

Selectmen's Meeting
March 24, 2008
4:00 P.M.

A meeting of the Board was held on the above date in a temporary meeting room on the second floor. Members present were Margaret E. Serpa, Chairman, Selectman Arthur Smadbeck and Selectman Michael J. Donaroma. Also present was Town Administrator Pamela M. Dolby.

Dean Athenas, owner of Green Shuttle of Cape Cod, and Jake Gifford, one of his drivers, were present to discuss their service and ask that Edgartown give them an operating permit. They have received such a permit from the Town of Tisbury. They plan to have a Toyota Prius, a hybrid car, on Island. Mr. Athenas said they are headquartered and licensed to operate in the town of Bourne and are located about two miles south of the Bourne Bridge. Their principal mission is to provide residents and visitors of the Cape and Islands with a green transportation alternative to the currently available livery service to Logan and T.F. Green airports, and hospitals. Mr. Athenas asked if the Town had any requirements for such a service.

Selectman Smadbeck clarified that the service would not be used for Edgartown to Edgartown locations. Mr. Athenas said they regard it as a connection service as described above. Police Lt. Antone Bettencourt said the department is looking into whether a license is necessary. Selectman Smadbeck noted that if the Green Shuttle is not a taxi and is licensed by the State, then the Selectmen need do nothing. Mr. Athenas noted that people have to make reservations to use the service. Chairman Serpa said that the Board would continue the matter until next week.

The Board voted the following:

To approve the minutes of March 17, 2008 as written and dispense with the reading of same.

To grant a request from Rainbow Place for the Annual Rainbow Run, to be held on May 10, 2008 at 9:00 a.m. The route is from the Yacht Club parking lot to the Whaling Church and it is estimated to take 8 minutes. They have talked to Lt. Tony Bettencourt of the Police Department and he says there is no problem.

To grant an Innholder's License to the Colonial Inn, expiring December 31, 2008.

To grant a Lodging House License to the Lightkeepers Inn, expiring December 31, 2008.

To grant Steamship Authority travel vouchers to the Wastewater (4), Fire and Dredge departments.

The Board received a request from Peter Wells, owner of the Chappy Ferry, to raise fares from \$3 to \$4 round trip a person and \$10 to \$12 for an automobile. This requires a public hearing, which the Board set for April 14, 2008 at 4:00 p.m.

The Board received a letter of resignation from Deborah Edmunds who has served as the Selectmen's appointee to the Community Preservation Committee, effective March 30, 2008, before Annual Town Meeting. She and her husband are leaving the Island. The Board accepted the resignation with regret and asked that a letter of appreciation for the good job she did be sent to her.

The Board received a request for approval of a Conservation Restriction to the Martha's Vineyard Land Bank Commission. The Board felt this was a matter between the Land Bank and the Knight Family Trust and Town Counsel and agreed to defer their opinion.

Alan Gowell was present to ask the Board to modify a condition of a 1995 deed from the Town that specifies that "no structures shall be constructed thereon", concerning 6 building sites along Third Street in Ocean Heights. He bought 13 lots at a tax sale in 1995 to fill in the missing pieces of his building sites, and they frequently fell in the middle of the building site, exactly where you would most reasonably position a house. Therefore, if he built, he would have to locate the house either closer to a property line or to the street. He would like to build in the middle, furthest from the street and furthest from the neighbor. He is asking the Town to release

the "no structures" condition on the interior 30 X 70 feet, leaving the condition in place on the 30 feet along the road (Second, Third, or Fourth Streets). He pointed out that this would release the condition on a total of 27,300 sq. ft. and the "no structures" condition would be placed on 29,700 sq. ft. of the adjacent and contiguous lots. He said the Town is not losing anything by this request. The 6 building sites average 23,000 sq. ft., larger than the zoning requirements, each site has already been approved and 5 of the 6 have septic systems installed.

Town Administrator Dolby said the restriction has been in effect for a long time and thought the matter should be taken to Town Counsel. Selectman Smadbeck observed that what Mr. Gowell is proposing is moving, not removing the restriction. The Town Administrator again referred to the law. She said Mr. Gowell is proposing a trade and this needs to be carefully looked at. She recalled that the restriction had been lifted in one previous instance involving 10 feet. She told Mr. Gowell she expected she'd have an answer for him next Monday.

A motion was made to go into Executive Session for the purpose of discussing possible litigation and each Board member voted by voice vote, signifying Aye. It was added that the Board would not reconvene in regular session.

There being no further business, the meeting ended at 4:15 p.m.

APPROVED:

Respectfully submitted,

Hope Waingrow
Hope Waingrow, secretary

Margaret E. Serpa
Margaret E. Serpa, Chairman

Arthur Smadbeck
Arthur Smadbeck

Michael J. Donaroma
Michael J. Donaroma

BOARD OF SELECTMEN