



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

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

**IN ATTENDANCE**

---

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

- |  |                                   |
|--|-----------------------------------|
| P Tripp Barnes (E-Tisbury)               | - James Joyce (A-Edgartown)       |
| P Gail Barmakian (A-Oak Bluffs)          | - Michael Kim (A-Governor)        |
| - Yvonne Boyle (A-Governor)              | P 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)             | P 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 Vercruysse (e-Aquinnah)   |

Staff: Adam Turner (Executive Director), Bill Veno (Senior Planner), Paul Foley (DRI Planner), Priscilla Leclerc (Senior Transportation 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. ISLAND ROAD DCPC-PUBLIC HEARING AND VOTE ON DESIGNATION OF MANTER'S PATH AS A SPECIAL WAY IN WEST TISBURY**

---

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

**James Vercruysse**, Chairman read the Public Hearing Notice. The area for consideration for designation is within 20 feet of either side of the centerline of Manter's Path. The nomination was received from the West Tisbury Planning Board on December 13, 2016 and was accepted for consideration by the Commission on January 5, 2017.

**1.1 Staff Report**

**Jo-Ann Taylor** presented the following.

- This proposal is for a new way to be included in the Island Road District Special Ways Zone. Even though there is already an Island Road District and Special Ways Zone, the geographic area included in the nomination is newly proposed and the consideration was made in the same manner as a brand new nomination.
- The MVC has been asked by the West Tisbury Planning Board to designate the area under consideration to be included in the Special Ways Zone of the Island Road District.
- The Commission has 60 days from the consideration vote, until February 27, 2017, but certainly could close the hearing and vote tonight.

- It is the intention of the Planning Board to present an article for vote at the April 11, 2017 Annual Town Meeting.
- The qualifications set out criteria for designation including the need for designation, the size and shape of the District and Specific Qualifications for the various types of district.
- This path helps to maintain the rural tradition of the Vineyard that is tied to our Island values. Protection and maintenance of this path stems the rising tide of suburbanization, keeping the town rural with strong ties to its agricultural past.
- The depressions in the path clearly point to the continual use of this path since ancient times. Replication of these impressions, if they were to be damaged, would be all but impossible, erasing the visual memory of historic use.
- The designation vote should include Goals and Guidelines for Development.
- The goals for the Special Ways are to protect the existing character of Special Ways for all of the reasons set forth in section 4.12 (Cultural and Historic District: Special Ways) and to retain the view of landscapes abutting these ways by preventing the injurious effects that accompany development of the way as a primary vehicular route. Therefore, new vehicular access should be on new rights of way thus preserving the Special Ways for alternative forms of transportation.
- Correspondence in favor has been received from James Lengyel, Executive Director Martha's Vineyard Land Bank Commission.
- Site photos were reviewed and the location was reviewed in detail.
- A browse link was demonstrated showing the location and it was noted that the link is part of the record.

### 1.2 Commissioners' Discussion

**Josh Goldstein** asked what impact this has on the homeowner at the far end and does it impact them with crossing the property to the Special Way. How does it impact their driveway? **Jo-Ann Taylor** said the designation is totally silent on the right of access. We want to protect the character and prevent paving. It does not block the driveway.

**Linda Sibley** noted that they cannot pave the way, block the way or develop the way.

**Fred Hancock** said if you look at the regulations in this Special Way District it also includes fences adjoining the Special Way within 20 feet of the centerline.

### 1.3 Public Testimony

**Katie Upson** lives at Tiah's Cove and Manter's Path and shares the driveway with Lisa Amos. It is now used for people taking walks or horses going to the pond or down Island. She feels it is wonderful and she comes from a background of being able to use these Special Ways and wants them to be retained as being special and being preserved for the Island.

**Cynthia Aguliar** is on the Byways Committee and there are three houses at the point that was being discussed and then there are no more houses.

- **Linda Sibley** asked if they heard any objections from any of the neighbors.
- **Cynthia Aguliar** said they did not. The neighbors came to us and want to protect the way. They want to prevent it from being used for farm equipment. There was discussion about farming the field. With the designation the path cannot be widened.

### 1.4 Commissioners' Questions

**Trip Barnes** asked who is responsible for maintaining the path. **Cynthia Aguliar** said they have contracts with the Land Bank for maintenance. **Katie Upson** said the neighbors have also been maintaining.

**Trip Barnes** asked **Katie Upson** if anyone is against this. **Katie Upson** said there is not.

**Ernie Thomas** asked if anyone knows what triggered this designation. **Katie Upson** said about one year ago the surrounding neighborhood was concerned about the Sheriff Meadow's field that is behind Manter's Path. There was discussion about the access to the field by Manter's Path.

There was a discussion about legal access to the Sheriff Meadow field.

- **Doug Sederholm** asked what the legal access is to that field.
- **Jo-Ann Taylor** showed the possible access on the site photo.
- **Katie Upson** said she is not sure the legal access has been decided. From Crow Hollow Road there is a path that leads into Blackthorn Road and it has been talked about that may be the access. She is not sure if it is officially known what the access is.
- **Linda Sibley** asked if Sheriff Meadow has any other legal access to the field.
- **Jo-Ann Taylor** and **Bill Veno** noted there may be possible access from Edgartown West Tisbury Road.

**James Vercruysse**, Chairman closed the Public Hearing.

***Doug Sederholm moved and it was duly seconded to designate the Special Way with the criteria and goals and guidelines as were noted.***

- **Christina Brown** asked for clarification on the moratorium.
- **Jo-Ann Taylor** said the moratorium can last up to one year for development of any kind for anything that requires a Development Permit. After Town Meeting vote the moratorium ends.

***Roll call vote. In favor: G. Barmakian, T. Barnes, C. Brown, R. Doyle, J. Goldstein, F. Hancock, J. Malkin, K. Newman, B. Robinson, D. Sederholm, L. Sibley, E. Thomas, R. Toole, J. Vercruysse. Opposed : none. Abstentions: none. The motion passed.***

## **2. VINEYARD HAVEN MARINA RESTAURANT-TIBURY CR 1-2017 CONCURRENCE REVIEW**

---

*Doug Sederholm recused himself as he represents a tenant of the applicant.*

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

*For the Applicant:* Elizabeth Wilde

### **2.1 Staff Report**

**Paul Foley** presented the following.

- The applicant would like to add additional outside seating by utilizing the upper deck above the marina office which is connected to the existing restaurant deck with a catwalk. It would provide 30 additional seats.
- The restaurant is no longer leased and is operated by the owner of the property.
- The property has 10 existing parking spaces and they own the property across the street at 45 Beach Road which provides additional parking.
- There is also an arrangement with HN Hinckley to use their parking lot after normal business hours.
- Many of the guests do not have cars as they are guests that are moored at the Marina or are harbor guests. It is estimated that 40% of the guests arrive by dinghy. There is a dinghy dock and a beach tie up area.
- The restaurant is seasonal and open from 5:00 p.m. to 11:00 p.m. for dinner and on Saturday and Sunday for brunch from 11:00 a.m. to 3:00 p.m.
- The applicant has been approved by the Board of Health for 80 seats.

- Local permits required are; Planning Board Special Permit, Board of Health, Wastewater Advisory approval for the number of seats and the Building Inspector.
- The Planning Board met and referred the proposal for expansion of a restaurant within the Waterside Management Area of the Waterfront Commercial District as listed in the DRI Checklist.
- The Planning Board believes the applicant has sufficient regulations in place to review the proposal and hopes the MVC agrees with a non-concurrence.
- The site was reviewed.

## **2.2 Land Use Planning Committee Report**

**Linda Sibley**, LUPC Chairman presented the following.

- Six attendees were at LUPC to review the proposal and four voted in favor, one against and one abstention.
- The in favor votes felt that adding 30 sets to a 50 seat restaurant was a big proportional change. The abstention was a member of the Tisbury Planning Board and Richard Toole felt there is so much traffic in the area now that this addition of potential traffic might not be noticed.

**Katherine Newman** asked what other concerns were discussed at LUPC.

**Joan Malkin** noted it was the adequacy of parking, vehicles backing out into the street and the other parking areas require the patrons to cross the street where there are no crosswalks. The traffic load would be increased and parking may be adequately taken care of but pedestrian safety was influential.

## **2.3 Commissioners' Discussion**

**Linda Sibley** said the applicant owns the property across the street but it is uncertain how you can force Hinckley's to cooperate with them forever.

**Robert Doyle** said LUPC also did not have real confirmation that patrons arrived by dinghy.

**Richard Toole** said the traffic is already out of control in that area and they have Hinckley's for parking. There are not many places to eat outside and enjoy the beauty of the harbor.

**Fred Hancock** said if the applicant was asking for a 10 seat extension the MVC most likely would agree that was not a major addition. But 30 seats are significant and because of that it needs a more thorough review.

**Christina Brown** said some of the things that the MVC worries about are really local like crossing the street. Under their Special Permit and regulations the Planning Board could review that. For that location, not that they are constructing something, putting tables on the existing deck the seating may not be significant. She thinks the Planning Board can deal with the local issues.

**Gail Barmakian** asked what the nature of the activity is, is it dinner or entertainment.

**Elizabeth Wilde** said under the Special Permit we are not allowed entertainment. The restaurant is not open for lunch and it is a quiet dinner place. It is a transient marina and with the marina we do not want entertainment. We are trying to create more outside seating especially for Vineyard Haven. We have to stagger the seating in order to be able to serve. We cannot serve 80 patrons at once with the facilities. We just want more seating outside. We have adequate parking. The previous owner said that 40% of the business came from the boats, the dock and water borne business.

**Josh Goldstein** said from experience as a former restaurant owner adding seats of a restaurant of this size has no impact on the rest of the world outside this restaurant. From walking by the restaurant he has observed that the deck is full but the parking lot is not. The Tisbury Planning Board can handle this.

**Katherine Newman** also felt the Planning Board could handle this proposal.

**Linda Sibley** also clarified that she thinks we should let the applicant move forward but it is the correct process of having a concurrence review.

**Christina Brown** said the MVC should not concur and the proposal should go back to the Tisbury Planning Board and the Special Permit process.

**Linda Sibley** said we try to encourage the towns to create Special Permit processes so the MVC can have a lesser view point. Priscilla Leclerc was also in agreement and was nodding with Richard Toole at LUPC that the increase in traffic would be minimal.

**Priscilla Leclerc** said she did not look from an ITE perspective but believes there is a lot of boat access.

**Linda Sibley** said the only time she sees an issue would be a Saturday lunch and if you could not continue access with Hinckley's for parking.

**Elizabeth Wilde** said she thought the conditions for the proposal could be done and handled with the Tisbury Planning Board.

**Joan Malkin** asked for Ben Robinson's view with regards to the Tisbury Planning Board.

**Ben Robinson** said the Board has findings and conditions and we can condition access, parking and public use. They are pretty extensive.

**Trip Barnes** said based on the letter from the Planning Board everyone says it is all right so let's send it back to the Planning Board.

***Trip Barnes moved and it was duly seconded to not concur.***

- **Joan Malkin** noted that when we met at LPUC there are three things that we did not have; 40% of the patrons are from boats which is significant, the fact that the restaurant cannot feed 80 people at one time, and five days a week the restaurant is open from 5:00 p.m. to 11:00 p.m. and that is not when there is a problem with traffic in that location in Vineyard Haven. It compels me to say that parking and pedestrian safety is not as paramount as previously thought.
- **James Vercruyse** noted that a yes vote is to not concur and to send the proposal back to the Planning Board.

**Roll call vote. In favor: G. Barmakian, T. Barnes, C. Brown, R. Doyle, J. Goldstein, J. Malkin, K. Newman, L. Sibley, E. Thomas, R. Toole, J. Vercruyse. Opposed: F. Hancock. Abstentions: B. Robinson. The motion passed.**

### **3. MASONIC AVENUE HISTORIC DEMOLITION-OAK BLUFFS DRI 651 DELIBERTION AND DECISION**

---

*Doug Sederholm rejoined the meeting.*

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

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

**Linda Sibley**, LUPC Chairman said LUPC recommended unanimously to allow the demolition. It essentially cannot be saved and it is the location that is important and the applicant has agreed to mount a plaque to acknowledge the role of the property and as part of the African American Trail.

### 3.2 Benefits and Detriments

#### Neutral

Wastewater and Groundwater; the proposed demolition will not affect the wastewater and groundwater condition. The property has not been occupied in many years. The applicant has planted wildflowers and other plantings which has retained water over the years. The site is not eroding.

Open Space/Community and Habitat; the removal of the building will lead to the lot being vacant in the short term. The removal of the building improves the character of the neighborhood as it had fallen into disrepair as it has been abandoned and not maintained for many years. The applicant has planted wild flowers and other vegetation on the lot and has removed many of the trees citing disease.

- **Fred Hancock** said it does have some historic value as a building.
- **Joan Malkin** said demolition would have a temporary benefit since there are no development plans at this time.
- **Gail Barmakian** said it is creating an open space for now.

Night Lighting/Noise; there are no new uses planned and the building proposed is adjacent to an urban street. The project has not been occupied in many years.

Low and Moderate Income; this proposal concerns the demolition of a building that is not occupied. There is no redevelopment plan offered so it has no impact on low and moderate income persons or families.

Impact on Services and Burden on Taxpayers; there should be no real impact on taxpayers. The building was offered to the Town but was not accepted.

Use Efficiently or Unduly Burden Other Public Facilities; there should be no real impact on taxpayers. The building was offered to the Town but was not accepted.

#### Not Applicable

Traffic and Transportation; the demolition will not affect traffic and transportation.

Conforms to Zoning; the demolition does not include a proposal to redevelop the site once demolition is complete.

Conforms to DCPC Regulations; the project is not within a DCPC.

#### Benefit

Scenic Values; the character of the property has long been decreasing as the property has fallen into disrepair. The building to be demolished sits on a distinctive lot on Dukes County Avenue. The removal will enhance the scenic values of the neighborhood. The applicant owns other parcels connected to the property proposed for demolition. He has been storing truck trailers and other light industrial materials on the adjacent site. The applicant removed trees that were seen as diseased or not living.

- **Fred Hancock** noted that it is an interesting building both in the exterior and the interior.
- **Joan Malkin** noted that the building is an eyesore now.
- **James Vercruysse** said that from a distance it may not appear to be an eyesore but it is as you inspect the building.
- **Christina Brown** said the demolition should be allowed, this is good for the neighborhood as it is not able to be fixed up. It might actually enhance the scenic values of the neighborhood.
- **Joan Malkin** said perhaps it should not be applicable as the building is past repair and the demolition will enable the construction of an acceptable building.
- **Fred Hancock** said it is dangerous to demolish a historic building without any further development plans.

- **Joan Malkin** said there is a plan for a meaningful plaque. We are not totally removing. We are designating the historic nature and the importance of the building.
- **Linda Sibley** said the Act instructs us to look at these issues but not to have findings of all of these issues.
- **James Vercruysse** noted that the historic significance as well as a display is in the MV Historical Society.
- **Paul Foley** added that there was testimony that it was very expensive to repair but not that it could not be done.

Impact on Abutters; there should be a positive effect on abutting properties as a building that has not been maintained is removed. There is some spillover from neglected buildings to adjacent properties in terms of lowering property values.

- **Doug Sederholm** and **Christina Brown** suggested deleting the last sentence as it is not relevant.

#### Detriment

Character and Identity; the character and identity physically will change somewhat as the building is taken down. The building is historical and did provide numerous service to the Town and the Island but has long been neglected in terms of condition especially over the past few years. The applicant has offered to place a monument of some nature on the site in remembrance of the historic activities that occurred there.

Consistency with and Ability to Achieve Town, Regional and State Plan Objectives; the demolition will result in a historic building being taken down. The condition of the building is poor and the building has not been maintained in many years. For many years he building offered numerous service to the people of the Island. Much of the historic relics and other items have been taken out and are in the MV museum.

- **Doug Sederholm** suggested deleting the second sentence as it is redundant, "The condition of the building...".
- **Linda Sibley** suggested changing the word "much" to "many" on the last sentence and perhaps it could be noted on the plaque that the artifacts are at the MV museum.

There was a discussion about reviewing the Detriments and Benefits.

- **Katherine Newman** suggested perhaps a meaningful paragraph could be written about all of the factors that are neutral or not applicable. Taking them into account may be a more meaningful process.
- **James Vercruysse** said this process brings out everyone's opinions which are meaningful and there is a summary of the key findings.
- **Fred Hancock** said normally the MVC DRIs are for building and demolition is the subtraction of something so the criteria is different. But with the enabling legislation we have to look at the criteria and the important thing is that we look at them and not necessarily write each one down.
- **Joan Malkin** said it is difficult to assess the Benefits and Detriments from the list set out from the statue as they may not be relevant. It is an overall benefit to demolish this structure and it would be costly to restore or replicate it. There are conscientious efforts being made to retain the significance of the building and many relics have been preserved for the public at the MV Historical Museum.
- **James Vercruysse** said there has also been overwhelming testimony of how long this has been lingering and there has been testimony from experts on the hardship to restore.

***Doug Sederholm moved and it was duly seconded to approve the demolition and accept the offers of the applicant to put up a plaque per the reasons as articulated so well by Joan Malkin.***

- **Fred Hancock** asked if this property stops being a DRI, if so we need to say that if the building is demolished the DRI has been acted on. If it is the desire to end the DRI at demolition or at some point it has to be stated.
- **Joan Malkin** asked that the motion be amended to include once the demolition is complete any further development does not need to come back to the MVC as a DRI unless it triggers the DRI Checklist.
- **Doug Sederholm** agreed to accept and amend his motion but also with the clarification that the demolition is complete when the permanent plaque is installed on the property.

**Roll call vote. In favor: G. Barmakian, T. Barnes, C. Brown, R. Doyle, J. Malkin, K. Newman, B. Robinson, D. Sederholm, L. Sibley, E. Thomas, R. Toole, J. Vercruyse. Opposed: F. Hancock. Abstentions: none. The motion passed.**

#### **4. SANTANDER BANK HISTORIC ROOF TILES-TISBURY CR 13-2016 CONCURRENCE REVIEW**

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

For the Applicant: Sean Murphy

**James Vercruyse**, Chairman noted that the MVC received the opinion of counsel that the MVC has jurisdiction when a project is referred after the local permit has been issued.

##### **4.1 Staff Report**

**Paul Foley** presented the following.

- Advice was received from counsel as noted by James Vercruyse.
- Ken Barwick has written asking for a concurrence vote so there is a fair review with all of the facts available to the public.
- A letter was received from Carole Berger that the Martha's Vineyard Preservation Trust awarded Compass Bank their annual award in 2004 for their ongoing stewardship of this historic building. As stated in their award "...this important pure Arts and Crafts design represents a brief but distinctive transitional phase in our Island's architectural history. It is our understanding that the Commission is entrusted with decisions regarding any change to buildings over 100 years old not located on designated historic districts. We are confident that you recognize the importance of this building and urge you to use your powers to work toward the restoration of this significant Island landmark with historically appropriate roofing material."

**Linda Sibley moved and it was duly seconded to concur with the referral and have a public hearing.**

- **Doug Sederholm** said that one of the things that the MVC is supposed to do is preserve the unique cultural values of the Island. There is an argument that removal of the roof affects its cultural value and with those facts it appears it has regional impact and therefore he believes it requires a public hearing.
- **Fred Hancock** said he does not believe that the Town has the ability to look at this project as the MVC can.
- **Linda Sibley** said looking at the preamble of our legislation, having regional and State interest in preserving the unique nature of Martha's Vineyard, it can be seen that this building has that.

**Roll call vote. In favor: G. Barmakian, T. Barnes, C. Brown, R. Doyle, J. Goldstein, F. Hancock, J. Malkin, K. Newman, B. Robinson, D. Sederholm, L. Sibley, E. Thomas, R. Toole, J. Vercruyse. Opposed: none. Abstentions: none. The motion passed.**



## **7. TIP AMENDMENT-FY 2017-2021**

---

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

### **7.1 Staff Report**

**Adam Turner** noted that once every year we have to provide guidelines to the State.

**Priscilla Leclerc** presented the following.

- The Where, When, Why and Who is as follows; Dukes County, we can access Federal and State funding for infrastructure, the Chairman of the MVC is one of the signatories and Adam Turner is the MVC voting member.
- A TIP amendment is a change to the current TIP.
- The program is adding resurfacing to a section of the State forest paths; \$547,888.
- The Lagoon Pond Bridge was completed and paid for so the bridge funds are being removed as the State used other non-Federal/ State funding to pay those bills.
- Transit funds/changes are being amended for new bus purchases, equipment and facility rehabs.
- The MVC is now requested to vote to allow the Chairman to sign the document.

### **7.2 Commissioners' Questions**

**Christina Brown** asked if we have the money to spend somewhere else from the Lagoon Pond Bridge project. **Priscilla Leclerc** said no and **Adam Turner** added that the State shifted their funding.

**Gail Barmakian** asked if all the projects along state roads are eligible. **Priscilla Leclerc** said no, it is not just state roads. The same road mileage has to be maintained and she showed a graphic of the road mileage on the Island. It is a combination of things. Once we have a project idea we put together a list and try for the funding. Sometimes there is an opportunity for additional funding beyond the annual allotment.

**Adam Turner** noted the process; the project goes through design and then it goes to the State and is assigned a number and assigned as a project and then it goes to obtain funding. Projects can be moved back and forth.

**Linda Sibley** noted that there are enough new MVC members who might wonder how to be a member of the JTC. Usually they are appointed by the Town as well as Adam Turner for the MVC. **Adam Turner** noted the JTC is a mixture of members.

**Richard Toole** asked if our gas taxes fund these projects. **Priscilla Leclerc** said 80% are funded Federally and 20% by the State for construction projects.

**Fred Hancock** noted that the next big project is Beach Road from Winds Up to Five Corners.

**James Vercruyse** asked if we need to take action to make this change. **Priscilla Leclerc** said it needs to be voted on.

**James Vercruyse moved and it was duly seconded to approve the amendment. Voice vote. In favor: 14. Opposed: 0. Abstentions: 0. The motion passed.**

## **6. MINUTES**

---

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

*Fred Hancock moved and it was duly seconded to approve the minutes of October 6, 2016 as written. Voice vote. In favor: 11. Opposed: 0. Abstentions: 3. The motion passed.*

*Fred Hancock moved and it was duly seconded to approve the minutes of December 15, 2016 with corrections as noted; Doug Sederholm noted line 241 should be agreement not plan and on line 539 the word applied should be applicable. James Vercruyse noted that on line 519 to revise the word said to asked and there should be a question mark at the end of the sentence, Ernie Thomas noted to correct the typo on line 504 to E. Thomas. Voice vote. In favor: 11 Opposed: 0. Abstentions: 3. The motion passed.*

## **7. NEW BUSINESS**

---

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

### **7.1 Executive Director Report**

Adam Turner presented the following.

- The demolition policy has been completed and he handed it out and asked that the Commissioners review it.
  - **James Vercruyse** asked everyone to review it and noted that it will be voted to adopt it at another meeting.
  - **Joan Malkin** said we had a committee that met many times and we went through four to six drafts. We came to a policy that we all agreed had the promise of being extremely useful in providing guidance to applicants on demolition. If we find it does not work we are free to re-examine it. We have a metrics system to have an objective view and to standardize our review. We will see how it works. It should give us a head start to see if demolition is in the public interest.
  - **Fred Hancock** said the reason the MVC has policies is to provide guidelines and to prove that we are not arbitrary in our decisions. If we go away from the policy we give reasons as to why and the policies provide structure.
  - **Trip Barnes** asked if this policy will trigger prior demolition projects. It may be difficult to make a standard form.
  - **James Vercruyse** said we have not adopted the policy yet.
  - **Joan Malkin** added that this is a final draft.
  - **Ben Robinson** asked if the draft policy was tested with past demolition projects.
  - **Joan Malkin** said it was.
  - **Fred Hancock** said the proposal is that the staff makes the initial grading and then we look to see if we agree.
  - **Gail Barmakian** said this is a guide but the more mathematical it is the more one feels you have to follow it. So we need to clarify.
  - **Joan Malkin** said the policy states it is for guidance only.
  - **Adam Turner** suggested that the Commissioners read the policy, the MVC will review and have a discussion. There was a committee that included Building Inspectors and Historians. We tried to find middle ground and criteria. There is a different process for concurrence.
  - **Katherine Newman** noted that a lot of hard work went into this and a consolidation of opinions. She encourages people to read the draft policy and see how it works.
  - **Linda Sibley** said the policy was sort of litigated with a numerical factor. It is only for a concurrence not a mandatory referral. It helps us decide the border line cases.

- **James Vercruysse** said it will be discussed at the February 16, 2017 meeting.
- The final public hearing was held on the Housing Production Plans. The documents are now with the Towns. The Towns will not approve until they are ready to do so and with what is best for the Town. They should decide what is in their plan and with whatever mechanism they want to use on what they are going to do. These are just starting points. The information is on the MVC website and he encourages everyone to look at it.
  - **Linda Sibley** asked to whom we give feedback to.
  - **Adam Turner** said to the town housing committee for that town or to himself or Peter Temple. This is an All Island Planning Board initiative.
  - **Christina Brown** noted that the consultants have sent around a form which is a helpful guideline for feedback. The Planning Board of each Town approves the plan. The form is on the MVC website.
- The Community Compact grant has been submitted so hopefully we will soon have an engineer.
- The Planning Meeting that we had last week went well and the substance was good. On March 23, 2017 the Airport Master Plan will be reviewed and in April it will be Nitrogen and in May the Island Plan.
- We had an excellent meeting to review our Water Quality Policy.
  - **Doug Sederholm** noted that the committee has a first draft of the revised policy to review.
- There will be site visits on February 6, 2017 for DRI 646 Cooke Road and on February 14, 2017 for DRI 259 Edgartown Marine.

**Joan Malkin** asked in the future to avoid the fourth Thursday of the month for meetings.

The meeting was adjourned at 9:00 p.m.

#### DOCUMENTS REFERRED TO DURING THE MEETING

- Minutes of the Commission Meeting – Draft, Held on October 6, 2016
- Minutes of the Commission Meeting – Draft, Held on December 15, 2016
- Island Road DCPC Special Ways Zone Proposed Designation of Manter’s Path in the Town of West Tisbury, MVC Staff Notes February 2, 2017
- Letter from the Martha’s Vineyard Land Bank Commission, Dated January 26, 2017
- Letter from Vineyard Haven Marina, Dated January 19, 2017, RE: Garde East Seating Increase
- Letter from the Town of Tisbury Planning Board, Dated January 12, 2017, RE; 52 Beach Road, Vineyard Haven MA 02568
- Martha’s Vineyard Commission Land Use Planning Committee Notes of the Meeting of January 23, 2017
- DRI 651 Masonic Avenue Historic Demolition Draft Possible Benefits and Detriments for Review
- Martha’s Vineyard Commission C.R. 13-2016 Santander Historic Roof Tiles MVC Staff Report 2017-02-02 Concurrence Review
- Correspondence from Ken Barwick Dated February 2, 2017, RE: Santander
- Correspondence from Martha’s Vineyard Preservation Trust, Dated February 1, 2017, Martha’s Vineyard Preservation Trust Awards Committee
- FFY 2017-2021 Martha’s Vineyard TIP Amendment Programming Overview, February 2, 2017

Jan R. L.  
Chairman

5.4.2017  
Date

[Signature]  
Clerk-Treasurer

5/8/2017  
Date