

## THE MARTHA'S VINEYARD COMMISSION

BOX 1447 • OAK BLUFFS  
 MASSACHUSETTS 02557  
 (508) 693-3453  
 FAX (508) 693-7894

**DATE:** July 31, 1997  
**TO:** Building Inspector, Town of Edgartown  
**FROM:** Martha's Vineyard Commission  
**SUBJECT:** Development of Regional Impact  
 re: commercial development  
**APPLICANT:** William Shay  
 PO Box 89  
 Oak Bluffs, MA 02557

-----  
 Decision of the Martha's Vineyard Commission  
SUMMARY

The Martha's Vineyard Commission (the Commission) hereby approves with certain conditions, the granting of permits for the Application of William Shay, PO Box 89, Oak Bluffs, MA for the construction of a commercial development at the Martha's Vineyard Airport and consisting of two (2) parts: (1) a multi-use track and skate board park and (2) Airport Motors, as shown on the plans entitled: "Little Wheels, A Multi-Use Tract and Skateboard Park, Martha's Vineyard Airport Park, Edgartown, Terrain Associates, Landscapes and Architecture, 24 Look Street, Box 4512, Vineyard Haven, MA 02568, Scale: 1" = 40', April 2, 1996, revised April 4, 1997", consisting of one (1) sheet; plus "Little Wheels, Edgartown, Terrain Associates, Architects - Landscape Design - Construction Management, 24 Look Street, Box 4512, Vineyard Haven, MA 02568, Scale: 1/8" = 1', dated March 7, 1997, Rollerblade/Skateboard Shop", consisting of one (1) sheet; plus "Little Wheels, Edgartown, Terrain Associates, Architects - Landscape Design - Construction Management, 24 Look Street, Box 4512, Vineyard Haven, MA 02568 scale: 1/8" = 1', dated April 4, 1997, Office Bldg., Plan", consisting of one (1) sheet; plus "Airport Motors, Proposed Building for Bill Shay at Martha's Vineyard Airport, scale: 1/8" = 1', Floor Plan, undated;" plus "Little Wheels, Edgartown, Terrain Associates, Architects, Landscape Design, Construction Management, 24 Look Street, Box 4512, Vineyard Haven, MA 02568 scale: 1/8" = 1', April 5, 1997, Kart Barn", depicting elevations and plan and

consisting of one (1) sheet; plus "Little Wheels, Edgartown, Terrain Associates, Architects, Landscape Design, Construction Management, 24 Look Street, Box 4512, Vineyard haven, MA 02568, scale : 1/8" = 1', March 7, 1997, RollerBlade/Skateboard shop.", consisting of one (1) sheet; plus "Little Wheels, Edgartown, Terrain Associates, Architects, Landscape Design, Construction Management, 24 Look Street, Box 4512, Vineyard Haven, MA 02568, scale: 1/8" = 1', April 4, 1997, Office Bldg., depicting elevations and plan and consisting of one (1) sheet and totaling seven (97) sheets, (the Plan).

This Decision is rendered pursuant to the vote of the Commission on: July 31, 1997.

The Building Inspector of the Town of Edgartown and all other permit granting boards in the Town of Edgartown having jurisdiction may now grant the necessary development permits for the Applicant's proposal in accordance with the conditions contained herein or may approve in accordance with the conditions contained herein and may place further conditions thereon in accordance with applicable laws or may disapprove the development application.

#### FACTS

The proposed development is a Development of Regional Impact as defined by the Commission's Standards and Criteria, Developments of Regional Impact Section 3.301. The Application was referred to the Commission by the Building Inspector of the Town of Edgartown for action pursuant to Chapter 831 of the Acts of 1977, as amended (the Act). The Application and Notice of Public Hearing relative thereto are incorporated into the record herein. Martha's Vineyard Commission staff document exhibits are also incorporated into the record by reference.

A duly noticed public hearing on the Application was conducted by the Commission pursuant to the Act and M.G.L. Chapter 301, Section 2, as modified by Chapter 831 on Thursday, May 1, 1997 at 7:30 p.m. in the Commission Offices, Olde Stone Building, New York Avenue, Oak Bluffs, MA. Following the presentation of testimony, the hearing was continued to a later date.

A duly noticed continued public hearing was held on Thursday, June 19, 1997 at 7:35 p.m. in the Commission Offices, Olde Stone Building, New York Avenue, Oak Bluffs, MA. The hearing was closed the same night.

The proposal is for the construction of a commercial/commercial recreational development at the Martha's Vineyard Airport.

A summary of the testimony of the hearing is provided as Exhibit A attached hereto. The hearing summary is for the convenience of the reader and was not relied upon by the Commission in reaching its decision on this matter.

#### FINDINGS AND CONDITIONS

The Commission has considered the Application and the information presented at the Public Hearing and based upon such consideration, makes the following findings pursuant to Section 14 of the Act.

- A. THE COMMISSION FINDS THAT THE PROBABLE BENEFITS OF THE PROPOSED DEVELOPMENT, AS CONDITIONED HEREIN, WILL EXCEED THE PROBABLE DETRIMENTS AS EVALUATED IN LIGHT OF THE CONSIDERATIONS SET FORTH IN SECTION 15 OF THE ACT (SECTION 14(A) OF THE ACT).

The purpose of the Commission, as set forth in Section 1 of the Act, is to "protect the health, safety and general welfare of island residents and visitors by preserving and conserving for the enjoyment of present and future generations the unique natural, historical, ecological, scientific and cultural values of Martha's Vineyard which contribute to public enjoyment, inspiration and scientific study".

The Commission has listened to all of the testimony presented at the public hearings and at the very outset wishes to make it absolutely clear that the approval for permission to grant permits to the Applicant by Town of Edgartown Officials and Boards does not include permission for the approval of the construction of a go-kart track or for the usage of go-karts as was submitted in the original application. The construction of a go-kart track and related facility and the use of go-karts on the site is specifically prohibited by this Decision.

1. Based upon the record and the testimony presented therein, and in addressing whether the proposed location is or is not essential or especially appropriate, the Commission sets the following condition (Section 15(a) of the Act):
  - a. That the Commission has not been persuaded that the construction and operation of a go-kart facility in conjunction with other recreational facilities is in the best interests of the Island of Martha's Vineyard and therefore denies permission for officials and Boards from the Town of Edgartown to issue permits for the go-kart portion of the application as presented; and further
  - b. That the Applicant is directed to return to the Land Use Planning Committee of the Martha's Vineyard Commission with a revised plan which does not contain a go-kart track or related facilities; and further
  - c. That the Applicant shall remove from the application and plan to be submitted the structure known as the "kart barn" and which was intended to serve the go-kart facility.
2. Based upon the record and the testimony presented therein, and in addressing whether there will be a more favorable or adverse impact on the environment in comparison to alternative manners of development, the Commission sets the following conditions (Section 15(b) of the Act):
  - a. That the Portion of the proposal known as Airport Motors shall return to the Land Use Planning Committee of the Martha's Vineyard Commission with revised facade designs and surface treatment that is more conducive to Martha's Vineyard; and further
  - b. That the proposed parking lot shall be redesigned to accommodate no more than forty (40) vehicles and shall be lit with a minimal amount of lighting which must meet with FAA approval and that the redesigned lot shall be significantly buffered using a vegetative buffer; and further
  - c. That said redesigned parking area, proposed lighting plan, vegetative buffer and maintenance plan therefore shall be returned to the Land Use Planning Committee for final approval; and further
  - d. That the proposed lighting shall be excluded from around the multi-use/rollerblade track and that the lighting for the skateboard/rollerblade park must meet with FAA approval and shall be returned to the Land Use Planning Committee for final approval; and further
  - e. That there shall be no more than five (5) cars stored outside of Airport Motors at any one time; and further
  - f. That there shall be no outside storage of any automotive parts at Airport Motors at any time;



- g. That Airport Motors shall comply fully with all provisions of the adopted Rules and Regulations of the Airport Business Park; and further
  - h. That Airport Motors shall comply fully with the State Plumbing Code with respect to the separation of spilled oils and water prior to discharge to the sewer collection system at the Airport and that, based upon the Applicant's presentation, all used oils shall be stored indoors in a double walled tank of no less than 300 gallon capacity and shall be used to heat the Airport Motors building in accordance with all applicable state laws and regulations.
  - i. That all proposed fencing around the proposed facilities shall be screened with vegetative buffering and shall be submitted to the Land Use Planning Committee for final approval.
3. Based upon the record and the testimony presented therein, and in addressing the affect upon the provision of needed low and moderate income housing, the Commission sets the following condition (Section 15(d) of the Act):
- a. That the Applicant shall provide the sum of Two Thousand Six Hundred Eight dollars (\$2,608.00) to the Dukes County Regional Housing Authority in accordance with the Martha's Vineyard Commission Affordable Housing Policy.
4. Based upon the record and the testimony therein, and in addressing the impact upon the achievement of the municipal plan, the Commission sets the following condition (Section 15(g) of the Act):
- a. That there shall be no retail sales of any food or other products at the multi-use/rollerblade track other than from soda or vending machines; and further
  - b. That should the Applicant ever decide to implement the proposed shuttle bus, then the operation and schedule of same shall be returned to the Land Use Planning Committee for review and approval.
- B. THE COMMISSION FINDS THAT THE PROPOSED DEVELOPMENT WILL NOT SUBSTANTIALLY OR UNREASONABLY INTERFERE WITH THE ACHIEVEMENT OF THE OBJECTIVES OF THE GENERAL PLAN OF ANY MUNICIPALITY OR THE GENERAL PLAN OF THE COUNTY OF DUKES COUNTY.
- C. THE COMMISSION FINDS THE DEVELOPMENT PROPOSAL TO BE GENERALLY CONSISTENT WITH THE DEVELOPMENT ORDINANCES AND BY-LAWS OF THE TOWN OF EDGARTOWN.
- D. THE COMMISSION FINDS THAT THE PROPOSED DEVELOPMENT IS NOT WITHIN ANY DISTRICT OF CRITICAL PLANNING CONCERN AND THEREFORE THIS ISSUE IS NOT PERTINENT TO THE PROPOSAL.

The Applicant, must, prior to the opening of the facility, return to the Land Use Planning Committee of the Martha's Vineyard Commission and said Committee shall inspect the site for compliance

with the conditions contained in this Decision and may direct the Executive Director to issue a Conditional Certificate of Compliance and said Airport Motors and recreational facilities shall not open for business until such time as said conditional certificate has been issued; and further

The Applicant must return to the Land Use Planning Committee of the Martha's Vineyard Commission twelve (12) months from the date of issuance of a Conditional Certificate of Compliance and said Land Use Planning Committee shall reinspect the site and shall determine whether said site has been maintained in accordance with the conditions contained herein and may subsequently direct the Executive Director to issue a final Certificate of Compliance for the Applicant's facility.

The Applicant must, consistent with this Decision, apply to appropriate Town of Edgartown Officers and Boards for any other development permits which may be required by law.

This Decision is written consistent with the vote of the Commission: July 31, 1997.

Any Applicant aggrieved by a Decision of the Staff or Committee hereunder, may appeal to the full Martha's Vineyard Commission which shall decide such Appeal after notice and hearing, within 21 days of the close of the public hearing.

The Executive Director may issue Certificates of Compliance which shall be conclusive evidence of the satisfaction of the conditions recited herein.

Any party aggrieved by a determination of the Commission may appeal to Superior Court within twenty (20) days after the Commission has sent the development Applicant written notice, by certified mail, of its Decision and has filed a copy of its Decision with the Town Clerk in the Town in which the proposed development is located.

The Applicant shall have two (2) years from the date of receipt of the Decision of the Martha's Vineyard Commission contained in this document to begin substantial construction and should substantial construction not occur during said two (2) year

period, then this Decision shall become null and void and have no further effect. This time period may be extended upon written request from the Applicant and written approval from the Martha's Vineyard Commission.

Linda B. Sibley  
Chair

7/31/97  
Date

Irene Miller Fyler  
Notary

7-31-97  
Date



**IRENE MILLER FYLER  
NOTARY PUBLIC  
MY COMMISSION EXPIRES  
JUNE 26, 1998**

## EXHIBIT A

**MARTHA'S VINEYARD COMMISSION MEETING  
 excerpts of MINUTES OF MAY 1, 1997**

The Martha's Vineyard Commission held a public hearing which was opened by Michael Donaroma at 7:35 p.m. The public hearing notice was read.

- Applicant:** William Shay  
 Little Wheels & Airport Motors  
 PO Box 89  
 Oak Bluffs, MA 02557
- Location:** Within Martha's Vineyard Airport between the Airport Entrance Road and Barnes Road, in the Town of Edgartown, on Assessors parcel Map 24 Lot 1.
- Proposal:** To relocate an auto repair operation into a new 4,032 square foot steel building to the east of the "Hot Tin Roof"; and to construct a new, 3200' go-cart track and skateboarding park, with parking to handle 100 cars and three buildings incidental to these operations totalling 1,500 square feet, 576 square feet, and 400 square feet each.

Mr. Shay abstained and left the room. Before the Applicant gave his presentation, Ms. Sibley, Chairperson, made a statement. She explained that Mr. Jason and herself were airport commissioners and would be abstaining and leaving the room. She said they might be called upon to give testimony as the landlord depending on what happened in the hearing. Mr. Jason and Ms. Sibley left the room.

Marguerite Slayman spoke. She said Jamie Weisman and Roger Becker would be helping with the presentation. This project was designed to provide some fun for children and adults on the Island. She said Airport Motors was a relocation of an existing business. She was aware that they would be working with the FAA on such issues as lighting because the business was located near an airport. She said some things might change and they were willing to work with Land Use Planning on this for any of the changes that did come through.

Jamie Weisman, architect for the project, spoke. He explained the project's location according to the plan. He showed where the roads ran on his plan. He pointed out the building layout, parking, skateboard park, and rollerblade park. The go-kart track was pointed out. There were 3 buildings: an office, with a bathroom and place to sell tickets; a shelter for what you would need for rollerblades and skateboards; and a park barn for go-karts. Presently this site had lots of trees. They hoped to construct the track around the trees and leave as much foliage as possible.

An acoustic engineer, Charles Law, spoke. He discussed the print-out given to all the commissioners. He said go-karts were as noisy as normal conversation at three feet. Power on a go-kart would be the same as a lawnmower. He described the distance to sound ratio. He said the issues were more than the physical ones, it was the philosophical issues that were pertinent.

Mr. Colaneri asked what a Grand prix car was. Ms. Slayman said they weren't planning on using the Grand prix cars which were different. They had lawnmower engines on them as well. Ms. Gallagher asked about the number of go-karts. Would it be possible to have all ten cars in use at one time. The answer was yes. Design of the track could accommodate up to 30 go-karts at a time.



Ms. Greene stated that she noticed the date of the survey was August 1978. She asked if they were sure the go-karts would be at the same noise level as they were twenty years ago. He answered he thought they would be quieter.

Mr. Hall asked if the study from which the formula was drawn was the same lay-out as this one. The answer was no. Ms. Slayman answered that the study's track was smaller. Her track would be spread out more amongst the trees.

Ms. Gallagher asked if this facility could be used by renters only. Ms. Slayman said you could bring your own skates but there would be a fee to use the facility.

Mr. Colaneri said the study was based on from 1 to 8 karts in operation. He asked if someone could address the issue of having as many as 30 karts. Ms. Slayman said realistically there would be 12 to 15 karts on the track. Mr. Colaneri asked what that would do to the noise estimates. The noise person explained the perception of sound, that it would increase incrementally but not substantially with more vehicles.

Mr. Donaroma asked about hours of operation for the go-karts. Ms. Slayman said 9 or 10 in the morning to 9 or 10 at night. In the winter, probably 6 p.m. Skateboarding and rollerblading would be open probably from 7 to 10.

Mr. Weisman spoke about skateboard parks. He said he'd learned that they were not self-sustaining. One would need another source to help sustain the skateboard park. He said the Island children were desperate for a place to skateboard safely.

Roger Becker, a builder, spoke. Airport Motors had been at the airport for twenty years. Mr. Shay had been a Volvo mechanic there. His lease was up and the airport was working to find another place for airport motors to relocate. They decided it would be better to have a larger building than move the old building to this site. His equipment would be inside at this site. Site was 1/2 acre and had space for 25 cars to park. There was fencing around the building for security and screening. Mr. Shay had a license to store 250 gallons of waste oil. The inside of the building was a concrete slab for containment for fluids.

Ms. Greene asked if this would be a metal building. The answer was yes.

Mr. Donaroma asked about the cars at his present location, would they be outside the new building. Mr. Becker said those cars had been used for spare parts and now they could be stored as parts inside the new building.

Mr. Colaneri asked how much outside storage for unregistered vehicles would be on this property. Ms. Slayman said there were 25 parking spaces proposed there. There would be customer parking, employee cars and very few other cars. Mr. Shay was in the process of having most of the cars at the other lot towed away. Mr. Colaneri asked what the elevations for the floor plans were. The proposed building was 23 feet.

Mr. Smith asked about the hazardous waste holding site. Mr. Becker said it was a tank. He said since they had the room, it would probably be inside. Mr. Smith said he didn't see anything on the plans for it. Ms. Slayman said Mr. Shay had used 400 gallon drums with pour holes which could be contained, capped and recycled.

Mr. Donaroma asked for staff reports. Mr. Simmons stated that plans for the Little Wheels and Airport Motors had been submitted an hour before the public hearing, therefore he was not sure where Airport Motors would actually be located. Staff report was based on not knowing where it would be located. He said he had walked

the site many times. Site was full of buried garbage. He didn't know how that would affect laying of concrete. Airport Motors would not be shingled. Hot Tin Roof is visible from the road in the winter and Airport Motors would be as well. Storage at the new building would not be large enough to contain what is presently at Airport Motors. He suggested limiting the amount of time a car could be parked outside to prevent cars from standing indefinitely. He discussed traffic briefly and thought the ability for a shuttle bus to turn around in that area would not be possible. Mr. Wessling and Mr. Grant had attached a traffic report and Mr. Wilcox had attached a water quality report. There was no solid information in the plans submitted by the Applicant to answer questions about storage of oil, treatment of the floor beneath the oil containers. If there would be high white lights on late at night, would that affect the airport or the native moth population. Questions had been raised about how teens would be getting home if the place closed at 10:00 p.m. Rate of decibels was not made clear in their report. There was no correspondence on this project from the public or town boards.

Mr. Donaroma said it appeared they were waiting for quite a bit of information. Mr. Simmons said their information should be in writing for the record because there was a significant amount of information unknown.

Mr. Briggs asked if repair for karts would be combined with Airport Motors. Answer was they didn't know. Would waste oil storage for Little Wheels use storage at Airport Motors? Ms. Slayman said it could be done separately or together. Maintenance for karts would be done in the garage where they stored the karts. Containment would be done the same way as Airport Motors. They had pictures of the 500 gallon tank for gas that they would be using. She passed it around. Proposed site for the gas tank would be between the two buildings. There would be a soil floor beneath it.

Mr. Colaneri asked about the track and the parking adjacent to it. He asked how many spaces there were. There would be 100 parking spaces. Project would be done in two stages would be developed first and the other on an as needed basis. This would be done on unpaved ground using gravel or rap. It would be clear cut. The area was 280 feet long and 120 feet wide. The skate board area was 120 feet wide and 260 feet long.

Ms. Greene asked about drainage. There were no specific plans. Mr. Weisman mentioned that a soil analysis should be done.

Ms. Slayman said the gas tank was made of double walled steel with a fire guard tank. Mr. Donaroma said specifications for the tank should be submitted.

Mr. Hall asked about lighting. Ms. Slayman said the parking lot would have lighting. Correct lighting would be important and once the project was approved, they would be working with FAA on lighting.

Ms. Greene asked if the track would be lit as well as the skateboarding area. Answer was yes. Would there be a fence around the track to keep vehicles from veering off. Ms. Slayman said insurance required the go-kart track to have a metal railing for safety.

Ms. Gallagher asked what was the maximum speed for a go-kart. Less than 20 miles per hour. There would be an age limit of 6 for smaller karts and a size limit. There would be double karts that a parent could take a child on. Would the two kinds of cars be on the same track? The answer was no.

Mr. Donaroma asked what was the order of priorities in building this project. Ms. Slayman said they'd like to start off with Airport Motors and then she pointed to the plans to indicate which

part would be built first and which would be constructed a few years later. Entire parking lot would not be cleared first.

Ms. Sibley and Mr. Jason returned to the room. Ms. Sibley announced that she was an airport commissioner. She said the airport commission had given them preliminary approval. Approval did not require a highly detailed set of plans. She also mentioned that this project was not within the business park, so the business park regulations would not apply. She explained that the business park regulations could be recommended as a condition and it would affect parts of their project. She explained this further. She stated that the FAA would be very strict about the lights at night.

Mr. Hall asked her if she knew what was buried at that site. Ms. Sibley answered it had been a dump. This project would be one of the few uses that would be accepted over a Navy landfill. Ms. Sibley said she didn't know the history of the dump.

Mr. Colaneri asked if a 21E investigation would be required. Mr. Jason said a 21E was the Applicant's responsibility. It would be part of a groundwater test.

Mr. Donaroma asked if there were members of town boards who would like to testify. There were none. He asked if there were members of the public who would like to testify in favor of the project. There were none. He asked if there were members of the public who would like to testify in opposition to the project. There were none. He asked if there were members of the public who wished to give general testimony. There were none. Mr. Donaroma said he wished to continue the hearing because they needed much more information.



## EXHIBIT A

Martha's Vineyard Commission Meeting  
excerpts from minutes of June 19, 1997

The continued public hearing was opened at 8:14 p.m. Ms. Greene read the public hearing notice.

**Applicant:** William Shay  
Little Wheels & Airport Motors  
PO Box 89  
Oak Bluffs, MA 02557

**Location:** Within Martha's Vineyard Airport between the Airport entrance and Barnes Road, in the Town of Edgartown, on Assessor's Map 24 Lot 1.

**Proposal:** To relocate an auto repair operation into a new 4,032 sq. foot steel building to the east of the "Hot Tin Roof"; and to construct a new, 3200' go-kart track and skateboarding park, with parking to handle 100 cars and three buildings incidental to these operations totaling 1,500 sq. feet, 576 sq. feet and 400 sq. feet each.

Mr. Jason, Ms. Sibley, Mr. Early, and Ms. Lazerow left the room. Ms. Greene asked who would be presenting the project. Ms. Slayman stated she would be doing the presentation. Mr. Shay read a disclosure. I will be speaking for myself in my behalf on this project, this project is solely my project and based on the information I have, I can do so. This is my public declaration to say that I'm doing just that. So therefore I will be supporting my wife who will be presenting. And that's that way it will be.

Ms. Marguerite Slayman introduced herself. She was back to continue the Little Wheels, Airport Motors presentation and answer questions that were put forth at the last public hearing. One of the questions asked was about a clarification of the leased lot. She explained they had to change where Airport Motors would be located, and it had been OK'd by Mr. Dinelli and Mike Johnson. That side of the airport had only the Hot Tin Roof on it, it had not been surveyed for a number of years. Because of that, they had to make some change in where it was moved. She stated they had given a letter to the Commission with respect to the land and notice that was posted for the bidding process. They still did not have a signed lease because they still needed to go back to the Airport commissioners.

She addressed the question of the condition of part of the land that had gouges and burns and items sticking out of it. She said part of the land had been an old military land fill site that had been covered. There was still some debris there. That was where the track would be, the only thing on top of it would be pavement.

There was a question raised about being able to see the Airport Motors building from the road. She pointed it out on the plan. She said there were trees there. They would consider painting the building so that it would blend in. She felt it would not be visible from the Edgartown-West Tisbury Road. She noted they would be willing to work with Land Use Planning on what color to paint it.

There was a question about the number of cars surrounding the area of Airport Motors. She mentioned Mr. Shay would no longer be in the salvage business. He would not be stockpiling cars for parts. Presently there were 12 cars left of the 80 cars that were at the other lot. There would be 25 parking spaces around the building and they did not wish to exceed that. As far as parking and traffic, they proposed to do only part of the parking lot. She pointed it out on the plan. They planned to have a bus that would pick up kids, they would come through the access and turn around in the parking lot. They planned to maintain the road.



Water run-off was another area of concern. There would be minimal paved area. The ratio of track to land was 4:1. They planned to construct any gas or oil containment systems with concrete underneath it. The go-karts had engines that only took a quart of oil. Because of that, they didn't anticipate much problem. Mr. Shay added they were the standard of the trade and did not leak.

The hours of operation would be from 7:00 a.m. until 11:00 p.m. for Little Wheels and Airport Motors would be from 8:00 a.m. until 8:00 p.m. The plan for lighting was in front of the Commission. The lighting around the area had to meet FAA guidelines. Lights would be pointed toward the ground.

They had a study for noise by Acoustic Tech Control which was in front of the Commission. She explained the levels of noise. 30 karts would be 70.9 decibels at 100 feet away. This was slightly above the level of two people talking.

There would be three buildings as part of Little Wheels. One would be a kart barn which would be 30' x 50'; an office building which would be 24' x 24'; and one building in the skateboard park which would be 20' x 20'.

Mr. Hall asked if the lighting plan were different than what had been submitted before. Ms. Slayman said it was revised. Mr. Hall stated there were alot more poles than on the previous plan. Mr. Shay said the lighting had been designed by a company in New York that did malls, industrial areas, parking areas. The fixture was designed in such a way as to project no light out beyond 90 degrees. All light would be directed down. The height of the poles varied from 10' to 15'. Everything was kept below the tree line. He mentioned that the lights could be dimmed.

Mr. Smith asked about the three buildings for Little Wheels. What the facade would be and could they be seen from the road. She pointed to one and said it would be clapboard and pointed to the trees along the road and on the side of the parking lot. Mr. Smith asked if the building were big enough at Airport Motors to put all the cars parked there inside the building. Mr. Shay answered no, that was why they had the fence.

Mr. Vercruysse asked if there were emission standards for the go karts. Mr. Shay answered that they were very clean with very small engines. He said there were no emission standards. Mr. Shay said the fastest the go karts would go was 18 to 20 mph. He pointed out the kart tract on the plan.

Question was asked were they putting up a sound wall, the answer was no. Question was asked about decibel level if 30 karts were operating at the same time. Mr. Shay said the sound would drop when the noise reached the Edgartown-West Tisbury Road.

Ms. Greene asked for staff reports. Mr. Clifford stated it was all in front of the Commissioners. Ms. Greene asked if there were anything that needed clarification. Mr. Clifford answered that on the staff notes, there were notations that the Applicant did not respond. The staff report had been written up before material had come in from Mr. Shay. Mr. Clifford said the Commissioners should compare the staff notes with the testimony they had heard this evening. He thought Ms. Slayman had addressed most of the issues.

Ms. Greene said one issue they had asked about was waste oil and gas containment. She mentioned they had heard testimony to the fact that there would be gas containment through the concrete holding tank. She asked if the Applicant could address further what they planned to do with all petrol chemicals on site.

Mr. Shay answered that the gasoline containment complied with the same design that was in the Edgartown golf course. They had a 500 gallon fire guard, double-walled tank that had a concrete pad underneath it. There were specifications for it in the information packet submitted. He pointed out where it would be located on the plan. There would be a fence around it. There would be a waste oil burner located on the site. He pointed to a space on the plan for a small one and a space for a larger one depending on the cost of it. They would also have an oil containment boom which would vacuum up any spill. He

described the waste oil burner and how it operated further. He described how the waste oil on the Airport Motors property would be handled.

Ms. Mead asked about the noise. She said the materials given to her stated facts about the volume of the noise but didn't say anything about the frequency. She asked if he would compare it to a moped. He said a moped had a higher pitch. She requested some data regarding the noise pitch.

Ms. Greene asked for testimony from town boards. There was none. She asked if there were members of the public who wished to testify in favor of the project. There were none. She asked if there were members of the public who wished to speak in opposition to the project.

Mr. Gerry Wroe introduced himself and his wife, Eileen. They were residents of Coffin's Field. He read a letter that he then submitted to the Commission, voicing concerns about the project polluting the air and the night sky, the noise, and the project not in keeping with Island values.

Mr. Michael Cassavoy spoke. He was a resident of Coffin's Field and president of their association. He was most alarmed by the noise this would produce, by the increase in traffic. He didn't want to see metal buildings there. He felt the quality of the neighborhood would be affected by the project.

Mr. Barry Simon spoke. He lived off Watcha Path. He felt the issue would be how well the go karts would be maintained and how well the place was run. If mufflers and parts were not replaced in a timely fashion, the go karts could become noisy and start polluting. He felt the project was an inappropriate use for the neighborhood and the area.

Ms. Greene asked if there were members of the general public who wished to give general testimony. There were none. She asked the Applicant to give a summary.

Ms. Slayman said one of the reasons they wished to located the project there was the noise already existed in that area. The airport produced noise, the transfer station, the Hot Tin Roof, the noise would blend in well with that. She felt the area was a safe place for a skateboard park and mentioned that the children on the Island wanted a place to skateboard.

Mr. Shay wished to enter a petition into the record. There were approximately 300 signatures from high school students and community members who would like to see this track completed.

Ms. Greene closed the hearing and 8:59 p.m. and left the record open for a week.

Edgartown, Mass. August 4, 1997  
 at 9 o'clock and 10 minutes A M  
 received and entered with Dukes County Deeds  
 book 705 page 406  
 Attest:

June E. Pomeroy Register