

WEST TISBURY ZONING BOARD OF APPEALS

MINUTES THURSDAY JUNE 3, 2010

2ND FLOOR TOWN HALL AT 5

PRESENT: Tucker Hubbell (Chair), Eric Whitman, Bob Schwier, Larry Schubert

ABSENT: Tony Higgins, Nancy Cole, Toni Cohen

ALSO PRESENT: Richard Knabel

BUSINESS

- Request for extension of Variance granted on June 17, 2009 to Vickie Thurber and Scott McArthur due to not being able to start building until the fall. A Variance was given to allow that a small portion of the required 20,000 sq ft for a business lot be made up of land they owned zoned RU. Extensions to Variances may be granted for 6 months at a time. The Board voted unanimously to approve the extension.
- “Open Cape” and WHOI equipment on Fire Tower

Richard Knabel met with the Board to discuss this company which has been granted 32 million in stimulus money to place a fiber optic “spine” from Providence to Provincetown, with a microwave backup. The proposed project will install an Alcatel URC-2, 24-strand submarine fiber optic feeder cable from Fairhaven to Martha’s Vineyard by way of Woods Hole. The Board considered the information in Richard Knabel’s letter he provided to better answer questions about Open Cape.

The ZBA potentially could be involved as special permit granters, and potentially are involved because of some wireless equipment belonging to Woods Hole Oceanographic Institute that is on the Fire Tower without Town permits. Richard described that the infrastructure and broad band would be on the Cape. Open Cape would provide a microwave link, but not a fiber optic link to the Island. They have no plan to bring fiber optics to the Islands. The links however would be set up so that the places like schools, libraries, town government, and shelters would be linked should a fiber optic provider come along.

Richard described that the grant money came under the wing of RUS (Rural Utilities Service, started under FDR). Open Cape identified Chappaquiddick Island and Penobscot Island as un-served areas and by so including them in their application, had higher points and got priority. The focal point would be West Tisbury’s Fire Tower

where equipment would be mounted. It would be a low power microwave link that would not be able to deliver data. There would also be equipment at the West Tisbury School and on Chappaquiddick. Richard said OC had designated the school as a site because it was an emergency shelter, but all Island towns have an emergency shelter. The school would be key to receiving and transmitting from the fire Tower.

Richard said the Island had been unaware of Open Cape, that the Vineyard is an afterthought for them in order to get the grant money. In absence of the fiber optics, what Open Cape want to do on the Island would be useless for the Island. Andrew Nana and Jim Glavin would be competing with them, and they actually want to bring over the fiber optics. He added that Superintendent of Schools Jim Weiss had not been contacted by OC either, until last week when OC met with him, Kathy Logue, Bruce Stone, Jen Rand and some others IT people, not public officials. Russell Smith of the County had not been contacted during OC's grant process. Richard feels OC will have to come to the Town, the ZBA, the school.

At the meeting at the West Tisbury School, OC talked about replacing WHOI's receivers or radios with their own equipment, meaning no net gain of equipment. In 2000, WHOI had come to the ZBA to get a Special Permit to place wireless equipment on the State-owned Fire Tower and then withdrew their application until a further time. They never did come back to the ZBA but did apply to the State in '07 to be on the site. Julie said, when contacted today, Janet Fredericks of WHOI sent the ZBA office information about their equipment on the Fire Tower and the thorough review they went under by the State. The transmitters/receivers collect and send data from their observatory off of South Beach in Edgartown. Whatever Open Cape put on the Fire tower would be meant to fulfill this function according to Janet Fredericks . The Board wanted to look at this information more closely, but the first conclusion was that WHOI needed a ZBA Special Permit in retrospect.

In conclusion it was mentioned that Verizon, the only wireless company installed at the Fire Tower, was looking to sell it's hardware assets. The Board will further address WHOI on the Fire Tower.

- The minutes of April 22 were approved.

CORRESPONDENCE

- Q and A letter from Richard Knabel re Open Cape
- Open Meeting Law changes from Town Clerk

The meeting was adjourned at 5:45 PM

Respectfully submitted, Julie Keefe, Board Admin.