

Selectmen's Meeting
March 31, 2014
4:00 pm

A meeting of the Board was held on the above date in the meeting room of Town Hall. Members present were: Margaret Serpa, Chairman; and Arthur Smadbeck. Also present was Ms. Pamela Dolby, Town Administrator.

At 4:00 pm Ms. Serpa opened the meeting and the first item on the agenda which was an Nstar hearing for 43 12th Street. Present was Ms. Karen Corriveau, Right of Way Agent for Nstar and her associate Ms. Jessica Elder who would be taking her place when she retires. Ms. Serpa read the notice aloud.

Ms. Corriveau stated that it was a new connection and would be under the road.

Mr. Stuart Fuller, Highway Superintendent, requested that they use the drill under the road and restore anything disturbed to it's previous state.

Mr. Dennis Rogers stated that he lived at 40 12th St and did not like the plan. It would disturb his hedgerow of Cyprus trees and driveway. He requested that they go straight across from the pole and go along the property line at 43 12th St. instead.

Ms. Corriveau saw no problem with that and stated that she would have the engineers make a revised plan.

Mr. Fuller also had no issues with the change.

There being no further comment, Ms. Serpa closed the hearing. Mr. Smadbeck moved to approve the new plan with Mr. Roger's request and stipulations laid out by Mr. Fuller of drilling under the road and restoration. Ms. Serpa seconded. Unanimous.

Ms. Serpa then moved on to the next item which was a public hearing for a Seasonal All Alcohol Common Victualer's License for Behind the Bookstore at Edgartown Books. Representing the applicant was Atty. Sean Murphy. Also present was manager Susan Mercier.

Ms. Serpa then stated that there was an amendment to the description of the property on the application.

Mr. Murphy confirmed. He stated that the ABCC had determined that there could not be two buildings on a liquor license. Therefore, they are removing the bookstore itself and only including the courtyard area and the back building.

Ms. Serpa asked about some issues with the Board of Health and Plumbing Inspector.

Mr. Murphy stated that they are working on those issues and they should be rectified before the issuance of the license. He suggested that the Board may approve the license to send the paperwork up to the ABCC and then not issue and sign it until all issues have been rectified.

Ms. Serpa asked that, now that those housekeeping issues were taken care of, did he have a presentation.

Mr. Murphy then started his presentation. He gave a short history of the bookstore and the creation of the Behind the Bookstore Café. He described that the idea of the Café is to have a gathering place while the bookstore is open. He stated that the intention of the liquor license is to just enhance the experience of the café. The café will serve as an addition to the bookstore and will close at the same time of 10pm. They will also have events and book signings. He suggested something like bloody marys for the book signings. He also pointed out that the alcohol would not be served in coffee cups but in their own distinctive glass or plastic glasses.

Ms. Serpa stated that the only correspondence received was a letter of support from Mr. Conover of the Charlotte Inn. She asked if there were any further comment. There being none, she closed the public hearing at 4:12pm.

Mr. Smadbeck moved to approve the liquor license, but not to sign or issue the actual license until all issues with other departments had been rectified. Ms. Serpa seconded. Unanimous.

Ms. Serpa then addressed the next item on the agenda which was signing the license agreement with the MV Museum for stewardship of the Edgartown Lighthouse. Present from the museum was Betsey Mayhew.

Mr. Smadbeck moved to sign the license. Ms. Serpa seconded. Unanimous.

It was agreed that Ms. Mayhew would take the signed agreement to Mr. David Nathans, Director and the Chairman of the Board of Directors for signatures and then return it to the Board at a later date.

Ms. Dolby stated that the agreement had been reviewed by Town Counsel and some small changes had been made, but it was mostly exactly the same as it had previously been. She thanked the museum and Ms. Mayhew for all their assistance in the application for the town to acquire the lighthouse.

Ms. Mayhew stated that everyone at the museum was thrilled that they get to carry on sharing the lighthouse to the public.

Ms. Serpa then moved on to the next item on the agenda, which was an application to install a new sidewalk at 27 Cottage Street. Representing the applicant was Ms. Kate DeVane of Donaroma's.

Ms. Devane stated that they planned on connecting the two sidewalks on either side of the property with a brick sidewalk with granite curbing. The current fence would be moved back and lined up with the neighbors' fences to create a consistent line.

Mr. Fuller stated that he was in favor of the project. It would connect the two adjacent sidewalks.

Mr. Smadbeck moved to approve the sidewalk with Mr. Fuller's oversight. Ms. Serpa seconded. Unanimous.

Ms. Serpa then recognized the Chappaquiddick Wireless Committee for an update. She asked if there had been any developments.

Ms. Fran Clay stated that they had voted at their last meeting that they recommend the Board not to issue an RFP that included a tower. They still want a DAS system.

Ms. Serpa stated that the committee has been trying for three years for a DAS system and nothing has happened. She felt they had hit a dead end.

Mr. Smadbeck asked how many times they had issued an RFP.

Ms. Georgiana Greenough responded that there had been three with no results.

Mr. Smadbeck stated that he also felt this was a dead end.

Ms. Serpa saw no need for the Committee to continue. They had plenty of time to get a DAS system to no avail. People on Chappaquiddick want cell service.

Mr. Smadbeck stated that at some point it is time to stop.

Mr. Roger Becker stated that he didn't see this as the end. He didn't want a tower and threatened repercussions, zoning challenges and the Martha's Vineyard Commission. He wants a DAS system.

Mr. Smadbeck said he was not suggesting a tower, but that there was obviously no interest in installing a DAS system so it seems that there is an impasse.

Mr. Bob Clay stated that he was a fan of his micro antennae and thought that if enough people got them they would cover a lot of the island. However they were dependent on the internet working.

Ms. Serpa stated that she saw this as a standstill. The Board cannot be offering land or money. Katama was different. The wireless companies were paying the town a lease. This committee is not answering the needs on Chappaquiddick for cell phone service.

Mr. Becker stated that the "people of Chappaquiddick" want cell service but no tower.

Ms. Dolby suggested a public meeting in July to hear what the "people" had to say. She received calls and emails frequently asking for cell service on Chappaquiddick.

Ms. Serpa suggested sending out an all encompassing RFP instead of a DAS specific one to see if there was any interest.

Ms. Greenough suggested a Request for Information.

Ms. Serpa stated that the Committee should have all the information by now.

Mr. Smadbeck reiterated that at this point it's been three years and they haven't gotten anywhere.

The Board agreed to wait until July to have a public meeting.

The Board then approved the following items:

The Minutes of March 17, 2014 and March 24, 2014.

Common Victualler Licenses for: Edgartown Seafood, Behind the Bookstore, and Katama General Store.

To reappoint Shellfish Wardens Warren Gaines and Rob Morrison and Shellfish Constable Paul Bagnall for 3 years.

They received a request from the Shellfish Committee to set a public hearing for establishing more aquaculture lots in the Middle Flats area. Ms. Dolby stated that she would look at the calendar and schedule it.

The Board received a letter from the Board of Fire Engineers requesting the Board to attend a retirement party for five firemen: Skip Bettencourt, Harold Zadeh, Peter Look, David Sweitzer, and Woody Filley.

The Board received a request from Among the Flowers to serve earlier than 11am on Sundays stating that their customers would enjoy a mimosa with Sunday breakfast. The Board approved service start at 10am on Sundays.

Ms. Dolby then gave a brief update. She stated that there would be an Emergency Drill at the school Saturday from 9am-noon. There would be many emergency vehicles and a helicopter. It is just a drill. Also, the MV Commission would be hearing the application for apartments at the triangle this Thursday at 7pm with a site visit at 8:30am. The Town Reports came out very nice. They are now available at Town Hall.

A gentleman in the audience then raised his hand to speak. Ms. Serpa recognized him as Mr. Douglas Hathaway.

Mr. Hathaway stated that he is an abutter to the Nunnepog solar project and is not happy with the project. He thinks it is too big and unpleasant to look at and it will also generate heat in his neighborhood.

Ms. Dolby stated that the project was voted and presented on Town Meeting floor.

Mr. Smadbeck stated that there will be screening when it is finished.

Ms. Serpa thought the screening would help and didn't see the generation of heat happening. She thanked him for coming in and voicing his concerns.

At 4:46PM Mr. Smadbeck moved to adjourn. Ms. Serpa seconded. Unanimous.

Approved:

Margaret E. Serpa, Chairman

Arthur Smadbeck

Michael J. Donaroma
Board of Selectmen

Respectfully submitted,

Kristy Rose
Assistant

March 31, 2014