

**WEST TISBURY ZONING BOARD OF APPEALS
MINUTES NOVEMBER 25, 2008
MUSIC STREET LIBRARY 6 PM**

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

ABSENT: Nancy Cole, Toni Cohen

ALSO PRESENT: Bank COO Richard Leonard, architect Bruce MacNelly, abutters John Powers and Linda Carroll

BUSINESS

The minutes of November 19 were approved as corrected.

HEARINGS

6 PM Continuation of an application by architect Bruce MacNelly on behalf of the Martha's Vineyard Savings Bank for a Special Permit for the construction of a new, 3500 sq ft 2 story office building on a parcel adjoining their existing State Road bank. The project will include the removal of the existing building on the lot. Sections 3.1-1 (Use Table), 9.2-2 (Review Criteria) and 8.3 (Design Requirements) of the Zoning Bylaws; Map 16 Lot 99; 496 State Rd; Mixed Business District. *Previous Correspondence: 1) Planning Board; 2) Martha's Vineyard Commission Decision*

Bruce MacNelly said they have come back with a revised plan that addresses the Board's main issues at the last hearing: That is, the tower, the roadside front façade and making the north side less severe. He presented the new elevations that showed window changes on the north side, and a significant change to the placement and size of the windows on the roadside front façade, including the addition of a hanging "barn door" on either side of the two bottom windows. This had been a ZBA suggestion to compensate in looks for the lack of a front door on the roadside, as the applicants had emphasized their concept of the new building being a "barn" to the current bank building. Bruce said there would be no window changes, as suggested, on the "silo" (tower) due to fire safety code. The silo is 2 ½ feet narrower, due to changes in the stairs, and there is a 4th window/door in the row of doors at the rear next to the silo.

The site plan has been revised; existing trees at the back formerly meant to be removed will stay; some parking will be lost. This site plan is a general plan. They will walk the site, with John Powers and Linda Carroll and other interested neighbors. They will flag trees to be moved or removed, areas where plantings are needed, and decide on what species. The plan should have the abutters' approval. The stockade fence will be around 6' high, the acceptable limit being 6'. Whether or not there would be a gate in the fence for a short cut for neighbors to the rear was not resolved as it would mean crossing someone's property.

Eric said the overall impression is that Bruce made changes as the Board had asked him to. Asked if the track "barn door" was a working one, Richard Leonard answered yes, and it might be useful as a hurricane shutter. Larry asked what kind of railing and shrubbery will shield the well to the basement on the south side. They weren't sure yet, probably pipe or a combination of split rail and mesh for the railing.

Trash placement and collection time was discussed: Richard Leonard will request a 7:30 AM trash pickup rather than the current earlier time. John and Linda said they were less concerned about where the trash area was on the lot, but that it be screened from neighbors and not just from the bank. That was readily agreed to. The trash and bollard lights will be shown on the final landscape plan. The fence and a 40' buffer to the rear must be shown on the plan. The buffer must be maintained. It was agreed that a condition would be that the ZBA approve the final landscape plan before a Certificate of Occupancy may be issued.

Asked when they expect the new building to be open, Richard said it would depend on the weather, but they expect to be in good order by summer, that is, not finished and open, but not a construction site. Citing that the plans met the review criteria and that the building would be an asset to the Town and in keeping with the development in the area, the Board granted the Special Permit with conditions.

The Board next discussed the 1993 and 1997 findings and conditions of the former Plan Review Board regarding Vineyard Gardens. They looked at current photos of the rear area of the business taken by Ernie Mendenhall and given to the Board by John Powers. It did not appear that the mandated vegetative screening was in place. In '93, the lot was asked to keep a 40' vegetated buffer. In '97, that was amended to be a 10' buffer with the other 30' to be used for growing things for Vineyard Gardens. The Board thought that the 30' was to be made up of evergreens and other trees and shrubs placed there to be nurtured before being sold. Perhaps they were removed from the rear of the lot and never replaced? Julie will look further into the original permitting; she thought it must be because it was agricultural that it did not come to the ZBA. No conclusion was reached regarding Vineyard Gardens and any ZBA role in it, but the general agreement was that the conditions were enforceable and should be enforced.

OTHER CORRESPONDENCE

Survey from MVC (Island Plan)

Copy of Nantucket and Chilmark wind turbine Regs

AWEA.org....link to "small wind">> "permitting guide book"

The meeting was adjourned at 7:30.

Respectfully submitted, Julie Keefe, Board Admin.

Approved on December 17, 2008