

Oak Bluffs Planning Board
Meeting Minutes

January 12, 2017 at 5:00 p.m. in the Oak Bluffs Town Hall Lower Level Meeting Room

Members in attendance: Erik Albert (acting Chairman), Jeremiah McCarthy, Ewell Hopkins

Members absent: Brian Packish (Chairman), Robert Fehl (Vice Chairman)

Staff in attendance: MacGregor Anderson (Administrative Assistant)

Chairman Albert opened the meeting at 5:02 p.m.

Edgartown Vineyard Haven Road corridor land use regulatory review

Member Hopkins, having been asked at the previous meeting to coordinate with the MVC, said that they had determined it was important to compile the land use regulations in place for the corridor. Bill Veno of the MVC would present their findings and the Board would publish this information later for those that could not attend.

Mr. Veno drew the Board's attention to the zoning map which showed most of the corridor zoned R-3 with some zoned R-4. He then detailed the seven overlay districts on another map, and distributed a table that listed the zoning and overlays and showed locations, uses and limitations. He reviewed the table column by column with the Board and audience. He noted that he planned some additions to the table including more information on special permits, non-conforming uses, and area. Mr. Veno said it could be that as you looked at what types of uses you wanted to allow, you would want to look at how non-conforming uses were treated in the district. Mr. Veno also pointed out that the Southern Woodlands DCPC had a very large number of regulations, and he had attempted to categorize them.

According to Mr. Veno, the Island Road District primarily regulated curb cuts and height of structures in a wooded area. When the district was created in the 70s this was seen as a more natural area and the goal was to protect the view of the woods. Things have evolved over 40 years. Mark Barbadoro said the district also restricted a lot of uses. Mr. Veno said he'd discussed that with Jo-Ann Taylor at the MVC because the way Oak Bluff's regulation was written, it said any underlying use was permitted but listed them as agricultural, residential, recreational and open space. If the underlying zoning allowed some commercial uses, the language wouldn't allow that since it was not in the category of permitted uses. A home occupation is part of a residential use so he could see where that would be allowed. Mr. Barbadoro said he felt the Island Road District's rules had been misconstrued or ignored long enough that there was almost no point in having the district between the rotary and the nursery. Mr. Veno said that was a goal, to see if these rules had served their purpose and were past their time. Mr. Veno added that the Island Road District required 1000 feet between curb cuts on a parcel. The school should have been regulated to one curb cut and could have divided uses inside. Instead there were three. Peter Goodale pointed out that the school predated the district as it was built in 1963.

Mr. Veno said the Southern Woodlands DCPC would only affect the donut hole and Woodside Village. Then there were two DCPC's that fell under Board of Health oversight. Sengekontacket only impacted

one owner across from Mahoney's. Lagoon Pond regulations impact the Northwest corner of the corridor. Mr. Anderson confirmed that these were primarily bedroom restrictions, and Mr. Barbadoro confirmed it was, based on square footage of lots. Members of the audience asked for clarification on lot size restrictions. Member Hopkins said that information would be compiled and shown on the website later.

Mr. Veno asked the Board if this was what they needed to start the discussion. Member Hopkins said it met his expectations. The only question he had was if this was complete in showing all regulatory restrictions. Mr. Veno said it was not complete. Member Hopkins said this informed the planning as they could review these regulations and decide if there were controls they wanted that weren't part of current regulations. Mr. Goodale pointed out this was just local regulations. Mr. Veno said it had been his intent to also include National Heritage. Mr. Goodale confirmed that was the big one. Member Hopkins asked Mr. Anderson to provide links to the zoning on the website. Mr. Veno pointed out that his sheet included that.

Mr. Veno said he and Member Fehl had considered including all allowable uses in the table. He conceded that it could be tricky. Mr. Barbadoro said he was fine with it so long as it was clear it was unofficial. Member Hopkins said the goal wasn't to publish this all right away. While they engaged in the planning process they would begin to define what they'd like to see, to plan this section of Town. They wanted to determine if there were restrictions in place that would prohibit a direction they wanted to encourage. They might also find they needed new restrictions.

Mr. Veno said it could be useful to do an inventory of home businesses in the area, and also how many non-conforming uses. This could show pressure to adapt or change zoning. Member Hopkins said he had a philosophical problem with that approach as he didn't want the past to define where they were going. However, he agreed the information could be valuable. Chairman Albert said he felt they should see what uses are currently there.

Greg Pattison of Meshaket Way said he was the third property on the street, and it looked like the Island Road District came in several properties. His concern was that this could be developed into a commercial use, a Stop and Shop? Kristina Almquist asked "a Kentucky Fried Chicken, gas stations, a mall?" Mr. Pattison recognized it wasn't allowed now but they were talking about changing the regulations. Member Hopkins said it was very important for the public to understand that the Planning Board was reviewing this critical area because so often planning was done after the fact. The Board was trying to get ahead as much as possible of momentum and define a vision of what people wanted. He said their voice was critical to this process. Ms. Almquist said she didn't want any kind of strip malls, or fast food joints or chains. She also wanted to be sure the water table wasn't destroyed as they should all face it that water was going to be the end of them all eventually. That was the most important thing. She didn't have a problem with the High School, Woodside, the Ice Arena expanding as they were already there, but she felt new businesses should be downtown. They would destroy the downtowns if they weren't kept going. Mr. Goodale pointed out there were some types of businesses like a landscaping yard you didn't want downtown, which Ms. Almquist acknowledged. Mr. Barbadoro said

that had been a big complaint when the Town voted on light manufacturing, that it shouldn't be downtown although it could fit in another district. Mr. Pattison said they should look at what was going on with the airport, it was very busy and a perfect place for that. Ms. Almquist agreed. Chairman Albert noted it wasn't in Oak Bluffs. He said he felt he could speak for everyone there when he said nobody wanted to see a strip mall on Edgartown Vineyard Haven road. Mr. Barbadoro noted formula retail was currently prohibited by the MVC.

Ms. Almquist asked the difference between R3 and R4. Chairman Albert said it was primarily lot size limits. Mr. Anderson noted on the zoning map that R4 was primarily Town owned or Land Bank. Mr. Barbadoro said the districts had been created in response to developer Kupersmith's plans.

Richard Toole asked to clarify that businesses were not allowed in the corridor and that the only ones in existence were grandfathered or were home businesses. Chairman Albert said some might be pushing those definitions. Mr. Toole said they might also be non-profits that sort of snuck in the back door. Member Hopkins said it was important to not get too caught up in terms like commercial vs. non-commercial. The important thing was that there were a tremendous number of plans by organizations and individuals in the corridor. The Planning Board was saying that with no planning it would be chaos. He was less concerned with commercial vs non-commercial, he was concerned about over 100 units of new housing with no plan, expansion of 12 acres of woods into another church, and issues with water. Mr. Toole said he understood but this addressed Ms. Almquist and Mr. Pattison's immediate fears. Member Hopkins agreed but said he also thought the plans he mentioned would be a fear to the community. Expansion of every non-profit on the street required the Planning Board to get in front of this and publicize the momentum.

Mr. Barbadoro said preventing the incremental growth that develops into something undesirable was an important planning function. It might be impossible to stop a need through zoning, it was standing against the rising tide, but curbing and shaping what is already needed so it is palatable was really what planning was about.

Mr. Toole asked if there was a timetable aimed at making Town Meeting for this. Member Hopkins said there was nothing to ask Town Meeting. There were no proposals at this point. It was important to understand that focusing on an area did not mean there was a plan in place. Member Hopkins finished by saying he would again meet with Member Fehl and Mr. Veno and report back at the next meeting.

Off Street Parking By-Law collection update with Zoning Enforcement Officer Mark Barbadoro including update on business license sign-off by building department proposal

Zoning Enforcement Officer Mark Barbadoro showed letters to the Board that were addressed to all collection candidates except for the Condo on Kennebec. He needed to determine if he was to collect from the association or individual owners. Member McCarthy asked if there was nothing recorded with the original deed or condo docs. Mr. Barbadoro said there was a two prong failure on the parking mitigation to date. The first failure was the Planning Board not creating decisions that could be

recorded. The second failure was the building department not requiring applicants to show the recorded decision.

Member Hopkins asked for clarification on what showed as blank addresses on some letters. Mr. Barbadoro said it was a mail merge and he didn't have addresses yet for everyone. There was also \$1 figures where he was still calculating money owed. These had not gone out but would be going out soon. Mr. Barbadoro said he had already told Mark Wallace on this who had said he would become the town crier.

Chairman Albert asked for clarification on the procedure after the letters went out. Mr. Barbadoro said those who received the letter could come in and if they felt they didn't owe he'd ask them to explain why. They would probably end up going to the Zoning Board of Appeals and might end up going back to the Planning Board because you did, theoretically at the time, need a special permit, so you'd have to go for one. Chairman Albert asked if Mr. Barbadoro would sign off on the businesses if they didn't pay. Mr. Barbadoro said they could get to that point. The Selectmen had in their by-law that if you served alcohol and haven't paid parking, we can withhold. But they don't want to do that until he and the Planning Board did something to clean up a messy problem. There are a lot of issues.

Mr. Barbadoro said the last failure was that there was never any clearly defined method of collection. He'd talked to the assessor that day who had spoken with an attorney at the Department of Revenue. That attorney had said you couldn't put it on the tax bill without special legislation. He said you might not even be able to collect at all because with prop 2.5 this looked more like a tax than anything else. Chairman Albert asked for clarification. Mr. Barbadoro said the attorney said it looked like a tax and if it was a tax it had to be reconciled with the prop 2.5 limits. These issues would need to be solved, and it would take a village to solve them. This was considered Oak Bluffs' signature zoning. This would be forthcoming and it would take up some Planning Board time with meetings when these people start coming in.

Mr. Barbadoro said the assessor didn't have a billing address for the 21 Kennebec association. However, the water and wastewater departments probably did. He thought Jim Monteith might provide him with that. Chairman Albert noted there was significant money here to be collected. Mr. Barbadoro agreed but said they would have to fight to get it. Chairman Albert said this was still going on and these people weren't planning on paying this year. Mr. Barbadoro agreed and said once they starting coming in they would still plan on not paying and they would be yelling. They would point to other businesses and ask why the whole street wasn't paying for the parking they all used. Chairman Albert said that was because the Town had decided that the new people who came along had to do this. Mr. Barbadoro concurred and said this was an agreement between these business owners and the Town. Member McCarthy said yes, and more importantly, this was a mechanism the Town put in place in order to allow people to expand when they couldn't meet the parking requirements that were in place. Mr. Barbadoro said to read the by-law closely because it really sounds like new buildings are the only ones requiring mitigation.

Mr. Barbadoro said they should consider the new Soft as a Grape building as it looked like they may need to come in and be added to the list. To summarize, it would be an unhappy time as they addressed these issues.

Land Bank update including Town owned land title questions, Little Duarte Pond management plan and Land Bank advisory board

Chairman Albert asked several late arriving audience members if they were here for this agenda item or another. Rosemarie Haigazian said she was here with the pastor for the proposed Alliance Church to see the site plan review. Mr. Anderson said that there was not one scheduled as the applicant had not submitted the application. Ms. Haigazian was surprised by this. Mr. Anderson said he'd follow up with her the next day to discuss the application.

Member Hopkins said a lot had been accomplished on the three Land Bank topics which he hadn't discussed with other members due to open meeting law. They had met twice with the Land Bank's attorney at Rappaport's Edgartown offices along with Tom Zinno, the Planning Board's representative to the Land Bank.

First, they had done an extensive review of the title work the Land Bank did on the three lots off County Road representing approximately 57 acres. The Town's view, and the Land Bank agrees, was that the title was cloudy but it was probably stronger on the part of the Land Bank's. However, he and the Chair of the Selectmen had decided to expend Town money to do legal review of the title work rather than relying on the Land Bank's attorney. The title research was the vast amount of the work that would rack up legal fees, so they would plan to review that research and compare summaries and recommended findings. This had tremendous precedent in terms of other Land Bank owned land, including the "donut hole", so as they worked with the Land Bank, it was critical to understand the ownership status of that land.

Member Hopkins said there had been a joint meeting at the Steamship Authority with the Tisbury Planning Board and the Land Bank Advisory Boards of both Oak Bluffs and Tisbury. The OBPB only got notification of the meeting the day of. That was very disappointing. He had spoken with Tom Zinno about proper notification and timing. Member Hopkins said he'd reviewed the minutes and his main concern was that the Land Bank follow the OBPB's abutter notification requirements, which they'd agreed to do going forward. He didn't want any planning in Oak Bluffs to happen without adhering to OBPB notification standards, which went above and beyond. As an example, the couple who attended the EDG/VH corridor portion of this meeting had been notified by the OBPB via e-mail.

Member Hopkins said he had been meeting more frequently with Mr. Zinno and would meet with him at least once between meetings to get an update for the Board. He thought things were going very well, and while the representative for the Selectmen was probably where Mr. Zinno had been four months ago, Gail Barmakian would be working with that representative to improve communication. The Advisory Board makes recommendations to the full Land Bank board representing the Town of Oak Bluffs. There were still questions about their authority, for instance did they still have to come back to

have their vote ratified by appointing boards before making the recommendation to the Land Bank? This was being reviewed by Ms. Barmakian now. This was important because they had voted to approve the siting of the well by the Preserve at the Woodlands, which would have expanded zone II, without the knowledge of the Planning Board. Mr. Zinno completely understands and is supportive of this change.

Member Hopkins was confident that under Mr. Zinno's new leadership they would do good work. The question remained where did their authority start and stop to speak for the Town? Further, can the full Land Bank vote on issues that have not gone through the Advisory Board? Member Hopkins read it as they could not, and he hoped that was the case, but others read it that they can. He did not want them deciding on properties in Oak Bluffs when the Town has not been informed and enforced. The legislative language is written as they needed to get the approval of the Town, and some interpret that as the Advisory Board. He felt it should be a combination of the Advisory Board and the boards that appoint the representatives. This was what he was fighting for. He and Ms. Barmakian were reviewing this, although no legal funds had been expended on this question. If every appointing board formulates a relationship with their appointee the way Mr. Zinno was beginning to work with the Planning Board, he didn't think there was any concern. However, several members have never met with their appointing boards. For instance Amy Billings did not know what Richard Toole was thinking, and that made him uncomfortable.

Member Hopkins said there wasn't really a lot of land acquisition going on as they already had 400 acres in Oak Bluffs, so they probably wouldn't be spending much money in the Town. When they did, they often did so under a straw, and he understood this kept costs down, so he wasn't looking for oversight when they buy. His concern was the management and the implications of the management plan, be it a low impact campground, well siting, or solar. These have a huge impact, and they couldn't let a single property owner do things that have a ripple effect, whether they were a state agency or non-profit or individual. There was a really important relationship to nurture, and Mr. Zinno had been great meeting him at Mocha Motts to discuss strategy. He was unable to attend this meeting due to a memorial off Island.

Mr. Anderson said he'd met with Nick Catt along with Mark Barbadoro that morning. He was the only respondent to the RFP for building and operating a campground on Land Bank Property. This followed Mr. Barbadoro's statement at the December 8 meeting that a campground was not an allowed use by zoning. Mr. Anderson explained that the by-law defined campgrounds separately from commercial outdoor recreation, and while commercial outdoor recreation was allowed by special permit, the definition for it clearly stated that any other use defined in the by-law could not be considered outdoor commercial. Mr. Anderson said he then walked Mr. Catt through the process for changing zoning as he did with everyone who came in with this problem. He'd done that with Eleni Roriz, where manufacturing and light manufacturing were already defined but not allowed. She'd been the only person since he'd started that had gone ahead and proposed a zoning amendment, and while it couldn't be called "easy" she'd been successful in getting the change. Mr. Catt may or may not try to make that change as the campground was tentative. He had been a bit surprised the Land Bank had done the RFP

given the use wasn't allowed by zoning. Member Hopkins said that speaks to the relationship with the Land Bank, and we own a big part of that, as a relationship takes two parties, and it wouldn't have happened if things were better between the two boards.

Richard Toole said he was one of the big proponents for a campground. The Webb's Campground owners decided they didn't want to run it any longer and sold to the wrong owner. Mr. Toole said he loved camping, and it was an affordable way to have a vacation. They were discussing bicycles, not vans or motor homes. He was sorry to hear it wasn't allowed in zoning and he'd endorse figuring out a way to make it allowed. He felt the location was good, and it would be good for the Town. Member Hopkins said he totally agreed, but he didn't agree the Land Bank owned the land. Mr. Toole said he wouldn't go into that. Member Hopkins said they were trying to avoid a situation like they had with the Fire Station where people started asking questions after money was spent and the Board was seen as obstructionist. He didn't want anyone to invest in something and then challenge them. He's saying slow down on any capital improvements until the dispute is resolved. Mr. Toole said he agreed with that and asked Mr. Catt was aware of that. Mr. Anderson said yes he was, and he'd also been advised that it was in the Southern Woodlands DCPC which was long and complex. Mr. Anderson offered to discuss a zoning amendment at a later date with Mr. Toole who declined the offer.

Member Hopkins said he couldn't believe he was the only person who saw the overlap between the Land Bank map and the Assessor's map. Mr. Toole said he thought Mr. Lengyel did a good job but he could be over the top as could the Board. You have original members from when it was formed still on the Board. If he wasn't mistaken, Priscilla Sylvia was on the Planning Board at one point. Member Hopkins confirmed this, and said she had been instrumental in creating an elected strong board as defined by the State. Much of the Planning Board's authority is defined by her due diligence. Mr. Toole said he'd heard from other people that they think she and Mr. Lengyel basically run the Land Bank. He respected both of them and wasn't trying to be mean but wanted to provide background. Member Hopkins agreed with Mr. Toole's statement. Mr. Toole said he had been on the Advisory Board a long time and he wanted people to know they hadn't been working in a vacuum and they had been looking out for the Town. As part of their update they did every two years they create priority properties so if they became available they would be considered. He felt that was something that should be discussed with the Planning Board going forward.

Tisbury Water Works request for expansion of WRPOD district and updated DEP compliant use restrictions in Oak Bluffs

Mr. Anderson explained that the Water Resource Protection Overlay District was smaller than zone II, and he'd been told it predated it. It was a zoning district designed to limit uses that would impact the water table. Mr. Anderson said Tisbury had sent a letter saying the zone II from one of their wells went into Oak Bluffs. They asked that we include it in our zone II and add it to the WRPOD. They also asked that we update the WRPOD restrictions to match DEP use restrictions as our current by-law allows uses the DEP does not. Not to dismiss the importance of the letter, but it was considered somewhat boilerplate, as it was a requirement for towns with wells to write their neighbors every few years and make this request. It was a "best efforts" attempt, and Oak Bluffs sends the same to Tisbury. At first

the letter appeared to show Oak Bluffs was out of compliance with DEP requirements and that needed to be fixed right away. It was not that. But as Member Hopkins will likely say, it is protecting water, and it could be done.

Mr. Anderson explained that zone ii wasn't zoning. WRPOD is zoning. Presumably you would expand the map to cover zone ii. Then you would prohibit uses listed in the DEP regulations by amending the WRPOD language. Peter Goodale asked if this would cover any property he owned. Mr. Anderson said yes where he was already in zone ii. Mr. Goodale asked if the portion not in zone ii would be added. Mr. Anderson said no, they would just be expanding the WRPOD map to cover all of existing zone ii. Member Hopkins pointed out to Mr. Goodale that nothing had been done yet. Mr. Anderson said it was uncommon for anybody to do anything with these letters. Member Hopkins said he had spoken with Chairman Packish and they felt they should sign off on it this year and then look at the DEP restrictions on water protection and compare it to allowed uses here. He recognized this would grandfather existing uses but he'd like to understand if there was a gap between what the state felt was safe and what we allowed. Mr. Anderson said there was a gap and it was in the packet. Mr. Anderson said he'd tried to analyze the gap but it became quite complex.

Update on Planning Board procedures for Business District Zoning Amendments

Mr. Anderson said Chairman Packish continued to speak with Town Counsel and the State Ethics Commission and the first message was for Chairman Albert and Member McCarthy. They needed to contact the State Ethics Commission individually. Presumably the response would be consistent and say that Planning Board members who owned property in the B1 could not discuss amending zoning in that district. Because there were three members with B1 property, the Board couldn't act. That wasn't a done deal but that was how it was looking. Peter Goodale asked if the board could modify their quorum requirement. That was his understanding based on his experience in Tisbury. Mr. Anderson said he was unaware of this but he'd investigate it. Mr. Anderson said the key here was that if this was a special permit situation where the Board had to act, you would use the rule of necessity but because zoning could be changed without the Planning Board's recommendation that likely wasn't going to apply. The problem was the Board was given about 100 days from the time the amendment was submitted to the Selectmen to act, and Town Meeting couldn't act unless those 100 days had passed without a recommendation. This meant it could be difficult to get anything in the B1 to Town Meeting for April 2017 Town Meeting. That was unless Town Counsel determined otherwise. The most important thing was that all B1 owners contact the Ethics Commission.

Mr. Anderson said it was also important to note that this could affect the Uncas Ave vote. The original call to Ethics came from the potential for zoning changes to all of B1, specifically top of the shop regulations. That was where the Ethics Commission had said no way. The 3 Uncas was a request to change one property's zoning district to B1. There was no decision yet from the ethics commission, but it was sounding like it was small enough that unless you were a direct abutter you might be able to act. Member Hopkins reiterated that the B1 members had to call the Ethics Commission individually for an answer and Mr. Anderson agreed. Member Hopkins said it was important to be consider the appearance of the 3 Uncas vote as one of the two people who were allowed to vote was against it, that

being him. The risk to those that didn't know the Board's personalities was that it could appear the B1 owners participated to overrule Member Hopkins vote. It was the bowling alley and everyone had an opinion. Member Hopkins asked that Mr. Anderson provide Chairman Packish's attorney contact at the Ethics Commission to Members Albert and McCarthy to facilitate their calls. Mr. Anderson agreed. Member Hopkins said he was concerned the owners of 3 Uncas would be disappointed. Mr. Anderson said he'd contacted them before about the situation and it looked like it might be permitted. Member Hopkins said we may not be able to recommend. Chairman Albert said he thought they'd voted to recommend. Mr. Anderson confirmed this, but explained that 3 Uncas had come first, and neither he nor the Board Members saw a conflict. Then the larger proposal to amend B1 zoning for top of the shop, and Chairman Packish called the Ethics Commission. Then we decided we should double check on 3 Uncas. And this was where it stood now.

HPP update

Mr. Anderson said he'd distributed Peter Temple's e-mail earlier in the week. There had been some pressure for the Planning Board and Selectmen to approve the HPP when the consultants were in Town later in the month. Since then, they'd stepped off the gas, as there were too many zoning and other questions. The draft plan would be available in a day and would be distributed to the boards. There would be a joint meeting presentation lasting an hour with Q&A. Member Hopkins said "so it's going to die in committee." Mr. Anderson said not necessarily and asked if Member Hopkins had read the e-mail. Peter Temple had asked that the Board consider next steps. In Aquinnah they'd be holding joint meetings after the presentation date to do that. It sounded as if this was being turned back over to the towns to a certain extent.

Member Hopkins said the whole purpose of the State creating the HPP process was to give temporary relief when you didn't achieve your 40B targets. With the MVC in place, the Island had only done friendly 40Bs, and there wasn't any pressure from private developers proposing hostile 40Bs. The MVC protects against that, so one could ask what the real benefit was of the HPP. Member Hopkins said he felt it was consensus building in the community and awareness establishment of the issue. At the end of the day, if there wasn't a firm deadline, this would become less and less of a priority and it would die in committee. That wasn't the end of the world but he didn't want to sugarcoat the fact that there was nothing forcing them to get it done. There was no cause and effect, just like with the water quality issue, where you don't have to do anything with it, who cares about the quality of the water, just throw the letter away. This was the beginning of the end of the HPP unless they passionately said there was some other value here. There had been a lot of NIMBY at the HPP meetings from neighbors of Bellevue Ave. There weren't a lot of forward thinking people. It was too bad they weren't here to see the water quality discussion because that would cut Bellevue Ave in half. If they focused on water quality they could have more control over what happened on that property than any HPP discussion. Member Hopkins said he was very cynical about people running around talking about affordable housing who didn't want to do anything about it.

Richard Toole asked if this was Island-wide or just Oak Bluffs. Member Hopkins said Island-wide. Bill Venno said the HPP was beneficial in getting the various groups together to discuss what could be done,

how much housing was needed, where it should be, and prioritizing types of housing. We couldn't just keep building \$500,000 homes and say they are affordable. Member Hopkins said he agreed 100%. Mr. Veno said it was like any plan. You focused on the issue, identified your options and creating a target. Member Hopkins said unless the Board became passionate advocates to get this thing done and put pressure on the Selectmen to sign off as well, it wouldn't get done. The main point was that most municipalities did this for legislative relief and we don't need that.

Richard Toole said he came out of the HPP meetings feeling more positive. Other than one or two people a table, most people understood there was a problem. Member Hopkins asked where in Oak Bluffs they were going to build houses after those three meetings. Richard Toole asked about the donut hole. Member Hopkins said he didn't need the HPP to know that was a good option, but he could name four other areas that were good, but they didn't come out of that plan. Chairman Albert said the idea had been to get Chilmark to come up with some cash as they were more susceptible to the 40Bs. Mr. Toole said that also came out of this, that this would have to be a regional effort where Chilmark helped. Chairman Albert said to take the "help" out of that. If they wanted to shield themselves from a 40B then write the check, and we have the property. Member Hopkins said that's where it was going.

Mr. Veno said it was concerning that it sounded like the consultants were done. Mr. Anderson said he wouldn't characterize it as that, but rather that they were looking for some direction from the towns. They had asked the Selectmen to hold a joint meeting to approve the plan, and Gail Barmakian understandably asked when they'd see this, it was a big deal, was there an assumption they would just approve it or would there be back and forth. They may not have participated as much in the process as the Planning Board going into it, but it seemed reasonable, as did Mr. Temple's e-mail. There were questions about affordable housing definitions that it was hoped would make Town meeting, questions about zoning changes, etc. Member Hopkins said they'd accomplish these things, but without causal effect, it would go the way the other housing initiatives had gone with a lot of talk and no action. The reason they were arguing about the status of the land with the Land Bank was that it was holding up the "donut-hole" swap. The Land Bank was holding them to a higher standard of ownership in the donut-hole than they accepted for their land on County Road. If it was good enough for them why wasn't the Town's status good enough to do the swap? The Land Bank wouldn't do the swap because the Town didn't have clean title. Ok, but you don't have clean title on County, so you don't own it. That was the game they'd play. It was all about getting to a point where we could do something. Instead of saying we need affordable housing but we have no idea where. We couldn't decide between rental and single family, didn't know what income level should be supported, who we wanted to house. All the tough questions had yet to be answered.

Minutes review and approval 11/10/16 and 12/8/16

Member Albert pushed the approval to the next meeting as they did not have three members who participated in the two prior meetings.

Board Member Updates

There were none.

The meeting was adjourned at 6:21 pm.

Documents used in this meeting:

Agenda

Sign-In Sheet

Land Use Regulations in the Oak Bluffs High School Corridor table

Letter from Martha's Vineyard Land Bankk Commission ecologist Julie Russell to abutters dated 1/4/17

Tisbury Water Works letter to OBPB date 12/12/16

10/10/16 12/8/16 draft minutes