

WEST TISBURY ZONING BOARD OF APPEALS
MINUTES JUNE 4, 2008
TOWN HALL 6:45 PM

PRESENT: Eric Whitman, Tucker Hubbell, Bob Schwier, Toni Cohen, Nancy Cole

ABSENT: Tony Higgins, Larry Schubert

ALSO PRESENT for All or Part of the Meeting: Christopher Morse, Gino Mazzaferro, Michael Ferry, George Crawford

BUSINESS

- The minutes of April 23 were approved.
- Individual ZBA appointment term lengths will temporarily change solely so the years of expiration can be staggered. Eventually all term lengths will be the same.
- Julie told the Board there will be an upcoming application to rebuild the restaurant currently known as Deon's, but from a new applicant. The Board discussed the topic in general.
- Proposed horse barn at Richie Olsen's over 2000 sq ft: After discussion, the Board concluded the barn probably did not need a Special Permit if it meets dimensional requirements, as it had an agricultural exemption, and was on an over 3 acre lot, but based this on not seeing plans.
- Julie told the Board Warren Meade called (May 23) re moth damaged trees on his property near Flanders cell tower, asking that the trees be sprayed on that property. She contacted the applicants' agent, Thomas White, who was very accommodating. On June 3, he told Julie he had contacted Flanders office, who said they would send somebody out there and report to the ZBA. No word from them yet. Ernie and Julie went on site visit on May 27. A few trees without leaves near pole, possibly from last year but not a devastation. No visible caterpillars yet. On June 3 Thomas told me had had talked with Flanders office and they were going to send an arborist out there and report directly to ZBA with findings.
- The ZBA is looking for an appointee to serve on the AHC.

HEARINGS

7:20 PM An application by Scarlet and Rex Jarrell for a Special Permit for setback relief:

To remove a pre-existing non-conforming 30' by 12', 11' high shed from their adjacent Map 32 Lot 109.2 property and re-site it on their Map 32 Lot 109 property to be at its closest point 10' from the 2 properties' shared NE lot line. Sec. 4.2-2D4 of West Tisbury Zoning Bylaws; 1153 State Rd.; RU Dist. *Correspondence: 1) Abutter Tom Hodgson, in favor*

The applicants did not attend the meeting, and no one else was there for this hearing. As there was no abutter interest in the matter, the ZBA went ahead with the hearing. The Board found: The shed will be used for equipment storage for maintenance of the property, which is for the most part open field. The shed is currently non-conforming by setbacks, and is being moved a short distance to be nearer the dirt drive on Lot 109. The 2 properties combined are approximately 17 acres. Abutters will not be negatively affected. Voted unanimously to grant.

7:40 PM An application by Gino Mazzaferro on behalf of Barbara and Susan Silk for a special permit to build a 32' by 36' garage with a working studio above. (Over 676 sq ft accessory structure on under 3 acre lot needs a special permit: Sec. 11.2-2 of West Tisbury Zoning Bylaws.) Map 11 Lot 10; 36 Hidden Village Rd; RU Dist. *Correspondence: 1) Abutter Elkan Katz; 2) Abutters Michael and Elizabeth Ferry; 3) Abutter Pamela Miller*

Correspondence was read. Briefly, Elkan Katz was OK with the proposal as long as it remained in the southeast corner as shown and there is no gallery business. Pamela Miller wanted it moved

further away from her bound than 50' and questioned the size. Michael and Elizabeth Ferry had many concerns including size, placement of drive and the fact that they are right across the street and the 2 story garage is only 50' from the bound by the road. Gino Mazzafero, builder and George Crawford, architect represented the application. Gino said the earth is bermed on one side of the site, so 2 stories will not be exposed. The garage doors will face Cardinal Way. Chris Morse and Michael Ferry pointed out that the notice said 36' by 32' building whereas the plans show a 32' by 26' building. Julie Keefe said it was her clerical error and she had not caught it. She apologized, and said if she'd notified it to be smaller than what was being built, it would have to be renotified. The presumption is that the footprint being reduced (by 320 sq ft) has less of an impact for the abutters. Gino went on to say that the artwork would be a retirement hobby and his clients were not planning a gallery business.

Chris Morse and Michael Ferry felt the structure was too big, should be moved back and turned about 15 degrees. Michael Ferry also had concerns about runoff in general and as it's directly across the street from him. He felt his house would be looking at the garage doors, while the Silks view of the structure would be more pleasant. Eric pointed out the garage would have to be pushed back from the road until it was equal to the house in setback, as an accessory structure if in front of a house has to be 100 feet back from the front bound. (A separate hearing for setback relief would be possible, but it would be a new hearing). Tucker suggested the building have less glass, less windows. Nancy suggested additional screening might be needed. The applicants' representatives were amenable to less windows, turning the structure, saving trees, moving the structure back to be level with the house. The hearing was continued until the following Wednesday at 5 in order to have the plans changed. Eric suggested members do individual site visits (which was, later in the week, changed to a group site meeting.)

OTHER CORRESPONDENCE

Planning Board hearing notice: Jampel at Map 31 Lot 121, affordable housing, has been postponed.

The meeting was adjourned at 8:30.

Respectfully submitted, Julie Keefe Board Admin.