



## OAK BLUFFS PLANNING BOARD

Meeting Minutes

**JULY 11, 2019**

*5:00 p.m. at Oak Bluffs Fire Station, 6 Firehouse Lane, Upstairs Meeting Room*

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**Members in Attendance:** Ewell Hopkins, JoJo Lambert, Erik Albert, Bill Cleary

**Members Absent:** Mark Crossland

**Staff in Attendance:** Kim Leaird (*Administrator*)

**Attendees:** Eunice Youmans (IGI), Marc Rivers, Eric Peters, Brooks Billingham, Elaine Barse, Nick Briggs, Amy Billings, Rose Cogliano, Gail Barmakian

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*Chairperson Hopkins opened the meeting at 5:00 p.m.*

Chairperson Hopkins invited Eunice Youmans from Island Grown Initiative (IGI) to give a quick introduction of what they are doing on the island with food recycling. Ms. Youmans said that IGI is part of the Food Waste Initiative which is actually bigger than IGI and is a partnership with many different organizations including Vineyard Vision Fellowship, Organics committee as well a lot of social service agencies. They also do a lot of food recovery and recycling work as part of the Food Waste Initiative. She said her background is in climate change and how you can use land differently for different climate and outcomes.

There is an external pressure coming from Massachusetts Department of Environmental Protection (MassDEP) – in 2015 it issued an organics ban which says if you produce over a thousand tons of food waste in any given week of the year, then you are not allowed to dispose of it in landfills. Today there are about 20 businesses on island that would fall under that ban. The problem is there is no infrastructure here to manage that – nor do many other communities across Massachusetts. As a result, MassDEP has created grants at the state level and each town is eligible for \$150K-\$250K for infrastructure grants, whether it's windrows, composters or machinery or anything that will help you recycle more of your food waste.

Food Waste Facts on Martha's Vineyard: About 6,500 tons of food waste is shipped off island. That costs \$620,000 year to transport and dispose off island. This does not include the tax dollars used to underwrite our waste costs across the island. At the same time, we import 5,400 tons of bulk compost to the island. This was recognized by the Commission and the 2009 island plan called for converting waste into a useful resource we can use on island. This is a conversation that has been going on for 30 years. Following the organics ban in 2015 a group of concerned islanders got together to say how are we going to respond to this food waste ban, we don't have the infrastructure. So the Organics committee was formed, and a feasibility study was done to identify the issues and opportunities.

So IGI stepped in and piloted a program to test out how we can collect and re-use/recycle in the most viable way. When we started in 2017, they were picking up 17 tons of food waste. This year they expect

to process 360 tons of food waste. They are trying to spread island-wide awareness of problem because they now need more capacity to manage the waste here on island.

Food waste recycling is something that everyone can step up and do. If you can limit the methane emissions generated in landfills you can mitigate climate change. There are grant programs to help towns build their infrastructure.

Another element of managing food waste is food recovery. Forty percent of island kids qualify for free and reduced lunch. We can't quantify how much of elder population is also struggling with food security. IGI also works with farmers to glean produce, they started work with Cronigs and Stop and Shop to recover edible produce. Sometimes it's things that are ugly and people don't want to buy or is just on the edge of expiration. They collect it and redistribute it out to social services partners. They have also piloted a food prep program too, partnering with Pie Chicks and different island caterers. They also signed an agreement with Jabberwocky to use their kitchen over the winter to process foods and get them out to islanders.

1. First priority is to recover food and direct it to people who need it.
2. Second priority is collecting food waste and recycling it by either turning it into compost to enrich our island soils, to create more bountiful crop for either animals or island.
3. Third priority is to feed it directly to animals. They have about 300 chickens who eat a ½ ton of food waste per week. They will also be piloting a black soldier fly operation -- they eat the food waste, and two bi-products: a feed for chickens and this super high octane soil amendment.

Member Lambert asked about the island school food programs. Ms. Youmans said through Island Grown Schools they have farm and produce programs, gardens and composting programs. They also have in summer and holidays they have free community lunches. They have mobile markets going to remote communities. The closest school relationship they have is with the high school. They have re-done their staff and have a professional chef committed to using local produce and growing their own. There are also food awareness garden programs at every school on the island. Edgartown has its own program.

Member Cleary asked if the biggest obstacle was money, equipment or personnel to reach their 50% goal. Ms. Youmans said it's really awareness. These first two years is about creating awareness on the island, we need to all be thinking as a larger community.

Chairperson Hopkins asked if there are any composting operations that are classified as agricultural operations or are they all considered commercial.

Ms. Youmans said it's all considered agricultural. He said he was under the impression that you had to have a farming operation and then added a composting operation to be considered agricultural. Ms. Youmans said she would look into that questions and said that this conversation has been going on for a long time. About ten years ago there was an island plan that mapped out how to manage waste. The island was broken out – Edgartown would take solid waste and construction materials, Oak Bluffs would take recycling. Tisbury would do food waste and composting and there was movement in this direction and then it all fell apart. So just in the sense of municipal public space is that Tisbury does have the space for windrows.

Chairperson Hopkins thanked her and said he'd like to invite her to come back. He said he wanted to leave her with one question: Twenty businesses that triggered the MassDEP Organics ban number – are they all involved in the program now, most are, some are not and are not compliant or taking advantage of the programs that are available. He asked if she had a list of the 20 businesses and she said she would email it to him.

### **Approval of Minutes**

July 27 meeting minutes were shelved until next meeting.

### **Public Hearing: Planning Board Fees**

In accordance with the provisions of M.G.L. Chapter 41, Section 81-Q, and Chapter 40A, Section 11, the Planning Board held a public hearing to consider a new Schedule of Fees to amend the Planning Board Regulations Governing Fees and Fees Schedules, Adopted June 20, 2001. The regulations and fee schedules govern the costs of technical and legal review of applications to the Planning Board and help promote more informed decision-making by the Planning Board.

Member Albert made a motion to accept new fee structure. Member Lambert seconded. There was no discussion. Motion passed 4-0.

### **Site Plan Review: 110 County Rd., 112 County Rd. and 6 Inca Rd. (owner Marc Rivers)**

Present were property owner Marc Rivers and attorney Eric Peters. Seeking approval of clearing for three vacant conforming parcels for the construction of three residences, septic systems and associated site work.

Chairperson Hopkins outlined hearing steps and said this project had been discussed at the last Planning Board meeting.

Eric Peters said Mr. Rivers purchased three buildable lots ranging from 11,930 – 13,004 sq. ft. in March 2019. Septic permits for construction were obtained prior to purchase and he precipitously appears to have done site clearing in advance of getting a building permit. However, he was in and out of the Building department, was sent from Building to ZBA and then back to the Building Inspector and his permit for the 6 Incas Rd. lot is pending due to trouble with zoning bylaw re: erosion control.

They have submitted a site plan review application and a letter addressing comments. He noted that if he had actually gotten a building permit in advance of doing any work on the site, then they wouldn't be here [in front of Planning Board]. He submitted all three site plans showing the buildings with their associated driveways, house plans, septic plan, etc. The site is presently cleared. There is a pile of loam on one of the lots pending final landscape work. An abutter last week had testified there has been no surface runoff so far.

### **Public Input in favor:**

Amy Billings, an abutter at 4 Carole Ave. (diagonal across street), stated she has not noticed any problem with runoff and nothing has changed on the lots other than removal of scrubby stuff. Definitely in favor of Marc's plan.

Rose Cogliano said she supported the project and that what he's done is a great improvement to what was there until now. She wants him to be able to proceed for his family.

There were no comments in opposition.

#### Public Comments:

Gail Barmakian, select person, asked if there was a landscaping plan. Chairperson Hopkins said no, there is not a landscaping plan, only a rough layout. The Planning Board's concern was from a soil erosion and runoff point of view – re: permeable and impermeable surfaces, etc. There are roughly 7 requirements to a site plan review and the Board gave a waiver for all of them but point 3 which includes a landscaping plan.

Eric Peters asked if Ms. Barmakian was here simply as a resident of the Town, a selectman, or as an attorney representing another person.

Ms. Barmakian said she was representing a neighbor (Casanova Walker) as both an attorney and as a friend.

Chairperson Hopkins said again they were not requiring a landscaping plan at this time. He closed the public part of hearing at 5:35 pm.

#### Board Deliberation:

Chairperson Hopkins said he was concerned about permeable and impermeable surfaces. A lot of what drives that is dry waste and he said he was encouraged that each proposed driveway is gravel vs. asphalt. The driveway is modest on Inca Rd., it does not wrap the house. And off of County, because crossing bike path, the driveway is bigger and curved to allow for a turnaround so you can responsibly not back out over sidewalk / bike path. Lines of sight are not an issue in any of them. In terms of the soil on lots, it's all from the original excavation of the structure. Conditioning may be called for on the types of materials used – one is storm water runoff. The Planning Board is requiring dry wells in other situations so you don't create flooding and perhaps this is appropriate here.

He remarked that we do have a problem with an abutting lot (one that Gail Barmakian is here representing today) and need to talk about storm water flow across the board, but other than that, he is comfortable with what he sees on property.

Chairperson Hopkins said he wanted to suggest a condition that new materials beyond a certain amount (amount not specified) would have to come back to the Board if it threatens the topology and layout of the land. He said he doesn't see any of the neighboring properties at risk for elevation of any sort on Marc's three lots. He wanted to ensure that he not build too high so that it creates flooding for neighboring lots.

Brooks Billingham, engineer for the project, said the way you can judge this is from the site plans provided. Each plan indicates the upper limit for spoils. When writing decision, make to the elevation shown on the plans.

Member Albert said conditioning like this was overkill but agreed to language that referenced TOF being the upper limit of spoils and materials brought in on either of the three lots.

Member Albert so moved, Member Cleary seconded.

Administrator asked for clarification on condition imposed. *“No materials brought in or spoils used to modify the TOS that are listed on each of the three lots on plans presented.”*

Motion passed 4-0.

### **MV Skate Park Lighting Plan**

Erik Albert recused himself as he is president of the MV State Park.

Elaine Barse (board member) and Nick Briggs, vice president said they had met with the Parks department and they suggested they come in front of Planning Board. She said it is confusing because they essentially manage a town park and are not sure the steps needed to be taken.

Gail Barmakian said she believed there is a contract or lease between the town and the skateboard park. She said she believes the Park Commission was given oversight. Gail said they may need to be in front of another board, not Planning Board. She remembered the Selectmen authorized it as a Park.

Chairperson Hopkins said they would do some research before the Planning Board signed off, but that it makes sense for the Planning Board to review their lighting plan.

Planning Board members reviewed the plan for lumens and height. Discussed followed and suggestion was made to relocate one of the lights so that it would partially illuminate the bus stop on Edgartown-Vineyard Haven Rd.

### **Board Updates**

**Ewell Hopkins** – The Affordable Housing committee sent a letter to the Planning Board re: Seth Charter who is seeking a special permit for relief from frontage requirements in Appendix B so he can make his lot an “affordable housing” lot. Situated at 0 Grovedale (Map 22 Parcel 21-1). He recalled that this has been denied by the Planning Board in the past but asked board members what they wanted to do about it. He was surprised that no one from the Affordable Housing committee showed up tonight.

Historically, the issue is lot is too small and there is not enough frontage.

Member Lambert said she would like to ensure that applications like this are not then turned around and used as Airbnb’s – to instead make it deed in perpetuity. Chairperson Hopkins said they wanted to impose this and the application was pulled because they didn’t want the restrictions on it.

Gail Barmakian said this is a very irregular request and if there was an applicant who went before this board (already) and was denied, it’s up to the applicant to re-apply. There’s a period of time that you can go back to the board (at least when it’s ZBA). She asked who would even have jurisdiction to give a variance or special permit – not sure if it’s this board.

Chairperson Hopkins said the Planning Board has a lot of authority to waive frontage requirements of Appendix B. Member Cleary said it’s more than frontage, it’s an undersized lot too.

Chairperson Hopkins said he agreed with Member Albert – it’s not up to the Planning Board to do their due diligence for them. Decision was made to kick this request back to them and that they need to fill out

a complete application before the Planning Board would consider it any further. Administrator asked what type of application would that be and the chairperson said they would figure that out. Gail said shouldn't they communicate to the Affordable Housing committee that that is the forum they come and support it or not? She said she does not like to see the town's boards doing something a little out of turn and it's of concern that an elected board has made a decision and there's a recommending board that is asking for something where there is no jurisdiction. Discussion followed.

Member Albert said they need to do their own homework and the Planning Board does not need to take a stand on this, otherwise anyone could play fast and loose and do the same.

**Erik Albert** – had a letter in the paper regarding Lambert's Cove Beach.

### **Adjourn**

Member Albert made a motion to adjourn, Member Lambert seconded.

Meeting was adjourned at 6:06 p.m.

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*Minutes approved August 8, 2019*

### **Documents on File**

- Agenda
- Board packet
- Sign In Sheet
- Handout from Ms. Youmans (IGI)