

September 12, 2016

Members present: Amy Billings and Richard Combra JR

Minutes approved: August 1 & 29, 2016

Special Event Permit Applications

- Vineyard Triathlon 2017 – Waban/Alley Park – September 9-10, 2017

Commissioners said that they would hold the date and advised that the completed application is due by March 1, 2017. They were advised if they are going to do prepared food that they should check with Board of Health.

Commissioner Amy Billings would like for them to return after she gets feedback from people.

- UPDATE MV Craft Beer Festival – Washington Park - Saturday, September 24, 2016

Erin Bayer Santos presented Commissioners with signed application, proof of insurance, a copy of beer/wine license and a letter from the Building Official stating he anticipates giving final approval by Friday. She said that she notified the neighbors both hand delivered and return receipt; letter addresses concerns about trash, security, parking and pottys.

Amy said that she received a phone call from Board of Selectmen Chair Gail Barmakian who had questions from neighbors who had not received any notification of the event.

William Lytle of 8 Chapman Avenue read a letter from “The Residents Committee of Washington Park” (attached) stating their objections to the “beer fest”:

- Commercial businesses not allowed on Town property
- Application is not complete
- Abutters were not notified
- Promotion of event (Facebook, newspapers, etc) prior to approval
- Intrude on peaceful enjoyment of their property
- Other venues more suited for the event
- Will take money and taxes away from other businesses who sell beer
- Does not convey the type of image they would like to see for the Town

Shelley Davis of 10 Chapman Avenue read a letter from Rob Leatherbee and Margaret Tilton Leatherbee of 12 Chapman Avenue (attached) stating their objections:

- It is a public park and 2/3 of park will be off limits to public that day
- Public will suffer noise, traffic, confusion, unsightliness and mess for weekend while private promoters and off island vendors prosper
- Will hurt tax paying lounge and restaurant owners by taking business away from them
- Inconsistent with Copeland District bylaws
- Inconsistent with zoning bylaws
- Application was not complete as of September 10, 2016
- Abutters were not notified
- Promotion on Facebook prior to approval

Amy explained that the applicant received preliminary approval from the Park Commission in order for her to go to the other Boards for the additional permits (BoS, BoH, etc.).

Erin explained that Brew Krew LLC that holds the beer/wine permit was formed during the process as the production company and she is the owner of both MV Craft Beer and Brew Krew LLC.

Amy said that it would be from 12:00 PM on Friday to 12:00 PM on Sunday as they do not want the tent to be erected or taken down during night time which does happen at other private events.

Erin explained that the rule of thumb for pottys in one per 100 people and she estimates about 1,000 people attending as she has sold about 400 tickets so she has currently nine pottys ordered with the possibility of more if needed. She added that the Board of Health wants her to have at least nine and that they will be placed along

Wayland Avenue. She also said that the music will be in the background and is not the reason people would be attending the event.

Neighbors said that it will take business away from tax paying businesses who rely on the weekend revenues and why could it not be in Waban Park which is larger and would not affect as many people.

Amy replied that they wanted a park that was close to a bus route, walkable for people staying at the inns in Oak Bluffs and did not want provide parking as they did not want people driving to the event. She said small events get "lost" in Waban Park and people want to park in Waban Park and the neighbors there have given their opinions of events in Waban Park and the Park Commission has cut back on large events there.

She continued that the event has been permitted and there have been public meetings so they will not be cancelling the vent but the Park Commission will be watching it carefully as will the Selectmen, Police and everyone else. She said it will probably be more of a process next year. She said that they did ask her to notify the abutters and the Park Commission public meetings are where people can find out about events. She added that the Park Commission does not send out notices to everybody on every event that goes on in the park.

Neighbors said that they were not notified by Erin until Saturday, September 10th which did not allow them ample time to object to the event.

Erin apologized for the delay in notifying the neighbors.

Jean Loud suggested that could be something added to the process such as abutters must be notified 60 days in advance of a large event. She also suggested that the Town give each owner along Chapman Avenue some small orange cones so people don't park in their driveways.

Mr Lytle stated that even if they are only pouring 2 oz. samples that people will be drinking a lot of beer and there will be unruly people during and after the event.

Mr James Reidy of 14 Chapman Avenue said he is upset about the notification process as he now has to inform a wedding party that their harbor view they paid for will be blocked by a tent. He continued that they will have to discuss their next step and perhaps they will get a court ordered injunction to stop it two days before the event. He said that the two Selectmen that he spoke with do not like the event.

Amy responded that the BoS approved her beer/wine permit with one Selectmen abstaining and the Park Commission will not pull her permit because she did not inform the abutters in a timely manner. She continued that they will add something to the special event permit application with a date of notification of abutters either 30 or 60 days.

Mr Lytle said that they will be going to the Board of Selectmen's meeting and present them with their concerns.

Erin addressed the concern about pouring of alcohol and that all of the people coming have been licensed by the State which is beyond what is required by Safe Serve bartenders. She said that the people go to these events to speak with the brewers about the beer not to get sloshed.

Aaron Mateychuck, a property owner in Oak Bluffs as well representative of Lookout Farm Hard Cider located in Natick stated that Erin was very professional and he was there to represent their product for people to sample.

Mrs Davis said that it is not against Erin but the people who signed the letter and a few others do not want this event to happen and perhaps it could be worse but the bottom line is that they just don't want the event. She asked if other events in parks had been approved to serve alcohol and the answer was yes for beer and wine. She added that it was too late for them to do anything and perhaps that was intentional.

Amy replied that it was not too late and she was glad to hear from the neighbors, she did not believe it was intentional and she hopes that they would feel differently about it afterward as she thinks they have the wrong impression of it.

Mrs Lytle felt that any alcohol should not be permitted in public parks.

Mr Reidy asked if they knew of a by-law that forbids a private entity for making money on public land. He said that there is and so the event was illegal.

Commissioners said that they would have to research.

A woman who lives on Waban Park described the music event that occurred and had they no problems with them serving beer and wine as the security is strictly enforced.

Amy stated that she has no objection if they want to go the BoS and voice their concerns.

Commissioner Richie Combra Jr said that they will adjust their procedures so that notification of neighbors occurs before an event.

Amy gave an example of a beach event being rejected for August but they had the party anyway. She had said to them that they can gather at the beach as I can't stop them from going to the beach but they brought grills, DJs, etc.

She said the Commission is trying to be responsible and trying to help the Town bring in business in the off season.

Erin said that there are events tied to festival at venues on Circuit Avenue on Thursday night, Friday night, Saturday night and Sunday morning. She continued that the Police detail is up to the Chief and she has also hired a private security company.

Kathy Cowley of 4 Chapman Avenue said that there are studies that show open markets and festivals bring 60-70% in direct business to towns that hold them.

Mr Daniels of 9 Tuckernuck Avenue said he could see how people look at the park space and want to make money using them, he suggested some controls so people don't go wild.

Amy replied the few events they do permit to use parks have to pay a fee and it is the only way the Park Department can make money so they try to limited them and they have become elaborate.

Mr Daniels said that he is willing to provide support for future events as he is an abutter of Waban Park.

Commissioner updates

Amy advised that Mark Crossland would the Park Commission to take a stand on tarps on Ocean Park for fireworks day starting at 6 AM.

Richie felt that setting a time would be difficult but perhaps they could advertise no tarps – blankets, chairs & towels only.

Discussion of wetness of park during fireworks; Richie explained that the water main shut off is broken and needs to be dug up and fixed by Water District. He also said someone vandalized a sprinkler head and turn it on. He said he spoke to Mark about the sprinkler going off on Sunday nights and will need to meet with him before next season.

Commissioners agreed that they should inform people that no tarps allowed on Ocean Park for fireworks.

They also agreed to send a letter to the Police Chief with list of regulations regarding the beach use during the summer season. As well as adding something to the Special Event Permit Application regarding notification of abutters and supplying proof to the Park Commission.

Niantic Park

**Oak Bluffs Park Commissioners Minutes
September 12, 2016**

Page 4

Amy advised that Kris Horiuchi should be finished with the numbers regarding Niantic Park and what needs to be paid from which account. She has been talking with various landscapers regarding the irrigation system.

Meeting adjourned 6:20 PM.

The next Park Commission meeting is on Monday, September 29, 2016 at 5:00 PM at the Town Hall lower level meeting, 56 School Street, Oak Bluffs, MA.

9/12/16

Oak Bluffs Park and Recreation Commission

Re: Craft Beer Festival

Dear Commissioners.

Please do not approve the craft beer festival use of Washington Park.

Washington Park, like all Oak Bluffs' parks, is a public park - a gift to the town for that purpose. Allowing it to be used to the commercial benefit of private businesses is wrong. If this festival is allowed, two thirds of the park will be off limits to the public. The public will suffer the noise, traffic, confusion, unsightliness and mess for a day and possibly the weekend including set up and tear down - while the private promoters and off island vendors prosper.

This is the kind of event commercial venues, like the PA club, are for.

Allowing the festival will hurt our local tax paying lounge and restaurant businesses. Allowing others to drain their customer base and dollars away using town property on a fall weekend isn't fair to them.

Allowing this festival is inconsistent with the spirit of town Copeland District bylaws. The spirit of these laws is to "enhance rather than detract from the prevalent Victorian architecture and shall enhance the inviting and open "village green" of the park. Variety is to be maintained as a key element in the fabric of the overall park presentation. Views from abutting properties shall be preserved." (Zoning Bylaws, 9,XVIII,D,4). Washington Park is within the Copeland District. (Zoning Bylaws, 9,XVIII, D,2,e).

People come to Oak Bluffs for its open and inviting beauty as well as its many unique commercial entities. Oak Bluffs is the island party town as well as the island town with the most diverse scenic beauty and architecture. Allowing one to prosper at the expense of the other is wrong - especially in the town public park gifts.

Allowing a possible 2500 attendee alcohol-fueled 5 band amplified music festival in the middle of a town residential area is inconsistent with town zoning laws. The whole purpose of residential zoning is to keep things like this from happening. The grandfathered businesses in our area are mindful of where they are and respect that.

We arrived on island and learned of this festival from its on line Facebook promotional advertisement and bulletin board posters. Imagine finding out a beer fest might happen in a quiet park in your front yard. We were alarmed. We expected to enjoy the peaceful tranquility of our home that weekend with our family which is our right. We sought to find out more. We learned the application was not approved and was incomplete - specifically in the areas of sanitary facilities. We learned the promoters were asked to notify abutters which they had not (until late Saturday 9/10) and that the event was not to be advertised until approved - yet it was being advertised on line and on town bulletin boards. This is unnerving. What other town rules and procedures are going to be ignored?

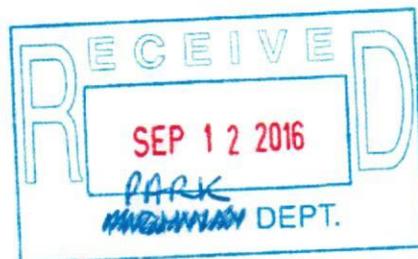
Thank you for the work you and your committee does. We think the parks are Oak Bluffs' jewels. We are also happy that the town values the parks by having your commission overlooking them in accordance with the many guidelines in town bylaws to preserve their use.

We are sorry we can't be at tonight's meeting. We are professional people tending our off island responsibilities. If we were provided timely notice we would have been present. We thank our neighbors for presenting our thoughts to you.

Rob Leatherbee PE
Margaret Tilton Leatherbee MD

12 Chapman Ave
Oak Bluffs

33 Court St
Exeter, NH 03833



September 8, 2016

To: The Board of Selectmen of the Town of Oak Bluffs

The Parks and Recreation Board, Town of Oak Bluffs

From: The Residents Committee of Washington Park

This letter is written to protest the granting of a permit for a Beer Fest to be held in Washington Park on Saturday, September 24. This letter is written on behalf of the taxpayers who own property in the area of the park.

We strongly urge you, in light of the many reasons outlined below, to rescind the permit or not grant it for this event and not to consider any further use of the park for these types of events.

It is our understanding that commercial businesses are not permitted by the town laws to operate in the town's public parks or land. A recent article in the MV Times regarding a Oak Bluffs moped business referenced a zoning law that prohibited their use.

Additionally, the application for the permit for this event has not been completed.

The applicant for the event is required, under the terms of the permit for which they made application, to inform the abutters of Washington Park of their desire to stage a Beer Fest in the park and to be available for public comment. No such notice has been sent, even though they were provided a listing of the abutters from the parks department.

The applicant is also required to withhold promotion of the event until the requirements of the permit were completed. We have obtained a copy of the application and several items required for its completion are not complete. However we have seen promotion materials for this event over the past few weeks, on line, on face book pages and mentioned in the Boston Globe.

We believe that commercial events in the park intrude on our peaceful enjoyment of our homes. The additional traffic of people and automobiles along with the consumption of alcohol in the area restricts our ability to fully enjoy the peaceful settings we have purchased.

There are other venues for which an event of this kind can be used. The PA Club comes to mind, as a place which would be more appropriate for this kind of an event.

We also believe that this kind of commercial event takes business away from the legitimate, taxpaying businesses of the town, who deal in the selling and promotion of beer.

The Town of Oak Bluffs has worked hard to improve its image. The cancellation of the shark tournament, speaks volumes to the type of events that were not working to improve the image of the town.

A Beer Fest, with tents, amplified music, food, and alcohol, in a public park, does not convey the type of image for we would like for the town. We see it as a step in the wrong direction. Our concerns

establishing precedents for the private, commercial use of town, public property are certainly heightened by the possibility of this event.

We strongly object, to the granting of a permit for any event without any notice to the abutters of the park. The abutters and neighbors will be most affected by any event scheduled in the park and should be made aware of any events being considered.

Respectfully

The Residents Committee of Washington Park

William and Veronica Lytle, 8 Chapman Ave

Robert and Margaret Leatherbee, 12 Chapman Ave

James and Deborah Reidy, 14 Chapman Ave

Shelly Davis, 10 Chapman Ave

David and Lynn Edmonds, 2 Chapman Ave

Lee Van Allen, 18 Wayland Ave

Monica and David Lyle, 30 Greenleaf Ave

Alvin Johnson, 18 Greenleaf Ave

Shawn Lytle, 28 Greenleaf Ave

Robert Penney, 11 East Chop Drive

Jacqueline McGillecuddy, 15 Wayland Ave

Ronald Gault, ⁹ Simpson Way

Robert Murphy, 19 Simpson Way

James and Lynn Walsh Wayland Ave

