

## **WEST TISBURY PLANNING BOARD MINUTES November 13, 2017 5:30 PM**

**PRESENT:** Ginny Jones, Susan Silva, Bea Phear, Leah Smith, Henry Geller, Matt Merry

**ALSO PRESENT:** Tom Burke, Eric Skogstrom, Ron Rappaport, Geoff Rose, Doug Ruskin, Jane Rossi.

Ginny opened the meeting at 5:30 pm.

**●Site Plan Review application from Julie Prazich for a second business sign to be placed on her property located at Map 11, Lot 19, 562 Lambert's Cove Road:**

Jane informed the board that she would be presenting the application on behalf of the applicant because the applicant lives in California during the off season. Ms. Prazich requested that a second sign be placed on her property that abuts both State Road and Lambert's Cove Road. She currently has a sign on Lambert's Cove Road, and is requesting to place a sign on State Road directing the public to her Lambert's Cove home business. Ginny found that a second sign was not a good idea. Leah pointed out that it would be on their land. Bea said she was leaning against it for reasons of clutter, and Matt said it may cause confusion, and it could cause other business owners on Lambert's Cove road to place off premises signs on State Road as well. Henry expressed his concern about placing signs in areas that lead to other places.

*Bea moved to deny the application and Susan seconded the motion. Ginny and Matt voted in favor of the motion and Leah abstained from the vote.*

### **CORRESPONDENCE:**

- Signing of the Polucci Letter of approval.
- Signing of the Vineyard Farm LLC letter of approval.
- Signing of the Kassel letter of approval.
- Signing of two E-911 address assignments.

**1. 56 Bailey Park Road (MacDonnald to deBettencourt)**

**2. 26 Flint Hill Road (Cornwell-Bermudas to Rowe)**

### **MINUTES:**

- The November 6, 2017 minutes were approved as written with abstentions from Bea and Leah.

**●Site Plan review application from Tom Burke on behalf of Mike and Donna Pieczek for a house over 3000 square feet on Map 16, Lot 95, 48 Cardinal Way:**

Tom explained that the house is 3198 square feet and the square footage includes an attached 2 car garage. The owners of the property are getting ready to retire on the island so this will be their new year-round home. The house will contain 4 bedrooms and the septic system will have a 6 bedroom capacity.

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Ginny pointed out that the den/office will be considered a bedroom. Leah said that it was smart to have a potential bedroom on the first floor of the house.

Bea said she had no objection to the plan. Ginny stated that Jane will provide Tom with the “suggestion list” regarding lighting, plantings and low maintenance, energy efficient construction materials.

*Bea moved and Leah seconded the motion to approve the application. Ginny, Matt voted in favor of the motion and Susan abstained from the vote.*

### **DISCUSSION:**

#### **●Discussion with Attorney Rappaport:**

##### **Cultivation Area:**

Ginny informed Ron that the board needed some clarification on certain pending issues. The first was an issue concerning the planning board’s intent of the “cultivation area” item in the use table of the zoning bylaws. Bea explained that the bylaw states a maximum of 1000 square feet of cultivation area is allowed. She said that the B&Z Inspector (Joe Tierney) interpretes that to be the size of the room the plants grow in. The board’s intention when drafting the bylaw was 1000 feet of plants. Geoff Rose said he has researched this in other states and has found that it is clear that the area is where the plants grow. Bea asked Ron if there was a remedy. Ron said that the Zoning Officer interprets the zoning bylaw, and the board can’t over rule that. He said the bylaw could either be refined or a definition of cultivation area could be added to the definitions table.

There was discussion about the appeal period and why Geoff hadn’t acted on it. Geoff mentioned that the ZBA had received a letter from Joe regarding his interpretation but he had not received a letter. He said that he was able to obtain a copy of that letter himself. However, Geoff said he did not file an appeal with the ZBA during the allotted time. Doug Ruskin said that Geoff was not copied on the letter. Ron said he would be glad to take a look at the letter and he will call Jane with his findings.

##### **Scenic Roads:**

Ginny said that Cynthia Aguilar has done a lot of work for the town. She is currently reviewing the town bylaw on Scenic Roads because some of the language is inaccurate. Ginny said she agreed with some of Cynthia’s changes but there were some she questioned. Ron suggested that Cynthia, Jane and a board member sit down with Rachel Orr from his office. She is well skilled in this area.

##### **Form B Applications:**

Ginny explained that Jane had never worked on a Form B application and the board was a bit rusty having not reviewed one in a while. She explained that her understanding was that a Form B preserves the plan and protects it under the zoning bylaw as they are written at the time of the approval.

At this point Matt recused himself from the discussion and left the table.

Ginny explained that a man named William Cumming has recently purchased the 3 lots that were created by Huseby Mountain Farm LLC, and a 3 acre vacant lot on Old Courthouse Road that abuts the Huseby

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subdivision. Philippe Jordi has recently appeared before the board for a preliminary discussion on the Open Space and Multi-Family Housing bylaws. Henry pointed out that the MVC decision states that no further division of the land is allowed. Ginny said that Mr. Cummins proposes to restrict rentals of a proposed affordable housing structure to Island Teachers, and the affordability would expire after 30 years. Bea asked if the board can condition the property when it comes in for a formal review.

Ron said the board shouldn't get ahead of itself. This should be discussed at a public hearing. Ginny said that the abutting neighbors have walked the property and the board has informed them that we will review the plan and application prior to referring it to the MVC. The referral will include the board's recommendations. Ron said it would be fine to express the boards concerns to the MVC.

**Board member conflict:**

Matt asked Ron if he still had a conflict with reviewing applications from William Cummings, since he was a partner of the previous owners of the property. Ron said he should contact the Ethics Commission and ask them. The make a record that you called and asked the question. Ron said Matt may be told to file a disclosure with the Town Clerk.

Meeting Adjourned at 6:30 pm

Respectfully submitted,

Jane Rossi, Administrator

*Unanimously approved on December 11, 2017*