

**Approved 4/24/19**  
**TOWN OF WEST TISBURY**  
**SELECTMENS MEETING**  
**Wednesday, March 27, 2019 4:30 p.m. – 5:22 pm**

**Present:** Selectmen Cindy Mitchell, Skipper Manter, Kent Healy, Jen Rand

**Also Present:** Tara Whiting-Wells, Prudy Burt, Kristina West, Brian Athearn, Beth Kramer, Nicole Cabot, Sue Hruby, Bruce Stone, Jill Napior, Jason Napior, Anna Truckey Davis, Bob Eggleston, Rhonda Conley, Holly Pretsky, Richard Saltzburg

**Minutes:** *S. Manter motioned to approve the minutes of 3/06/19. K. Healy seconded the motion. The vote on the motion was unanimous in favor.*

**Child Care at Town Meeting:** Beth Kramer said the Library is organizing child care at Town Meeting again this year with the expectation that next year the Selectmen will take it over.

**Electric Vehicle Charger at the Library:** Jen said there are funds available through Green Communities as well as Eversource that will allow the town to install a vehicle charger at the library at no cost. She said there are two types for the Board to consider; Level II and Level III. There are no Level III chargers on the island now, they are very fast and would require different equipment. They use more power, and some communities charge for the use so the Board would need to decide if they want the super-fast charger, and if they want to charge for the use. Cindy said she thought it should be free, she added that she wasn't sure we needed to provide the only Level III charger for the island. Skipper agreed, but asked if the equipment could be put in place for the Level III if we decide we want that later on. Sue will look into that.

**Cultural Council Appointment:** *S. Manter motioned to appoint Irene Tewksbury to the Cultural Council for a three-year term. K. Healy seconded the motion. The vote on the motion was unanimous in favor.*

**MV Agricultural Society (MVAS) Events:** Jen explained that there had been a working group, as requested by the Selectmen comprised of Brendan O'Neill (Vineyard Conservation Society, "VCS") and Tara Whiting-Wells (WT Conservation Commission) as holders of the Agricultural Preservation Restriction (APR), Joe Tierney for zoning, Jen for the Selectmen and Ron Rappaport, Town Counsel for guidance. She said after much discussion and two meetings the list as presented this evening was approved by everyone. She noted that the "Fresh off the Farm" event was a long conversation because the event was paid for by the Edgartown Board of Trade, which is a non-profit and all profits were split between the MVAS and Island Grown Foods. There was discussion about creating a new category of events where the profits could be split between two agriculturally related non-profits, with a proposed limit of 2 of those types of events. She did note that the Conservation Commission had submitted a letter saying that if Fresh off the Farm were held again it would, in their minds, be considered one of the three allowed incidental events. VCS did not take issue with the event. Skipper asked if the three incidental events were commercial (the Art show and two Artisan Festivals). Jen said she supposed so. Skipper noted that the letter written by Town Counsel in 1998 said the incidental uses should be non-commercial in nature and asked if Counsel had changed his mind. He then said he was concerned the expansion of use and said he felt the events now have gone beyond the original intent. He said the holders of the APR have not done their job in oversight of this property. He added that he had contacted Attorney Small, who represented the Woods family in 1998 and asked for his opinion of the current use of the property. Skipper said Attn. Small is the only one who can speak to that the Woods' family would want and in his response he stated that the number of events seems too high and perhaps the total number of events and the size of each event should be capped. Cindy said she felt the request for a response from Attn. Small was highly irregular, she said the Board had endorsed a path to proceed, which was done, the Town has Counsel who is paid to assist us and this letter was not in front of the Board tonight as anything other than correspondence. Kent said the Town should be sure to honor the Woods' wish but he wasn't sure how to do that. Cindy said that the Wood family granted the APR to VCS and the Conservation Society and they now speak for them. The process needs to move forward, she said she didn't think it fair to pull the rug out from under the MVAS and the event organizers at this late date. Kent said the Town should work with the APR holders. Cindy

said that's exactly what happened with the working group. Tara said she was related to the Woods family and she agreed with Skipper that the uses need to be revisited. Brian said that the two artisan's festivals have been going on for over 20 years and the third incidental was a non-profit. He said the MVAS's mission was to help farmers and the community. He said there are actually fewer events now than in 1995. Cindy said this is an annual process, she hoped to permanently streamline the process but this events list should be voted. She thanked the working group for all their hard work.

*K. Healy motioned to approve the list as presented. S. Manter seconded the motion. The vote on the motion was unanimous in favor.*

**Fisher Farm Fundraiser:** Jen explained that the Fundraiser came about after the list was created for approval by the MVAS. The plan was a potluck on April 6<sup>th</sup>, the two APR holders had voted to approve the event.

*S. Manter motioned to approve the Fisher Farm Fundraiser. K. Healy seconded the motion. The vote on the motion was unanimous in favor.*

**Island Autism Art Show Charity Wine Permit:** *S. Manter motioned to approve a Charity Wine Permit for the art Show. K. Healy seconded the motion. The vote on the motion was unanimous in favor.*

**Request for Proposals (RFP) for Old Courthouse Rd Affordable Housing Project:** Jen said the Board had been given a copy of the RFP earlier, Town Counsel had reviewed it and now the Board needed to sign off on the document. Jill said that she was in favor of the property being used for affordable housing but only as a single family home. The RFP mentioned the possibility of two buildings with 3-4 bedrooms; the neighborhood meeting never mentioned two buildings. She added that the impact of this will be added to the impact of the Huseby Mountain project proposed for the end of the road. Jason said he knew that the Huseby Mt project was not under discussion but he asked who was looking at the big picture and impacts on this neighborhood. Rhonda noted that the lot was at the beginning of the road so unlikely to impact the rest of the street. Nicole said she is not opposed to affordable housing but the Housing Committee is not taking into account what the neighbors want to have happen. Anna said she was worried about the impact on the watershed with the increased density. Skipper asked about the regulations for 4 bedrooms. Kent said the lot can handle three bedrooms on site. If a 4<sup>th</sup> is added it would require nitrogen credits from another lot. Skipper asked why the condo structure. Rhonda said it allows a management organization to stay involved. Prudy said if Nitrogen credits were used Bill Wilcox has said the credits should come from a different watershed.

*S. Manter motioned to approve the RFP if amended to restrict the project to one building. K. Healy seconded the motion. The vote on the motion was unanimous in favor.*

**MS Bike Ride:** *S. Manter motioned to approve the MS Bike Ride on 5/4/19 with the condition that the signs are all to be removed within 48 hours. Failure to remove the signs will result in a denial of the event next year. K. Healy seconded the motion. The vote on the motion was unanimous in favor.*

**Town Accountant Vacation Carry-over:** *S. Manter motioned to authorize the Town Accountant to carry over 175 hours of vacation time. K. Healy seconded the motion. The vote on the motion was unanimous in favor.*