

**WEST TISBURY ZONING BOARD OF APPEALS  
MINUTES NOVEMBER 12, 2008  
HOWES HOUSE 7 PM**

**PRESENT:** Eric Whitman, Tucker Hubbell, Tony Higgins, Nancy Cole, Larry Schubert

**ABSENT:** Bob Schwier, Tony Cohen

**ALSO PRESENT:** Durwood Hughes, Terry Kriedman, Chris Alley

**BUSINESS**

- The minutes of October 29 were approved.
- Julie reported that Glenn Hearn told her that as far as numbers of new DAS poles in West Tisbury, it would probably be between 10 and 20; some might be on private property.
- Tony Higgins reported that some members of the public had complained/ inquired to him about flood lights, about 8' off the ground, being left on at night near or at the gates of the drive leading to the old Priestley property in North Tisbury. He too had noticed them. Tucker surmised they were lights for construction on the property. Julie is to ask Ernie (zoning enforcement officer) if he will look into this.

**HEARINGS**

**7:20 An application by Dr. Terry Kriedman for a Special Permit** to have an off-premises, auxiliary sign at the corner of State and Cournoyer Rd for her practice of Vineyard Gynecology located at 12D Cournoyer Rd: The sign to be on the opposite side of the entry road from the current shared condo sign. Sections 8.4-6A and B of the Zoning Bylaws; Map 16 Lot 98.2; 1 Cournoyer Rd; Mixed Business District. *No Correspondence*

The subject sign is 26" by 21" making it just under 4 sq ft. In black letters on a light orange background, the sign says "GYN WALK-IN CLINIC, M-F 9-12", with the ability to alter the hours or say closed. The applicant put out this sign next to a composite sign listing the businesses in the condominiums on the property. The name "Vineyard Gynecology" is one of about 6 businesses located on this freestanding sign. The businesses are allotted approximately one square foot.

Dr. Terry Kriedman represented her application. She put the sign up not knowing it needed to be permitted. Evidently the Building and Zoning Inspector told her to take it down and said she could apply for a special permit. She'd like to have the sign where it was as it could be seen better, but she has been told she can not have it on that side. The only place she may put it would be on the inner side of the comparatively large Vineyard Yoga sign on the opposite side of the entry drive from the shared sign. This is a small lot owned by the Francis Cournoyer Trust. She would need a Special Permit for an off-premises sign.

The applicant had submitted that "a separate sign announcing the walk-in clinic is essential for the maintenance of this service" and submitted that when she put out the sign, unaware she needed a permit, there was a significant increase in patient traffic, many of whom she believed would have otherwise ended up in the emergency room. It was difficult to compete with the hospital; she needed to let people know she was there. She would make the sign better looking if she gets the permit.

Eric said he had no problem with this sign in addition to the listing on the shared sign board. Other Board members agreed, saying it was in the Business District. The Board found that there is a public need for information that a walk-in clinic is being held, and the hours for it. Dr. Kriedman's share of the existing, shared condominium sign where Vineyard Gynecology is listed does not have the room to list this information. To have such a second sign at her office would not be practical as the office is set back from the road. There was no correspondence and no one in attendance for the hearing. The hearing was closed; the Board voted to grant the Special Permit. The Board agreed that there may be additions or changes to the wording, color and design.

**7:40 An application by Chris Alley on behalf of Dr. Ronald Dunlap to amend a Special Permit granted in 2000 as per the conditions of the Special Permit:** To convert the present use of the 2<sup>nd</sup> floor of a garage from non-habitable storage to the habitable use of an office/bedroom. Section 9.3-3 of the Zoning Bylaws. Map 1 Lot 22.3; 64 Brickworks Road; Rural District. *No Correspondence:*

Chris Alley reported that the Board of Health had approved the plumbing, septic for the conversion of the top floor into habitable; there is septic capacity on the lot for the bedroom. He said Dr. Dunlap is simply finishing off his unfinished 2<sup>nd</sup> floor according to his original plans. The ZBA in 2000 had conditioned that Dr. Dunlap return to amend his Special Permit for the garage before he finished the 2<sup>nd</sup> floor. No one attended the hearing, and with no correspondence, the ZBA voted to grant the amendment.

#### **OTHER CORRESPONDENCE**

- Copy of minutes of October 14, 08 for joint meeting between Chilmark Planning Board and West Tisbury PI Bd re wind towers. PI Board is trying to write a W.T. bylaw: hearing for which will be Dec 1.
- Copy of MVC minutes of Feb 21, 08 re wind towers
- Copy of Chilmark's proposed wind turbine regs.

The Board discussed the above correspondence in a general way. On the subject of whether West Tisbury should have a new review committee for DAS permitting made up of a Selectmen's appointee, the Planning Board and the Zoning Board, the ZBA expressed that this might be unwieldy and were not averse to the ZBA being the permit granting authority. On the subject of the MVC having the ability to approve a Town's wind turbine bylaw, Larry asked what criteria would they use and do they have the authority to do this?

The meeting was adjourned at 8:20.  
Respectfully submitted, Julie Keefe, Board Admin.

Approved on November 19