

The meeting was called to order by the Moderator at 6:35pm who declared a quorum of 5% with 283 qualified voters present. All articles were duly moved, seconded and voted upon. There were eleven amendments from the floor. The meeting was adjourned at 10:55pm.

**WEST TISBURY
COMMONWEALTH OF MASSACHUSETTS**

**WARRANT FOR
ANNUAL TOWN MEETING**

County of Dukes County, SS
To Either of the Constables of the Town of West Tisbury,

GREETINGS:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of West Tisbury qualified to vote in elections and in Town affairs to meet in the **West Tisbury School**, Old County Road, in said Town on **Tuesday the Eighth day of April, Two Thousand Twenty-Five**, at **Six O’Clock** in the evening; then and there to act on the articles of this Warrant.

And to meet again in the West Tisbury Public Safety Building (North Tisbury Fire Station) in said West Tisbury on **Thursday, the Tenth Day of April, at Seven O’Clock** in the Morning at the Polling Place, then and there to act on Article 1 of the Warrant by the election of Officers on the Official Ballot.

The polls for voting on the Official Ballot will be **opened at Seven O’Clock in the Morning** and shall be closed **at Eight O’Clock in the Evening**.

QUESTION 1: Shall the Town of West Tisbury be allowed to assess an additional One Million Six Hundred Fifty-Three Thousand Eight Hundred Thirty-Five Dollars and Sixty-Four Cents (\$1,653,835.64) in real estate and personal property taxes for the purpose of funding the Town’s Annual Operating Budget for the Fiscal Year beginning July First, Two Thousand Twenty-Five (2025)?

QUESTION 2: Shall the Town of West Tisbury be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the Town’s allocable share of the bond issued by the Up Island Regional School District to pay costs of making various capital repairs to District Facilities, including all costs incidental and related thereto?

QUESTION 3: Shall the Town of West Tisbury be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the Town’s allocable share of the bond issued by the Up Island Regional School District to pay costs of a feasibility study for the West Tisbury School, located at 401 Old County Road in West Tisbury, including all costs incidental and related thereto?

ARTICLE 1: To elect the following Officers on the Official Ballot:

- Assessors (vote for 1) (Three year term)
- Board of Health (vote for 1) (Three year term)
- Finance Committee (vote for 2) (Three year term)
- Library Trustee (vote for 2) (Three year term)
- Moderator (vote for 1) (One year term)
- Parks and Recreation (vote for 1) (Three year term)
- Planning Board (vote for 1) (Four year term)
- Planning Board (vote for 2) (Five year term)
- Select Board (vote for 1) (Three year term)
- Town Clerk (vote for 1) (One year term)

Tree Warden (vote for 1) (One year term)

ARTICLE 2: To hear reports of the Town Officers and Committees and act thereon.

ARTICLE 3: To see if the Town will vote to Raise and Appropriate such sums of money as may be necessary to defray Town Charges and Expenses for Fiscal Year 2026, provided, however, that the amount to be Raised and Appropriated, is contingent upon a majority of voters casting a Ballot on Question 1 at the Annual Town Election, to be held April 10, 2025 voting in the affirmative to allow the Town to exceed its Proposition 2 ½ spending cap by One Million Six Hundred Fifty-Three Thousand Eight Hundred Thirty-Five Dollars and Sixty-Four Cents (\$1,653,835.64)

(See the Budget published in the Town Report)

(RECOMMENDED 5-0)

PASSED AS AMENDED

Reduce line item 311-5600 by \$20,177.00; new total \$11,538,795.47

Reduce line item 313-5600 by \$1,934.31; new total \$3,844,432.28

ARTICLE 4: To see if the Town will vote to amend the Personnel By-law at Section 27.3 (Year-Round Pay Schedule) and Section 27.4 (Seasonal Pay Schedule) to reflect a wage adjustment of 4.6% effective July 1, 2025. **PASSED**

(RECOMMENDED 5-0)

ARTICLE 5: To see if the Town will vote to Raise and Appropriate the sum of Thirty-Eight Thousand Five Hundred Dollars (\$38,500) to put towards the purchase and equipping of one all-wheel drive police cruiser in Fiscal Year 2026. In the event of unforeseen major repairs, a portion of the Thirty-Eight Thousand Five Hundred Dollars (\$38,500) may be used towards those repairs. **PASSED**

(RECOMMENDED 5-0)

ARTICLE 6: To see if the Town will vote to Raise and Appropriate the sum of Fourteen Thousand Two Hundred Forty Dollars (\$14,240) to fund the Town of West Tisbury's share of the expenses of the All-Island School Committee's contract for continuing and community education in Fiscal Year 2026. **PASSED**

(RECOMMENDED 5-0)

ARTICLE 7: To see if the Town will vote to Raise and Appropriate, for expenditure in Fiscal Year 2026, the sum of Ten Thousand Five Hundred Twenty-Two Dollars (\$10,522) to support the Harbor Homes MV Homelessness Prevention Programs on Martha's Vineyard. Upon execution of the Inter-municipal Agreement with Dukes County, the County will serve as the fiscal agent on behalf of the Town. **PASSED UNANIMOUSLY**

(RECOMMENDED 5-0)

ARTICLE 8: To see if the Town will vote to Raise and Appropriate, for expenditure in Fiscal Year 2026, the sum of Ninety-Three Thousand Seven Hundred Thirty-Eight Dollars (\$93,738) to support the Martha's Vineyard Center for Living Programs. Upon execution of the Inter-municipal Agreement with Dukes County, the County will serve as the fiscal agent on behalf of the Town. **PASSED**

(RECOMMENDED 5-0)

ARTICLE 9: To see if the Town will vote to Raise and Appropriate, for expenditure in Fiscal Year 2026, the sum of Fourteen Thousand Two Hundred Eleven Dollars (\$14,211) to support the CORE program to provide coordinated counseling, outreach, and referral services to our residents who are 55 years and older. Upon execution of the Inter-municipal Agreement with Dukes County, the County will serve as the fiscal agent on behalf of the Town.

PASSED UNANIMOUSLY

(RECOMMENDED 5-0)

ARTICLE 10: To see if the Town will vote to Raise and Appropriate, for expenditure in Fiscal Year 2026, the sum of Eighteen Thousand Three Hundred Seventeen Dollars (\$18,317) to support the planning, advocacy and education of Healthy Aging Martha's Vineyard. Upon execution of the Inter-municipal Agreement with Dukes County, the County will serve as the fiscal agent on behalf of the Town. **PASSED UNANIMOUSLY**

(RECOMMENDED 5-0)

ARTICLE 11: To see if the Town will vote to amend the Affordable Housing Trust Fund bylaw to read as follows. The text shown in bold will be added, and the text shown as crossed out will be struck.

There shall be a board of trustees of the West Tisbury Affordable Housing Trust Fund established, in this section called the Board, which shall include ~~eleven trustees, including the Board of Selectmen, with the remaining members to be the non-selectmen~~ **the members of the Select Board and the members of the West Tisbury Affordable Housing Committee as appointed by the Board of Selectmen their respective boards.** Trustees shall serve for a term not to exceed two years. A quorum of the Board of Trustees shall be six members except when voting to appropriate funds and in that instance the minimum necessary members present shall be seven. **PASSED (RECOMMENDED 5-0)**

ARTICLE 12: To see if the Town will appropriate from Free Cash the sum of Sixty-Five Thousand Three Hundred Eighty-Nine Dollars and Ninety-Seven Cents (\$65,389.97) for the installation of new 20,000 gallon water storage tank (hydrant lot) and well at the Lambert's Cove Beach parking lot for public safety purposes and further to redirect the sum of \$114,251.28 from Article 9 of the April 2022 Annual Town Meeting, which remains unspent, which was to fund a new hydrant that is no longer planned. This is in addition to the \$75,358.75 approved for this project at the Annual Town Meeting in April, 2024 for a total cost of \$255,000. **PASSED (RECOMMENDED 5-0)**

ARTICLE 13: To see if the Town will vote to approve an amendment to the Personnel Bylaw Section 4.3 Recruitment, by adding a new sub-section (g) which will provide as follows: Criminal Offender Record Information (CORI) check will be conducted for all employees and volunteers as required by Massachusetts State Law and the Town of West Tisbury Personnel Board's policy. **PASSED (RECOMMENDED 5-0)**

ARTICLE 14: To see if the Town will appropriate Two Hundred Ninety- Eight Thousand Dollars (\$298,000) from the Fire Equipment Stabilization Fund for the purchase of One (1) Water "Dive" Rescue Truck, to replace the current 1997 Water "Dive" Rescue Truck. **PASSED (RECOMMENDED 5-0)**

ARTICLE 15: To see if the Town will vote to amend the Quorum Bylaw to read as follows:
At any meeting of the inhabitants of the town qualified to vote in town affairs, the number of voters necessary to constitute a quorum shall consist of not less than ~~five percent (5%) of One Hundred (100)~~ **One Hundred (100)** registered voters of the town at the time of said meeting, but a number less than a quorum may from time to time adjourn such meetings. This by-law shall not apply to meetings or parts of meetings devoted exclusively to the election of town officers. This by-law shall become effective upon approval by the Attorney General and posting by the Town Clerk. **FAILED (NO ACTION 5-0)**

ARTICLE 16: To see if the Town will vote to rescind Articles #5 and #7 of the November 14, 2023 Special Town Meeting, which established an Opioid Settlement Stabilization Fund and dedicated all opioid settlement revenues to this fund. **PASSED YES 241 NO 2 (2/3 VOTE - RECOMMENDED 5-0)**

ARTICLE 17: To see if the Town will vote to Raise and appropriate the sum of Forty Thousand Dollars (\$40,000) to purchase a hybrid truck, tools and associated expenses for use by the Facilities Manager. **(RECOMMENDED 5-0)**
PASSED AS AMENDED Add \$10,000 for a total of \$50,000

ARTICLE 18: To see if the Town will vote to Raise and appropriate the sum of Thirteen Thousand Three Hundred Eighty-Nine Dollars and Twenty-Eight Cents (\$13,389.28), and further to appropriate the sum of Sixty-Three Thousand Dollars (\$63,000) from the "Ambulance Stabilization Fund" which is to pay for the Town's one third share of the cost of purchasing and equipping a new ambulance. **PASSED (RECOMMENDED 5-0)**

ARTICLE 19: To see if the Town will vote to Raise and appropriate the sum of Sixty-One Thousand One Hundred Twenty-One Dollars and Fifty-Five Cents (\$61,121.55) which is the Town's one third share of the total cost of \$183,364.64, to purchase four (4) new LIFEPAK 15 Cardiac Monitors, and other costs relative thereto. **(RECOMMENDED 5-0)**
PASSED UNANIMOUSLY AS AMENDED
Reduced to \$32,310.77 for a total of \$96,932.32 for 2(two)...

ARTICLE 20: To see if the Town will vote to increase the gross receipts that seniors may have in the prior calendar year to be eligible to defer property taxes under M.G.L. c. 59, § 5, Clause 41A from Twenty Thousand Dollars (\$20,000) to One Hundred Percent (100%) of the amount established annually by the Commissioner of Revenue as the income limit for single seniors who are not heads of households to qualify for the “circuit breaker” state income tax credit for the preceding state tax year, with such increase to be effective for deferrals granted for taxes assessed for the fiscal year beginning on or after July 1, 2025.

PASSED UNANIMOUSLY (RECOMMENDED 5-0)

ARTICLE 21: To see if the Town will vote to accept M.G.L. c. 59, § 5C1/2, which provides for an additional real estate exemption for taxpayers who are granted personal exemptions on their domiciles under M.G.L. c. 59, § 5, including certain blind person, veterans, surviving spouses and seniors, and to provide that the additional exemption shall be up to 100% of the personal exemption, to be effective for exemptions granted for any fiscal year beginning on or after July 1, 2025, or take any action relative thereto.

PASSED UNANIMOUSLY

(RECOMMENDED 5-0)

ARTICLE 22: To see if the Town will vote to accept M.G.L. c. 59, § 5, Clause 22G, which exempts persons otherwise eligible for a Clause 22, 22A, 22B, 22C, 22D, 22E or 22F exemption when legal title is held by a trustee, conservator or other fiduciary for the person’s benefit, to be effective for applicable exemptions granted for any fiscal year beginning on or after July 1, 2025.

PASSED UNANIMOUSLY

(RECOMMENDED 5-0)

ARTICLE 23: To see if the Town will vote to appropriate from Free Cash the sum of Sixty Thousand Dollars (\$60,000) to contract with a Licensed Site Professional to address the State mandated PFAS tracking and removal project in Town.

PASSED UNANIMOUSLY

(RECOMMENDED 5-0)

ARTICLE 24: To see if the Town will vote to Raise and appropriate the sum of One Hundred Ninety Thousand Dollars (\$190,000) to contract with a Licensed Site Professional to address the State mandated PFAS tracking and removal project in Town.

PASSED

(RECOMMENDED 5-0)

ARTICLE 25: To see whether the Town will vote to appropriate from Free Cash the sum of Fifty Thousand Dollars (\$50,000) to be added to the fund established for the payment of police officers for so-called “paid details” under M.G.L. c. 44, § 53C.

PASSED

(RECOMMENDED 5-0)

ARTICLE 26: To see if the Town will vote to Raise and appropriate the sum of Fifteen Thousand Five Hundred Dollars (\$15,500) for the purpose of a year-long water quality sampling program in the Tiasquam River. The project will collect 100 samples from the stream and ship them to the UMass School of Marine Science Lab for analyses. In addition, volume measurements will be made at 4 stations along the length of the River using existing equipment at no cost.

PASSED UNANIMOUSLY

(RECOMMENDED 5-0)

ARTICLE 27: To see if the Town will vote to Raise and appropriate the sum of Fifty Thousand Dollars (\$50,000) to hire a qualified professional to recodify the zoning bylaws for clarification purposes.

FAILED

(RECOMMENDED 5-0)

ARTICLE 28: To see if the town will vote to amend the Zoning Bylaws by changing the term “Subordinate Dwelling” to “Guesthouse” under the following sections of the Zoning Bylaws:

Section 4.4-1, Dwelling Unit Densities Permitted by Right

4.4-8 B, Residential Building Size Bylaw;

Section 5.2-4, Allowable Density

Section 5.3, Types of Residential Development

Section 7.1-1, Rate of Development Regulations

Section 14.2, Definitions

(2/3 VOTE REQUIRED-RECOMMENDED 5-0)

PASSED YES 283 NO 0

ARTICLE 29: To see if the Town will vote to amend the Zoning Bylaws by adding the following language under Section 4.4-9:

In addition to the Principal Dwelling, Accessory Dwelling Units (ADU) shall be allowed, subject to the following restrictions and requirements:

1. Within, or on a lot with, a Primary Dwelling in a zoning district where single-family residential dwellings are a permitted or an allowable use, one Protected Use ADU shall be allowed by right as a permitted use under this section.
2. A Protected Use ADU is limited in Gross Floor Area (as defined in 760 CMR 71.02) to 900 square feet ~~or 50% of the Gross Floor Area of the Principal Dwelling, whichever is smaller.~~
3. One Protected Use ADU is permitted by right even on properties that already have a Guesthouse, as defined elsewhere in this Zoning bylaw, as long as the proposed Protected Use ADU does not render the property in violation of the West Tisbury General By-Laws, state and federal law, as well as all applicable codes, including building, electrical, plumbing, mechanical, fire, health, housing, environmental, and Title V.
4. The Protected Use ADU may be constructed within the Principal Dwelling, within a detached accessory structure, or the unit may stand as a separate dwelling unit, as long as it maintains a separate entrance, either directly from the outside or through an entry hall or corridor shared with the Principal Dwelling sufficient to meet the requirements of the State Building Code for safe egress.
5. A second or subsequent ADU, known as a Special Permit ADU, may be constructed only with a Special Permit from the Zoning Board of Appeals.
6. As of February 2, 2025, any previously constructed Guesthouse shall remain designated as a Guesthouse and will not be a Protected Use ADU under this section.
7. As of February 2, 2025, any previously constructed accessory dwelling that meets the definition of an ADU, including any Affordable Accessory Apartment that meets the definition of an ADU, shall be designated as a Protected Use ADU under this section, and may be altered or enlarged as long as it continues to meet the definition of a Protected Use ADU in this section.
8. A maximum of two additional parking spaces, in addition to the spaces provided for the Principal Dwelling, may be provided for the ADU.
9. An ADU shall only be used for a purpose permitted in the underlying zoning district, subject to the restriction in section 11 below.
10. All ADUs shall conform to the West Tisbury General By-Laws, state and federal law, as well as all applicable codes, including building, electrical, plumbing, mechanical, fire, health, housing, environmental, and Title V.
11. A Protected Use ADU shall not be used as a short-term rental.

PASSED UNANIMOUSLY AS AMENDED (RECOMMENDED 5-0)
Strike out language under #2

ARTICLE 30: To see if the town will vote to amend the Zoning Bylaws by adding the following Section 8.5-9 “Short Term Rentals”:

8.5-9 Short Term Rentals.

Short Term Rental is a permitted use as long as it meets the requirements outlined in the 2024 West Tisbury ~~Town General Bylaw on Short Term Rentals~~. Notwithstanding the foregoing, in no event shall a Protected Use ADU be used as a short-term rental.

(2/3 VOTE REQUIRED - RECOMMENDED 5-0)

PASSED AS AMENDED YES 283 NO 0

Correct the terminology to say West Tisbury Short Term Rental By-law

ARTICLE 31: To see if the town will vote to amend Section 3.1-1, USE TABLE, by adding the language in *bold italic and removing the language shown as struck through*:

USE TABLE

USE CATEGORY SECTION	USE DISTRICTS-				
	RU	VR	MB	LI	
RESIDENTIAL USES					
Single-family Dwelling	P*	P*	P	--	4.4
Two-family Dwelling†	P	P	P	--	4.4
Multi-family Dwelling (conversion)†‡	S	S	PR	--	4.4
Multi-family Dwelling (new)†‡	S	S	PR	-	
	4.4-3				
Accessory Apartment‡	S	S	S	--	
	4.4-3				
Accessory Dwelling Units (ADU)	P	P	P	--	▼
Subordinate Dwelling Guesthouse	P	P	P	--	
	4.4-1(B)				
Upper-floor Apts. in Mixed-use Building‡	--	--	PR	S	
	4.4-2				
Assisted Living Facility†	S	S	S	--	
Employee Dormitory†‡	S	S	S	S	
	4.4-5				
Solar Energy Systems☀	P	P	P	P	
Large-scale Residential Development Δ	S	S	S	--	
Open Space Development	P	P	--	--	
	Art. V.				
Swimming Pools	S	S	S	S	
	8.5-4				
Tennis Courts	S	S	S	S	
Heliports ▲	--	--	--	--	
Wind Energy Conversion Systems	S	S	S	S	8.9
Studio	P	P	P	P	
COMMUNITY USES					
Cemetery	S	S	S	S	
Educational/Charitable/Religious •	PR	PR	PR	PR	
	8.5-3				
Events	S	S	S	S	■
Health Care Facility	S	S	S	S	
Membership Club	S	S	S	S	
Municipal Facility (not listed elsewhere)	PR	PR	PR	PR	
Airport	--	--	--	S	
Solid Waste Facility	--	--	--	S	
Preservation of Natural Areas	P	P	P	P	
Bus Shelter	P	P	P	P	
Heliports ▲	--	--	--	--	
Wind Energy Conversion Systems	S	S	S	S	8.9

■ Within overlay districts, additional Special Permit and Site Plan Review requirements may apply. Within the West Tisbury Historic District, the West Tisbury Historic District Bylaw also applies.

† Subject to density controls in Section 4.4. Applicability of Special Permit requirement may depend upon density.

‡ May be subject to occupancy restrictions (see Section 4.4-4).

- * *Site Plan Review required if floor area exceeds 3,000 square feet for principal residences or 2,500 square feet for accessory structure, including barns or stables (unless exempted as agricultural structures), riding arenas, or other recreational facilities.*
 - *Subject to limitations on municipal regulations in M.G.L. Chapter 40A, Section 3. Site Plan Review applies where legally permissible.*
 - Δ *The Planning Board is the Special Permit Granting Authority for Large-scale Residential Developments.*
 - *Allowed within District LI2 (Martha's Vineyard Airport). This does not preclude bona fide emergency helicopter landings in any Use District.*
 - ☀ *A Special Permit is required by the Zoning Board of Appeals for arrays larger than 1500 square feet, for ground mounted arrays higher than 12 feet, and for arrays located within a front yard, see Section 8.10-4C.*
- .
- *Events: One event, including weddings for which the property owner is paid a fee, per calendar year per property, is allowed by right. Any additional events, including weddings, require the property owner to apply for a special permit from the Zoning Board of Appeals. If a property is subject to a special permit which allows events, the property owner must apply for an additional special permit or an amended special permit to authorize a proposed Event that is outside the scope of an existing special permit. For any Event, including the first Event permitted by right, an owner shall obtain all permits and/or licenses required by the Town, including an Event permit from the Select Board. Events shall be an accessory use when properly permitted.*
 - ▼ *The first ADU on a property is allowed by right. Any additional ADU requires a special permit from the Zoning Board of Appeals.*

USE TABLE, continued

USE CATEGORY SECTION	USE DISTRICTS			
	RU♣	VR	MB	LI
BUSINESS USES				
Adult Uses	--	--	--	S
	8.5-6			
Agriculture, Fishing, Forestry •	P	P	P	P
Automobile Service Station	--	--	S	S
Craft Workshop	PR	PR	PR	PR
Child Care Facility •	PR	PR	PR	S
	8.5-3			
Cultivation and manufacturing of				
Recreational Marijuana	--	--	--	S☀
Home Occupation	S	S	S	S
	8.5-1			
Junkyard	--	--	--	S
	8.5-8			
Kennel	--	--	S	PR
Large-Scale Ground-Mounted Solar				
Photovoltaic Installations • •	--	--	--	PR
	8.10			
Light Industry	--	--	--	S☀
Lodging Facility	--	--	PR	PR
Mobile Food Establishments	P	P	P	P

Limited Retail Sales	P	P	P	P	◆◆
Office	--	--	PR	PR	
Public Utility Facility (excluding wireless communication facilities)	PR	PR	PR	PR	
Short Term Rental	P	P	P	P	8.5-9♣
Recreational Marijuana Sales	--	--	S	S	
Recreational Marijuana Facility	--	--	S	S	
Recreational Business	S	S	PR	PR	
Registered Marijuana Dispensary	--	--	S	S	
Renting of 3 or fewer rooms ☐	P	P	P	--	
Renting of 4 or more rooms ☐	S	S	S	--	
	8.5-7				
Restaurant	--	--	PR	S	
Retail Business (not listed elsewhere)	S◆	PR	PR	S♠	
Riding Stable	PR	PR	S	S	
Service Business (not listed elsewhere)	S	--	PR	PR	
Soil Mining	S	--	--	S	
	8.5-5				
Storage of Heavy Equipment	S	--	--	PR	
Veterinary Clinic	S	--	S	S	
Warehouse	--	--	--	PR	
Wholesale Business	S	--	S	PR	
Wireless Communication Facilities	S	S	S	S	8.8
Heliports ▲	--	--	--	--	

☐■ Within overlay districts, additional Special Permit and Site Plan Review requirements may apply.

Within the West Tisbury Historic District, the West Tisbury Historic District Bylaw also applies.

♣ See Section 8.5-2 for regulation of non-residential uses in the RU and VR Districts and Section 8.5-9 for use of property as a Short Term Rental.

☼ No light industrial use shall have direct access onto the Edgartown Road.

• Subject to limitations on municipal regulations in M.G.L. Chapter 40A, Section 3.

☐ In owner-occupied dwelling with or without meals provided, excluding detached bedrooms.

◆ Only in connection with agricultural use, including sale of produce and related products customarily sold by farms and nurseries.

♠ Only in connection with products manufactured or warehoused on the premises.

¶ Recreational marijuana cultivation and product manufacturing is permitted in the Light Industrial Districts (LI) 1 & 2 by special permit from the Zoning Board of Appeals.

• Recreational marijuana sales are permitted in the Light Industrial District (LI) 2 (airport) by special permit from the Zoning Board of Appeals.

•• By Site Plan Review by the Zoning Board of Appeals

◆ Mobile Food Establishments: Mobile Food Establishments are permitted by right under the zoning bylaws as an accessory use. Any other permits or licenses required by the Town must be obtained, including a permit from the Select Board and Board of Health.

◆◆ Limited Retail Sales: Limited Retail Sales are permitted by right under the zoning bylaws as an accessory use. Any other permits or licenses required by the Town must be obtained, including a permit from the Select Board, and if applicable, from the Board of Health.

**PASSED AS AMENDED YES 280 NO 3 (2/3 VOTE REQUIRED - RECOMMENDED 5-0)
Change symbol for Mobile Food Establishments to a +**

ARTICLE 32: To see if the Town will vote to amend the Zoning Bylaws by adding the following definitions to Section 14.1:

DEFINITIONS:

● Accessory Dwelling Unit (ADU): A self-contained housing unit, inclusive of sleeping, cooking and sanitary facilities on the same Lot as a Principal Dwelling, subject to otherwise applicable dimensional and parking requirements, that: (i) maintains a separate entrance, either directly from the outside or through an entry hall or corridor shared with the Principal Dwelling sufficient to meet the requirements of the state building code for safe egress; (ii) is not larger in Gross Floor Area than ~~1/2 the Gross Floor Area of the Principal Dwelling~~ or 900 square feet, ~~whichever is smaller~~.

● A Protected Use ADU: An attached or detached Accessory Dwelling Unit that is located, or is proposed to be located, on a Lot in a Single-Family Residential Zoning District and which is protected pursuant to M.G.L. c. 40A, s. 3, para. 11 and 760 CMR 71.00.

● Event: A gathering or party organized at a property for nonprofit, educational, social, fundraising, celebratory, networking, promotional or recreational purposes, including but not limited to, weddings, birthdays, anniversaries, reunions, and similar occasions, in which more than one hundred (100) guests are simultaneously present for a period of time in excess of one (1) hour.

● Limited Retail Sales: Sale of goods or services for a defined period of time, and in a location that is not permanent.

● Mobile Food Establishments: A food establishment that is operated from a moveable or portable structure that can change locations.

● Short Term Rental: "Short Term Rental" or "STR" has the definition contained in G.L. c. 64G, § 1, with the additional requirement that to be an STR, it must be rented for 30 days or fewer. A STR can be the entirety of, or a portion of, a primary unit or a Guesthouse.

PASSED AS AMENDED YES 283 NO 0 (2/3 VOTE REQUIRED - RECOMMENDED 5-0)
Strike language in Accessory Dwelling Unit definition.

ARTICLE 33:

To see if the Town will vote to amend the Zoning Bylaw by deleting:

- Section 4.4-3 A (Affordable Accessory Apartments)
- Section 4.4-4C (Section of Occupancy Restrictions on Apartments)
- Section 4.2.2-F (Section of Interpretation of Dimensional Requirements)

and by striking the term "Accessory Apartment" from:

- Section 4.4-1B (Section of Dwelling Unit Densities Permitted by Right)
- Section 5.3 (Types of Residential Development)
- Section 14.2 (Definitions) and meaning and intending to strike the definition included therein

PASSED UNANIMOUSLY (2/3 VOTE REQUIRED-RECOMMENDED 5-0)
YES 283 NO 0

ARTICLE 34: To see if the Town will vote to amend the Zoning Bylaw Section 4.4-8 (B)(2), Building Size Bylaw, by removing and adding the following language:

"affordable accessory apartments" with "Protected Use ADU"

PASSED YES 282 NO 1 (2/3 VOTE REQUIRED - RECOMMENDED 5-0)

ARTICLE 35: To see if the Town will vote to Transfer from the Overlay Surplus Account the sum of One Hundred Thousand Dollars (\$100,000) for repairs and upgrades to town buildings as prioritized by the Facilities Maintenance Committee and the Select Board.

PASSED UNANIMOUSLY (RECOMMENDED 5-0)

ARTICLE 36: To see if the Town will vote to amend Section 27-1 of the Personnel Bylaw to add the following positions to the Year- Round Classification Plan

Emergency Management Director at Grade 7

Facilities Manager at Grade 8

Fire Prevention Officer at Grade 8

and further to amend Section 27-2, Seasonal Classification Plan, to change the grade of the Beach Sticker Seller from Grade 3 to Grade 4.

(RECOMMENDED 5-0)

PASSED UNANIMOUSLY

ARTICLE 37: To see if the Town will vote to redirect the sum of Ninety-Six Thousand Two Hundred Sixty-Five Dollars (\$96,265) in unspent funds from Article 17 of the 2020 Special Town Meeting for firefighter equipment and/or to put towards the next fire department tank truck. **PASSED UNANIMOUSLY** **(RECOMMENDED 5-0)**

ARTICLE 38: To see if the Town will vote to Raise and Appropriate the sum of Three Thousand Dollars (\$3,000) in FY 2026 for the Unemployment Compensation Fund. **PASSED UNANIMOUSLY** **(RECOMMENDED 5-0)**

ARTICLE 39: To see if the Town will vote to authorize the expenditure in Fiscal Year 2026 from revolving funds previously established by vote of the Town pursuant to the provisions of M.G.L. c. 44, § 53E1/2, and the Town’s Revolving Fund Bylaw, for Fiscal Year 2026 to be credited with receipts from the following revenue sources, to be expended under the authority and direction of the following agencies or officials, for the following stated purposes, not to exceed the following spending limits respectively:

Fund	Revenue Source	Authority to Spend Funds	Use of Funds	Spending Limits
Wetlands Protection Bylaw	Filing fees	Conservation Commission	to pay for expenses of the Commission related to the administration of the Bylaw	\$3,000

PASSED UNANIMOUSLY **(RECOMMENDED 5-0)**

ARTICLE 40: To see if the Town will vote to adopt the following General Bylaw:

A. Combustion and Electric Powered Leaf Blowers

(1) Permitted Activity

(i) Leaf blowers (both combustion-powered and electric) may only operate as follows:

- a) between the hours of 8:00 AM and 5:00 PM Monday through Friday;
- b) between the hours of 10:00 AM and 5:00 PM on Saturday;
- c) no use permitted on Sundays or Federal holidays; and
- d) no more than 2 leaf blowers may be used simultaneously on the same property.

(ii) Effective 1 June 2028, no combustion powered leaf blower may be used on any property in Town. Until that date, combustion powered leaf blowers may only operate from:

- a) 15 March through 31 May; and
- b) 15 October through 15 January

(iii) Electric powered leaf blowers may continue to operate as set out in section (1) *(i)* above provided:

- a) The manufacturer’s label is affixed and indicates a decibel rating of not more than 65db; and
- b) All mufflers and extension tubes supplied by the manufacturer for that leaf blower are used during operation.

(2) Definition: Leaf Blower means any device that uses air to move leaves, grass, and other debris.

(3) Responsible parties: The following parties are responsible for any violation of this bylaw:

- (i)* the person operating the leaf blower; and
- (ii)* the company who employed the person operating the leaf blower; and
- (iii)* the party who owns the property where the violation occurs.

(4) Enforcement

- (i)* This bylaw may be enforced by Town Police.
- (ii)* A person, individually or by his servant or agent, who violates any provision of the bylaw may be penalized by a non-criminal disposition

pursuant to M.G.L. c. 40, § 21D and the Town's non-criminal disposition bylaw. The following penalties apply:

- first violation: \$150
- second violation: \$250
- third and subsequent violations: \$300

Each day the violation continues constitutes a separate violation.

(5) Exemption: ~~The Town~~ **No Person** shall not be subject to the provisions in section (1)(i) and the seasonal restrictions in (1)(ii) to remediate the impact of a severe weather event or accident. **(NO ACTION 5-0)**

PASSED AS AMENDED

Strike 'The Town' and change to 'No Person'

ARTICLE 41: To see of the Town will vote to approve the following General Bylaw:

LARGE EVENTS IN WEST TISBURY

- 1. Purpose and Intent.**
- 2. Definitions.**
- 3. Event Permits.**
- 4. Exemptions.**
- 5 Enforcement.**
- 6. Severability.**
- 7. Effective Date.**

1. Purpose and Intent. The purpose of this bylaw is to promote and protect the health, safety, and welfare of the residents of the Town of West Tisbury (the Town) by regulating the scale and impact of large Events held at properties located within the Town which: a.) are inconsistent with the usual and customary uses of the property; and b.) undermine or detract from the peaceful enjoyment of other citizens' property.

2. Definitions. For the purposes of this Chapter, the following definitions shall apply:

a) Property: Any property in the Town.

b) Event: A gathering or party organized at a property for nonprofit, educational, social, fundraising, celebratory, networking, promotional or recreational purposes in which more than One Hundred (100) guests are simultaneously present for a period of time in excess of one (1) hour.

c) Guest: An individual attending an Event as defined herein.

3. Event Permits.

a) An owner, tenant or occupant of a Property shall seek an Event Permit from the Select Board, or its designee(s), if an owner, tenant or occupant:

i) reasonably anticipates that more than One Hundred (100) Guests will attend and be simultaneously present for a period of time in excess of one (1) hour; or

ii) reasonably anticipates that in excess of twenty (20) vehicles will be parked, outside the limits of the Property, on public or private ways which abutting properties use for travel, for a period in excess of two (2) hours.

~~b) RU & VR Districts: In RU & VR Zoning Districts and Event Permit will not be issued if the Event will include (i) retail sales including beer & wine and/or (ii) an admissions charge (the following shall not be considered an on site admission charge: money collected including for entry tickets and donations made not on the Property and collected at least one hour in advance of the Event commencing).~~

~~b)-c) Except as outlined in Section 3(b) above, the Select Board, or its designee(s), shall issue an Event Permit for an Event (with reasonable conditions if necessary to protect the purposes for which this Chapter is enacted), unless the Select Board finds that the Event would substantially and adversely affect the public health, safety or order because the Event cannot be conducted in a manner without:~~

- (i) causing an unreasonable increase in the level of pedestrian or vehicular traffic in the area of the Property or unreasonable increase in the number of vehicles to be parked in the area of the Property;
- (ii) causing an unreasonable increase in the level of noise, resulting in noise that is excessive, loud or unusual which disturbs, injures or endangers the reasonable quiet, comfort, repose or health and safety of others located outside the Property; or
- (iii) requiring the diversion of so great a number of police officers of the Town to properly police the flow of traffic (based on the size and nature of the Event) that allowing the Event would deny reasonable police protection to the Town.

The Select Board shall issue the Event Permit or denial thereof within twenty-one (21) days following receipt of an application. If the Select Board denies the Event Permit, the Select Board shall deliver a written notice stating the reasons for such denial.

~~c)-d)~~ All applicants for an Event Permit must adhere to the following requirements:

- i) submit the application and \$25 fee, as may be amended from time to time, at least thirty (30) days before the proposed Event;
- ii) if required by the Select Board, appear (or an authorized representative with sufficient knowledge of the Event and authority to bind the applicant appears) at a public meeting set by the Select Board, or its designee(s), to consider the application for an Event Permit; and
- iii) agree to all conditions imposed by the Select Board, or its designees(s), in its sole and reasonable discretion, including but not limited to:
 - 1) the provision of off-site parking and transportation services to the Event;
 - 2) the responsibility for the placement of acoustic or other barriers to mitigate excessive noise levels or interference with nearby residents' peaceful enjoyment of their neighborhoods; and
 - 3) The Building Official advises the Select Board that the Event complies with Zoning.

4. Exemptions. The following gatherings shall be exempt from the requirements of Section 3:

- a) An assembly of students sponsored by any public school located in the Dukes County;
- b) Events conducted pursuant to a special permit or written agreement with the Town predating the effective date of this General Bylaw; and
- c) An assembly or gathering held for the sole purpose of exercising activities protected by the First Amendment to the United States Constitution and/or corresponding rights under the Massachusetts Declaration of Rights.

d) Funerals

5. Enforcement.

- a) Violations of this bylaw shall be enforced by the Police Department and the Town. The Police Department may seek fines by issuing tickets under the provisions of M.G.L. c. 40, § 21D, or by seeking criminal complaints in the District Court. The Town may engage counsel to seek injunctive and other relief in the civil courts.
- b) Upon receiving a complaint regarding a violation of this bylaw, the Police Department shall investigate the complaint and, if a violation is confirmed, shall take such action as it deems appropriate, including forwarding a copy of any incident report to the Town Administrator and the Building Official. The Police Report shall serve as prima facie evidence of a violation of this Bylaw.
- c) The penalty for violation of this bylaw shall be \$300.00 per violation. Each day constitutes a separate violation.

6. Severability. If any section, paragraph, sentence, clause, or phrase of this bylaw shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions, which shall remain in full force and effect.

7. Effective Date. This Bylaw shall take effect upon its approval by Town Meeting and the Town's compliance with the provisions of M.G.L. c. 40, § 32.

PASSED AS AMENDED

Strike section b, first line of section c, re letter

(NO ACTION 5-0)

Add Exemption d) Funerals

ARTICLE 42: To see if the Town will vote to Raise and Appropriate the sum of Twenty-Four Thousand Dollars (\$24,000) to be used by the Board of Assessors for the valuation update of real and personal property to meet the certification of values as required by Massachusetts State Law. **PASSED UNANIMOUSLY (RECOMMENDED 5-0)**

ARTICLE 43: To see if the Town will vote to accept M.G.L. c. 64L, § 2(a) to impose a local meals excise of .75% of the gross receipts of the vendor from the sale of restaurant meals. **PASSED (RECOMMENDED 5-0)**

ARTICLE 44: To see if the Town will vote to Raise and Appropriate the sum of Twenty-Four Thousand Six Hundred Forty-Nine Dollars (\$24,649) to pay the Town's assessed share of the County of Dukes County debt authorized by Chapter 287 of the Acts of 2014 for a building to provide health and human services for county residents. **PASSED UNANIMOUSLY (RECOMMENDED 5-0)**

ARTICLE 45: To see if the Town will vote to Raise and Appropriate the sum of Forty Thousand Dollars (\$40,000) to transfer to the Retired/Separating Employees Compensated Absences Reserve Fund as provided for by M.G.L. c. 40, § 13D. **PASSED UNANIMOUSLY (RECOMMENDED 5-0)**

ARTICLE 46: To see if the Town will vote to act upon the recommendations of the Community Preservation Committee to appropriate and set aside for later expenditure from the Community Preservation Fund established pursuant to Chapter 44B of the Massachusetts General Laws, Fiscal Year (FY) 2026 revenues, in the following amounts:

- a. Open Space reserve \$75,000 (10% of estimated FY 2026 Community Preservation Fund revenues)
- b. Historical Resources reserve \$75,000 (10% of estimated FY 2026 Community Preservation Fund revenues)
- c. Community Housing reserve \$75,000 (10% of estimated FY 2026 Community Preservation Fund revenues) and
- d. Undesignated reserve \$487,500 (65% of estimated FY 2026 Community Preservation Fund revenues)

And to appropriate for administrative expenditures the sum of Thirty-Seven Thousand Five Hundred Dollars (\$37,500) from the FY 2025 Community Preservation Fund revenues.

PASSED UNANIMOUSLY (RECOMMENDED 5-0)

ARTICLE 47: To see if the town will vote to appropriate the sum of Sixty-Six Thousand Dollars (\$66,000) from the Community Preservation Community Housing Reserve Fund to Dukes County Regional Housing Authority to support the rental assistance program for West Tisbury residents. **PASSED UNANIMOUSLY (RECOMMENDED 5-0)**

ARTICLE 48: To see if the town will vote to appropriate the sum of Nineteen Thousand Six Hundred Dollars (\$19,600) from the Community Preservation Open Space – Recreation Reserve Fund to the Martha's Vineyard Little League for improvements to the Gretchen Manter Memorial Baseball Field. **(RECOMMENDED 5-0)**

PASSED UNANIMOUSLY AS AMENDED

Strike name and change to MV Youth Baseball & Softball

ARTICLE 49: To see if the town will vote to appropriate the sum of One Hundred Forty-three Thousand Nine Hundred Dollars (\$143,900) from the Community Preservation

Undesignated Reserve Fund as West Tisbury's share for the Island Autism Center and Neighborhood projects funding of an affordable housing project for construction of two four-bedroom residential units to house eight autistic Island residents. The development of this affordable housing is permanently deed restricted as affordable housing with a preference for Island residents with autism or autism related disorders, located at 515 Lamberts Cove Road in West Tisbury. **PASSED UNANIMOUSLY** (RECOMMENDED 5-0)

ARTICLE 50: To see if the town will vote to appropriate the sum of One Hundred Forty-One Thousand Nine Hundred Dollars (\$141,900) from the Community Preservation Undesignated Reserve Fund as West Tisbury's share for the Island Housing Trust's Veteran's Outreach Center project in partnership with the Town of Oak Bluffs and the Cape and Islands Veteran's Outreach Center (CIVOC). The project is to include 12 one-bedroom rental apartments and a resource center to serve veterans earning 30%, 50%, 60% and 80% or less of the area median income. The development of this project will be permanently deed restricted as affordable housing located at 50 Bellevue Avenue in Oak Bluffs. **PASSED UNANIMOUSLY** (RECOMMENDED 5-0)

ARTICLE 51: To see if the town will vote to appropriate the sum of Three Hundred Fifty-Four Thousand Seven Hundred Fifty Dollars (\$354,750) from the Community Preservation Undesignated Reserve Fund as West Tisbury's share for the Island Housing Trust's new construction of a neighborhood of 4 one-bedroom and 4 two-bedroom apartments for the purpose of providing housing for school employees. The development of this affordable housing will be permanently deed restricted as affordable housing to be located at 48 Old Courthouse Road in West Tisbury. **PASSED** (RECOMMENDED 5-0)

ARTICLE 52: To see if the Town will authorize the Treasurer, with the approval of the Select Board, to borrow the sum of Five Hundred Thousand Dollars (\$500,000) under M.G.L. c. 44b, §11 or any other enabling authority, or take any other action thereto, to be used for the Island Housing Trust's new construction of a neighborhood of rental apartments serving households earning up to 80% and 100% of the area median income. The development of this community housing shall be permanently deed restricted as affordable housing to be located at 401 State Road in West Tisbury. (2/3 VOTE REQUIRED - RECOMMENDED 5-0) **PASSED YES 133 NO 5**

ARTICLE 53: To see if the Town will vote to appropriate Seventy-Four Thousand Five Hundred Dollars (\$74,500) from the Community Preservation Fund Undesignated Reserve Fund to support the debt service, including interest payments, for the 401 State Road affordable housing development. Note: This is the first of a maximum of ten installments. **PASSED** (RECOMMENDED 5-0)

ARTICLE 54: To see if the Town will authorize the Treasurer, with the approval of the Select Board, to borrow the sum of Two Hundred Fifty Thousand Dollars (\$250,000) under M.G.L. c. 44b, §11 or any other enabling authority, or take any other action thereto, to fund West Tisbury Parks and Recreation's restoration and rehabilitation of the West Tisbury Basketball and Tennis Courts (2/3 VOTE REQUIRED - RECOMMENDED 5-0) **PASSED YES 135 NO 2**

ARTICLE 55: To see if the Town will vote to appropriate Thirty-Seven Thousand Three Hundred Seventy-Five Dollars (\$37,375) from the Community Preservation Open Space – Recreation Reserve Fund, to support the debt service, including interest payments, for the West Tisbury Tennis/Basketball court restoration project. Note: This is the first of a maximum of ten installments. **PASSED** (RECOMMENDED 5-0)

ARTICLE 56: To see if the Town will appropriate the sum of Fifty Thousand Dollars (\$50,000) from the Community Preservation Historic Resources Reserve Fund to the Vineyard Preservation Trust for repairs and structural stabilization of the Grange Hall foundation. **PASSED UNANIMOUSLY** (RECOMMENDED 5-0)

ARTICLE 57: To see if the Town will vote to amend Article 43 of the May 2021 Annual Town Meeting to allow the remaining (Twenty-three thousand two hundred eighty-nine dollars and 61 cents) \$23,289.61 appropriated for implementation of the Mill Brook

Watershed Management Plan to be used to undertake similar work on the Tiasquam River, the other main surface water input to Tisbury Great Pond. **(RECOMMENDED 5-0)**
PASSED

ARTICLE 58: To see if the Town will vote to amend Article 19 of the 2024 Annual Town Meeting as noted below:

To see if the town will vote to appropriate the sum of Eight Hundred Thousand Dollars (\$800,000) from the Community Preservation Undesignated Reserve Fund as West Tisbury's share for the Island Housing Trust's new construction of a neighborhood of ~~nine~~ rental apartments ~~for residents who are 60 years and over and their families~~, serving households earning up to 80% and 100% of the area median income. The development of this affordable housing will be permanently deed restricted as affordable housing to be located at 401 State Road in West Tisbury. **PASSED** **(RECOMMENDED 5-0)**

ARTICLE 59: To see if the town will vote to appropriate from Free Cash the sum of One Hundred Fifty Thousand Dollars (\$150,000) to offset the cost of renovations of the tennis and basketball courts estimated to be \$400,000. The CPC has voted to recommend \$250,000 to fund this project. **PASSED** **(RECOMMENDED 5-0)**

ARTICLE 60: To see if the Town will vote to move the sum of Nine Thousand Dollars (\$9,000) from the Police Department budget line 210-5120 (Personnel Services) to line 210-5700 (Expenses) for the purpose of funding the migration of emails from the town hall server to a Police Department Server. **(RECOMMENDED 5-0)**

MOTION TO POSTPONE INDEFINITELY PASSED

ARTICLE 61 To see if the Town will approve the Two Hundred Thousand Dollars (\$200,000) borrowing authorized by the School Committee of the Up-Island Regional School District to pay costs of making various capital repairs to District facilities, including the payment of all costs incidental and related thereto, or to take any other action relative thereto, provided, however, that this approval of the District's borrowing by this vote shall be subject to and contingent upon an affirmative vote of the Town to exempt its allocable share of the amounts required for the payment of interest and principal on said borrowing from the limitations on taxes imposed by M.G.L. c. 59, §21C (Proposition 2 ½) (Question 2 at the Annual Town Election) or to take any other action relative thereto.

PASSED **(RECOMMENDED 5-0)**

ARTICLE 62: To see if the Town will approve the Seven Hundred Thousand Dollars (\$700,000) borrowing authorized by the Up-Island Regional School District, for the purpose of paying costs of a feasibility study for the West Tisbury School, located at 401 Old County Road in West Tisbury, including the payment of all costs incidental and related thereto (the "Study"), provided, however, that this approval of the District's borrowing by this vote shall be subject to and contingent upon an affirmative vote of the Town to exempt its allocable share of the amounts required for the payment of interest and principal on said borrowing from the limitations on taxes imposed by M.G.L. c. 59, §21C (Proposition 2 ½) (Question 3 at the Annual Town Election) or to take any other action relative thereto.

FAILED **(RECOMMENDED 5-0)**

ARTICLE 63: To see if the Town will vote to Appropriate from Free Cash the sum of One Million Thirty Thousand Six Hundred Seventy-Six Dollars and Three Cents (\$1,030,676.03) to reduce the tax levy in Fiscal Year 2026. **(RECOMMENDED 5-0)**

PASSED UNANIMOUSLY

ARTICLE 64: To see if the Town will vote to create a Mill Pond Preservation Committee for the purpose of preserving, restoring and managing the Mill Pond, which is in the Historic District and is so significant and central to the history, the landscape and the wildlife of West Tisbury.

The Committee shall review and report on ways to preserve, restore and manage the pond, including a recommendation of actions to be taken and estimated related financial costs.

The Committee shall consist of seven members and one alternate: Two members from the Historic District Commission, one member from the Conservation Commission, one from the

Planning Board, and two at-large members appointed by the Select Board and one alternate also appointed by the Select Board or take any other action thereto.

FAILED

(BY PETITION – NO ACTION)

And you are directed to serve this Warrant by posting attested copies thereof in not less than six (6) public places in West Tisbury at least seven days before the holding of such meeting.

Hereof fail not and make due return of this Warrant with doings thereon to the Town Clerk at the time and place of Meeting aforesaid.

Given under our hands 19th Day of March in the Year Two Thousand Twenty Five.

Jessica D. Miller
Chair

Cynthia E. Mitchell

J. Skipper Manter

WEST TISBURY SELECT BOARD

DATE:

I have posted attested copies of the above Warrant in not less than six (6) public places in West Tisbury seven (7) days before such meeting.

Timothy A. Barnett
Constable

A true copy, attest: _____
Tara J. Whiting-Wells
Town Clerk