



2003 ANNUAL REPORT



**Review of the activities of the Martha's Vineyard Commission
From January 1 to December 31, 2003**

The Martha's Vineyard Commission is the Regional Planning Agency for Duke's County, Massachusetts, comprising the six towns on Martha's Vineyard – Aquinnah, Chilmark, Edgartown, Oak Bluffs, Tisbury and West Tisbury – as well as the Town of Gosnold on the Elizabeth Islands. The MVC is not only a planning body but, on the Vineyard, it has regulatory authority to establish Districts of Critical Planning Concern and to review Developments of Regional Impact.

July 22, 2004

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1. CHAIRMAN'S REPORT

Each week Garrison Keillor tells his Prairie Home Companion radio audience, "Well, it's been a quiet week in Lake Woebegon". How I wish I could begin that way, but it has not been a quiet year on Martha's Vineyard, particularly with regard to the work of the Martha's Vineyard Commission. It could have been worse, though, and I'm grateful that the end results of the issues we have grappled with have been mostly positive.

In 2003, we held public hearings and deliberated on many interesting projects that qualified as Developments of Regional Impact and so were sent to the Commission for review before seeking Town approvals. They included the new Kingdom Hall in West Tisbury, changes to the Mansion House, the conversion of a building to a health food store for Cronig's Market, rebuilding of the Scottish Bakehouse, an affordable housing development by Bridge Housing in Tisbury, a new Elderly Housing building at Hillside Village and two others in Oak Bluffs, a cell tower in West Tisbury, two new office buildings on Evelyn Way in Tisbury, another affordable housing development off Pine St. in Edgartown, and the 320-unit housing development proposed by CK associates in the Southern Woodlands of Oak Bluffs. All of these projects were approved, with conditions, except for the CK Associates, which was denied.

The Commissioners also spent several meetings in discussion on ways to improve the effectiveness and operations of the MVC, relations with Town Boards, roles and tasks for committees, and transportation issues, including a new ferry and a new Lagoon Bridge. On a particularly positive note, this year the Town of Oak Bluffs voted to stay in the MVC.

The end of 2003 also marks the MVC's first full year with our new Executive Director, Mark London, at the helm. He has brought new order and new ideas and has accomplished a tremendous amount in a relatively short time. I am very impressed by the energy and long hours that he has been putting in. He gives us great hope for the future.

I think that we are fortunate to live in a place where there can be so much public input on projects that are likely to change our community and our lives. Most of the above projects involved many hours of public testimony, and then further hours of debate by commissioners drawn from all walks of life and all over the island. Most of the projects were modified to meet those concerns to some degree. This is very good for the community, but sometimes frustrating to developers. It is a difficult and costly process to go through, and I'm sure that most of the applicants to the MVC would like to avoid that extra step, but in the long run, projects are likely to benefit from being more in harmony with our community needs and desires, and will take their places in an environment that has likewise been protected from inappropriate development. Although I mourn for the former wild spaces and farmland that has been built upon over my lifetime, I have to admit that without the protective layer of the MVC, it could be a lot worse. Just look across the water.

Although I hesitate to say it out loud, for fear of jinxing it, I am very hopeful that the new year will be an extraordinarily good one for the MVC, and thereby for our island too. By 'good' I mean that the MVC will find and make opportunities to be more effective in achieving our mandate from the people of Martha's Vineyard and the Commonwealth to, "...protect the health, safety, and

general welfare of island residents and visitors by preserving and conserving for the enjoyment of present and future generations the unique natural, ecological, scientific, and cultural values of Martha's Vineyard...."

In 2004, the MVC will be working with the Town Boards on planning studies funded by the state to closely identify those areas in each town that should be used for housing, commercial development, or kept for open space. The various maps and data generated by the studies will help Town Boards to start bringing to voters a clear picture of the choices we are going to have to make about our island's future. The only way the MVC can be active in this planning process is to assist the Town Boards and the voters who have the power to make changes to their town laws regulating land use.

Much has been said about the extraordinary powers of the MVC, but that is only true in two ways. The first is the regulation of DRI's such as large subdivisions and commercial buildings, and the second is the Districts of Critical Planning Concern (DCPC), which again only works if the Town writes the regulations and adopts them at Town Meeting. So we hope, in 2004, to strengthen the working relationships with the Town Boards through the planning work and improved coordination in project review, preparing the way for success in coping with the pressures of growth.

James Athearn
Chairman
December 2004

1. EXECUTIVE DIRECTOR'S REPORT

Two thousand three was a year of revitalization for the Martha's Vineyard Commission. In April, I released an extensive review of the Commission's mandate and operations with a view toward increasing effectiveness and putting more emphasis on pro-active, community-based planning. It outlined 51 recommendations and 151 specific actions. The Commission adopted 22 short-term actions in the spring and they were virtually all completed by year-end. In May, the people of Oak Bluffs voted to remain in the MVC, renewing its faith in the Commission's central role in helping manage growth on the Vineyard so that the Island's character and environment are respected as much as possible with sustainable development and a balanced economy.

Planning: The Commission is working with the six Island towns on Community Development Plans funded with grants under Executive Order 418. This planning work follows the comprehensive Buildout Study completed in 2002. The Commission is working, as a consultant to each of the towns to help identify which undeveloped land should be used for housing or commercial development and which parts should be used for open space. By year end, steering committees had been formed and kick-off meetings held in most towns. The Commission had compiled an extensive series of data maps that were supplied to each town.

In 2003, the Commission coordinated efforts with the towns and the Dukes County Regional Housing Authority on various initiatives including updating each town's Chapter 40B Subsidized Housing Inventory and EO418 Housing Certification. The MVC organized a workshop with the Department of Housing and Community Development on various state-funded affordable housing programs. To help promote a sustainable economy, the Commission organized the 9th annual Vineyard Trade and Home Show and hosted several entrepreneurial workshops.

The Commission collected 196 samples from nine coastal ponds in effort to gather enough data to qualify the ponds to enter the Commonwealth's Estuaries Project. This will allow for thorough scientific evaluation of available data, and conduct cutting-edge research to determine the pond's tolerance for nitrogen loading. The Estuaries Project is the single most important step that we can take at this time to determine the nature and degree of protection required to assure some sustainability to the resources in our coastal ponds. The Edgartown Great Pond qualified for the program in 2003 and considerable work has been carried out. The Commission also carried out an assessment of the public drinking water supply of Island towns.

The MVC completed an update of the Island's Regional Transportation Plan, a process involving considerable public input with public forums, advisory committees and various working groups. Other transportation efforts funded by MassHighway included carrying out traffic counts across the Island and undertaking creation of a computer-based traffic model. Since good information is key to good planning, the Commission carried out a series of surveys on the ferry, at the airport and on buses, as well as a survey of Island businesses in cooperation with the Chamber of Commerce. To facilitate cooperation among Island entities, the MVC hosted gatherings of Island conservation commissions, planning boards, and GIS coordinators.

Regulatory: On the regulatory side, 26 Developments of Regional Impact were referred by the towns to the Commission. The Commission reviewed 16 DRIs and approved all but one (a large

subdivision in the Southern Woodlands DCPC). In October, the Land Court denied a motion to reverse an earlier decision and maintained the MVC's authority to review Comprehensive Permits (Chapter 40B projects). Twenty-five Districts of Critical Planning Concern on the Island continue to provide an effective mechanism for careful growth management under the aegis of Martha's Vineyard Commission's special legislation. The Commission is preparing application and guidance documents as well as revisions to regulations to help clarify regulatory procedures.

Mark London,
Executive Director
December 2004

3. COMMUNITY DEVELOPMENT

Community Development covers a range of general planning activities the MVC conducts that are usually broader in scope than the several other categories of activities cited in the Annual Report.

Community Development Planning Program

A significant amount of MVC staff time in 2003 was focused on a planning program that has the potential to have broad impact across Martha's Vineyard. The MVC assisted each of the six towns on Martha's Vineyard in obtaining state funding to carry out a comprehensive community development planning program. This program follows on from the buildout study carried out in 2001 and involves looking at the so-called "available" land, i.e. land that is presently neither developed nor permanently protected, and analyzing whether it is most suitable to be used for open space preservation and natural resource protection, for housing, or for economic development. In the summer and fall of 2003, the Commission compiled GIS maps of natural data, affordable housing, current zoning and open space and provided maps to the towns. We established town steering committees and in the fall, held kick-off meetings. The Commission is carrying this intensive planning exercise out as a consultant to each of the towns. Completion of this plan will retain the towns' eligibility for some two dozen grant programs.

Trail Planning

The Martha's Vineyard Land Bank Commission contracts with the MVC on an ongoing, annual basis to assist it with the development and protection of trails across the Island. Twenty-three different trail planning projects are underway across the Vineyard. They are described in each of the town's parts of section 11 of this annual report.

All-Island Planning Boards Sessions

The MVC initiated regular meetings of members of planning boards from the six Island towns. These meetings have dealt with coordinating Community Development Planning efforts as well as sharing concerns and experiences with other planning issues facing Island towns.

Energy

The MVC participated in the creation and ongoing work of "Vineyard Unplugged", a group working to promote energy independence through conservation and production from renewable energy sources such as solar and wind.

4. WATER RESOURCES

Water, one of the Island's most important resources, knows no borders. As the regional planning agency for Dukes County, the Martha's Vineyard Commission carried out several substantial projects in order to better understand the state of these resources and to assist towns and other organizations in managing them in the future. The aim is to ensure that we will always have a plentiful supply of water to drink and to support water-dependent economic and recreational activities.

Summer Coastal Pond Data Collection

Funded by a grant from the Massachusetts DEP, water samples were collected from Chilmark, Menemsha, Squibnocket, Tashmoo, Oak Bluffs Harbor, Farm, Sengekontacket, Cape Pogue and Pocha ponds. A total of 196 samples were collected from these nine ponds. The goal of the sampling program is to gather enough data to qualify the ponds to enter the Estuaries Project. While the funding came through the MVC, this project was accomplished through the efforts of many including the Wampanoag Tribe, the Oak Bluffs, Edgartown and Tisbury Shellfish Departments, the Chilmark Pond Association and the University of Massachusetts School of Marine Science Coastal Systems Group.

Edgartown Great Pond

As a result of years of fieldwork, Edgartown Great Pond was accepted into the Commonwealth's Estuaries Project. This program is a concerted effort by DEP, U Mass School of Marine Science and local sponsors to conduct a thorough scientific evaluation of available data, and conduct cutting-edge research to determine the pond's tolerance for nitrogen loading. The Estuaries Project is the single most important step that we can take at this time to determine the nature and degree of protection required to assure some sustainability to the resources in our coastal ponds. This summer, in addition to the usual monthly water sampling, the MVC Water Resource Planner assisted SMAST personnel in collecting a large number of samples to evaluate the community of invertebrates living in the sediment. Invertebrates are a good indicator of system quality. This information will be added to the substantial information already available on the Great Pond. The project should finish in July of 2004.

Lagoon Pond - Estuaries Project

In order for ponds to qualify for entry into this program, three years of high quality water analyses throughout a coastal pond are required. Lagoon Pond is ready for entry into the program and articles will appear on both Tisbury and Oak Bluffs Town Meeting Warrants in 2004. The circulation model will be the first step in the project as this information is crucial to the decision-making regarding the replacement of the Lagoon drawbridge.

Lagoon Pond - Tidal Circulation and Water Quality

The Water Resource Planner placed two tide gauges out to determine the potential for getting more tidal water in and out of the system with a larger channel. The replacement of the drawbridge may offer a one-time opportunity to increase circulation in the system and improve water quality. One gauge was placed in Vineyard Haven harbor and the other in the West Arm

of the Lagoon. The two gauges were surveyed in to a common datum so we can determine if the height of the high tide outside the Lagoon is significantly higher than the height inside the pond. This difference is the primary determinant of the potential to get more water into the system.

Additional water samples were collected during this past summer to further qualify the Lagoon for entry into the Estuaries Project. SMAST personnel put out continuous recording gauges to measure dissolved oxygen, specific conductivity, chlorophyll and temperature. During July a significant area toward the south end of the pond developed anoxia (no oxygen) in the bottom 5 to 6 feet of the deeper water areas. Divers placing and retrieving the gauges reported that the bottom was covered with black silt with no signs of life... "It looked like the moon".

Tisbury Great Pond

With funding support from the Edey Foundation and the Tisbury Great Pond Riparian Owners, George Manter and the MVC Water Resource Planner sampled Tisbury Great Pond monthly through the summer during an attempt to delay the summer opening to allow the pond to freshen up in August. The goal was to determine first, if it was feasible to time the opening and second, to assess the effect of the fresher pond system on the oyster disease dermo that has had a negative impact on harvest. Water samples were sent out for nutrient analyses and oyster samples for dermo analyses. Unfortunately, poor water quality developed during the summer probably due to excess rainfall and overcast skies as well as lack of pond circulation. To avoid a similar problem in the future the Water Resource Planner has developed a monitoring and early warning program that will be used to decide to cut the summer opening and flush the system to minimize water quality problems. The data collected in 2003 should qualify the pond for entry into the Estuaries Project.

Stormwater Management System Mapping

This project was conducted in Oak Bluffs and Tisbury. It was funded and carried out in partnership with the Massachusetts Coastal Zone Management Agency with funding provided under the Coastal Pollution Remediation Program. MVC staff collected catch basin, outfall pipes, and leaching basin geographic locations with a GPS unit and converted that data into GIS format. In addition, the Town's DPW staff indicated where the existing stormwater pipelines are located within the town and the MVC converted all pipeline information into digital format.

Drinking Water Supply

Commission staff completed work on assessment of the drinking water supply needs for the three large public water supplies, produced and distributed the final report Martha's Vineyard Source Water Assessment Project.

Pond Management

MVC staff completed comprehensive nutrient loading assessment projects for Lake Tashmoo in Tisbury and for the Lake Anthony/Sunset Lake Complex in Oak Bluffs. Management recommendations were developed from field data gathered the previous year. The final reports

Nutrient Loading to Lake Tashmoo and Nutrient Loading to Lake Anthony and Sunset Lake were produced and distributed.

Other Activities

Nutrient Loading: MVC staff discussed nutrient loading data and review with the Tisbury Board of Health.

Menemsha Infrastructure: MVC staff mapped storm drains and other infrastructure, in Menemsha.

5. COASTAL MANAGEMENT AND HARBOR PLANNING

The Martha's Vineyard Commission and staff are frequently called upon to provide regulatory and planning assistance to the towns regarding issues of coastal management. The Commission also initiates its own coastal management projects to investigate and protect coastal resources.

Harbor Planning

Edgartown Harbor Plan: MVC staff assisted with work on the renewal of approval of Edgartown Harbor Plan, a formal comprehensive plan approved by the Secretary of Environmental Affairs. Approval must be renewed after five years. Commission staff discussed the renewal with Town and Commonwealth personnel, met with the Harbor Planning Group several times during the year, prepared for and participated in the public hearing for the approval. Commission staff revived a provision of the plan to divert some Commonwealth licensing fees to the Town. Approval effort was highly successful, with the Town being awarded a 10-year approval rather than the standard 5 years.

Environmental Review

Commission staff reviewed and provided comments to MEPA and DEP for numerous projects around the Island. The MVC is invited to participate in such review because it is the designated Regional Planning Agency for the area.

Local Regulations

Through its Districts of Critical Planning Concern (see DCPC section), the Commission reviewed and approved proposed amendments to the Cape Poge District regulations, regarding building size. Those regulations were not adopted by the Town. Through its specially legislated authority, the Commission is able to empower the towns to develop special regulations for coastal areas.

All-Island Conservation Commission Sessions

The Commission coordinated the second season of regular gatherings of the Conservation Commissions on the Island. These sessions have been highly successful, often involving guest speakers on topics of universal concern to all the Con Comms of the Island.

6. ECONOMIC DEVELOPMENT AND AFFORDABLE HOUSING 2003

Economic Development

Economic Development encompasses many regional issues affecting Dukes County such as housing, transportation, infrastructure, and the environment, all of which play a role in the island's ability to attract and sustain businesses, tourists, and the cultural continuity of our community.

Data Collection: The Martha's Vineyard Commission initiated and carried out a series of surveys to gather information related to transportation and economic development. Surveys were conducted on the ferries, at the airport, and on the VTA buses to gain information as to the travel and spending habits of tourists as well as seasonal residents during this past summer. The Commission also conducted an extensive survey of island business that will hopefully provide data on employment information, travel habits of workers, dependence of a businesses on tourists versus year round residents as well as other economic information. The Martha's Vineyard Commission created and distributed the four surveys in cooperation with Martha's Vineyard Transit Authority, Martha's Vineyard Airport, Martha's Vineyard Chamber of Commerce, and the Martha's Vineyard Steamship Authority. Commission staff along with input from island entities created and formatted the surveys. Results of the surveys should be published in the spring of 2004.

CD Plans – Economic Profiles: As part of the efforts begun this past fall of working with each town on their Community Development Plans, the Commission is creating economic profiles for each community that will help serve the towns as they begin to consider future economic development needs of the community as well as creating economic development suitability maps for the Community Development Plans.

Economic and Demographic Data: The Commission responded to close to 200 requests, mainly phone calls, for demographic and economic information this past year. More than forty percent of the calls, many of which were referred by the Martha's Vineyard Chamber of Commerce, were business-related inquires for economic data. Almost thirty percent were inquires from town boards, schools, libraries, non-profits, and other island organizations. The remaining questions regarding demographic information were from members of the general public. The MVC continues to serve as a repository for collecting information and conducting data analyses. The Commission is the point agency to not only notify and inform town boards and members of the public but to ensure that this information is made readily available to them. At the end of the year, the began to update its "Data Report: 2002". The report, which is updated every two years, contains demographic, economic, housing, and transportation information from various federal, state, and local resources. This report is made available to the public and will be accessible on the MVC's new website

Entrepreneurial Workshops: In keeping with its mandate to promote a sound local economy, the MVC hosted two free business workshops run by the South Eastern Economic Development Corporation (SEED) this past April. The workshop themes were on the "Fundamentals of Starting Your Own Business" and on "Understanding Financial Statements". The Commission will continue to work with SEED to organize more workshops in the future.

Vineyard Trade & Home Show: The Ninth Annual Vineyard Trade & Home Show took place on August 25, 2003. This has been a one-day event for Island businesses to promote Island businesses in the home trades and service sectors. Each year MVC staff has been responsible for organizing all aspects of the event.

Affordable Housing

The rising cost of housing on a statewide level has posed serious challenges to state and local government to address the issue of affordable housing more aggressively particularly as it threatens the stability of the state's economy to retain an adequate workforce. Since 1997 the median sales price for a home on the Vineyard has almost doubled in price from \$205,000 to \$400,000 in 2002. For the past four years there has been a strong grass roots effort within the private and religious sectors to address affordable housing on the Vineyard.

The Martha's Vineyard Commission continues to provide town boards with technical assistance regarding affordable housing issues. The Commission informs the town boards of grant opportunities and other possible funding sources. This past year the Commission has been responsible for coordinating data collection efforts on a town-by-town basis primarily relating to DHCD's Executive Order 418 Housing Certification and the updating of the state's Chapter 40B Subsidized Housing Inventory. The information collected from these two initiatives will be valuable as the Commission staff works with each on their Community Development Plans.

Affordable Housing Workshop: This past May the Martha's Vineyard Commission in cooperation with the Dukes County Regional Housing Authority co-sponsored a workshop that provided an overview of the many affordable housing programs available through the Department of Housing and Community Development (DHCD) and a discussion of the longer-term land use patterns posed by the provision of additional affordable housing. Members of various town boards, affordable housing groups and members of the general public were invited to attend this workshop.

DRI Review of Chapter 40B Proposals: The Martha's Vineyard Commission reviewed the following six comprehensive permit proposals during 2003. The comprehensive permit projects are as follows:

- DRI #555 CK Associates,
- DRI #560 Bridge Housing Corp.,
- DRI # 564 Hillside Village III,
- DRI #568 Woodside Village VI,
- DRI #569 Aidylberg II,
- DRI #573 Jenny Lane,

Executive Order 418 Housing Certification: In August of 2003, the Martha's Vineyard Commission in cooperation with the Dukes County Regional Housing worked with town appointed liaisons to apply for DHCD's Executive Order 418 Housing Certification program. This program offers incentives to increase the supply of affordable housing by awarding certified communities

bonus points for certain competitive discretionary grants as well as non-competitive grant programs. Each town with the exception of Aquinnah received provisional Housing Certification. The town of Aquinnah was granted a waiver for this year.

Updating the State's Chapter 40B Subsidized Housing Inventory: This past December the Martha's Vineyard Commission in cooperation with the Dukes County Regional Housing Authority worked with town appointed liaisons to update each town's Chapter 40B Subsidized Housing Inventory. Every two years the Department of Housing Community Development is mandated to update each city and town's Chapter 40B Subsidized Housing Inventory. The information collected for this process will be sent to the Department of Housing and Community Development in February. In addition to the Chapter 40B Subsidized Housing Inventory, the MVC and DCRHA have created a database for all affordable housing projects. The Commission is in the process of converting the information from the database into a GIS map to visually demonstrate where affordable housing units are located throughout the island. This affordable housing map will be useful when the Towns begin to create their affordable housing suitability maps and affordable housing strategies as part of the Towns' Community Development Plans.

CD Plans – Affordable Housing Component: Housing, and especially affordable housing, is an important part of the Community Development Plans that the Martha's Vineyard Commission began to work on with each town in the fall. The Commission is creating housing profiles for each community that will help serve the towns as they begin to write their Housing Strategies and create their suitability maps that are components of the Community Development Plans.

Court Ruling: In May of 2002, the Massachusetts Superior Court upheld the MVC authority to review Comprehensive Permit (Chapter 40B) proposals as Developments of Regional Impact under the Commission's enabling legislation Chapter 831. In October of 2003, the Massachusetts Land Court denied a motion that would have challenged the MVC's review of Comprehensive Permits.

7. TRANSPORTATION

As the regional planning agency for Dukes County, the Martha's Vineyard Commission is responsible for the overall transportation planning of the region, in association with the Martha's Vineyard Transit Authority, MassHighway and the Executive Office of Transportation and Construction. The Unified Planning Work Program outlines the transportation planning to be carried out by the Martha's Vineyard Commission with Mass Highway funding.

Management and Support of the Planning Process

Chaired by Beth Toomey, the Joint Transportation Committee (JTC) met periodically during the year in order to oversee the updating of the *Regional Transportation Plan* and the development of the *Unified Planning Work Program* and the *Transportation Improvement Program* by the Commission's planners. The JTC is made up of representatives of Island towns as well as individuals actively interested in transportation planning.

Regional Transportation Plan Update

The Island's Regional Transportation Plan is updated every three years and in 2003 was totally rewritten. The comprehensive planning process involved establishment of a Plan Advisory Committee and special working groups on various topics as well as several public forums. The plan is a means to develop a public infrastructure that can meet residents' and visitors' future travel needs. Transportation plans must demonstrate conformity to air quality standards, consider mobility and social equity, balance economic vitality with natural and cultural resources, and be financially constrained. The Island's Regional Transportation Plan is the part of the Island's Regional Plan.

Transportation Improvement Program

The TIP is the Island's five-year allocation of federal and state transportation funds. Upcoming projects include the resurfacing of Franklin Street in Tisbury, the construction of a roundabout at the "Blinker" intersection of Barnes Road and the Edgartown-Vineyard-Haven Road in Oak Bluffs, and the redesign of the intersection of Old County Road and State Road in West Tisbury as well as operating assistance to the Vineyard Transportation Authority.

Transportation Planning Support Activities

The Commission's planners continue to collect data used by many groups and individuals for defining needs, measuring trends, reviewing development of regional impact proposals and funding improvement projects such as:

- Traffic counts: Traffic counts were recorded throughout the year at 27 locations. Specialized equipment and computer software were acquired which will enable the Commission to collect and analyze traffic data.

- Travel Demand Model: Work was initiated on the creation of a computerized model of traffic on the Island. The first step, with special funding from MassHighway, will be the creation of an off-season model as part of an overall statewide traffic model created primarily to monitor air quality.
- Transportation and GIS: Integrating land use and transportation information is progressing as the Commission's planners enhance the geographic information system.
- Data Collection: As described in the last section, the MVC carried out for surveys to gather information about the transportation habits of visitors and residents.
- DRIs: Many Development of Regional Impact proposals required review of traffic impact and access studies.
- Drawbridge: In 2003, MassHighway announced plans to replace the Drawbridge on Beach Road over the entrance to Lagoon Pond, first building a temporary bridge. The MVC played a role in formulating the Island community's reaction to these proposals.

Sengekontacket Bridges: MVC staff coordinated discussion of the proposal by MassHighway to replace the bridges over the inlets to Sengekontacket Pond, inviting interested parties to a roundtable discussion of how to proceed with the project in a manner that would result in bridges consistent with local needs and desires.

8. DEVELOPMENTS OF REGIONAL IMPACT

The Martha's Vineyard Commission annually reviews projects meeting certain thresholds designating them as Developments of Regional Impact (DRI). In an average year, the Commission receives between fifteen and twenty referrals and 2003 was just above average, with about 26 projects referred and 21 reviewed.

The DRI process begins with a meeting between the applicant and the Land Use Planning Committee (LUPC). The meeting is a less formal way for the applicant to present the project and for Commissioners to identify what they see as the primary issues that will arise during the public hearing. It is also the time when the Commissioners determine if they feel that the applicant is ready to proceed to public hearing. Once that determination is made, the public hearing is scheduled and advertised. The public hearing is held over one or more nights, allowing for the applicant's presentation, staff reports, town input, public comment and Commissioner questions. Once the public hearing is closed, the project goes back to the LUPC for discussion and recommendation prior to a vote by the full Commission.

This year the MVC dealt with a range of projects, but as can be expected, with diminishing available land, many were more complicated than in years past and required a tremendous amount of staff, Commissioner and applicant time to develop the best possible project for both the Island and the applicant. When all was said and done, the Commission approved 15 projects, denied 1 project, sent 5 projects back to the towns for permitting, and 5 projects were withdrawn.

List of Developments of Regional Impact to the MVC in 2003

Aquinnah		
None		
Chilmark		
Meinelt Subdivision		Withdrawn
Edgartown		
Badlands Cantina LLC	Addition of outside seating	Non-concurrence 6/19/03
Jenny Lane	6 lot subdivision and construction of 10 units affordable housing	Approved 12/8/03
Houlhan Subdivision	Modification to conditions	withdrawn
Oak Bluffs		
Jardin Mahoney	Construction of greenhouse	Withdrawn
CKA 40B	Construction of 320 units of housing	Denied 10/31/03
Woodside VI	Construction of 9 units elderly housing under 40B	Approved 10/8/03
Aidylberg II	Construction of 5 units elderly housing under 40B	Approved 10/8/03
Windfarm Golf Subdivision	6-lot subdivision	Non-concurrence 11/6/03
Tisbury		
Tisbury Inn	Modification	Non-concurrence 2/20/03
Gervais/Goldsborough	Subdivision	Withdrawn
Colonial Drive Real Estate (Islander Building)	Change of use	Approved 4/17/03
Island Cove Mini Golf	Modification	Approved 4/17/03
Bridge Housing	Construction of 30 units of housing under 40B	Approved 6/20/03
Cottrell	Construction of office building w/2 nd floor apartment	Approved 3/20/03
Supernatural Health Food	Change in intensity of use	Non-concurrence 1/23/03
Tapestry Holdings	Reconstruction of bakery & apartments	Approved 3/13/03

Hillside Village III	Construction of 5 units elderly housing under 40B	Approved 6/19/03
Tisbury Wharf Company	Relocation of a building to the harbor	Approved 5/22/03
MV Electricians	Construction of office building w/2 nd floor apartments	Approved 11/24/03
Church Street Landing	Change in intensity of use	Approved 4/10/03
Humphry's	Change in intensity of use	Withdrawn
West Tisbury		
Kingdom Hall	Construction of a church	Approved 2/20/03
AT&T Wireless	Construction of a cell tower	Approved 5/22/03
South Mountain Co	Modification	Non-concurrence 11/20/03
Estrella Yoga Studio	Construction	Approved 12/18/03

9. DISTRICTS OF CRITICAL PLANNING CONCERN

A District of Critical Planning Concern is a special area on Martha's Vineyard. It is an area that is important to more than one town on the Island or to the Island as a whole. Because of the importance of these areas, they require special regulations to guide the type and manner of development that may occur. The Commission's special legislation provides for creation of special districts to properly regulate development in these areas.

Amendments To Regulations

Adoption of regulations is the end of the line for Commission involvement in the new districts, unless amendments are proposed. Amendments are sometimes needed in order to keep the districts protected and the regulations functioning properly. Should the towns find that amendments are needed, such amendments must be presented to the Commission for review. The Commission must hold a public hearing to consider conformance with the guidelines defined in the designation. Conformance with the designation is the strength of the regulations, allowing the towns to piggyback on the special powers of the Commission's legislation.

Cape Poge DCPC: The Town proposed amendments restricting building height and size. The Commission held its public hearing in March and voted conformance. The Town Meeting subsequently failed to adopt the building height and size restrictions.

Overhaul Of Coastal District And Island Road District

Commission staff began to perform an assessment and overhaul of the Commission's original Districts, the Island Roads District and the Coastal District. These Island-wide Districts are nearly 30 years old, and are in need of a second look. This project includes reporting on the State of the Districts, reviewing MVC boundaries and guidelines, and town regulations. After review, including viewshed analysis, recommendations will be proposed and aired regarding overhaul of the designations or regulations, as needed. Among other refinements, it is likely that "big houses" can be managed through these two districts. Between them, the two cover most of the important viewsheds on the Island.

10. GEOGRAPHIC INFORMATION SYSTEMS

The Martha's Vineyard Commission significantly expanded its Geographic Information System capabilities in the year 2003 and continued to implement and upgrade its extensive digital database. Diverse planning projects have been supported that have utilized GIS technology to analyze and display spatial data. GIS services have been provided to local municipalities and boards, non-profit organizations and for state and federally funded projects.

Community Development Planning

A major focus of the Community Development Planning process started in 2003 is the compilation of information in GIS format. The MVC staff worked with town steering committees to check existing data layers and to prepare new ones. Maps in digital format were distributed to towns along with software to provide access.

Zoning and Zoning Overlay GIS Data Development Grant

Funding received from EOEA – MassGIS was received in 2003 to update all Town's digital zoning data. The MVC staff verified the boundaries of the zoning districts and overlay districts with each Town's current zoning bylaw document. In addition, data verification included reviewing the attribute information associated with each district (i.e. dimension specifications, setbacks, etc.).

Visitors Map

The Commission again produced a "Welcome to Martha's Vineyard Map", identifying local transportation facilities and visitor activities. Over 50,000 copies were distributed to Island visitors on Steamship Authority ferries and in various Island accommodations. In the fall, the Martha's Vineyard Commission and the Martha's Vineyard Chamber of Commerce agreed to combine their efforts to produce a single better-quality map in 2004.

All-Island GIS Meetings

The MVC re-initiated the All-Island GIS group in 2003 in order to provide a venue for local municipalities and boards, and non-profit organizations to share GIS knowledge and address current GIS issues. The group also identified a wish list of future GIS data collection projects.

11. ASSISTANCE TO TOWNS

This section highlights some of the main examples of specific planning or technical assistance in each town.

Aquinnah

Community Development

- **Community Development Planning (EO418):** The MVC assisted the Town in obtaining state funding to examine natural resource protection, affordable housing, and economic development. Compiled GIS maps of natural data, affordable housing, current zoning and open space and provided maps of Aquinnah. Established Aquinnah Steering Committee and held kick-off meeting in November as the beginning of an intensive planning exercise that the Commission is carrying out as consultant to the town.

Water Resources

- **Water Quality:** Received a grant that allowed water quality sampling at 14 stations in Menemsha and Squibnocket Ponds four times August.
- **Committees:** Participate in the Squibnocket District Advisory Committee meetings. Assisted Conservation Commission with a question about the nature of wetlands in the Lobsterville area.

Transportation

- **Trails Planning:** 2003 was the first year that specific trail projects under the auspices of the MV Land Bank have been conducted in Aquinnah. Two different projects are being evaluated and landowners contacted.

Affordable Housing

- **EO418 Housing Certification:** MVC staff assisted the town in completing and receiving a waiver that makes Aquinnah eligible for competitive and non-competitive state grants from the Department of Housing and Community Development.

Regulatory Activities

- **DRI Review:** There were no DRI submitted by Aquinnah to the MVC in 2003.

Chilmark

Community Development

- **Community Development Planning (EO418):** The MVC assisted the Town in obtaining state funding to examine natural resource protection, affordable housing, and economic development. Compiled GIS maps of natural data, affordable housing, current zoning and open space and provided maps of Chilmark. Established Chilmark Steering Committee and held kick-off meeting in November as the beginning of an intensive planning exercise that the Commission is carrying out as consultant to the town.

Water Resources

- **Water Quality:** Received a grant that allowed water quality sampling at 7 stations in Chilmark Pond four times in August. Collect water table elevation data from two wells on a monthly basis. Prepared a summary report on historic water table levels and trends.
- **Committees:** Participate in the Squibnocket District Advisory Committee meetings

Transportation

- **Trails Planning:** Action on six Chilmark trail projects continued through 2003, one involving the final disposition of a land owner's land that will be taken

over by a conservation group and another involving the landowner seeking to combine a trail easement with a new driveway entrance. In the fall the town's trails and byways committee resumed meeting on a regular basis to promote the protection and expansion of the town's trail network. A trail management agreement between the Town and the land bank was also extended.

Affordable Housing

- **EO418 Housing Certification:** MVC staff assisted the town in completing and receiving provisional housing certification from the Department of Housing and Community Development that makes Chilmark eligible for competitive and non-competitive state grants.

Regulatory Activities

- **DRI Review:** There were no DRI submitted by Chilmark to the MVC in 2003

Edgartown

Community Development

- **Community Development Planning (EO418):** Compiled GIS maps of natural data, affordable housing, current zoning and open space and provided maps to Edgartown. Established Edgartown Steering Committee and held kick-off meeting in December as beginning of intensive planning exercise that the Commission is carrying out as consultant to the town.

Water Resources

- **Coastal Ponds:** MVC Water Resources Planner carried out extensive water sample collection in Sengekontacket, Cape Pogue, Pocha, and Edgartown Great ponds. As a result of years of fieldwork, the latter qualified for the Commonwealth's Estuaries Project and work underway should be completed by July 2004.
- **Drinking water:** MVC staff completed work on assessment of the drinking water supply needs for Edgartown's public water supply, produced the final report: *Martha's Vineyard Source Water Assessment Project*.
- **Edgartown Meadows subdivision:** The MVC Water Resource Planner assisted the Edgartown Board of Health in trying to determine the source of nitrate contamination in private drinking water wells.
- **Committees:** The Water Resources Planner participates in the Friends of Sengekontacket, the Edgartown Ponds Advisory Committee and the Vineyard Golf Club Review Committee.

Coastal Management / Harbor Planning

- **Edgartown Harbor Plan:** MVC staff discussed with Town and Commonwealth personnel renewal of approval of Edgartown Harbor Plan; prepared for and participated in public hearing; completed approval renewal process successfully.

Transportation

- **Sengekontacket Pond Bridges:** MVC staff helped coordinate discussion of the proposal by MassHighway to replace the bridges over the inlets to Sengekontacket Pond, inviting interested parties to a roundtable discussion of how to proceed with the project in a manner that would result in bridges consistent with local needs and desires.
- **Trails Planning:** Six trail projects were active in 2003, with completion of several years' effort to string together rights to a trail from Wasque Point to Brine's Pond and the intersection of Litchfield and Chappaquiddick roads and the initiation of an equally expansive trail system focusing on the Katama Farm property.
- **Upper State Road:** At the Town's request, the MVC surveyed traffic and turning movements near the Stop-and-Shop on Upper State Road and analyzed the results.
- **Airport Master Plan:** Reviewed and provided comments to MEPA regarding proposed improvements to the Martha's Vineyard Airport, as proposed in an Environmental Notification Form (ENF) and a Notice of Project Change (NOPC).

- **Chappy Ferry Survey:** The MVC completed an analysis of a 2002 survey of motorists traveling to Chappaquiddick.

Affordable Housing

- **EO418 Housing Certification:** MVC staff assisted the town in completing and receiving provisional housing certification that makes Edgartown eligible for competitive and non-competitive state grants.

Regulatory Activities

- **DRI Review:** The Commission reviewed 2 DRIs in Edgartown last year.

The Jenney Lane affordable housing project was approved and an application for enlarged seating at a restaurant on Upper Main Street was referred back to the town as not requiring Commission review.

- **Cape Poge District of Critical Planning Concern:** MVC reviewed proposed amendments to the town regulations, regarding building size; held a public hearing to consider consistency, voted consistency. (Town Meeting did not vote the amendments in).

Oak Bluffs

Community Development

- **Community Development Planning (EO418):** The MVC assisted the Town in obtaining state funding to examine natural resource protection, affordable housing, and economic development. Compiled GIS maps of natural data, affordable housing, current zoning and open space and provided maps of Oak Bluffs. Established Oak Bluffs Steering Committee and held kick-off meeting in October as the beginning of an intensive planning exercise that the Commission is carrying out as consultant to the town.

Water Resources

- **Water Quality:** Received a grant that allowed water quality sampling at 17 stations in Sengekontacket and Farm Ponds and Oak Bluffs Harbor four times in August.
- **Coastal Ponds & Harbor Data:** Collected tidal level data in Vineyard Haven Harbor and the West Arm of the Lagoon as a way to assess the potential for greater tidal exchange in the Lagoon. Collected two rounds of water samples and coordinated two others from ten stations in Lagoon Pond.
- **Stormwater Management:** Through a grant acquired with the Oak Bluffs Shellfish Department, surveyed storm water drainage systems in the Town and prepared a preliminary engineering design to correct one of the discharges.

Coastal Management / Harbor Planning

- **Pond Management:** Completed nutrient loading assessment for Lake Anthony Sunset Lake complex, produced final report Nutrient Loading to Lake Anthony and Sunset Lake
- **Drinking Water Supply:** MVC staff completed work on assessment of the drinking water supply needs for the Town's public water supply, produced the final report Martha's Vineyard Source Water Assessment Project.
- **Harbor Planning:** MVC staff participated in discussions with consultant regarding town project regarding planning for waterfront, provided consultant with circulation data.

Transportation

- **Sengekontacket Pond Bridges:** MVC staff helped coordinate discussion of the proposal by MassHighway to replace the bridges over the inlets to Sengekontacket Pond, inviting interested parties to a roundtable discussion of how to proceed with the project in a manner that would result in bridges consistent with local needs and desires.
- **Drawbridge Reconstruction:** Worked with towns of Tisbury and Oak Bluffs, as well as other groups and individuals, to formulate the Island's concerns and to coordinate with MassHighway.
- **Rotary:** Worked with the town on putting forward and securing a financing proposal to build a rotary at the 4-way blinker intersection.

- **Trails Planning:** Two trail projects were active in 2003 along with the renewal of an agreement between the OB Water Commission and the MV Land Bank for management of a trail linking the land bank's Trade Wind Field's Preserve and the town's Farm Pond conservation land.

Affordable Housing

- **EO418 Housing Certification:** MVC staff assisted the town in completing and receiving provisional housing

certification that makes Oak Bluffs eligible for competitive and non-competitive state grants.

Regulatory Activities

- **DRI Review:** The Commission reviewed 5 DRIs in Oak Bluffs last year. Two of the projects included construction of 14 units of elderly housing under 40B affordable housing statute. All projects were approved, except for a 320-unit housing development in the Southern Woodlands.

Tisbury

Community Development

- **Community Development Planning (EO418):** The MVC assisted the Town in obtaining state funding to examine natural resource protection, affordable housing, and economic development. Compiled GIS maps of natural data, affordable housing, current zoning and open space and provided maps of Tisbury. The MVC also compiled more than a dozen data layers integrated with the Assessor's parcels. The Town had not identified a steering committee by year's end to work with the MVC on this project.

Water Resources

- **Water Quality:** Received a grant that allowed water quality sampling at 4 stations in Tashmoo Pond four times August. Collected two rounds of water samples and coordinated two others from ten stations in Lagoon Pond
- **Storm water Management:** Through a grant acquired with the Oak Bluffs Shellfish Department, surveyed storm water drainage systems in the Town and prepared a preliminary engineering design to correct one of the discharges.
- **Water Data Collection and Research:** Assisted with preparation for Lagoon Pond entry into the Estuaries Project. Collect water table elevation data from one well on a monthly basis. Prepared a summary report on historic water table levels and trends. The MVC has coordinated the placement of a gauge at the Tashmoo herring run and another at the Lagoon herring run to

record the volume of fresh water discharging from these ponds. Collected tidal level data in Vineyard Haven Harbor and the West Arm of the Lagoon as a way to assess the potential for greater tidal exchange in the Lagoon.

- **Committees:** Participate in the Lagoon Pond Association meetings

Coastal Management / Harbor Planning

- **Pond Management:** MVC staff completed nutrient loading assessment for Lake Tashmoo, produced final report Nutrient Loading to Lake Tashmoo.
- **Nutrient Loading Discussions:** MVC staff discussed nutrient loading data and review with the Tisbury Board of Health.
- **Drinking Water Supply:** MVC staff completed work on assessment of the drinking water supply needs for the Town's public water supply, produced the final report Martha's Vineyard Source Water Assessment Project.

Transportation

- **Drawbridge Reconstruction:** Worked with towns of Tisbury and Oak Bluffs, as well as other groups and individuals, to formulate the Island's concerns and to coordinate with MassHighway
- **Trails Planning:** Three trail projects were active in 2003 with two easement granted on one of them.

Affordable Housing

- **EO418 Housing Certification:** MVC staff assisted the town in completing and receiving provisional housing certification from the Department of Housing and Community Development that makes Tisbury eligible for competitive and non-competitive state grants.

them in Tisbury last year. Of these DRI's over 85 units were approved for housing under 40B.

Regulatory Activities

- **DRI Review:** The Commission reviewed 13 DRIs and approved 9 of

West Tisbury

Community Development

- **Community Development Planning (EO418):** The MVC assisted the Town in obtaining state funding to examine natural resource protection, affordable housing, and economic development. Compiled GIS maps of natural data, affordable housing, current zoning and open space and provided maps of West Tisbury. Established West Tisbury Steering Committee and held kick-off meeting in December as the beginning of an intensive planning exercise that the Commission is carrying out as consultant to the Town.

Water Resources

- **Water Data Collection and Research:** Continued water sampling in Tisbury Great Pond at 6 stations four times during the summer. The Riparian Owners Association and the Edey Foundation funded this project. Started a water resource evaluation in James Pond that included bathymetry, two months of pond level data and water sampling at 5 stations three times during the summer. The Edey Foundation funded this project. Tidal data was collected at two stations, one in Vineyard Sound as a way to evaluate the potential for getting additional tidal exchange.
- **Water Quality:** Collected water table elevation data from three wells on a monthly basis. Prepared a summary report on historic water table levels and trends.
- **Committees:** Participated in the Tisbury Great Pond Riparian Owners Association meetings as requested.

Coastal Management / Harbor Planning

- **Environmental Review:** Reviewed and provided comments to MEPA regarding proposed improvements to the Martha's Vineyard Airport, as proposed in an Environmental Notification Form (ENF) and a Notice of Project Change (NOPC).

Transportation

- **Trails Planning:** Four trail projects were active in 2003. One rests with the selectmen weighing the appropriateness of eminent domain to remove any questions about the public's right to use a segment of an ancient way. Three trail management agreements between the Town and the Land Bank were extended to the end of 2008. .

Affordable Housing

- **EO418 Housing Certification:** MVC staff assisted the town in completing and receiving provisional housing certification from the Department of Housing and Community Development that makes West Tisbury eligible for competitive and non-competitive state grants.

Regulatory Activities

- **DRI Review:** The Commission reviewed 4 DRIs and approved 3 of them in West Tisbury last year

12. TREASURER'S REPORT AND FINANCIAL STATEMENTS

Fiscal 2003 was challenging in the fact that our mounting legal fees has put a significant strain on our budget and ongoing operations. The MVC purchased the parking lot through a refinancing of the mortgage and began a building renovation contingency fund of \$25,000 with the balance of the refinancing funds. We intend to budget \$15,000 every year for this fund, which is the minimum necessary to only maintain the Olde Stone Building. The building is still in dire need of significant repair and requires extensive work on the stone façade as well as gutters, roof repairs, energy-efficient windows and landscaping.

The Commission had a successful grant year and was funded by grants/contracts from many State and local agencies including the Department of Environmental Management, Massachusetts Highway Department, Massachusetts Historical Commission, Executive Office of Environmental Affairs, Department of Environmental Protection, Edey Foundation and the MV Shellfish Group.

In addition, the Martha's Vineyard Commission annual audit by an independent auditor showed fiscal soundness with no findings.

Jane A. Greene

Treasurer

Summary Financial Statements FY2002 and 2003

	Fiscal Year 2002	Fiscal Year 2003
Revenue		
Federal, State, Contracts	\$445,830.00	\$ 254,775.00
Local Assessments	\$501,159.00	\$ 513,268.00
Other Income	\$ 64,779.00	\$ 85,259.00
Total Revenue	\$1,001,768.00	\$ 853,302.00
Expenses	\$990,518.00	\$ 905,665.00
Balance	\$ 21,250.00	\$ (52,353.00)

Financial Statements
July 1, 2002 to June 30, 2003

Income	
Contract Income	254,775.00
MVC Local	
Aerials/Prints/Copies/Tapes/Adv	2,161.04
Assessments	513,268.00
DCPC Fees	0.00
DRI Fees	52,136.76
Interest	3,046.55
Map Donations	1,493.00
Miscellaneous Income	14,959.38
Salary Reimbursement - BV	11,100.00
Septic Loan Fees	361.90
Total MVC Local	598,527.63
Total Income	\$853,302.00

Expenses	
Advertising	3,719.90
Audit Expenses	7,200.00
Contractual	51,351.09
DCRS Accrual Match	60,172.00
Depreciation	11,028.00
DET	885.00
Dues/Subscriptions, Publications	2,953.78
Equipment	27,446.85
Insurance	10,006.43
Interest Expense	19,303.52
Legal Fees	123,746.92
Maintenance	6,607.80
Miscellaneous	9,193.61
Payroll Expenses	522,524.15
Postage	6,165.71
Printing	4,322.30
Registry Fees	1,396.68
Rent	3,477.20
Supplies	15,842.26
Travel/Conference	6,182.52
Utilities	9,016.11
Worker's Compensation	3,124.00
Total Expenses	\$905,665.83
Balance	\$(52,362.83)

13. COMMISSIONERS AND STAFF 2003

Commission Members

AQUINNAH ELECTED

Megan Ottens-Sargent

AQUINNAH APPOINTED

Katherine Newman

CHILMARK ELECTED

Douglas E. Sederholm

CHILMARK APPOINTED

Jane A. Greene, *Clerk-Treasurer*

EDGARTOWN ELECTED

James Athearn, *Chairman*
Christina Brown

EDGARTOWN APPOINTED

Linda DeWitt

OAK BLUFFS ELECTED

Richard J. Toole

OAK BLUFFS APPOINTED

Alan Schweikert (Jan-Oct 03)
Roger Wey (Nov-Dec 03)

TISBURY ELECTED

John Best

TISBURY APPOINTED

Tristan Israel (Jan-Nov 03)

WEST TISBURY ELECTED

Linda Sibley
Andrew Woodruff

WEST TISBURY APPOINTED

Robert E. Schwartz

COUNTY COMMISSION REP.

Paul A. Strauss

GOVERNOR'S ALTERNATE AND APPOINTEES

Vacant

Staff

Mark London
Executive Director

Jacqueline Campbell
Secretary

Christine Flynn
Affordable Housing, Economic
Development

Jennifer Rand
DRI Coordinator

Chris Seidel
GIS Specialist

Jo-Ann Taylor
Coastal Planner, DCPC Coordinator

Cindy Tyminski (until August 2003)
Planner, Cartographer

William Veno
Comprehensive Planner, Trails and
Byways

David Wessling
Transportation Planner

William Wilcox
Water Resources Planner

Jeffrey Wooden
Administrator