Oak Bluffs Planning Board
Meeting Minutes

October 13, 2016 at 5:00 p.m. in the Oak Bluffs Town Hall Lower Level Meeting Room

Members in attendance: Brian Packish (Chairman), Robert Fehl (Vice Chairman), Jeremiah McCarthy, Ewell Hopkins
Members absent: Erik Albert
Staff in attendance: MacGregor Anderson (Administrative Assistant)

Chairman Packish opened the meeting at 5:00 p.m.

Approval Not Required Form A: James Brown of 117 County Road map 12-64 plan to combine parcels
Mr. Brown presented his plans to the Board. He had divided a lot into three buildable lots some years earlier, but the Lagoon Pond DCPC prohibited more than three bedrooms in total across the three lots. He planned to reduce his current home to two bedrooms which would allow a one bedroom to be built on the far lot. He was combining two lots in this plan. As the plan did not show a division of land, Member McCarthy made a motion to endorse the plan. Member Fehl seconded. The Board voted 4-0 to endorse the plan as approval not required under the subdivision control law.

High School area proposed charrette update with Bill Veno of the MVC
Bill Veno recapped that several months ago they had discussed hosting a gathering of land owners and users in the High School vicinity to discuss planning. Originally, they would invite from Goodale's to Mahoney's and down to Lagoon Ridge and Southern Woodlands. In preparing the invite, Mr. Veno had noticed that the land in the High School area was primarily either publicly owned or used by non-profits. As you got further out it was private. That led Mr. Veno to suggest narrowing the scope to the public and non-profit land.

Chairman Packish said Mr. Veno's draft invite letter targeted the narrower audience, so he felt it was important to get the Board's input before signing it. He said he had been an advocate for increasing scope originally, as had Mr. Veno, and he thought it important to consider the entire Edgartown/Vineyard Haven Road corridor. He didn't feel you could discuss it without including Goodale's at 150 acres. He was willing to consider eliminating the Lagoon Ridge and Southern Woodlands portion of the target area. He also thought the homeowners needed to be included after the recent home business proposal at the Selectmen's meeting for a medical office in a residential neighborhood. He suggested limiting the invitation to those with frontage on the corridor.

Member Hopkins thought it made sense to remove Lagoon Ridge and the property next to it, the Preserve at the Woodlands and Bellevue, but he wanted to be sure the seven acre parcel next to the rink that would be involved in the donut-hole swap should be included. Chairman Packish noted it was Town owned land and they would be part of the conversation. He reiterated that the homeowners in the corridor should be included as they were hearing a lot of suggestions to change the zoning to business, and they needed to be part of the conversation.

Mr. Veno said he envisioned a two-step process with the larger land owners explaining their plans first and then discussions at the residential level including home businesses. Chairman Packish said with the frontage limitation you were only talking about 15 or 20 parcels. If they were only invited later, it would fracture participants. Mr. Veno felt it could be explained because of the scale of the impact from larger owners. Chairman Packish felt it important to invite them and allow their participation, while Mr. Veno encouraged their attendance but had some concerns about soliciting their input at this stage. Chairman Packish said limiting it to frontage leveled things while significantly reducing the scope.

Member McCarthy agreed with Member Hopkins that so long as the parcel by the rink was included he wanted to limit the scope as well. Member Fehl agreed with Member McCarthy. Member Hopkins wanted to get things moving along. The Board decided on Thursday November 17 at 6pm. They asked Mr. Anderson to book the High School cafeteria for the event. Mr. Veno said he'd finalize the draft invite and get it to Mr. Anderson for signatures from Chairman Packish and Gail Barmakian.

Peter Goodale noted that a lot of people at the Airport business park were concerned about losing space as leases ended. Chairman Packish agreed saying most of them were paying $0.25 to $0.50 a foot and last bid was $1.51.

Citizens Beach Committee discussion on beach planning with Richard Seelig

Richard Seelig said he was before the Board because the Conservation Commission had begun a process to raise funds for a Town beach management plan, which did not currently exist. He showed a copy of the State Beach management plan noting there was a lot involved (the document was perhaps an inch thick). He did not know how it was used.

Mr. Seelig said the Town had let beaches be very natural with no facilities like bathrooms. There was a new stairway and improved access this year, and a beach rake purchased through Town Meeting made the beaches a little nicer. He felt these changes were positive. The question was where to go from here. The Conservation Commission felt a beach management plan was needed. He thought the Citizens Beach Committee was in support of that, depending on what went into the plan and who had input on it.

Mr. Seelig said this began with an e-mail from Liz Durkee of ConCom saying the Parks Department and Highway department were on board with going to CPC for funding of the plan. He thought the Planning Board might want to have some involvement in this process. He wondered if the Board saw a role for themselves, and if so thought they should begin participating in the planning for the consultant and bmp.

Chairman Packish noted that Amy Billings of the Parks Department was in attendance. He said there had always been an issue with limited staffing and budgets at Parks, and questions over where ConCom's permiting authority ended and maintenance of beaches began. Many people felt ConCom should just be a permitting authority. He asked Ms. Billings where she stood on the issue.

Ms. Billings said Parks were responsible for activities, as they were Parks and "Recreation". They were not experts on beach grass or lagoon issues. Ms. Durkee was proposing a comprehensive plan of all Town beaches. There had only been improvements to Town Beach and North Bluff. The later actually took away the little bit of beach they had there. She was unclear on how the Parks Department would do anything other than support ConCom. She felt they worked together well on the beach stairs. She wondered what role the Parks Commission would have at the Lagoon. There were no lifeguards or handicap access. She asked that Mr. Grunden be included in the plan.

Chairman Packish said when you did a project like beach stairs, you defined the project and took it to ConCom for permitting. They provide input to massage the plan but then they are done until the work is complete. They inspect, they re-inspect two years later, and that's their only role. He was confused why ConCom was handling beach grass planting, as it appeared to be a Parks Department project. Ms. Billings said they had to work together, that ConCom was the expert on beach grass, but that they weren't actually planting it. Rich Combra brought people in to do that. In another case, after the stairs were built, the Building Inspector said they needed ADA compliance at the other end so they installed beach mats. They did not need ConCom in this case. So it worked both ways.

Ms. Billings said she left it to ConCom to apply for this plan because the scope was beyond the Parks Department jurisdiction, with Lagoon Pond and East Chop for instance. She hoped issues like lifeguard placement and recreation would be included in the plan, despite not being ConCom issues. She noted this was a $35,000 to $60,000 request, and as a CPA member she wasn't sure she could approve that amount of money. Chairman Packish noted that he couldn't get $50,000 to $75,000 for a master plan, yet the slush fund of the CPC used by ConCom provided a never ending well for documents that sit on the shelf. Ms. Billings wondered if the beach management plan would ultimately become part of the master plan. Chairman Packish said he thought it would.

Chairman Packish said he felt the beach management plan was an item managed by ConCom, funded by CPC, created with everybody's input. On Streetscape they had made changes to the plan based on ConCom input. He felt where the Town was going astray was in situations like the stairs where ConCom's role should just be permitting. He felt ConCom had morphed into something much larger than a permitting agency. He didn't want to discount ConCom, but in many cases permitting was their only role. He didn't feel they should micromanage projects like that.

Ms. Billings asked why she would need a beach management plan as a Park Commissioner. Chairman Packish reiterated that the beach management plan was a ConCom project. They should get input from interested parties like Selectmen, Planning, Parks, Highway, Shellfish, etc. The operation in a vacuum needed to come to an end. He felt ConCom was starting to involve more people but progress was slow.

Member Hopkins said when you looked at all the beaches, you were looking at an environmental issue and protecting a resource. He would like to take a step higher and have a conversation about the human experience at the beach. Should it be tied into commerce and the downtown experience? Should they promote carless day trips and kiosks and amenities? The Planning Board's role would be to

incorporate the beach experience into the strategic direction of the Town. He thought this was a higher level than a beach management plan. At one point the experience on the beach and the amenities were a key part of the Town. They might not want to go back to that, but it should be discussed, and the Planning Board would be very well suited to coordinating that discussion. When it came to the management of the natural resource, he felt it was the purview of ConCom and Parks. That said, there should be a central point to all planning in Town, so they should inform the Planning Board. Chairman Packish agreed. He said at one point there were bathrooms and a little restaurant, and in his mind that didn't have to be a ConCom initiative. It could originate with a citizens group like this, the Planning Board, or anywhere. If it gets taxpayer support then ConCom is in charge of permitting it.

Mr. Seelig said he'd asked Martina Thorton how much the State Beach Plan cost and its utility as it was all about the natural environment. She thought it cost only a few thousand dollars although she would double check. He said she was qualified in how she responded to the utility question. It didn't include the human aspect and facilities. If the beach management plan went forward in this way without enough input from others it would only deal with the natural environment and would leave out the important aspect of humans. He thought ConCom had a role to play in terms of interacting with DEP and in terms of permitting, deciding what kind of facilities can be done, but it was not black and white and there was a lot of grey area. People could decide what they wanted.

Mr. Seelig said he wasn't personally concerned about facilities, but was concerned about the quality of the beach itself. In the last five years they had seen a degradation of the beach experience because of ConCom actions. He didn't know what their thinking had been as it didn't to his mind match up with a conservation approach. He did not understand how they justified black organic matter and boulders in their re-nourishment efforts. These were bad decisions. Therefore, he did not want them to take the lead in how the beaches were managed. He noted that in some towns the parks department or natural resources department initiated what happened on the beach, and ConCom plays its normal role. In Oak Bluffs the Parks Department, short on funding, had taken a lesser role, although they appreciated the work with the lifeguards. He felt the Planning Board was important because of the big vision.

Member Hopkins said he expected a beach management plan that was consistent with what came out of the county. The question was whether the Parks Department wanted it to have a broader scope. Ms. Billings said Ms. Durkee's application was very clear to request both aspects, which was perhaps why it was expected to cost so much. She was very detailed in what she was looking for: nourishment, management, day to day, long term...she covers it all. It covered every public beach. It covered what ConCom was looking for, what Parks needed, what Shellfish needed. It unfortunately involved the Highway Department as they had been sucked in to do work for Parks and ConCom because they didn't have budgets. For instance Parks wasn't involved in the spreading of dredge spoils, but Rich Combra had received the call from Ms. Durkee asking him to spread it. Parks didn't know about it until the complaints started coming in. Chairman Packish wondered how ConCom would have responded if Ms. Billings had called them saying they wanted to put dredge spoils on the beach, expecting it would require jumping through hoops.

Ms. Billings said Parks can determine the beach needed more sand, but they couldn't go out and get sand and dump it. Chairman Packish thought their role would be to identify the need, and that the next step might not be to ConCom. That could go straight to the Selectmen who would decide if it were a priority. You would keep ConCom in the conversation, but the error in thinking was that everybody went straight to ConCom for permission, and 9 days out of 10 the answer was no. The initiative fails and you end up with beaches like they now have, which are awful. Ms. Billings said she felt as a Parks Commissioner that she shouldn't be dumped on because everybody doesn't like what ConCom is doing. Everybody has to deal with ConCom and let Parks know what they can do to improve the beaches. Right now she wasn't a big fan of spending $65,000 on a plan that would tell them what they already knew. They know what the beaches need, and each step will be one by one. Highway and the Beach Committee want Parks to be more involved but Parks is limited. She was not looking for beach initiatives right now.

Mr. Seelig said this was not Ms. Billings' responsibility, but this was the first time he had heard of a specific proposal. He had a brief outline of what Ms. Durkee was going to submit to CPC but he did not have any specifics. Ms. Billings said Ms. Durkee had to apply first, and she'd seen it because she was on CPC. It hadn't come to them yet, but she'd seen the application. The CPC meetings were public. Further, CPC might say no. Mr. Seelig said he'd just like to be more involved in the process. He had supported her initial idea but heard nothing else and she had developed it further into a formal request. He'd like to see that. If there was going to be a good result, certain interested parties had to be included in the process, and the Citizens Beach Committee was an important party. Ms. Billings said it was included in the application, and before she had to turn in the application Ms. Durkee would talk to Mr. Seelig. He confirmed that it hadn't been turned in yet, and Ms. Billings said they weren't due until the end of October. Member Fehl, also a member of CPC, said she had submitted an eligibility form, and they had determined it was eligible. All that meant is they would spend time reviewing it. Ms. Billings said once again those meetings are public and when they talked about that application he could participate. Member Fehl said he'd love to have them there.

An unnamed audience member said that at the last ConCom meeting Ms. Durkee had specifically mentioned including recreation in addition to environment. Ms. Billing said yes, Ms. Durkee covered it all. The unnamed speaker said she didn't know if that was good or bad, wondering if ConCom should be involved in recreation, but she was glad to hear it was going to be part of the plan. Mr. Seelig said ConCom's main responsibility was the Wetlands Protection Act and protecting natural resources. If it has to do with people and how they use the beach, it really wasn't their purview. It should fall to the parks or natural resources departments or in their case to a citizens group to push the issue.

Chairman Packish said the problem was they technically don't have a parks department. There was a board that oversaw the parks, but when he grew up there were yellow trucks that had "Parks Department" on them. There was staff, and it was a full department. At this point it was all shuttled in to the Highway Department. He felt that if the Town had done such a great job taking care of all the finances, and they were in such great shape that they could afford a ten million dollar fire station and a ten million dollar town hall, then he wondered when taxpayers would start getting back their due.

When would we have a parks department again, and a library that was open all the time? When would there be consistent life guards or a full time staff person? Those things were starting to happen. He said they hadn't restored what the taxpayers used to get yet they were paying more money than ever. He planned on having that conversation aggressively in the near future, and he was a big supporter of getting the Parks Department what they needed.

Member Hopkins asked if they had any authority or any input in this. Chairman Packish said no. They had input when the document went forward. But they were not a leading agency. It was clearly a ConCom issue. As in Streetscape, when they brought in a variety of departments, he thought that needed to happen here. But there was no formal or official purview for the Board over the document, and he didn't think Parks had that either. The epicenter of planning in Oak Bluffs was the Planning Board, and the information should come in that door and go out that door.

Member McCarthy said it depended how far the document went. As the plan went from environmental to public interaction and planning on how the Town would move forward it became more of a Planning Board issue. Ms. Billings asked if she should ask Ms. Durkee to limit her plan to a conservation level because it will include beaches that Parks doesn't work with. Then Parks could work on a management plan from the recreation and access level. That was pretty much what they were supposed to be doing. Chairman Packish said he would agree with that. There had to be a breakpoint where bathrooms, stairs, access, whatever level of recreation, needed to stay at Parks. Everything to do with the natural resource should stay at ConCom.

Ms. Billings offered the example with North Bluff. The Parks Department was never once asked for their opinion on that project. Chairman Packish said neither was the Planning Board. Ms. Billings said they took away the beach and now wouldn't give them access other than that supposed handicap ramp that went to a bunch of rocks. Ms. Billings had asked numerous times why they couldn't put in temporary stairs to the one spot that still had beach. She had been ignored, but she was still fighting for it. The fishing pier was great, but nobody had ever come to Parks to discuss putting a pier over the beach either.

Chairman Packish suggested talking about the recreational side of it. Little Bridge was plugged up solid and couldn't be used for navigation, shell fishing, fishing, etc. Sand was dragged out of the bottom of a hole under the draw bridge and dumped all over the beach. Everyone knows what that looked like. North Bluff was decimated and hauled away in trucks. They did build a beautiful walkway, he wouldn't argue that. But they took away the resource which was the beach. Mr. Seelig noted ConCom was supposed to protect the beach. Chairman Packish said there was now no beach, and no groins, ruining the recreational access. He said he'd learned to swim there as a five year old. All of this represented recreational situations where the boat got missed. He said they had addressed this far enough. He'd like to see the two plans separated.

Member Fehl asked if Mr. Seelig had been involved in the drafting of the proposal before the CPC. Mr. Seelig said no. He had heard Ms. Durkee would be applying for funding for a beach management plan

and he had asked for a copy of that. She requested his support and he said he wanted to see what it was first. He spoke to the Parks Department and said he thought they should be involved. Member Fehl said he and Ms. Billings both sat on the CPC board and they'd see what they could do to get it transferred from a ConCom project. Ms. Billings said Ms. Durkee should apply but Parks could apply for a recreation plan. Mr. Seelig said they would have to somehow fit together because you could not have one in conflict with the other. Chairman Packish said they would have to meld together. Mr. Seelig said he conceded that ConCom was responsible for the natural resource protection, although he didn't agree with how they'd gone about doing it. Ms. Billings said if the Town voted for this at Town Meeting it would be separated into natural and recreational components. Chairman Packish said first it had to get voted for at CPC. Member Fehl agreed.

An unidentified audience member said they were compartmentalizing things and then they were not. It was not clear to her how the people on the CPC would push for compartmentalizing. $62,000 for a plan that doesn't really give specifics and dates disturbed her. Member Fehl said he thought it would disturb any member of the Community Preservation group also. Their deliberations will involve questioning specifics.

Chairman Packish and Member Hopkins thanked the group for their participation in the issue.

Mr. Seelig thanked the board for being so receptive and dialoging with them. He felt the Planning Board stood out as everybody was named, which was not true of the Conservation Committee. It was a piece of cake coming to the Board, as members were easy to talk to and receptive. Member Hopkins thanked the Parks department for participating.

Planning Board's Land Bank representative discussion with Tom Zinno

Chairman Packish introduced Tom Zinno as the Planning Board's representative to the Land Bank and current Chairman of the Town's Land Bank Advisory Board. Mr. Zinno said the Advisory Board reviewed proposed property sales and gifts to the Land Bank and made recommendations. The meetings were infrequent, and the recent well siting discussion was the first major issue they had faced in the ten or twelve years Mr. Zinno had been on the Board. Chairman Packish asked how that discussion began.

Mr. Zinno said about a year ago from March the Oak Bluffs Water District had asked the Land Bank Executive Director James Lengyel about placing a well on their property. It was Mr. Zinno's understanding that Mr. Lengyel had said he didn't think they could do that except on a seven acre parcel that the Land Bank held only 47% of. They could provide the 47% and the Town could use eminent domain for the rest. Mr. Lengyel took this proposal to the advisory board and requested a decision. Mr. Zinno said that board voted unanimously to allow them to move forward.

Member Fehl said he did not understand the relationship between the Land Bank Board and the Advisory Board. Mr. Zinno said if the Advisory Board said no, then the Land Bank could not purchase a property. Mr. Zinno then read the portion of the Land Bank Charter describing the Board. It's members consisted of an appointee from: ConCom, Planning , Assessors, Health, Parks and Rec, Selectmen, and

Water Commission. Mr. Zinno noted that he was a Planning Board member when he was selected, while others were not board members.

Mr. Zinno said the well proposal was presented with little information. His board was told it wouldn't affect much in the vicinity. He said he had asked them in July about Zone II impact and received maps for that.

Chairman Packish said he had been on the Board for three and half years and was unaware the Board needed a Land Bank representative. He had requested a comprehensive list of appointments from the Town previously and it didn't include this position. Mr. Zinno noted the Board wasn't even on the Town website, but since he became Chair, he'd been trying to increase communication. Chairman Packish said that was the fundamental problem for the Planning Board, as they'd been addressing this well siting issue at length. Member Hopkins was the chosen representative to the Land Bank and the Water District and had attended many meetings. Meanwhile, Mr. Zinno had been attending meetings supposedly representing the Planning Board. Nobody on the Planning Board was aware of this position, and it created confusion with the Land Bank. Mr. Zinno said he wanted increased communication. This was the first significant project, and he had initiated dialog. Chairman Packish said the Planning Board had made headway in proactive planning over recent years, and had been pushing heavily on the donut-hole swap. The Planning Board's representative to the Land Bank should be pushing hard for this at every meeting.

Member Hopkins suggested the Board talk to other appointing boards to see if there were vacancies Mr. Zinno could fill. He felt strongly that the Land Bank relationship with the Town was flawed with 57 acres in dispute, and he was unwilling to let that continue. The donut-hole was important to resolve. The Water Department's decision to slide in with a well site made this the number one issue for the Planning Board in his mind. But he did not want Mr. Zinno's institutional knowledge lost. Mr. Zinno said there were no vacancies and that the Advisory Board consisted of the same people since he'd started, other than the Parks rep a few years earlier. Mr. Zinno read the current members to the Board. Ms. Billings said she was unaware of Richard Toole's appointment from the Parks Commission and said he did not attend their meetings.

Chairman Packish asked Mr. Zinno to contact all the appointing boards to confirm their representatives in writing. Member Hopkins said he wanted a Planning Board member to be the representative to the Advisory Board. Mr. Zinno said he didn't think any of the boards knew they had to appoint someone, but was on the same page. He wanted to know more about what was going on with the Planning Board. Member Hopkins said the real estate dispute had to get resolved, and he needed to know someone passionate about it was advocating for that. All he saw was the Land Bank getting support. The real estate dispute fundamentally impacts housing and other planning. He was not willing to just let it go Zone II without someone fighting for Oak Bluffs in the room. The Land Bank was successful if nothing happened on the land, so the dispute helped them. Mr. Zinno agreed that improved representation was needed.

Chairman Packish asked that Mr. Zinno copy Mr. Anderson on his written contact with the appointing boards. He acknowledged Mr. Zinno's value and experience but clarified that Member Hopkins wanted his seat. The first priority was to get someone from the Planning Board on the Advisory Committee. The second priority was figuring out how to retain Mr. Zinno.

Member Hopkins noted that the campground proposal which he read in the paper should have gone to Parks. If their representative didn't bring it to them, it was an indication that the Advisory Board was dysfunctional. The Park Department's view on a campground needed to be represented to the Land Bank, and if their representative didn't get that from them, shame on him. He was concerned about the entire Advisory Board. Mr. Zinno said that was just the way the whole thing had been set up. Chairman Packish said that is the way it used to work, but moving forward this was the way it would work. Mr. Zinno provided Mr. Anderson with the Land Bank charter documents for distribution to the Board. Chairman Packish explained that appointments would need to be made by the relevant boards and sent through the Selectmen for approval. The goal was to strengthen the voice of the Advisory Committee. He knew every member of the committee and thought they were spectacular, but he wanted all of them advocating with an iron fist on behalf of the Town. Member Fehl noted that there were term limits on other advisory boards and this was not the Supreme Court.

Parking mitigation procedures discussion with Mark Barbadoro

Mark Barbadoro explained that as the zoning enforcement officer he was tasked with collecting unpaid parking mitigation fees as they were considered zoning violations. He had a list of people who were deficient in paying. He didn't have an up to date accounting of balances owed but planned to send a generic letter to advise these people they were behind. He said they needed to create an in-house billing system going forward.

Mr. Barbadoro said he hoped the Planning Board would work with Town Counsel to avoid situations where the Board granted mitigation to developers who then disappeared or sold the property. As an example, there was a condo building on Kennebec where the builder made the agreement but he wasn't sure if they were still on the Island. Chairman Packish said Gene and Alan were still on Island. Mr. Barbadoro wondered if they should be billed, or the condo association. Chairman Packish said it should go to the owner of the building.

Mr. Anderson asked Mr. Barbadoro if he had located the special permit for the condo. It should be recorded and should run with the land. Chairman Packish said he was eager to get the letters out. However, the Board was offering mitigation to applicants up to $2500 a year and being told they would refuse to pay it because it was widely known that $40,000 had gone uncollected. Another business owner told him he only agreed to mitigation because he knew nobody paid it. This was the current mentality of parking mitigation. Despite that, the by-law is celebrated statewide for its progressive nature. It is really a way out. The alternative is "you can do nothing." Chairman Packish said he felt the letter had to have a balance due. Even the tax collector provides payment plans, so there can be some flexibility. But this is the only $40,000 the Town has been owed for up to a decade. There had been no willingness to collect.

Member Hopkins asked if the Board should speak to Town Counsel to find out what could be done in terms of liens, etc. Mr. Barbadoro said that was what he was working on now. Member Hopkins said he'd like to know what the options were, and that he favored passive enforcement like waiting for land transfers. Chairman Packish suggested Mr. Barbadoro get options from Town Counsel. He said he believed for a liquor license you needed to be paid up on taxes and fees. Could this be lumped in?

Mr. Barbadoro said he felt a lot of the questions should be considered when granting mitigation, as enforcement in zoning was only as strong as the decision. Mr. Barbadoro thought the lien option was interesting and it was also important to find out if payments could go on the tax bill. Chairman Packish asked for a date when the letter would be available. Member McCarthy said he felt that if it went on the tax bill it would not be passive for business owners as they needed to be caught up on taxes to get their annual license.

A member of a homeowners association in the audience said small claims court had led to 90% compliance for them as it impacted debtor's credit. Mr. Barbadoro said back taxes would prevent new building permits and business licenses. Chairman Packish said there were a few individuals who owed nine or ten thousand dollars. Member McCarthy noted putting in on the tax bill could prevent payment plan arrangements. Chairman Packish said the number grew daily and was in the $45k-$47k and he wasn't convinced everyone was on the list. He said he wanted to be clear that there were some people like Chuck Sullivan who did send their checks in regularly. Mr. Barbadoro said he was tired of people pointing to others as an excuse for non-compliance. Chairman Packish agreed but said when it was one in fifty it made people wonder why they were that one person paying.

Mr. Barbadoro and the Board agreed to get the letter out by November 15 and decided to discuss it again on November 10. Ms. Billings suggested putting a copy of the mitigation details in with the letters. Chairman Packish explained the procedure saying every person who had mitigation had been very clear on what they owed when they received it. Member Fehl agreed saying they had all sat before the Board and agreed to pay their specific amount. Ms. Billings asked how she would know if she were on the list. Chairman Packish said many of the businesses downtown hadn't changed, but when there was a change in use this would trigger mitigation. The Building inspector was defining that change as per the use table. For businesses that were paying in, it did not go to general fund but to the parking mitigation fund. It was dedicated to improving parking, so if there was a case where a curb needed to be moved and additional parking put in, the funds after Town Meeting vote could be used for it.

Streetscape update following Committee meeting of October 3

Chairman Packish said the Streetscape meeting was very well attended. They had prepared updated plans. Chairman Packish asked Mr. Anderson to get those updated plans up on the website and distributed to all participants and Board members. He said this was the last committee meeting before the public forum on October 26, which would be a presentation of the North Bluff concepts, Circuit Ave and Kennebeck. He felt these were good concepts and it was time to get public input to see if they were on the right track. These were all consistent with the Streetscape Master Plan.

Chairman Packish provided a summary of Phase Two work, noting the RFP and choice of consultants, the survey, concept overlays, and then concept development with Committee input. After the upcoming public forum there would be another Committee meeting, another public forum and then a final draft would be produced. The Streetscape Committee would review the final draft and forward it to the Planning Board who would review it. The Planning Board and the Selectmen would then accept the plan. Member Hopkins said this was exciting. Chairman Packish said the goal was to wrap this phase up well before the holidays.

Member McCarthy asked if the final draft was broken down by project or if it was to be voted on as a whole. Chairman Packish said they would determine later how that would work. He also said that being a property owner in the area could prohibit his voting, just as it could for Member Albert, although this affected a large area, so it might be ok. They would follow up with the State ethics team and make any necessary disclosures.

Member Hopkins asked why the documents sent ahead of October 3rd weren't online. Mr. Anderson said they were public and he would make them available but they were working documents and the consultant wasn't finished updating them based on the October 3rd meeting. They would go up then, so that the public could see what they would see at the public forum.

An audience member asked where the plans would be posted. Chairman Packish said the Planning Board page of the Town website and hopefully the front page. Member Hopkins said he would post it on the Planning Board Facebook page. Chairman Packish said the OB Downtown Facebook page was the Streetscape page, and it would be there as well. They were up to 2999 members on that page.

The audience member asked when the project would be done. Chairman Packish said it would come down to money. Oak Bluffs generally relied on Mass Works and Community Block Grants. Those are managed by one grant writer and if the money isn't available there then unless Town Meeting paid for it, the project wouldn't get done that year. This consultant is very strong with Federal grants, and that was why they picked him. He felt the Town's case for Federal grants was extremely strong.

Chairman Packish said a lot had already come out of Streetscape as collateral gains. The OB Downtown Facebook page was great for promoting the Town. There have been half a dozen posts with 40,000-50.000 views. Videos watched 13,000-14,000 times. The Roads and Byways Committee was discussing taking on proposed parking changes along the harbor. The survey had been invaluable. Park and Ride progress had come from Streetscape. They were able to get budgeting for two people to clean downtown because of the project, which had helped merchants have a great year.

Proposed new town hall update

Chairman Packish said there would be another meeting with the architect and everyone who played a role in the original design. This would allow everyone to see a comprehensive presentation and figure out next steps from there. He had concerns about outreach as he'd hear of none other than the

Planning Board's social media. He'd asked the Chair of the Selectmen to take care of that by creating a budget for newspaper ads etc.

Upcoming Meeting Schedule

Mr. Anderson gave a rundown of upcoming agenda and potential meeting dates. He noted that the Board had held only one meeting in November and December in 2015 and thought they should consider the December schedule. Chairman Packish said he knew a lot was coming out of the MVC so a second December meeting could be needed. He was fine having the November 10, November 16 HPP, and November 17 Edgartown Vineyard Haven corridor make up the November schedule. The Board had myriad other related duties including the HPP committee and Land Bank.

Minutes review and approval 9/15/16, 9/22/16

Member Hopkins made a motion to approve the 9/15 and 9/22 minutes. Member McCarthy seconded. The Board voted 4-0 to approve the minutes.

Board Member Updates

Chairman Packish said the HPP committee was meeting almost weekly again. The survey had approached the 450-500 mark Island wide. It originally was coming in two-thirds Oak Bluffs. The goal was 1000. He'd seen IHT's e-mail celebrating the Water Street project that linked to the survey. The Committee was putting a lot of pressure on professional organizations to send this to their mailing list. Chairman Packish suggested the Vineyard Hills Association distribute the survey. Member Hopkins suggested the Chamber. Mr. Anderson said Christine Todd said she'd distribute to the OBA.

Chairman Packish read the one page summary of the first community workshop which he'd received that day. He noted Oak Bluffs had the strongest participation with 54 attendees, followed by Edgartown at 52.

Member Hopkins said he attended the neighborhood association meeting focused on the Bellevue Ave. initiative. He presented the information related to the Edgartown Vineyard Haven Road corridor upcoming summit. He explained all the moving parts and said they had to start looking at what they would support vs concerns. He thought it was a productive meeting with 7 attendees. He noted several were in the audience.

Member McCarthy said they had been waiting on the funding committee for the Master Plan. He said he was also participating in what was no longer called the "charrette" but rather the Edgartown Vineyard Haven corridor regional discussion.

Judy O'Donoghue , who lives on Bellevue Avenue, said she had listened to a tape of the last Planning Board meeting and wanted to make a comment for the record. She said Chairman Packish had expressed his extreme disappointment in the amount of misinformation going around Town as well as the generation of fear in the community related to the proposed Bellevue project. She said she was guessing he was talking about their group. She said their group existed for the opposite purpose. They

try to attend public meetings and listen to the process and put out facts, not misinformation. The rumor mill is the rumor mill, and rumor and gossip thrives on ambiguous situations, so going forward if they could all be clear and transparent and efficient and involve the community they would be in great shape. She wasn't sure what kinds of comments they were hearing or where they were coming from but she was happy to share any of their group's written communication. She didn't know where he was getting this but hoped it wasn't from her community organization.

Chairman Packish said yes, it was from her community organization. He said he was contacted almost as soon as people left the parking lot from the group's meetings or after e-mails were sent around. These people were nervous from what they'd heard. They were looking for clarification. Ms. O'Donoghue suggested she and Chairman Packish discuss this in order to nip it in the bud. Their goal was to work with facts. Member Hopkins read Chairman Packish's comments from 9/22 aloud and in context. Chairman Packish said it was difficult, that he'd received a lot of calls simply about the road being cut in from her meeting. He said when the calls all came in from the same neighborhood with the same language almost verbatim at the same time it was pretty clear where it was coming from. Nobody wanted her involvement more than him, as inclusionary government was his platform. He commended her group for participating. But they all had to stay in fact. It is easier to effect change when the conversation sticks to the framework. He hoped she would continue to attend, and noted he and Member Hopkins had both been to their meetings and said about the same thing. Eventually solutions needed to be found. An abutter of hers called and said as long as there was a fence and bushes, he wouldn't fight it.

Amy Billings said she wanted to bring up again the fact that they'd never had other plans to consider for town hall. Member Hopkins agreed they had not seen other plans. She would like to get down to the plans. She found it hard to believe that you got three options on HGTV but that the Building Committee hadn't offered options. She thought that was mind boggling.

Chairman Packish noted Ms. O'Donoghue had been recording the meeting. He told her to recordings had to be announced by law.

<u>Documents used in this meeting:</u>
-Agenda
-Form A Deborah Brown Oct 11, 2016
-Sign-In Sheet
-Plan of Land in Oak Bluffs, Mass Prepared for Deborah W. Brown Octr 6, 2016 by Schofield, Barbini & Hoehn Inc.
-Draft Invitation to Discuss Future Plans for the Regional High School Lands and Vacinity
-Potential List of High School Vicinity Stakeholders
-Land Bank Charter
-9/15 and 9/22 minutes