

DRAFT Chilmark Selectmen December 18, 2018 Meeting Minutes

Present: Chairman Jim Malkin, Warren Doty, Bill Rossi. **Also present:** Tim Carroll, Fire Chief David Norton, Police Sgt. Sean Slavin, Deb Packer, Mr. Grimm, Barbara Armstrong, John Armstrong, Clark Goff, Andy Goldman, Anette Cingle, Joan Malkin, Bettina Washington, Tim Rich, Larissa Rich, Bradly Carroll, Katie Carroll, Rich Osnoss, Wayne Iacono, Marshall Carroll, Elise Elliston, Stephen Broderick, Robin Smith, John Larsen, Pat Jenkinson, Cathy Thompson, Janet Weidner, Jane Slater, Peter Cook, Judy Worthington, Jeff Maida, Scott McDowell, Candy Schweder, MVTV videographer Lynn Christoffers. News reporters: Landry Harland and Lucas Thors. *About 20 minutes into meeting Chilmark School children and parents arrived to sing a couple of Christmas Carols and left when finished.*

At 3:00 PM Chairman Malkin called meeting to order in the Selectmen's meeting room.

Minutes:

Draft minutes from December 4, 2018 were reviewed, a correction was made. Mr. Doty moved to approve minutes as corrected. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

Housing:

Chairman Malkin read the letter from the Housing Chairman Jim Feiner:

At our meeting on December 13, 2018 the Housing Committee reviewed Gerald Caton's request for a \$26,000.00 HELOC on his Nab's Corner Homesite. Upon review of the Ground Lease and affordability formula we find this new loan amount plus the original mortgage stays within the affordability guidelines.

Mr. Rossi moved to approve this request and sign paperwork. Mr. Doty seconded the motion. **SO VOTED: 3 Ayes** *Selectmen signed documents.*

Solar -As-of-Rights Zoning Bylaw:

Planning Board Chairman, Rich Osnoss discussed the process. Mr. Osnoss said there are now over 225 towns participating in the Greene Communities in Massachusetts. Mr. Osnoss said the first time this came to the town Planning Board it was turned down because we would have to take on the new zoning laws for stretch codes. Mr. Osnoss said we were originally told that including the stretch code in our zoning would significantly increase the cost to build homes. After revisiting the topic the Planning board has been informed that the new building codes and stretch codes are much closer in requirements and this seemed like a good time to readdress becoming a Green Community. Selectmen outlined a property (map 13, lot 28) as the 1 ½ acre of land for By-Rights solar and the Planning Board has put this forth and request this to be on the warrant for the Annual Town Meeting.

Mr. Doty pointed out that at West Tisbury Town Hall you can see electric cars (for employees) and they were paid for by the Green Community funds. Mr. Rossi moved to approve this By Rights Zoning to be on the warrant for the 2019 Annual Town Meeting. Mr. Doty seconded the motion. Chairman Malkin asked if there was public comment. There was none.

SO VOTED: 3 Ayes

Harbor - Commercial Fisherman's Slips:

Mr. Doty said he asked this to be on the agenda. Mr. Doty said we have 5 Commercial Slips on the West Dock and there is a concern about who gets those slips. Mr. Doty said one of the slip holders has received a letter (From the Harbormaster) saying they are no longer eligible for that slip. Mr. Doty said we might want to put this on our next agenda for further discussion January 8, 2018.

John Larsen said the lot in question is Emmett Carroll's slip and Emmett hasn't been well and he doesn't think it's a good time to take it away. Mr. Larsen went on to say it's been tradition in town to allow the fishermen to say when they are finished with fishing and it has worked very well. Mr. Doty said we are not going to make a decision on this tonight but if anyone wants to speak to this now to please do so. Wayne Iacono said he spoke to everybody who is on the waiting list for a commercial slip and no body wants to take it away from Emmet.

Chairman Malkin said he was unaware of the letter that was sent out from the harbor department. Chairman Malkin said we will have Harbormaster Jason at our meeting January 8th. Chairman Malkin said we will invite the Harbor Advisory to attend that meeting as well. Further discussion was tabled till January 8, 2019.

MV Commission - Discretionary Referral DRI for traffic & public safety via State Rd:

Chairman Malkin said he requested this item to be on the agenda. Chairman Malkin said he has been concerned as a citizen of Chilmark at what a casino in Aquinnah might do to public safety at night and the burden that it may put on our public safety officers. Chairman Malkin said it was his thought to put this to the MVC to look at as a Discretionary Referral DRI (Developments of Regional Impact). Mr. Rossi said he was in agreement that he would like the MVC to look at this. Mr. Doty said he doesn't support poking into other towns affairs, he agrees that the traffic could be an issue for us but Chilmark Selectmen should not take a position on the casino.

Chairman Malkin clarified that we would not take a position about the casino. The concern is should there become a casino; what is the impact on our police services and on our roads from increased traffic. Mr. Rossi asked for Chilmark MVC member Joan Malkin to explain this topic. Ms. Malkin said this would be a cross town Discretionary Referral. A town may refer a matter and the MVC would determine if the casino would have regional impact. The MVC might approve the plan or reject them or approve with conditions to give some satisfaction about public safety and traffic concerns. Chairman Malkin said as to if the MVC has jurisdiction over a Sovereign Nation is something he doesn't have any idea about. Mr. Doty said a referral like this would throw the MVC into that question. Mr. Rossi said this cannot be referred without a plan of what is being built. Mr. Carroll said it's the permitting process that usually triggers a referral.

At this time the room filled with Chilmark School children and parents to sing a couple of Christmas Carols, and left when finished.

Ms. Malkin said she did not think that the Tribe was subject to local zoning. Ms. Malkin said this may be premature for Chilmark to refer this to the MVC but she is not sure there will ever be a triggering event other than the starting of the foundation.

Chairman Malkin recommended holding any action until there is progress. Mr. Carroll recommended dialog with Aquinnah about this.

Bus Turnaround:

Chairman Malkin said as a board we have not discussed this subsequent to the Special Town Meeting. Chairman Malkin said the Selectmen's office has received a number of letters about our plan for the bus turnaround. Chairman Malkin read into the record a letter from the Planning Board, the Conservation Commission and the Planning Board Subcommittee.

From Planning Board Charmin Rich Osnoss:

We read Katie Carroll's letter into the minutes during the Planning Board meeting last night and discussed the issues that she presented. We also reviewed the process that led us to this point, similarly to your description in your email, and stand by our decision to advance the plan. We sincerely considered Katie's concerns and concluded that though there is no perfect resolution to the space and traffic conditions in the area, the series of planning meetings has led to the current resolution.

The Planning Board knows that it is important that the details of the plan be worked out so that the finished project may be as attractive as possible, blending in and not diminishing the character of Menemsha. I'm sure that the BOS, neighbors and community members feel the same.

I hope that the Menemsha Subcommittee members will attend the BOS meeting on December 18th. They were more integrally involved in the process than myself, though consistently reported details to the other members of our board. I am willing to attend the BOS meeting as well to support the Subcommittee's process.

From Conservation Commission (ConCom)- Joan Malkin:

The Town filed a Notice of Intent (NOI) to undertake the proposed bus turnaround (as well as other work). The ConCom requested that the area be delineated as to what type of protected resource areas there were and the boundaries of any resource area. Doug Cooper, whom the ConCom has relied on for years for expert advice on this kind of issue, did the survey.

The ConCom requested that this be done because the regulations we operate under are very specifically tailored to the particular resource area. Doug indicated the area was Land Subject to Coastal Storm Flowage (and not Bordering Vegetated Wetlands, which includes salt marsh, despite the fact that the NOI indicated that the resource area was Bordering Vegetated Wetland. I believe that Reid Silva, engineer for the project, said he mislabeled the resource area on the NOI, and this was clarified at the hearing.) Further, the land at issue has been the repository for dredge spoils for many years.

The Concom noted that the scope of the work was to remove 12-18 inches of sand and replace it with gravel hardener to provide a stable driving surface. The excavated sand would be used to build a planted berm to provide screening for area residents.

The ConCom specifically reviewed the regulations applicable to Land Subject to Coastal Storm Flowage at the hearing. It was the ConCom's unanimous view that the conditions were met – with certain provisos – relevantly, that the parking within the interior of the turnaround not be built. We also reiterated our past request to remove the fishing gear in this area. Furthermore, the ConCom required that if portions of the inside of the 'U' were disturbed during construction, a planting plan must be provided to the Commission.

The ConCom has an obligation to adhere to all State and local laws. The project was approved unanimously.

From Planning Board Subcommittee Chairman - Janet Weidner:

In the spring of 2016, the Planning Board, at the request of the Chilmark Board of Selectmen, initiated a planning process for Menemsha. This was considered to be a first step in the development of a comprehensive Master Plan for the Town of Chilmark.

The Planning Board Subcommittee began our effort by conducting meetings with every stakeholder group which plays a part in Menemsha. We met with twenty three such entities including: town boards and committees (9); Menemsha residents; Menemsha business owners; the Vineyard Transit Authority (VTA); public safety entities including Chilmark police and fire departments and Tri-Town Ambulance; various Town departments including the Harbormaster, the shellfish warden, the maintenance department and the highway department; the Fishermen's Preservation Trust; the Coast Guard; the MV Commission; and attendees at that summer's Selectmen's Meeting for summer residents. These meetings were conducted over approximately a six month period from June 2016 to December 2016.

In general, the Planning Board Subcommittee held regular meetings on Mondays, prior to the regularly scheduled Planning Board meetings. One exception was when we met with town boards and committees. Rather than make a group of people come to us, we arranged to be on the agenda at one of their meetings. All of our meetings were publicly posted, and minutes for our meetings may be found on the Town website. In addition, we reported our progress and findings to the full Planning Board on a regular basis.

Throughout the course of these meetings, we gathered many ideas from the attendees on a range of topics. In order to organize all of the information that we gathered at these meetings, we categorized suggestions into several bins – public safety, commercial, working waterfront, comfort station, vision. By far the greatest number of suggestions and concerns we received were in the context of public safety, so we decided to focus on that area first. Ideas ranged from very specific suggestions to broader concepts to “do nothing – we just need to survive for the summer months”. While a “do nothing” approach could work for some aspects of Menemsha, we felt that that approach was unacceptable where public safety is concerned.

We met with the Board of Selectmen on November 15, 2016 and presented our initial findings with regard to traffic and pedestrian safety issues. We suggested that the Town pursue a number of public safety initiatives that we felt could be acted upon quickly and which could be undertaken without limiting the Town's options for action on the overall issues in the future. The Selectmen agreed with our suggestions and placed two related articles on the meeting warrant for the Chilmark Special Town Meeting, held on November 27, 2017. The first of these articles asked the town to approve \$25,000 to make improvements to the Menemsha Shuttle lot, Menemsha signage, line painting of parking along North Road across from the Homeport, and screening vegetation in connection with a sidewalk easement (Article # 14). The second of these articles (Article # 15) asked the Town to spend \$15,000 to permit and construct an expanded parking area at the Menemsha Shuttle Lot atop the Tabor House capped landfill, among other things. Both of these articles passed at Town Meeting unanimously.

Our next step was to document the information and ideas that we had gleaned from our stakeholder meetings. We provided a report to the Selectmen, titled “Menemsha Master Plan –

Parking & Traffic Summary”, dated March 27, 2017. The document provided background on how Menemsha “operates” while summarizing our findings to date in the area of public safety – pedestrian issues, parking and traffic flow. We also provided a copy of the report to Adam Turner of the MVC. After discussion regarding how the MVC could assist and contribute to our Town planning efforts, Adam Turner hired William Brewster of Brewster Architects, an architect with master planning expertise. Mr. Brewster was engaged to analyze traffic flow and parking issues in Menemsha.

After reviewing our “Parking & Traffic Summary”, Bill visited Menemsha in the spring of 2017 to familiarize himself with Menemsha and get a feel for the issues first hand. This was followed by a visit in the busy summer season and a final walk-through in the fall. On each of these visits, he met with the Planning Board Subcommittee. On his third visit in the fall of 2017, the Board of Selectmen accompanied him on his walk around. At this point, Bill had prepared an initial draft set of recommendations. During the walk-around, he received feedback on his concepts from the Planning Board Subcommittee as well as the Selectmen and other townspeople who walked with us. We then re-convened back at Town Hall where Bill walked through a PowerPoint presentation describing his initial set of ideas and accepted feedback and suggestions. Based on that, Bill finalized his analysis, and provided it to the Town of Chilmark in a package published on December 12, 2017.

The Planning Board hosted an open forum at the Chilmark Library on Friday, February 9, 2018 to allow Bill Brewster an opportunity to present his analysis and recommendations to the Town and to provide an opportunity for townspeople to provide their feedback. This event was announced in the Chilmark town columns of the MV Times and the Vineyard Gazette the week before. Over fifty people turned out for Bill’s presentation. He presented a powerpoint briefing summarizing his analysis and suggestions. Lively discussion followed. In particular, the walkway that we were proposing be delineated between the Menemsha Deli/Beetlebung Cafe and the intersection of North Road and Basin Road came under heavy fire from some of the audience. Most of the other suggestions presented by Bill were well received, with some suggestions and input from the audience. It should be noted that there were no adverse comments made against the proposed Menemsha bus turnaround. In fact, it was applauded by many at the meeting as a safety measure that made sense (getting the buses out of the parking lot) as well as a potential improvement to the traffic congestion in Menemsha.

Following that meeting, at the request of the Selectmen, the Planning Board Subcommittee prepared a memo which provided a brief summary of the concepts presented by Bill Brewster and our assessment of priority. Based on the feedback we had received from the public, we divided the recommendations into two sets. The first set consisted of twelve proposed improvements for Menemsha which we recommended that the town pursue. These suggestions include the bus turnaround, the DiMaura walkway, the Greenebaum walkway, a redesign of the Menemsha parking lot, improved signage, a possible stop sign at the intersection of North Road and Basin Road and several other items.

There were an additional six proposed improvements from Bill Brewster’s report which we recommended not be pursued without significant additional study. This list included the walkway that had been proposed between the Deli/Cafe and the intersection of North Road and Basin Road.

We provided this memo to the Selectmen on March 2, 2018 and followed up by attending the Selectmen's meeting on March 6, 2018. Based on discussion at that meeting, we agreed that, from a safety standpoint, the DiMaura walkway, the Greenebaum walkway and the bus turnaround should be pursued first. There was, and still is, every intent to pursue the other proposed improvements on that memo. For example, the Selectmen continue to make progress on approvals for the proposed Stop sign at the intersection of North Road and Basin Road.

In the months since March, the Town engaged Reid Silva to do engineering drawings of these three sites and proceed with the permitting process as required by State law. The Conservation Commission reviewed the bus turnaround project and approved it unanimously.

At the Special Town Meeting on November 19, 2018, the Town of Chilmark voted to approve the proposed Menemsha Bus Turnaround.

At this time Chairman Malkin asked to have some discussion with the Selectmen before opening discussion to the public. Chairman Malkin said we had an issue years back with what to do about access to Squibnocket. Chairman Malkin said the Selectmen together came up with a plan that was dubbed by some "the Selectmen plan". The plan was taken to Town Meeting and with an 83 to 81 vote it was decided to accept an amendment that would have the Town Moderator (Everett Poole) create an independent group to review options available for the parking and access to the beach at Squibnocket. The group met several times and then took their recommendations to the town to go through the permitting process. Since that issue we have used committees made up of volunteers who commit a tremendous amount of time, effort and study to come up with solutions to issues in this town. Chairman Malkin said what you heard from the committees about the turnaround were received and approved by the Selectmen. We have received letters from people concerned about this bus turnaround plan; some of the recommendations submitted were applied and some were not. Chairman Malkin said his concern with this situation is we have some big projects coming up: Fire Station, Tri-Town Ambulance Barn, Peaked Hill Pastures. All of these projects will require volunteers to spend time in meetings and time doing research. The concern is if we don't use the open process that we have had and we turn over all the proposals because there are some people who are not happy we will not get the kind of community involvement we need to deal with these issues.

Chairman Malkin recognized the folks who have written letters of concerns with the bus turnaround project. Chairman Malkin said he has read them all and gone back and read all the minutes regarding the recommendations and proposals and has a recommendation to Mr. Doty and Mr. Rossi. If the people who have concerns about the bus turnaround will put together specific recommendations dealing with public safety and congestion in Menemsha in the summer and submit them to the Selectmen in a specified time frame we will submit them to Bill Brewster (who was the engineer planner consultant that was used for this project). We will then request from Mr. Brewster his findings on these recommendations for a Selectmen's meeting in January 2019. Chairman Malkin said in the meantime we will not begin the construction of the bus turnaround.

Mr. Rossi said this is a slippery slope: making these changes for a few people who were not happy with the outcome of the 2 year process and town meeting support for the public safety action to be taken in Menemsha. That being said Mr. Rossi said he was willing to go along with this plan if Chairman Malkin or Mr. Doty supports this. Mr. Doty said he supported this proposal from Chairman Malkin and to allow comment from the public present tonight.

Tim Rich said after reading the minutes from the December 4, 2018 Selectmen's meeting when Selectmen said they would allow for the bus turnaround to be on the agenda for today for discussion their intent is to move forward with the construction of the bus turnaround. Mr. Rich asked if this was a done deal. Chairman Malkin said at the time it was but since that meeting there has been many letters and communication to the Selectmen about this so we will give this specific recommendation (when we have it) from the public further consideration prior to construction.

Fire Chief David Norton said that Public Safety was involved during the decision making but he has never gotten an email or notice to join in to discuss his concerns about traffic and public safety in Menemsha. Chief Norton said maybe only the Police Department was involved in the public safety input.

Ms. Weidner said the report stated we had 23 meetings at the beginning of the process and you (Chief Norton) did come to a meeting with us, though that was not the same as the walkaround. Chief Norton asked if that was based on the turnaround or other topics. Ms. Carroll asked why the window to get an alternative recommendation in is so small. Chairman Malkin said because he would like to get this project done and to move forward on this plan or an alternative before we get into the summer season.

Katie Carroll thanked the Selectmen for the opportunity to speak and then read her prepared words: I realize, as I have said to most of you, that the process brought forth by the planning board regarding the bus turn around followed standard procedures. Meetings were held and posted. Conversations were had. Forums were offered. Despite all of the pats on the back and the "I hear ya"s I still strongly disagree that the installation of this proposed bus turnaround should continue.

As time went on through the Planning Board process, the vision of Menemsha became much more suburbanized and the open vistas and working waterfront felt as if they were being pushed to the wayside in exchange for buses and tour vans. The proposed bus turnaround marks definitive encroachment on open land in an area that is a continuation of both salt marsh and dune which has gown beach grass, roses, small seaside shrubs. It is a continuation of the area where marsh hawks hunt small prey and birds find an afternoon snack or, as great grandma Bet would have said, a spot to "sit a spell."

After speaking in opposition at a very sparsely attended special Town Meeting and after feeling overrun with dismay when the funds for construction were voted through I began to think about how this town is progressing and whether or not some of the decisions that have been made are sensible and in keeping with the well-being of our community. The answer to myself was a resounding no.

Rather than retreating and feeling hopeless I began further discussion regarding the bus turnaround. This particular project is one that I will need to look at day in and day out as it is right outside my window at work. Menemsha is a place that is home and I feel I need to do my due diligence to care for it as it, in a unique way, is a living being.

I have called out the many reasons I feel this plan is an inappropriate one and why I continue to feel it simply will not work. Part of the issue is simply visual. The Martha's Vineyard Commission's 2004 Chilmark Community Development Plan explains that "The character of the Island is derived to a great extent by how it looks from public spaces, including major roads and the water." A preliminary identification of views from the main Island roads includes:

- . wooded areas within 200' from roads as well as adjacent fields and ponds
- i. larger vistas from public overlooks and particularly scenic roads and the axis of view corridors at the ends of certain roads
- ii. A secondary buffer area, generally an additional 300' from roads, was also identified as was the coastal viewshed made up of land within 1000' from the coast and of other navigable waters. Also included are cultural landscapes that towns have previously designated as Special Places.

I think we can all agree that Menemsha falls into the category of special place.

On page 16 of the 2000 Chilmark Master Plan supplement, Menemsha has a page all to itself. Of particular interest, is the simply summarized "Its rustic look, open spaces, fishing boats, beach, views, etc. all contribute to the uniqueness of the place." Additionally, the one goal listed is "To maintain the visual character of Menemsha as a small fishing village." The master plan continues on to say:

In every Master Plan survey taken since 1979, voters and non-voting taxpayers have listed Menemsha as first among all places they consider of special importance to the community. Its rustic look, open spaces, fishing boats, beach, views, etc. all contribute to the uniqueness of the place. But the character of the area is changing. The introduction of a winter water system has brought year-round residents. Houses are being enlarged and refined. Commercial activities are becoming more intrusive. Parking is becoming more congested. Open spaces are being taken up by new construction. The number of moorings off Menemsha beach is increasing. The beach is becoming increasingly crowded. Serious consideration should be given to investigating ways in which the unique quality of Menemsha can be protected without unreasonably restricting existing activities.

We need to be stewards of our land, not only for us but for future generations and in honor of those who were before us. In response to this proposal, a few words shared by Brendan O'Neill, executive director of Vineyard Conservation Society seem particularly poignant. He reminds us that, "The VCS interest in the process includes our history facilitating the 1972 gift to the Town from Edith Moore for conservation purposes of an adjacent parcel with 398 feet of frontage on the Vineyard Sound, extending back to the salt marsh. The intent of the gift was to restrict development in the dune and marsh area: 'No buildings or other temporary or permanent structures will be constructed, placed or permitted to remain on said parcel'.

As the town seeks to manage growth pressures, we would like to see its planning efforts keep with that theme and avoid development in natural resource areas."

In addition to the negative impacts of bulldozing precious open land and the negative impacts on aesthetics a lot of the problems with this proposal lie in pure sensibility:

1. The congestion in Menemsha is not solely attributed to the bus. Removing the bus from the main portion of the lot does not improve flow. We still have numerous delivery truck and suburbans with a cooler of the front and bicycles on the back.
2. The buses will cross the beach-restroom walkway in two locations- a safety hazard. This eliminates the opportunity to walk from the restroom to the beach, across the front of the beach and all the way down the dock to the bridge without the need to traverse any portion of the traveled way.
3. The bus will now have to navigate through cars both parked and in the road to access the outbound lane of Basin Road.

I turn to you today on behalf of the people who stand with me (READ many NAMES) and request that you, the Board of Selectmen, withdraw the proposal to install the Menemsha bus turn around. We urge you to pursue a less invasive option and request that you:

Repaint the existing parking lot to maximize use of the current area provided. Continue to utilize the current bus stop location. This can easily be done without disruption of any of the open area vistas we currently enjoy and will eliminate the need to create the proposed bus turnaround. It is a far less costly alternative that does not have such a drastic visual impact and actually lends itself to remedying the issues of overall traffic flow.

In addition, we urge you to pursue options with the VTA regarding the elimination of the #4 bus entering Menemsha during peak season. Have it connect with the #12 at both the LDO and the CCC. Once again, I reiterate:

Although the townspeople approved the expenditure of funds to create the proposed bus turnaround that DOES NOT mean it is a good idea or that we actually need to spend the money. I do commend the Planning Board on the time they have spent addressing issues regarding Menemsha, but simpler alternative options, which have been suggested over the past year or so, have not been thoroughly exhausted.

Ms. Elliston gave a hand drawn plan of what the parking lot plan could be to help alleviate the traffic congestion and public safety issues. Ms. Elliston said we need to make sure there is room for commercial fishermen in Menemsha. Mr. Armstrong said once the flags were put into place marking the expanse of the area for the turnaround he became very concerned at the impact it would have.

Bradley Carroll said as a traffic officer in Menemsha the VTA bus is not a problem the real issue is the lines in the parking lot. Miss. Carroll said the VTA bus actually aids in getting people in vehicles waiting to park to move along. Chairman Malkin said Chief Klarèn could not attend this meeting tonight but wanted the public to know that he is in favor of the bus turnaround.

Chairman Malkin asked Police Sgt. Sean Slavin to speak in his absence. Sgt. Slavin said there are times each summer that a bus cannot make the turn through the lot because visitors to the beach have parked with a rack on the back that blocks passage and the police department has had to assist in the VTA bus backing up the whole way causing major traffic snarls.

Sgt. Slavin also added that the turnaround could be used as a staging area for emergency vehicles in an emergency situation allowing for traffic to keep moving.

Mr. McDowell asked if we could limit the VTA bus to the small size only in Menemsha. Sgt. Slavin said the VTA bus at sunset needs to be large to accommodate all of the people to be shuttled back to get their cars at the lot. Mr. Cook said he respects the process being done tonight. Mr. Cook said this is a little late in the process, but this is good. Ms. Cingle asked if the parking lot size was considered during the proposed project. Ms. Weidner said that yes and Mr. Brewster's report has recommendations about the parking lot.

Ms. Packer asked to read some important information into the minutes:

The proposed activity will alter the Coastal Dunes in Menemsha. The dunes are made up by natural dunes and dredge spoil. One of the many concerns in regard to this project is the misunderstanding that dredge spoil being "artificial" is not a Coastal Dune, there for suitable for human use and alteration. *DEPARTMENT OF ENVIRONMENTAL PROTECTION 310 CMR 10.00: WETLANDS PROTECTION section 10.28.3 and the CHILMARK WETLAND PROTECTION BYLAW section 2.03* "Coastal Dune means any natural hill, mound or ridge of sediment landward of a coastal beach deposited by wind action or storm over wash. Coastal dune also means sediment deposited by artificial means and serving the purpose of storm damage prevention or flood control and the protection of wildlife habitat."

Mr. Doty and Mr. Rossi agreed with Chairman Malkin's proposal to receive proposals for alternate solutions by January 7, 2019 that will be submitted to Mr. Brewster for his recommendations at the Selectmen's January 22, 2019 meeting.

Martha's Vineyard Shellfish Group (MVSG) - Fundraiser request:

Mr. Doty said this request is for the MVSG to hold their annual fundraiser at the Chilmark Community Center and to waive the rental fee. Mr. Doty moved to approve this request. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

Basin Road - Pedestrian walkway plan to ConCom:

Mr. Carroll gave an update on the status saying that the DiMaura designer and he have been playing a bit of phone tag but we are moving forward and the ConCom should have this item on their agenda for a meeting in January.

Menemsha Cross Road - Plan

Mr. Goff was asked if he had a chance to review or recommend this plan from the perspective of the Chilmark Church. Mr. Goff said this plan you have here is different than the one he reviewed. Tim Carroll said this is a plan that Vineyard Land Surveying drafted to illustrate the area of proposed work. Mr. Rossi said the esthetics were not appropriate for the town center. Mr. Doty said we are not ready to go forward with this plan yet till some further review is completed. Mr. Goff said he would work with Mr. Emin and the engineer to come up with a plan to clear water in a more esthetically acceptable way.

Police Department - agreement - detail compensation review:

Chairman Malkin said we have not reviewed this contract since it expired in 2014 and recommended if there are issues the town would like to address or the police department would

like address we should do that. Chairman Malkin said he would like to discuss these in negotiation sessions then bring that back to the Selectmen for an Executive Session to discuss items of contract negotiations. Mr. Rossi and Mr. Doty supported this recommendation.

Harbor - declaring boat surplus:

Mr. Doty moved to declare the following items surplus:

- 40hp Yamaha motor
- 2002 20'Center-console Hydrasport with a 2003 Yamaha 150 Outboard motor

And to make items available for auction or another department to use or disposal.

Mr. Rossi seconded the motion with condition we get a good value for the items, recommending a minimum amount be stated. Chairman Malkin agreed that the town should maximize the return for the town of Chilmark. **SO VOTED: 3 Ayes**

At 4:45 PM with no further items for discussion Mr. Doty moved to adjourn. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

Draft minutes respectfully submitted by Diana DeBlase.

Document list:

- Draft minutes from Selectmen's 12/4/18 meeting
- Letter from Chairman of Housing committee recommending subordination for Caton.
- Signature page for loan subordination for Caton loan.
- Planning Board proposed zoning bylaw amendments for As-of-Rights zoning ATM 2019
- MVC steps for DRI referrals
- Planning Board Chairman, Richard Osness's response letter to opposition to bus turnaround.
- Chairman of Planning Board Subcommittee, Janet Weidner's response letter to opposition to bus turnaround.
- Joan Malkin ConCom response letter to opposition to bus turnaround.
- Planning Board's 3/2/18 principal recommendations for Menemsha from the Brewster report.
- Brewster report Menemsha corridor plan for improvement 10/30/2017
- Brewster overall keyplan -concepts 10/20/18 (overhead site plan)
- VLS site plan for bus turnaround 09/18/18
- Email from Deb Dunn of her opposition to bus turnaround plan.
- Email from Bob Klimm of his opposition to bus turnaround plan.
- Email from Fred Khedouri of his opposition to bus turnaround plan.
- Email from Barbara Armstrong of her opposition to bus turnaround plan.
- Email from Annette Cingle of her opposition to bus turnaround plan.
- Email from Katie Carroll of her opposition to bus turnaround plan.
- Elise Elliston sketch for alternate to bus turnaround. (handed in at meeting by Elliston)
- MV Shellfish Group request to hold annual fundraiser at the Community Center
- VLS site plan of Basin Road pedestrian walkway.
- Harbor department surplus declaration notice for Selectmen to approve.

- Correspondence from Southern MA. Regional Transportation Citizen Taskforce to SSA.
- ComCast TV changes notice 12/4/18
- Notice of Town Administrators certification as Public Purchasing Official