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Minutes of the Commission Meeting Held on September 6, 2018 In the Stone Building 33 New York Avenue, Oak Bluffs, MA

IN ATTENDANCE

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

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| - Gail Barmakian (A-Oak Bluffs) | - Michael Kim (A-Governor; non-voting) |
| P Tripp Barnes (E-Tisbury) | P Joan Malkin (A-Chilmark) |
| P 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) | - Doug Sederholm (E-West Tisbury) |
| P Robert Doyle (E-Chilmark) | P Linda Sibley (E-West Tisbury) |
| P Josh Goldstein (E-Tisbury) | P Ernie Thomas (A-West Tisbury) |
| P Fred Hancock (E-Oak Bluffs) | - Richard Toole (E-Oak Bluffs) |
| P James Joyce (A-Edgartown) | P James Vercruysse (E-Aquinnah) |

Staff: Adam Turner (Executive Director), Paul Foley (DRI Planner), Dan Doyle (Regional Planner).

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

1. NEW BUSINESS

Commissioners Present: G. Barmakian, T. Barnes, L. Brathwaite, C. Brown, R. Doyle, J. Goldstein, F. Hancock, J. Joyce, J. Malkin, K. Newman, B. Robinson, L. Sibley, E. Thomas, J. Vercruysse.

1.1 Executive Director Report

Adam Turner presented the following:

- One of the MVC attorneys, Johanna Schneider, is moving to another firm. She is more of a land use lawyer and a Commission lawyer than Brian Hurley who is a litigator. They each have their area of expertise and Brian is handling Santander for the Commission.
- He needs to explore the relationships and what he will do so he is giving the Commissioners a heads up.
 - **Josh Goldstein** said he has no problem with the MVC using multiple firms.
- Using multiple firms may happen but Adam is bringing it to the Commissioners attention and he will make a recommendation, and that may be exactly what will happen.
 - **Linda Sibley** said from her long experience at the MVC both of these functions are needed, but it is extremely important that we have an attorney that really understands Chapter 831 and our jurisdiction.
 - **Adam Turner** agreed.
 - **Christina Brown** said that Brian Hurley should be part of the discussion because he has been involved with the Commission for a really long time.
 - **James Vercruysse** said as the Executive Director, it is Adam's job to get the MVC legal counsel and to keep the Commissioners informed.

- The counsel is a pretty big deal and we have had long standing relationships with both of these people. We might have a slightly different relationship with these two people and we have been lucky so far that they have been in the same firm.
- Adam recognized Trip Barnes for receiving the Creative Living Award this year and said he certainly deserves it. Personally he can think of nobody better for the Island to recognize.
 - **Trip Barnes** said the presentation is on September 17, 2018 from 5:30 p.m. to 8:00 p.m. and all are welcome to come. There will be a lot of people there especially from his past!
- We had a public hearing on Beach Road in June and we did not publish any letters. We should develop a position on what the MVC position is so he is recommending to do so, and asking for approval to do that. We should put in writing what our opinions are and get it to the right people.
 - **Ben Robinson** said the Town is waiting to hear back from some of the land owners on their position and he is totally in support of the MVC issuing their position.
 - **James Vercruysse** said he is totally in support as it is an important project for the Island, it has a lot of regional impact and the MVC should weigh in.
 - **Christina Brown** said how the timing would work out if the Town doesn't agree. Does the money get lost for another long cycle?
 - **Josh Goldstein** said the money is lost forever.
 - **Ben Robinson** said the Town had already agreed to move forward with the project two years ago. Now it is the State following through with their land acquisitions, and then they go out to bid and it goes forward.
- The Airbnb bill was the MVC's first attempt at something like this. We met with the officials in Oak Bluffs and developed a position on the legislation, and we took our time and were deliberative. Our paper really moved a lot of minds and at the hearing it brought up a lot of issues. We are a regional body and Beach Road is a regional project so the position of this board should be heard. He would like for the Commissioners to agree on what the MVC position is and get it out to everybody.
 - **Linda Sibley** asked if the MVC will address the speed limits.
- The MVC may be the one to do the study and we have traffic counts that we did this summer. If the Commissioners are okay with staff and himself developing it, we will do that as we did with the Airbnb bill. The Commissioners agreed to have him move forward.
- There is a Statewide Municipal Partnership Conference. They have all kinds of strategies for resiliency, housing, economic development, innovations (for fiscal items) and computerization. If anyone is interested in going to please let him know.
- We will be looking at the traffic flow at the West Tisbury School and its design.

1.2 Reports from Committees and/or Staff

Leon Braithwaite asked why there is a restriction that we cannot call in for meetings. It has worked well for the JTC and other meetings.

Fred Hancock said it is in the bylaws that we cannot do that. The thought was that there were things that are picked up as Commissioners by being in the same room with the applicant that are not picked up if not in the same room.

Leon Braithwaite said in this time and year we should have someone be able to vote and participate remotely.

James Vercruysse said it could be good to have another discussion about it.

Adam Turner said maybe it can be put on a future agenda.

2. WINNETU ADDITION CONCURRENCE REVIEW DRI 6-2018-EDGARTOWN

Commissioners Present: G. Barmakian, T. Barnes, L. Brathwaite, C. Brown, R. Doyle, J. Goldstein, F. Hancock, J. Joyce, J. Malkin, K. Newman, B. Robinson, L. Sibley, E. Thomas, J. Verduynde.

For the Applicant: Mark Snider (Island Holdings LLC)

2.1 Staff Report

Paul Foley presented the following:

- The proposal is a three story 2,327 sf addition (920 sf new footprint) to house existing offices and massage and fitness room from across the street at Mattakesett to the hotel in order to provide new worker housing at Mattakesett.
- The location is 31 Dunes Road in Katama.
- It is zoned R-60 Residential and a Special Permit is needed.
- The site plan was reviewed.
- In the 19th century, the property was the Mattakesett Inn and it was a hotel. During World War II there were army barracks and a firing range, and then it became the Katama Shores Inn.
- The project will be 1,563 sf on the first floor, 130 sf on the second floor and 660 sf on the third floor for a total of 3,253 sf.
- The applicant will convert the existing building into four one-bedroom units and construct a new building for staff workforce housing, and another building with a one three-bedroom apartment for the workforce. They charge the workers \$150/week.
- There are 80 rooms in the hotel and a 145 seat restaurant.
- The project is out of public view.
- The footprints, elevations and floor plans were reviewed.
- The Winnetu has never been a DRI. This is a concurrence review, as it is an addition of 1,000 sf resulting in more than 2,500 sf and new construction of 2,500-3,500 sf.
- The LUPC voted to recommend to the full Commission that the project does not need a public hearing as a DRI as it is out of public view and the applicant is developing already developed land and they are moving functions so people do not have to commute so they are creating less trips.

2.3 Land Use Planning Committee Report

Fred Hancock said the LUPC voted to not concur.

Linda Sibley added that the LUPC also voted that it does not require a public hearing.

Fred Hancock said the big point was that the facility is not open to the general public, only to their guests, so it will not generate more traffic to the site.

Linda Sibley said it is also out of public view and fits into what is already there.

Paul Foley said the applicant does have almost three acres additional that is buildable, but they are making it unbuildable and using the nitrogen credits for the workforce housing.

2.4 Commissioners' Discussion

Joan Malkin said if the MVC decides to not concur and that it does not need a public hearing she would like to be sure that every representation that is made is binding, such as the employee housing.

Linda Sibley said the MVC cannot condition a non-concurrence as we will send it back to the town so it is up to the town.

Mark Snider said there is no way this will be built if we do not do the workforce housing.

Joan Malkin said she has no doubts about him but he may not own it forever so someone else could do something.

Linda Sibley said the only real issue is about the building. If the MVC does not concur then the offer to do the workplace housing isn't an issue. We decided at LUPC that this is not a substantial change because it is a massive complex and this application is small to the overall complex and not visible to the public view and not open to the public. The workforce housing in her judgement is not part of the application and wasn't part of the LUPC recommendation. The Town of Edgartown can sufficiently regulate this.

Christina Brown said the resort was built around several buildings. Mattakesett was built before the MVC existed so because it is in a residential neighborhood the Winnetu as had to appear before the ZBA to do things. They will go to the ZBA after the MVC and the ZBA has the ability to put conditions on it which make sense to them. If the MVC felt strongly we could send a note to the ZBA to say what we think is a good plan.

2.5 Applicants' Presentation

Mark Snider presented the following:

- This has been an extensive process starting with the Board of Health in Edgartown because we are trading land and its four bedroom septic system for the right to put workforce housing. The Board of Health would not approve unless for a purpose they deem appropriate.
- It is like a jigsaw puzzle because we have the right to do worker housing, but all we are doing is moving the functions where the worker housing is which is across the street which is not open to the public.
- Everything is interconnected and the Planning Board will receive both applications simultaneously and rule collectively on what is happening. They could say that one is dependent on the other and that is up to them. We fully intend to do both or nothing.

Christina Brown asked for clarification on how many more bedrooms are being added to the whole complex. **Mark Snider** said that zero bedrooms are being added to the Winnetu side of the street. At the Mattakesett side of the street you have one bedroom licensed and adding seven by taking four from the neighboring lot and applying it to the adjacent lot. We have water rights for 125 children in our program and we are reducing that to 100 and the difference is equal to the number of bedrooms to get us up to seven.

James Joyce said the Board of Health sometimes puts deed restrictions and are they asking to do that.

Mark Snider said we will have a deed restriction on that piece of property.

Linda Sibley moved and it was duly seconded to not concur with the referral and to send it back to the town.

- **Trip Barnes** said every time they have come up to bat they have done something good and they are good people to work with. Everything they have done has been a step ahead and they have brought that place back from the dead.

Roll call vote. In favor: T. Barnes, L. Brathwaite, C. Brown, R. Doyle, J. Goldstein, F. Hancock, J. Joyce, J. Malkin, K. Newman, B. Robinson, L. Sibley, E. Thomas, J. Vercruyse.

Mark Snider said thank you to the Commissioners.

3. TRANSPORTATION PROGRAM PRESENTATION

Commissioners Present: G. Barmakian, T. Barnes, L. Brathwaite, C. Brown, R. Doyle, J. Goldstein, F. Hancock, J. Joyce, J. Malkin, K. Newman, B. Robinson, L. Sibley, E. Thomas, J. Vercruyse.

3.1 Permanent Traffic Counters

Dan Doyle presented the following:

- The MVC received a grant to put in permanent traffic count stations and this will give us the opportunity to get traffic counts on a daily basis.
- It is one of our TIP projects and some of the money is going towards improving the bike paths in September, however \$140,000 is allocated to install permanent year round traffic counters.
- In the past we used rubber tubes in the summer for our traffic counts and we had to make a lot of assumptions for the rest of the year.
- One of the benefits is we can come up with sound seasonality multipliers in all corners of the Island. We will know the actual numbers so it won't really be multipliers and we can apply that to different sites on the Island.
- A map of the site locations was shown.
- We will be able to tell a much better story with demands on our infrastructure with much better and clean data.
- With sea level rise, the Beach Road corridor gets hammered and this will allow us to be more compelling to go after funds for improvement when we know how many people would be impacted and benefited by it.
- We can also start back dooring into circulation assumptions around the Island based on this constellation of sites and corridors.
- We have issued a RFP for firms to do the design, installation and maintenance and also to provide us with the tools for data extraction that will be an ongoing cost but trifling compared to the upfront cost. The RFP has closed and we will be reviewing the submissions.

3.2 Commissioners' Questions

James Vercruyse asked what is a traffic counter and how does it interface with the road. **Dan Doyle** said there are two typical forms and one is a hockey puck style that is imbedded in the pavement. This has complications when you need to repave so it may not be so ideal. There is also the side fire radar which is mounted on a 25 foot pole and is 17 feet high. It is removed from the travel lane and captures data as you pass by. It can help to break out by different vehicle classes and speeds as well. **James Vercruyse** said it sounds like staff might have to come to the Commission as a DRI for that.

Dan Doyle said we do not know how the State will impact the project. Five of the six sites are State owned right of ways.

Linda Sibley asked why the collection site near Old County Road and State Road is located where it is. She would rather have it before the split. **Dan Doyle** said he did not have a conclusive answer but it was deliberate and he can look into why. **Adam Turner** said we only had six sites so we looked at bell weather sites and we plan to use our summer activities to look at specific activities. We will now have data by the day and hour. We can relook at the site locations such as Linda Sibley suggested.

Dan Doyle said we can look at the data by day and hour but we may look at it monthly.

Leon Brathwaite asked how the data is transmitted. **Dan Doyle** said it will be wireless and presumably we will get a digital format.

Ernie Thomas asked if the data will be real time. **Dan Doyle** said we will see once we can review it.

Adam Turner said the MVC also has a drone and we worked hard to get this project funded and Dan Doyle has worked hard on it.

James Vercruyse asked if there is any possibility of expansion if you want more counters. **Adam Turner** said we only have funding for six counters. **Dan Doyle** said if the RFP comes in lower than we have more money for that.

Paul Foley said the MVC still uses our temporary counters. **Adam Turner** said yes they would be used for more detailed counts such as at Five Corners in the summer.

Dan Doyle said it would be nice to know what is on the move within a 15 minute interval and this will allow for that.

Robert Doyle asked if it is a dynamic system rather than static as you can see real time. **Dan Doyle** said yes it will be real time. **Adam Turner** said the way we do it now is that we extract it and someone has to go out and read the box and the boxes we have are pretty basic. This will give us a better handle on traffic and will be equipment that will make us more productive.

3.3 Island Wide Transportation Engineer

Dan Doyle presented the following:

- We are working on an Island wide Transportation Engineer pilot project. It will add technical capacity to the towns, since no one has an in-house transportation engineer except perhaps Edgartown.
- We miss out on funding opportunities when we are unable to generate design plans for different infrastructure improvements and that can impact the TIP funding.
- The projects include: Cromwell Lane Pedestrian Improvements, Mill Brook pedestrian/bicycle spans to accompany the North Tisbury "bridge," Aquinnah Circle improvements and the Edgartown Vineyard Haven Road stretch for drainage, bus stop reconfigurations, SUP buffers, etc.
- There are a lot of State programs that give towns opportunities to improve such as complete streets and different ways to improve circulation and multi-modal opportunities at key intersections within the town bounds. Having the capacity to design these projects to have them in a shovel ready position provides a lot of benefit.
- We decided to go after a grant through the State Community Compact Program to procure those services from a prequalified engineer for the State and can work closely with the towns.
- Most likely the qualified people would be located off Island. We did get one response and we are happy with them.
- On August 1st we sent them the first project and it is in Tisbury, Main Street down Cromwell Lane.
- We have \$100,000 to work with and our hope is that every town will have something so they can evaluate it at the end of the year and say that they want to retain these services and it is worth a cost sharing formula to do so and that they want to keep someone available year round to work on these projects as they come up.

Adam Turner presented the following:

- We are constantly hampered by this. We have projects, but can't get them funded because we were dependent on MassDOT to design them and who knows when that would happen.
- The Island had an engineer several years back that worked for the county. The JTC felt we needed someone to work on our own programs and projects, and if we did not have someone we would wait a long time waiting for other people to work on them.
- We did not get funded the first year but did in the second year.
- We are making the service available to all of the towns.
- It is a pilot program and hopefully we can show the utility of it and get it funded in the second and third years.

316 parking issues. We met in Taunton with 30 members of State agencies to talk about climate change and
317 what to do about these roads. We need to look at these things differently. Tom Currier's team had to
318 work within constraints as well. He recognized Pam Hazner, she is our district representative for the
319 Commission. He thanked the Mass DOT for coming tonight.

320 **Dorothy Packer** asked what the process is from here so we understand what needs to be done. **Tom**
321 **Currier** said they can come back and have discussions.

322 **James Vercruyse**, thanked Mass DOT and for providing the forum.

323 The meeting was adjourned at 8:50 p.m.

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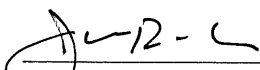
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Chairman

11.15.2018
Date

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Clerk-Treasurer

15 NOV 2018
Date