have six seats, which is about 25% of the vote, and all of the money goes to the Trust and we wouldn't necessarily get it back. The Cape's needs are greater than ours. They may possibly try to modify with a Sub-Trust. Senator Cyr understands the Island standard, but is not necessarily sympathetic to it.
  - **Adam Turner** said Senator Cyr said if we get a project we would get the money back and Adam said he asked about a separate Trust for the Island.
  - **Doug Sederholm** asked where the commonality is between the Capes' projects and ours.
  - **Gail Barmakian** said they said their concerns and needs are the same as ours and she took exception to that. As their concerns are sewerage and they have a 208 plan which we don't have.
  - **Adam Turner** said Senator Cyr is trying to fund the Cape's wastewater fund and says each town will get a vote. We will have six votes. There is commonality between the small towns.
  - **Joan Malkin** said we have a hard time dividing up money among six towns, can you image thirty towns.
  - **Gail Barmakian** said we can opt out bit it is more onerous than opting in.

#### Water Quality Policy

**Adam Turner** said this is a tremendously successful policy. The group has done a lot of very hard work on it. There will be a hearing about it on March 29, 2018.

**Doug Sederholm** said the Committee had to make difficult decisions. In order to protect the ponds, all development would need to be shut down, and that is extreme. This policy will do less damage; we have to be onerous and accept that.

**Joan Malkin** noted that on March 29, 2018 there will be a presentation not a hearing. **Adam Turner** corrected himself and said the public hearing would be held later.

**Doug Sederholm** said he will get the policy out to the Commissioners so they can review it and understand it.

**Gail Barmakian** asked that the Town Administrators and the Boards of Health be notified of the presentation.

**Doug Sederholm** reiterated that on March 29, 2018 it is a presentation and not a public hearing.

#### Off Shore Drilling

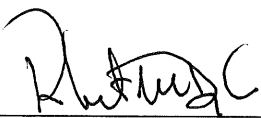
**Linda Sibley** said she is in favor of protecting our aquifer, but we also need to protect our fisheries so we need to address offshore drilling.

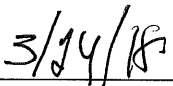
**Adam Turner** said he attended a session held by the CMZ and he has prepared a letter opposing offshore drilling, which will be sent to Commissioners for review, before being sent to the Governor. Everyone at the meeting was concerned.


The meeting was adjourned at 8:45 p.m.

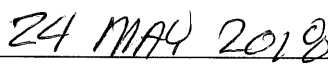
DOCUMENTS REFERRED TO DURING THE MEETING

- Minutes of the Commission Meeting – Draft, Held on January 5, 2017
- Minutes of the Commission Meeting – Draft, Held on April 13, 2017
- Minutes of the Commission Meeting – Draft, Held on June 1, 2017
- Minutes of the Commission Meeting – Draft, Held on July 13, 2017
- Martha's Vineyard Commission Land Use Planning Committee Notes of the Meeting of February 26, 2018
- Draft Offers and Possible Conditions DRI 679 East Chop Bluff Stabilization
- Draft Benefits & Detriments DRI 679 East Chop Bluff Stabilization
- Offers and Possible Conditions for Consideration - Draft or Deliberation DRI 680, West Tisbury Old Town/Fire Hall Demolition
- MACRIS Information for DRI 680, West Tisbury Old Town/Fire Hall Demolition
- MVC Policy for DRI Review Demolitions
- MVC DRI Demolition Policy Matrix
- MVC Strategies for Eversource 5 Year Vegetation Management Plan including Herbicide Functions & Concerns

  
\_\_\_\_\_  
Chairman  
Vice

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Clerk-Treasurer

  
\_\_\_\_\_  
Date