

TISBURY BOARD OF SELECTMEN MEETING MINUTES

Tuesday, September 24, 2019 at 5:00 PM

Tisbury Town Hall, Katherine Cornell Theater, 51 Spring Street, Vineyard Haven

Melinda F. Loberg; James Rogers; Jeff Kristal

Members Present: Melinda Loberg, Jeff Kristal, James Rogers (over the phone)

Others Present: John Grande – Town Administrator, Alexandra Kral -Executive Assistant, Mark Saloio, Jon Snyder, Ben Robinson

CALL MEETING TO ORDER

TOWN ADMINISTRATOR

Gates and Barriers Project Update

Town Administrator informed Board of Selectmen that the Eversource is preparing to go forward with utility easement letters. The notices will go out to the properties abutting the utility easement line. Member Kristal suggested pre-visit to the properties of higher concern. This has been an ongoing initiative.

APPOINTMENTS

Energy Committee: Bruce Stuart

Member Kristal motioned to appoint Bruce Stuart to an Energy Committee. Member Loberg seconded the motion. The motion was approved.

DEPARTMENTAL/COMMITTEE'S REPORTS

Police Department Update: Sergeant Promotions – Max Sherman, Jeff Day

Police chief updated Board Members on recently completed promotional process. It was a highly competitive process that consisted of written examination and interviewing panel. Police chief gave a brief background of two finalists brought forward. Both currently working on completing graduate degree in criminal justice. Police chief is proud and confident that both candidates will excel in sergeant's position.

Member Kristal motioned to accept Police chief's recommendation. Member Loberg seconded the motion.

Member Rogers (over the phone) stated his support of chief's recommendation. **The motion was approved.**

Police chief also stated that the department is moving forward with certification process and it is possible that new or updated policies might be coming forward for Board's review and approval.

PUBLIC REQUESTS

Geoff Rose: Patient Centric of Martha's Vineyard, 15 Mechanics St

Geoff Rose was present at the meeting. Phil Silverman (legal counsel for Patient centric) present at the meeting. Member Loberg confirmed that Board is in receipt of the packet. Mr. Silverman presented his company and his expertise on cannabis laws. The applicant is proposing a limited retail adult and medical marijuana establishment. All products that come in will be prepackaged. For the first 30 days establishment will operate with parking attendant, police detail and appointment only system. One parking space will be reserved for online orders. The applicant anticipates the operations will have very limited impact on the Town. Mr. Silverman reviewed security measures that will be put in place for said establishment. The applicant is hoping to start negotiating the Host community agreement.

Mark Alexander asked how the situation when someone of legal age diverts purchased product to a minor would be handled.

Mr. Silverman stated that authorities would handle said situation according with the relevant law.

Member Loberg mentioned that proposal included a limit to how much product one can buy at one visit.

Member Kristal asked what applicant anticipates the gross revenue to be.

Mr. Silverman stated it will depend on possible competition and other possible factors. However, based on his experience with establishments operating in the state of Colorado it averages at \$3,000,000 a year but he anticipates revenue to be higher for Martha's Vineyard location.

Member Kristal asked why they proposing are smaller facility in Tisbury?

Mr. Silverman believes that there is a big potential for this establishment and at the same time it won't be overwhelming for the Town.

Member Loberg wanted to verify that location is suitable and mentioned the report from Sourati Engineering Group stating that this location is compliant.

Member Loberg stated that Board is aware of the second applicant in the close proximity to this proposed establishment and asked Mr. Silverman for his experience with businesses of this kind located so close to each other. Mr. Silverman replied stating that it does not pose any issues.

The Town is entitled to 3% sales tax and also can negotiate for an impact fee of up to 3%. Applicant offering an advance of \$20,000 that will be later credited toward 3% impact fee. Agreement expires in 5 years per stated law. The impact fee can be re-negotiated once actual impact on the community can be clearly visible. Member Rogers (over the phone) asked if there will be an actual traffic study done?

Traffic study will be addressed during the planning board special permit process.

Member Kristal asked about the outcome of the outreach meeting held on Monday, September 23rd, 2019.

Mr. Rose stated there were not a lot of attendees, most represented abutters and the other applicant.

Member Kristal motioned to send host agreement to the Town Council for a review and start negotiation process with the applicant. Member Loberg seconded the motion. The motion was approved.

DISCUSSION SESSION

Review of Tisbury Zoning Bylaw Section 04.04.02 – multiple dwelling units and structures by Planning Board special permit, and consideration of development impacts on the Town

Town Administrator recalled the history of the bylaw amendment. It was approved at Special Town Meeting in 2018. The question was raised on how the density that could occur on the particular site can be managed. Some regulations like title 5 requirement can limit potential development but no zoning cap on maximum density as the bylaw currently written.

Member Kristal asked if planning board would be able to revisit the bylaw and tighten it up to provide more guidance on allowed types of developments and the areas of town permitted for said development.

Ben Robinson stated that bylaw states that Planning Board shall consider master plan when making a decision on the special permit. The Master Plan outlines areas of the town where and if the specific proposal can be applied. Bylaw applies to the residential zones.

Member Rogers (over the phone) was in support of reopening the discussions.

Member Kristal motioned to write a letter requesting Planning Board to revisit the bylaw. No second.

Member Loberg wanted to be cautious about interfering with the special permit process that is under way and suggested to wait until Planning Board can more openly discuss this bylaw.

ADMINISTRATIVE SESSION

Approval of Coastal Resilience Grant Contract

Member Loberg informed Board Members and public of the received grant. Contract with Town's consultant will be coming for Board review and approval in the near future, at the moment the contract with the state is ready to be approved.

Member Kristal motioned to authorize Town Administrator to enter into a Coastal Resilience Grant Contract. Member Loberg seconded the motion. The motion was approved.

Payroll	#09/19/19	\$141,698.14
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Payroll	#09/12/19	\$334,170.56
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Bills Payable	#09/10/19	\$600,707.06
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Member Kristal motioned to approve bills payable as stated above. Member Loberg seconded the motion. The motion was approved.

PROSPECTIVE MEETING AGENDA(S)

Time reserved for the topics that the Chair did not reasonably anticipate for discussion:

- Member Kristal inquired on recently announced Sewer Grant. Mr. Snyder stated that unfortunately Town is not eligible for said grant.

EXECUTIVE SESSION

Vote to go into Executive Session pursuant to M.G.L. c. 30 A, Sec. 21(a) 3. To discuss strategy with respect to collective bargaining(general union) if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body;

Not to reconvene in open session

Roll call vote:

Melinda Loberg – Aye

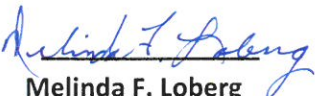
Jeff Kristal – Aye


MEETING ADJOURNMENT

Member Kristal motioned to adjourn. Member Loberg seconded the motion. The motion was approved.

Meeting adjourned 6:40PM.

Respectfully submitted by
Alexandra Kral


Melinda F. Loberg
Chair


James J. Rogers
Vice Chairmen


Jeff Kristal
Clerk