

SPECIAL TOWN MEETING

October 29, 2007

MODERATOR: Everett Poole
TOWN CLERK: Margaret T. Orlando
REGISTRARS: Susan Heilbron & Judy G.L. Mayhew
CONSTABLE: Daniel Bryant
TELLERS: William Meegan & Mitchell Posin

The meeting was called to order at 7:32 p.m. Constable Daniel Bryant read the return of the warrant. Of the eight hundred twenty-eight (828) registered voters in the Town of Chilmark ninety- four (94) were present.

Mr. Poole asked if there were any unregistered voters on the town meeting floor.

ARTICLE 1. Read by moderator. Moved and seconded. The article was opened for discussion and Jay Lageman spoke against it saying that it would be more effective for the town to require that all residents have solar hot water heaters and that this article singled out homeowners with pools. He also said he thought that we should be requiring pool covers for conservation of heat and minimization of evaporation for any time period over 12 hours. Tim Lasker spoke for the Planning Board stating that the amendment to the bylaw included most sources of heat not just solar and that policing the use of pool covers would be impossible. Mr. Lasker said it was just the tip of the iceberg on conserving energy but the Planning Board felt it was a good place to start. Helen Parker asked if the permitting process with ZBA was a definitive one or could there be exemptions on the sources of heat for pools. Mr. Lasker said this bylaw would be for all pools if they were to be heated. Edward Miller asked the difference between a pool and a hot tub. Mr. Doty said the permit was the difference. You did not need a permit for a hot tub.

Mr. Lageman requested a paper ballot vote. Mr. Poole asked the town meeting for a second. After a long silence, the moderator called for a vote.

There was a standing vote. Article 1 was passed: 65 - In favor
15 - Opposed

ARTICLE 2. Read by moderator. Moved and seconded. The article was opened for discussion. Selectman Warren Doty stood to amend the article to read:
To see if the town will vote to appropriate from available funds in the treasury the sum of \$1,000.00 to pay for design drawings for **alterations to an existing fisheries building for possible town acquisition and to replace or repair the Harbor Masters shack on the bulkhead in Menemsha, and to pay all costs incidental and related thereto.**

There was no discussion and Article 2 came to a vote and as amended, passed unanimously.

ARTICLE 3. Read by moderator. Moved and seconded. Passed unanimously.

ARTICLE 4. Read by moderator. Moved and seconded. Passed unanimously.

ARTICLE 5. Read by moderator. Moved and seconded. The article was opened for discussion and Christopher Murphy asked for an explanation of the repair. Riggs Parker said the stones had been moved in a storm and the plan was to refit them into the revetment. Mr. Murphy suggested they consider removing the stones altogether and moving back the parking lot.

Article 5 came to a vote and passed unanimously

ARTICLE 6. Read by moderator. Moved and seconded. Passed unanimously.

ARTICLE 7. Read by moderator. Moved and seconded. Frank Yeomans asked about monies voted at the September 2001 Special Town Meeting for repairs to the Community Center. Mr. Doty proposed an amendment and after some discussion about the way money was used and how unused funds are handled at the end of the fiscal year Mr. Bunker, the towns custodian, said he had planned to use that money for painting and general repairs on the Community Center this fall.

Mr. Doty withdrew the amendment and Article 7 came to a vote and passed unanimously.

ARTICLE 8. Read by moderator. Moved and seconded. Passed unanimously.

ARTICLE 9. Read by moderator. Moved and seconded. Passed unanimously.

ARTICLE 10. Read by moderator. Moved and seconded. Passed unanimously.

ARTICLE 11. Read by moderator. Moved and seconded. The article was opened for discussion. Mr. Doty said the agreement and a map of the area was available here at the meeting. He thanked Mr. Fenner for the many hours spent in negotiations. Mr. Fenner said he felt this proposal was beneficial to the towns conservation areas, the Homesite housing program and to the Land Bank. Judith Jardin said this was a win/win/win situation for all involved but she questioned the Hillmans right to pick the people who will ultimately get these homesite lots. This agreement was a land swap and the homesites would be owned by the town. How was it going to be decided? How much information would need to be given out? She felt it should all be according to a completely anonymous lottery and get away from any “personal stuff.” After stating that they were the closest abutters to the lots, Arlen Wise and son Julian stood in support of the proposal. Andrew Goldman, a member of the Housing Committee, stated that it was his understanding that the Hillmans were more interested in the recipients being qualified, longtime Chilmark residents. All of the candidates would need to meet the criteria set up by the Homesite regulations. Frank Fenner said it was important to the Hillmans that local people get these lots. After three years of negotiations it was agreed that this was

the way it would be and they would have 15 days to chose from the list of qualified applicants. Edward "Tip" Kenyon asked about who exactly would be making the decisions? He said the agreement referred to the trustee of the trust. He also questioned if we knew the lots were build able, if they had water and could support septic systems. Mr. Fenner said he thought the decisions were being made by Howard Hillman and that in Article 13 there was funding to develop the lots. Perry Ambulos spoke in support. Frank Fenner stated that this agreement must be voted either yes or no just as it is. Chris Murphy suggested that we address each affordable housing proposal on its own merit. Jay Lageman said we should trust that the lots will be awarded in a fair an non-discriminating way.

Mr. Poole reminded the town meeting that the vote must be a 2/3 vote because it was an exchange of land.

Article 11 came to a vote and passed unanimously.

ARTICLE 12. Read by moderator. Moved and seconded. Passed unanimously.

ARTICLE 13. Read by moderator. Moved and seconded. Passed unanimously.

ARTICLE 14. Read by moderator. Moved and seconded. The article was opened for discussion and Helen Parker asked where we were on the Community Preservation Fund. She said that when we adopted the Act she understood it would be revisited in 5 years. She questioned whether it suited Chilmark feeling that we needed more education, information and there were many questions that should be addressed. Andy Goldman said that they were aware of the 5 year issue and intended to bring this to the Annual Town Meeting in the Spring. Mr. Goldman said this article was simply for bookkeeping purposes. Mr. Doty suggested we support the article because half of the funding for the CPA came from the state.

Article 14 came to a vote and passed unanimously.

Mr. Poole stated that all the Articles had been voted and asked if there was any other business to come before this meeting.

Russell Walton, Chilmark Conservation Officer, informed the meeting of new designations of habitat for Massachusetts endangered species. He warned that anyone wanting to expand into these areas should check with the Conservation Commission. Also that any project along the coast needed the appropriate conservation permitting and that one should plan at least a month ahead for these filings.

At 8:57 p.m. Moderator, Everett H. Poole declared the meeting dissolved.

A true record. Attest:

Margaret T. Orlando, Town Clerk
October 31, 2007