

Minutes April 15th 2008 II Chilmark Board of Selectmen

Present: Frank M. Fenner Jr., J. B. Riggs Parker, Tim Carroll, Ron Rappaport, Rob McCarron, Niall Reid, Bill Rossi, Martina Mastromonaco, Dan Johnson, Carl Stunkel, Julia Rappaport, Miss Ames.

Meeting called to order by Mr. Fenner at 7:30 PM

Public Hearing on the Petition of Carl Stunkel for a Common Victualers License.

Carl Stunkel told the Selectmen that he had a three year lease for the Chilmark Store. Mr. Stunkel said that the store would be run just as it has been traditionally run by Mr. Rossi. He said that he would have the same menu and hours. Mr. Fenner said that the town would need a copy of his Worker's Comp policy before issuing a license. No public comments or questions. Public Hearing closed at 7:33 PM.

Mr. Parker moved and Mr. Fenner seconded a motion to issue Carl Stunkel a Common Victualer's license to operate the Chilmark Store. SO VOTED: Three Ayes.

INN at Blueberry Hill

Attorney Rob McCarron presented the board with a letter from Daniel George confirming that BHMV gave Niall Reid authority to bind the corporation.

Mr. Parker commented on the Zoning Board of Appeals decision guidelines. He said he disagreed that there was no change of use. He opined that the conditions create a new use of an Inn in transition to a time-sharing resort. Mr. Parker said this change should be referred to the voters. He said that preference to members detracts from public use. He said that "75% use by members only" to trigger a change of use is wrong headed. Mr. Parker said that it is not a public use Inn if 75% is privately used.

Bill Rossi, chairman of the Zoning Board of Appeals, said that the Appeals Board could have allowed a Private Club. Mr. Parker said that they had not applied for a Private Club. Mr. Rossi said that the board needed some threshold to trigger further review by the Appeals Board. He said that he did not think they had overstepped their bounds and that this had been done in consultation with Town Counsel. Mr. Parker said that zoning calls for Private Clubs to be non-profit.

Rob McCarron said that this was a pre existing non conforming use in a residential zone and that as such the Zoning Board of Appeals has the authority to change one pre-existing non-conforming use to any other non-conforming use if it does not adversely effect the neighborhood. Mr. Parker said that he profoundly disagreed.

Mr. Rossi said that these conditions were the result of a number of public hearings at which the public did not attend. Mr. Parker said that the public process should allow for comment on the decision. He said the town needs to know what is going on. Mr. Fenner

asked if these conditions had been discussed at the public hearing. Mr. Rossi said that they had. There was more discussion.

Mr. Fenner moved and Mr. Parker seconded a motion to issue Niall Reid an Innkeeper's license to operate the Inn at Blueberry Hill. SO VOTED: Two Ayes.

Minutes The minutes of April 1st 2008 were tabled.

TriTown Ambulance

Martina Mastromonaco, Coordinator, and Squad Representative/committee member Dan Johnson, came before the Selectmen as directed at the last meeting. They told the Selectmen they may not have as much money in the budget line as they were initially expecting. Mr. Parker moved and Mr. Fenner seconded a motion to approve the recommendation of the Personnel Board to allow the TriTown Ambulance to use unexpended funds in the ALS Coordinator's salary line for other salary expenses to pay stipends to EMT's working shifts in the absence of the ALS coordinator. SO VOTED: Two Ayes.

Middle Line Road Affordable Housing

Mr. Fenner reported that the Planning Board had approved the Form C subdivision yesterday. Mr. Parker reported that last week, the Martha's Vineyard Commission had approved the plan. Staff is crafting an RFP for the Rental Units and infrastructure.

Meeting adjourned at 8:05 PM

APPROVED: May 6th 2008