

THE MARTHA'S VINEYARD COMMISSION

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MINUTES OF JULY 21, 1994

MARTHA'S VINEYARD COMMISSION MEETING

The Martha's Vineyard Commission held a public hearing on Thursday, July 21, 1994 at 8:00 p.m. in the Commission Offices, Olde Stone Building, New York Avenue, Oak Bluffs, MA on the following Development of Regional Impact (DRI):

Applicant: Martha's Vineyard Agricultural Society

Location: Panhandle Road
West Tisbury, MA

Proposal: construction of an agricultural hall qualifying as a DRI since the proposal will serve the residents of more than one town.

Linda Sibley, Chairman of the Land Use Planning Committee, (LUPC), read the Public Notice and opened the hearing for testimony at 8:10 pm. She called for applicant presentation.

Dale McClure of the Ag Society and project manager, discussed the proposal currently before the Commission. He discussed the various changes and accommodations made to address abutter concerns. He noted that Michael Van Valkenberg, the landscape architect, who did the plans was present. He then discussed the "year-round plan" and the "fair plan". He then discussed the site and location of the proposal. He discussed the type of barn being constructed and the access to the building. He noted the building would face Panhandle Road. He also indicated where the various permanent buildings would be. He then indicated where the various uses such as rinks and show areas would be. He then discussed the issue of parking and where it would be located. He noted that the permanent year-round parking would be to the rear of the site. He also discussed the emergency road that went around the site.

Mr. McClure then explained how the "fair plan" would work. He discussed the usage of temporary fencing, the various aspects of the fair, the parking issues, etc. He then discussed the various fences that were or would be put on the site. He then discussed a drop-off area for leaving fair goers as well as pick up passengers. He then discussed the area set aside for future parking.

Ms. Sibley asked about the acreage of the site. Mr. McClure indicated about 21.8 acres. - the carnival area about 2+ acres, the booth area

about 2 acres also.

Mr. McClure then discussed the proposed lighting plan - low lighting with each structure having lighting on corners. He indicated that no type had yet been selected. He felt that lighting should be where needed.

Ms. Sibley indicated that two of the Commissioners wished to make public disclosure statements.

Ms. Greene indicated membership in the Ag Society and that the office that she worked for had done work for the Ag Society during the purchase of the site.

Mr. Early also indicated membership in the Ag Society.

Mr. Schweikert questioned the structural plans. Rick Anderson discussed the structural plans including what was the older portion of the structure and that which was new. He noted that the new wing would be fully winterized for use all year.

Ms. Rubinoff questioned whether there were septic plans available.

Mr. McClure indicated where the systems were to be located. A discussion of alternative systems followed.

Ms. Rubinoff then questioned the number of parking areas shown - the figure of over 200 was indicated.

A discussion of the number of visitors that attend the fair and the numbers of vehicles that were normally parked throughout the town followed.

Michael Van Valkenberg discussed the landscape plan. He discussed how the proposal was developed. He discussed the various areas shown and how attempts had been made to blend existing with new. He then discussed the proposed alleé of apple trees which lead to the Ag Hall.

Ms. Greene questioned the possible heights of the lighting. Mr. Van Valkenberg indicated between 16-25 feet. Ms. Riggs questioned whether each light would be individually controlled. Mr. McClure felt yes and explained why.

Mr. Sullivan discussed the generators for the carnival. Mr. McClure indicated that they would be within the carnival areas itself.

Ms. Riggs questioned the location of the water source. Mr. McClure indicated that there was a well on-site.

Mr. Schweikert questioned the ground cover for the front of the building. Mr. McClure indicated grass primarily with a good use of wood chips.

Ms. Rubinoff questioned whether all cars would leave at the same time. Mr. McClure indicated that there would be a double wide exit only and that it was the best location on the site for such.

Ms. Sibley discussed the deed restrictions that came with the sale of

the property.

Brenden O'Neill of the Vineyard Conservation Society discussed the agricultural restriction on the site and explained that the proposal of the Ag Society fit within the context and was permissible and consistent with the restriction. Ms. Sibley indicated that she had found the restriction in the file.

Ms. Sibley asked for a staff report. Mr. Clifford indicated that there were two written summaries available from staff but since the plan was very late in arriving, an updated report was not available. Mr. Wilcox discussed various aspects of the natural conditions of the site. He further discussed the use of apples in the alley and suggested alternative considerations.

Mr. Wessling briefly discussed the possible traffic issues and suggested monitoring throughout the first couple of years.

Ms. Sibley questioned whether there was any official correspondence from the police and fire departments.

Ms. Sibley then called for town board testimony.

Mr. Early, Selectman, noted that a letter was on file from the Board of Selectmen and expressed concern over traffic, height of structure and other minor matters but were overall pleased with the proposal. A discussion of the height of the structure and the need for Board of Appeals review followed. Mr. Early further discussed the height of the structure and the appropriateness of leaving the height as is.

Ms. Sibley called for testimony from the public in favor of the proposal.

Anne Nelson, an abutter, spoke in favor of the proposal. She indicated thanks to the Society for its concern for the abutters. She expressed three concerns: liability, buffer strengthening and traffic.

Jack Grey, abutter, expressed favor with the proposal and the concerns of the abutters. He felt that traffic and privacy were of concern.

Skip Manter, trustee of the Ag Society, spoke in favor of the plan. He thanked the abutters for their ideas and comments and felt the overall plan was good.

Ms. Sibley then called for those persons opposed to the plan.

Burton Engley felt that the soils were of such good quality as agricultural lands that it was not worth destroying its value for a three-day carnival.

Ms. Sibley then called for other testimony - there was none. She then called for applicant summary.

Dale McClure discussed the issue of driveways onto the site. He further noted that the land could and would still be used for agricultural activities.

Mr. Best questioned whether alternative toilet systems had been considered. A discussion of this matter followed.

Mr. Sargent questioned whether educational activities could be undertaken on-site. A discussion in the affirmative followed.

Ms. Rubinoff questioned whether community gardens had ever been considered. The issue had never surfaced before.

Ms. Sibley asked that letters from the police and fire departments be submitted for the file. It was also noted that the final lighting design should be submitted for the file.

There being no further testimony the hearing was closed at 9:19 pm and the record kept open for one week.

Michael Donaroma, Chairman of the Commission, called the Regular meeting to order at 9:35 pm. He noted that the first item would be ITEM #5.

Mr. Clifford discussed the hearing that he and Mr. Jason attended before the State Appeals (Building Code) Board. Ken Hurd discussed his feelings related to the hearing and asked for the opportunity to meet with LUPC as soon as possible. A discussion of the resubmittal of a new plan followed.

Mr. Jason further discussed the meeting in Boston. A general discussion of this issue followed. It was decided that the Sharp DRI would be on the schedule for LUPC on the 25th and the Hearing re-opened in August. A discussion of any follow-up action by the MVC followed.

ITEM #3 - Approval of Minutes

It was moved and seconded to approve the minutes of June 16, 1994.

Mr. Hall discussed an expansion of the explanation of the status of the Herring Creek law suit. - all agreed. - the minutes were approved with the agreed amendment and 2 abstentions (Riggs, Schweikert)

[The minutes of June 16th were amended to indicate the dates as of June 16th which were set by the court for arguments on the request for dismissal - July 13, 1994 was the date set.]

ITEM #4 - Chairman's Report

Mr. Donaroma reminded all of the meeting on August 11th here with the Cape Cod Commission - the time to be 7:00 pm.

- LUPC

Mr. Donaroma reported on the recommendations regarding the two DCPC requests. He noted the recommendation was to approve both as requested.

- PED-EDTF

Mr. Clifford discussed the extension of Sarah Laverty for the fall semester to work with the PED on specific economic proposals.

- Ag Task Force - no report
- Legislative Liaison - no report

ITEM #5 - DCPC changes

Cape Pogue DCPC boundary change

Mr. Colaneri moved approval of the request as presented. - so voted with 2 abstentions. (Riggs, Schweikert)

Edgartown Great Ponds regulation change

Mr. Hall discussed the proposed changes and indicated in favor.

On a motion by Mr. Colaneri duly seconded the Commission voted to approve the request of the Town to amend the regulations of the Great Ponds DCPC with 2 nays and 2 abstentions. (Riggs, Schweikert)

ITEM #6 - MVC Regulations changes

Mr. Hall discussed the problems of cross town referrals and the tolling of the clock for local boards. He further discussed the issue with respect to MVC regulations and the legislative intent.

A discussion of this matter followed.

Mr. Clifford discussed his feelings and indicated that he would contact legal counsel regarding Section 2.5.1. paragraph 2 and Section 2.7.a.

ITEM #7 - New Business

Mr. Best discussed the deadlines for submission of nomination papers.

Mr. Colaneri discussed the current reviews and discussion regarding the sewerage issues and questioned whether there could be any regional involvement.

A discussion of this matter followed.

Ms. Sibley discussed a letter that had been sent to the towns and the reactions she had witnessed.

A discussion of this issue continued.

Mr. Colaneri felt the issues and potential ramifications are regional in nature and should be discussed regionally.

Mr. Schweikert discussed the matter from the Oak Bluffs perspective.

A general discussion of possible procedures and steps followed.

A discussion of the various alternatives available and the planning process followed.

Ms. Rubinoff suggested contacting MEPA and use their process of facilitation to help the towns.

A discussion of this matter followed.

Ms. Sibley further discussed early MVC involvement in helping facilitate issues.

Mr. Sullivan further discussed the issues related to conventional and alternatives.

A discussion of effluent discharge areas followed.

Mr. Best discussed potential rolls for the MVC and the

quality of the staff as far as being a resource for the towns and the Island.
A discussion of past studies and activities related to the issue of sewerage followed. A discussion of the next steps followed.

It was suggested that the towns have their engineers make a presentation to the MVC for the purposes of informing the MVC as to the status of planning.

Mr. Schweikert discussed an open process and the need to approach the Boards of Selectmen to discuss any assistance or facilitation offers. He suggested letters from the MVC offering to participate.
A discussion of what the consent order contained followed. A discussion regarding the scheduling of series of meetings amongst and between various interested groups, where, and who the participants might be followed.

Ms. Rubinoff suggested a number of alternatives which could be helpful and stressed potential MEPA involvement in facilitation.

A discussion of the need to begin to pull things together very soon followed. Mr. Schweikert suggested a letter from the MVC so that he could put it on the next Selectmen's agenda for discussion.
A discussion of the further involvement of MEPA and the MVC followed.
It was duly moved and seconded to send a letter to the Selectmen outlining the involvement options available through the MEPA process. So voted.

There being no further business the meeting adjourned at 10:12 pm.

ATTEST



Michael J Donaroma,
Chairman

8/11/94

Date



Jane A. Greene,
Clerk/Treasurer

8/11/94

Date

Attendance

Present: Best, Colaneri, Donaroma, Early, Greene, Hall, Jason, Lazerow, Riggs, Sargent, Schweikert, Sibley, Sullivan, Rubinoff, Gallagher

Absent: Briggs, Bryant, Vanderhoop, Allen, Bolling, Chapin