

WEST TISBURY PLANNING BOARD MINUTES September 11, 2017 5:30 PM

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

ALSO PRESENT: Ebba Heirta, Sue Hruby, Harriet Bernstein, Jane Rossi

Ginny opened the meeting at 5:30 pm.

- Ginny informed the board that Doug Hoehn had re-scheduled the Form A application on Gerald Deblois.

DISCUSSION:

●Stimola letter to the B&Z Inspector:

The board added some minor changes to the letter and Jane will incorporate the language for final signature.

●Bedroom definition in the state regulations and in the zoning bylaw/ Stimola revised plan:

The board discussed a document they had received from Omar, the BOH Administrator, which contained the state regulations on the definition of a “bedroom”, as well as the WT zoning bylaw definition of a bedroom.” The board felt that the zoning bylaw definition is more encompassing than the state definition. Henry mentioned that, in the last town he lived in, bedrooms were used exactly as intended with no leeway. However, offices can easily be morphed into bedrooms. He asked how much the board can actually rely on personal recognizance. Matt pointed out that a homeowner could easily utilize another room as a bedroom, but, if the septic system fails, it’s the homeowner’s issue. Henry asked if the board should attempt to change the zoning bylaw to match the state regulation. Matt said that the bylaw is fine as long as the board of health can look at an applicants’ plan and figure out what is a bedroom and what is not. Ginny pointed out that this is a resort community and renters tend to fill houses/rooms, burdening septic systems.

The board discussed the amount of fire egresses on the Stimola plan. Bea wondered if perhaps they were for ladders tossed from windows in the event of a fire. Jane was asked to check with Joe to confirm what will be installed.

●Generation of ideas from the public and the board:

Henry said he wanted to clarify where ideas are generated from for the board to act on. He asked if they came from the board members, the public, or both. Leah said that ideas are generated from both the public, as well as the board. Matt stated that, in the case of generating a bylaw on house size, the board should go back to the survey and see how the town voted. He said the board needs to see if the subject matters to the town’s people, and if the limit would cause rights to be taken away from tax payers. He felt that it would not be good to take Chilmark’s idea and flop it into West Tisbury’s zoning bylaw. Bea said she thought the result of the survey was that the town was close to 50/50 on whether or not to regulate house size. Henry asked what the process was regarding creating a bylaw. Leah said the board would discuss the idea amongst itself, and there would be a long series of hearings and discussion. She pointed out that she has discussed the issue with others and they don’t seem to have an issue with homeowners doing what they want on their own property. Ginny pointed out that changing the dynamics of the area within a town by building a large house, it affects the other property owners value, and cause their taxes

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to increase. People are trying to keep their values low. Leah pointed out that the issue of limiting house size is controversial. Henry asked if the board should conduct another survey. Bea stated that the board is elected to use its best judgement and it has the capacity to make proposals. Open-ended questions are difficult to determine. The board needs to get feedback from the public in order to make determinations. Matt pointed out that there are only a small portion of people that attend hearings, and we need to get a majority of town to express their concerns. We can base anything on the opinions of just a few people.

Ebba Heirta stated that she is not against big houses. She is against houses that are outside of character of the neighborhood. She would like to see a proportionality bylaw like Chilmark has. She said she is opposed to destroying our neighborhoods. She said that the Stimola project is very different and the town needs to wake up. Ebba passed out a proposal and explained the Chilmark bylaw. She pointed out that, since the bylaw had been enacted, there have been no special permits granted. She said the Stimola house would not be granted a permit if it the property were located in Chilmark.

Ebba went on to explain that she and some others are planning to rally the public to attend a meeting at the library on Thursday at the West Tisbury Library. She asked that the board please consider forming a sub-committee to create a bylaw for WT.

Sue Hruby said that the concept of a 6000 square foot house on an acre of land is terribly alarming. If someone has ten acres they would have the space for that size house. This house will affect the neighbors. She asked what the standards are that are being used in these instances. She said that in WT we don't have sewers; we have septic systems which limit us.

Ginny suggested that everyone wait to see what happens when the Stimolas appear before the ZBA. She also said she likes the idea of working on a proposal. Henry said that it strikes him that overall, a lot of large houses could interfere with the aquifer. Matt said there are many people that feel the 3 acre zoning should be reduced to create more affordable building lots. Ebba said that more people like the Stimolas will start buying up small lots. Matt said he doesn't like the idea of taking away a property owner's rights. Leah said that many people feel our zoning bylaws are already too restrictive.

Harriet wanted to confirm that a septic system has to be located a minimum of 50 feet from the property line. Matt confirmed that to be true. Harriet also asked how many people Matt would want to be present in the room to discuss drafting a bylaw. Matt said he wants the town involved, not just a few.

Bea said she agreed that it would be a good thing to have proportionality. However, she had an issue with stamina. It is a lot of work to draft such a bylaw, and she was concerned about the board getting the job done. Henry said that laying out the information i.e., density. Effects, etc. If we had a position paper that gives the board information, then we could figure out if we need to form a sub-committee. Harriet said we are probably looking at a year of gathering input. Bea said the project would include making an inventory of house size and lot size. Ebba said Chilmark formed a sub-committee and the board should get a copy of the implementation plan from Jessica Roddy. Henry said he was frustrated with the site plan review process because it gave the board no power when it came to items such as large houses. He wondered if the board should consider revising the bylaw.

Henry stated that he strongly disagreed with the fact that what was listed on the agenda was modified into an off topic discussion. He said he had placed two items on the agenda for a board discussion, and should

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have reviewed the agenda prior to the posting but he had not. The discussion when from the board to the public and that was not the intention of his topic.

Matt said he felt that the public was forcing an issue on the board. He said that we as a board should be able to figure out what can be done. Perhaps a plan can be drafted that can be presented to the board. We need a lot of input from the community. Bea felt there wasn't anything to be done about changing the bylaw.

Meeting Adjourned at 7:00 pm

Respectfully submitted,

Jane Rossi, Administrator