



OAK BLUFFS PLANNING BOARD

Meeting Minutes

THURSDAY, MARCH 24, 2022

5:00 p.m. / Virtual Zoom Meeting

Members in Attendance: Ewell Hopkins, Bill Cleary, JoJo Lambert

Members Absent: Erik Albert, Mark Crossland

Staff in Attendance: Kim Leaird

Attendees:

Aidan Pollard	Donalexander Goss	Kelley Metell	Rebekah Thomson
Amy M Upton	Doug Ruskin	Kimberly Kirk	Renee Nolan
Ann Rosenkranz	Elaine Miller	Kris O'Brien	Richard Toole
Ayesha Khan	Elizabeth Dripps	Kristen Lepine	Richie Smith
Barbara Caseau	Emma Green-Beach	Kristen Mello	Rick Mello
Becky Nutton	Frances Gaskin	Kristi Strahler	Robert Moriarty
Beka El-Deiry	Freedom Cartwright	Kyla Bennett	Roberta Kirn
Ben Hughes	Janet Packer	Landscape, Inc.	Marie Rudiman
Ben Robinson	Jefrey DuBard	Leanne McAuliffe	Sam Low
Betsy Young Buck	Jennifer Crawford	Liam Taus	Sara Dingley
Bill Bridwell	Jeremy Houser	Lucas Thors	Scott Slarsky
Brendan O'Neill	Jeremy Light	Marie Doubleday	Shawn McPhail
Brian Hughes	Joan Malkin	Mark Friedman	Steve Auerbach
Brian Patrick Hall	Joe Mikos	Mark McCarthy	Steven LaRosa
Carole Vandal	Joe Schroeder	Matthew D'Andrea	Weston & Sampson
Casey Hayward	Joe Sullivan	Maura McGroarty	Susan Desmarais
Christian Huntress	John Wilson	Mollie Doyle	Terry Donahue
Dardanella Slavin	John Zarba	Nicola Cadenas	Walter Vail
Dawn McKenna	Jonah Maidoff,	Pam Stevens	
Diana Conway	Josey Kirkland	Benjamin	

Chair Hopkins opened the meeting at 5:00 p.m. A quorum was present.

Approval of Minutes

Approval of the March 10, 2022, meeting minutes was tabled.

PUBLIC HEARING: Martha's Vineyard Regional High School Track and Synthetic Turf Field Special Permit Application – continued from February 24, 2022

In accordance with the provisions of M.G.L Chapter 40A, Sections 9 and 11, and Oak Bluffs Zoning Bylaw 10.3, the Planning Board held a remote public hearing on Thursday, February 10, 2022 at 5:00 pm and continued to February 24, 2022; and now continued to March 24, on the application of Superintendent Matthew D'Andrea on behalf of Martha's Vineyard Regional High School, 100 Edgartown-Vineyard Haven Road, Map 55 Parcels 2 and 4. Applicant seeks a special permit under Oak Bluffs Zoning Bylaw Section 8.2 –Water Resource Protection Overlay District (WRPOD) for the installation of a 400m Track and

Synthetic Turf Field. The application, plans and all currently available relevant documents are online. Additional studies and reports will be added to the file when they come available. See: <https://www.oakbluffsma.gov/412/High-School-Track-and-Field> Please forward comments to Planning Board Administrator, PO Box 1327, Oak Bluffs, MA 02557 or via email: planningboard@oakbluffsma.gov

Member Erik Albert was not present, he will be obligated under the Mullin Rule to hear this recording and certify he is able to take part in subsequent hearings.

Hearing procedure:

1. Applicant presentation
2. Public comment in support
3. Public comment in opposition
4. Questions and comments from public
5. Applicant can respond to any questions, comments or testimony given
6. Close public hearing
7. Board will ask questions of the applicant
8. Board deliberations
9. Board vote

Chris Huntress to present and brought people to talk about toxicology, Richie Smith, Kim Kirk, Kris O'Brien and OPM Joe Sullivan. Also present were Marie Rudiman and Stephen Larosa of Weston & Sampson.

Chris Huntress shared his screen and gave a presentation tailored on the March 4, 2022, request made by the chair. *(see attached presentation)*.

PARCEL	PARCEL AREA	EXISTING IMPERVIOUS	NEW IMPERVIOUS	TOTAL IMPERVIOUS
PARCEL 55-4	36.48 Ac.	93,680 sf (5.9%)	79,500 sf	173,180 sf (10.8%)

After the presentation, Kris O'Brien spoke to the chair's March 4 letter asking that applicant speak to factors of percentage of developed land to overall land owned, percentage of impermeable surfaces and all land [they] will commit to maintain as undeveloped. She did not find relevant language of the 8.2 and 10.3 bylaws.

Assistant Superintendent Richie Smith said time is of the essence to move the project forward. This project is born out of need, starting in 2012 when CPC funds were pledged to support this facility need. The track has been repaired beyond its useful life according to Gordon Pearce, founder and president of Cape and Island Tennis and Track.

Chris Huntress asked that he be allowed to do a future presentation if as history suggests, there is similar public testimony. Chair Hopkins assured him that there would be ample time for them to respond in whatever way made the most sense.

Kimberly Kirk encouraged the planning board members to look at the third party peer reviews utilized by the Martha's Vineyard Commission because the homework has been done.

Testimony in support of the application was given by Walter Vail, John Zarba, Brian Patrick Hall, Rebecca Nuttin.

Hearing was continued to Thursday, March 31, 2022 at 5:30pm.

Public Hearing: Planning Board Associate Member

*The Oak Bluffs Planning Board will hold a remote public hearing on **Thursday, March 24, 2022, at 6:00 p.m. via Zoom** for a discussion to amend **Section 10.0 Administration and Procedures of the Oak Bluffs Zoning Bylaws** to allow for one Associate Member when the Planning Board has been designated as a special permit granting authority (SPGA) per M.G.L. Ch.40A section 9. Proposed language as follows:*

In addition to the five (5) members elected at Town Elections or appointed to fill vacancies in accordance with M.G.L. Chapter 41 Section 81A, the Planning Board and the Select Board by majority vote may appoint one associate member to the Planning Board to serve for a term of five (5) years. The associate member may be designated by the Planning Board Chair to sit on the Planning Board for the purpose of acting on a special permit application in the case of absence, inability to act, or conflict of interest on the part of any member of the Planning Board or in the event of a vacancy on the Board.

Chair Hopkins said this is an opportunity for the public to have clarification about this role and ask any questions. He invited Amy Upton from West Tisbury to share her experience. She began as an associate planning board member and is now a full-fledged member.

First, he opened with public comment.

Maura McGroarty expressed concern that as an appointed position, it will be very political.

Chair Hopkins said first the Planning Board discussed whether they'd recommend this and then sent to the Select Board and then it moves to Town Meeting. This appointment is akin to an alternate juror who can sit and listen but has no voting rights. When there is a critical decision to make it would be a benefit to the board especially when there are conflicts of interest requiring recusal. In that case the associate member could vote but within the parameters required (i.e., must attend every hearing, except for one when the Mullin Rule could kick in).

In the end there will be ten elected officials, planning and select boards, who will decide on who is chosen.

Maura McGroarty said she thought this is still problematic for two powerful boards in the town to determine who this is and finds it to be political.

Amy Upton rejoined the meeting to share what her experience has been like in West Tisbury. Main skills needed are humility, the ability to listen, read, and learn both about the many details as well as the big picture. The benefit of being an associate member in West Tisbury is that she did not have a vote. She said it's a very nuanced process and wouldn't recommend jumping in right away to vote. Something nice to learn and speak and not have a vote, there is a lot of responsibility that comes with having a vote. The biggest learning curve is the genuine desire to be of service to one's community. It is not to be taken lightly. She does not find it to be particularly political.

Joe Sullivan asked for clarification: the individual if appointed would not be put in place until the fall. Chair Hopkins said he does not expect to have any candidates to present to the board until at least the end of the summer. He also asked about voting ability. Chair Hopkins said that would be determined at the outset of a hearing process, not during the process.

Joe Mikos asked if an appointed member had to be an Oak Bluffs resident? What would this position look like for projects currently in front of the board? Chair Hopkins said an associate member could not participate in current projects and does not see any scenario where an associate member would have any input in the high school application.

Brian Patrick Hall said the idea seems touchy given current situation and expressed his concerns.

Member Cleary asked Amy Upton if she felt having 2-3 years as an associate member was beneficial to prepare her for running for a voting seat. Amy said yes, she started over three years ago, one toe at a time, no agenda – just a desire to see what it was all about and be an active participant in her community. She said it is a big responsibility to have a vote, she has only voted three times including once when someone had to recuse and another time when they needed a quorum.

Member Cleary asked her if the West Tisbury planning board will be looking to fill the associate member position now that she is running for a full seat. Amy said yes, there is already someone in place and this is part of the process for all island planning boards – an associate member waiting in the wings, being asked to be part of the discussion, do the necessary research ahead of a meeting to understand what is in front of board. It takes a long time to be worthy to have a vote. She did not know Oak Bluffs does not have this provision.

Maura McGroarty said there isn't language that specifies the procedures for appointing a member and she thinks those should be more transparent in light of current [high school] project.

Chair Hopkins said we have several reviews in front of the board in addition to the high school application. There will always be a contentious review in front of the planning board, and this amendment is not assigned to any specific project. He feels this warrants healthy debate in front of the town and hopefully we can create a “farm league” to get others involved.

Adjourn

Member Cleary made a motion to adjourn. Member Lambert seconded. All were in favor.

Meeting was adjourned at 6:30 p.m.

Minutes approved April 21, 2022

Documents on File: Agenda; Board packet; zoom video