



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

Martha's Vineyard Commission

Planning and Economic Development Committee

Minutes of the Meeting of September 15, 2010

Held in the West Tisbury Town Hall, West Tisbury, 12:00 pm

Commissioners Present: *Kathy Newman (Chairman), Christina Brown, Lenny Jason, and Ned Orleans*

MVC Staff Present: *Christine Flynn, Mark London*

The meeting was called to order at 12:11 pm

1. Minutes of the Last Meeting

Christina Brown moved and it was duly seconded that the minutes of the PED meeting held on August 11th be approved as drafted. Approved unanimously.

2. Procedure to Adopting Meeting Minutes

Since PED meets on a monthly basis, it would be desirable to send minutes to all Commission members before the subsequent meeting, to allow Commissioners to keep track of progress and decide to attend meetings of special interest. Since the Open Meeting Law (OML) does not allow committees to adopt meeting minutes via email, Mr. London suggested that we use the following procedure:

- The PED staff person would prepare a first draft, would have it reviewed by the Executive Director and/or the PED Chairman, and would send them to attendees,
- Attendees would send comments and corrections to staff, without sending copies to other committee members, which could be in violation of the OML,
- The PED Chairman would be authorized to finalize the minutes.
- The final minutes should be sent to all Commissioners, preferably within two weeks of the meeting.

Christina Brown moved and it was duly seconded that PED authorize its Chairman to finalize meeting minutes, after attendees have had an opportunity to give staff comments on a draft version. Approved unanimously.

3. MVC Policies

Discussion of Which Policies We are Looking At: There was a discussion of what policies PED is looking at: is it general MVC policies or the specific policies for DRI review. Do we need additional general policies or can we use the Regional Plan (made up of the Island Plan, the previous Regional Island Plan Policy Plan, and the set of DRI policies)? The greatest need is to revise DRI Policies, which are a subset of general policies that provide guidance to both

Commissioners and Applicants during DRI Review. The priority is to ensure that DRI Policies are consistent with the Island Plan.

Housing: Ms. Brown reported that she and Mr. Orleans had reviewed the materials. She gave a brief overview of the MVC's Affordable Housing Policy highlighting staff's review in May particularly recognizing that the MVC has long been in the forefront of addressing affordable housing with inclusionary zoning and mitigation fees. Ms. Brown said that the current policy is not inconsistent with the Island Plan, but the Policy should be updated or modernized. Twelve or fifteen years later, the economic situation has changed and we need to bring in line with current conditions and needs. For example, the commercial square footage mitigation calculations seem too low.

Ms. Brown distributed a list of proposed Island Plan strategies and who could implement what. Seven could be included in DRI review. Nine would take action by towns and/or non-profits, possibly with technical assistance from the MVC.

Ms. Brown also handed out a list of items that could be considered when revising the MVC's Affordable Housing Policy. Some of the items are as follows:

- Review inventory of past DRI decisions with Affordable Housing conditions
- Evaluate the 2003 MVC Nexus Study
- Evaluate the 2001 and 2005 Housing Needs Assessment
- Evaluate the Housing Strategies highlighted in the Island Plan
- Evaluate the MVC's Affordable Housing Committees 2001 and 2006 efforts to revise the policy in addition to any legal advise from MVC Council
- Other items not directly tied to the policy included technical assistance to the towns, evaluation of zoning, best practices

Mr. London suggested the possibility of a two-step process, such as is used by the Cape Cod Commission, whereby an applicant must meet a minimum standard to even have their application considered, after which the Commission would weigh the additional benefits and detriments.

It was mentioned that sometimes during the DRI Public Hearing process, the Affordable Housing Policy is sometimes an afterthought or is not mentioned outside of the staff report. Ms. Brown acknowledge that even though Commissioners have a responsibility to actively discuss a project's potential impact, whether it's a benefit or detriment, on Affordable Housing during the public hearing process, often times the board does not vocalize thoughts or concerns beyond the staff report.

Members discussed how information is processed prior to and during the DRI Public Hearing(s) in addition to the project evaluation in the DRI Staff Report. It was clarified that the staff report evaluates the permitting, zoning, housing, water quality, traffic impacts in addition to landscaping, lighting, and energy. Staff meets with the applicants to prepare them for the public hearing process but also to gather information that is then formulated into a staff report for MVC members. The DRI Staff Report does indicate whether a project is or is not consistent with MVC's DRI Policies. It's clear that while identifying and weighing the benefits and detriments, there are trade offs between the various DRI Policies. But it's important that all DRI policy guidelines are

clear and provide options to mitigate a project's potential impact whether its water, open space, or affordable housing.

The 2003 Nexus study looked at what mitigation would be appropriate for commercial projects. The 2006 draft policy suggested that with residential projects, for every six units, there should be one affordable unit and one moderate unit. It might be necessary to carry out a new Nexus study to support this recommendation.

It was agreed that staff would gather the following Housing information during the month of October:

- The Draft Affordable Housing Policy from 2006
- Update members on the Cape Cod Commission's Affordable Housing Policy
- Provide an inventory of DRI decisions highlighting Affordable Housing Conditions since the Affordable Housing Policy was adopted in 1986. Christine should distribute the inventory she prepared a few years ago, and then update it when she is able.

Agriculture/Aquaculture: Kathy Newman reported the MVC did not have clear guidelines when reviewing Grey Barn, Fischer Farm, and Morning Glory Farm. The following discussion points were raised:

- We have to clarify what our goals are and what farming is – food production on land and/or raising animals, cultural values, scenic vistas. Is the MVC more concerned with saving top soil or setting aside land for food producing agricultural purposes?
- Two other DRI policies have a direct impact on agriculture, namely Water Quality and Open Space. We should look at these policies to ensure that they deal adequately with agriculture. This could prove more important than drafting a separate Agriculture Policy.
- There is an obvious nitrogen loading impact from farming. Should the MVC differentiate standards between a real estate developer and farmer, such as by having the Water Quality Policy allow some kind of nitrogen loading exceptions for farming or affordable housing projects? Presently, the nitrogen allocation for a watershed is divided evenly by area; could a portion of the allowable nitrogen in a watershed be set aside for farming and affordable housing before dividing the rest of the allocation on an area basis? If the MVC is to differentiate between developer and farmer how do we reconcile the different nitrogen loading impact(s)? Should the MVC focus on pesticides and fertilizers as well as best management practices for agriculture.
- The Open Space Policy does mention farm and soil preservation and the MVC has soil conservation maps. It was also mentioned that there are creative ways to conserve farmland through the DRI Subdivision Checklist – Prime Ag Soils but also condition tight cluster housing and building envelopes.
- The goals of the policy should be to preserve as much existing agriculture and aquaculture as possible, and encourage their expansion.

Ms. Newman mentioned that she would meet with Jim Athearn and Andrew Woodruff in addition to MVC staff to gather more information relating to Agriculture/Aquaculture.

The next PED meeting is Wednesday October 13th at 12:00 pm at the West Tisbury Town Hall.

The meeting adjourned at 1:32 pm.

Minutes prepared by Christine Flynn and edited by Mark London