

WEST TISBURY PLANNING BOARD MINUTES August 28, 2017 5:30 PM

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

ALSO PRESENT: Jock Williams, Julia Humphreys, Victoria Riger Phillips, Gail Tipton, Chris Grenlich,

Ike Russell, Harriet Bernstein, Rosemary Stimola, Doug Sederholm, Michael Stimola, Jane Rossi

Ginny opened the meeting at 5:30 pm.

Form A application from John Williams for Map 8, Lot 3, Lot 38, 100 Ben Chase Road, for a lot line change to create a 3.17 acre buildable lot on a 7.42 acres lot:

John (Jock) Williams explained to the board that he purchased the property in 1947. He said he negotiated with the Land Bank and sold them northern and eastern abutting property. He explained that he has three children, one of which already has a home on the property. The reason the property is being divided is for estate planning purposes, and the other two daughters will either share the new lot, or sell it off. He pointed out that the proposed lot line works best with the location of the wetlands that are located on the property.

Susan moved and Bea seconded the motion to approve the plan. The vote was unanimous.

Jane said she would get the Mylar from Reid Silva for the board to sign. Ginny encouraged Mr. Williams to maintain the road regularly.

DISCUSSION:

●**Request from the B&Z Inspector to review a permit that the Planning Board of 1982 had restricted:**

Jane explained to the board that in 1982, the Planning Board members had approved a plan for the owner of the property located at Map 3, Lot 46, 16 Stone Bridge Road, to build his garage very close to the edge of the road. However, the board of 1982 determined that if the shed should ever become a dwelling, it would have to be relocated to within the appropriate setback requirements of the zoning bylaw. The B&Z Inspector wanted the current board's opinion on the restriction. Bea stated that the board of 1982 deemed it necessary to restrict the property, so the current board should honor the restriction.

Leah moved and Bea seconded the motion to honor the restriction. The vote was unanimous.

●**Request from the Planning Board to confirm the height of a house recently reviewed by the board, Map 7, Lot 131, 38 Sumner Circle:**

Jane stated that she had not received documentation from the Contractor to date that confirms the height of the structure is under 30 feet. She said she would contact the Contractor again.

Jane was asked to draft a letter to the B&Z Inspector stating that the decision of the board of 1982 stands.

CORRESPONDENCE:

●**Letter to the MVC RE: Support of the fire pond in the State Forest.**

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- Letter from the Treasurer to William Brine, cc'd to the PB RE: Property in Watcha Path.

Jane explained that Mr. Brine had been in to see her recently with a proposal to develop a large lot of land that he owns. She explained that there is a portion of town owned land that runs through his property, and the Treasurer wanted Mr. Brine to be formally informed that the portion was town owned land.

- Letter from Doug Dowling RE: J.C. Murphy's recreational lot on Pine Lane.

Jane informed the board that the letter had been referred to Town Counsel by the B&Z Inspector.

MINUTES:

- The minutes of the July 17, 2017 meeting were approved.

Bea moved and Matt seconded the motion to approve. The vote was unanimous with one abstention from Leah.

- The minutes of the July 31, 2017 meeting were approved.

Leah moved and Susan seconded the motion to approve. The vote was unanimous with one abstention from Bea.

- The minutes of the August 14, 2017 meeting were approved.

Leah moved and Susan seconded the motion to approve. The vote was unanimous with abstentions from Matt and Bea.

●Site Plan Review application from Michael and Rosemary Stimola for a house over 3000 square feet on the property located at 19 Briarwood Lane, Map 10, Lot 9:

Attorney Doug Sederholm, Counsel for the Stimolas, explained that the applicants have lived at 11 Briarwood Lane, and their brother at 19 Briarwood Lane seasonally for several years. The plan is for both of the Stimola's children to live on the island full time. They have another lot down the road that they hope their other child will someday occupy.

Attorney Sederholm said that the Stimolas have a demolition permit for the existing house. They plan to re-plant a dense visual buffer from the road, to replace any trees that will need to be removed during construction. The proposed structure is within the required setbacks. He explained that the proposed structure is substantial being over 6000 square feet, but the applicants have written to the neighbors to inform them of their plan to re-build.

Leah pointed out that the state requirement for state Title V septic systems is 10,000 square feet per bedroom, so this lot is limited to four bedrooms. Bea stated that the plan shows the location of four bedrooms, yet she identified six potential bedrooms. Michael Stimola said that, in the past, he had spoken with Joe Tierney and Ernie Mendenhall about the bedroom allowance, so he was aware of it. Rosemary Stimola said that the deed to the property had been amended to reflect that the house could never be sold if it contained more than four bedrooms. Attorney Sederholm stated that the property was limited to a

four bedroom septic system. Rosemary said that they will adjust the plan so that office is not considered a bedroom.

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Henry suggested a the Planning Board get a letter from the Board of Health confirming the number of bedrooms allowed on the lot.

Ginny read the correspondence from the neighbors which were in opposition of the size of the proposed structure. The letters were from Julia Humphrys, Tom and Polly Bassett, Geraldine Brooks and Kathleen Werber. Victoria Phillips stated that she lives on the property that faces the Stimola property. She said she has 2 acres and her house is approximately 2500 square feet. She said to have a house twice the size of hers is too large, and should be located on a larger lot. She also said she questioned the full basement.

Julia Humphreys said she lives across the road, and is concerned about the size of the proposed house. She said she hoped they would put up some heavy screening of plantings. She had a question about the generator that was very loud. She suggested that the Stimolas install a new generator that would be shared between their home and the proposed house; perhaps one that is quieter. The Stimolas said they are aware of Julia's concerns regarding the generator. Attorney Sederholm said the generator runs a test one time per week for about fifteen minutes. Rez asked if the generator could be located in the basement. Rosemary said that as soon as it was mentioned that the noise was a problem, they explored fencing and plantings to muffle the noise.

Ebba Hierta said that she lives on Oak Lane and she is concerned about the trend of houses taking up the space of an entire lot. She said that West Tisbury should follow along with Chilmark's zoning bylaw. There should be some restrictions in place; houses shouldn't be 3 times bigger than those in the neighborhood, they should be proportionate to the lot size.

Rosemary said that they have lived on Briarwood Lane longer than most of their neighbors. She said they have a life on the island and have given a great deal to the island in many ways. She understands there is a history of smaller homes but lifestyles are changing, and the space will be there to accommodate working from home. She said that many families are living together these days. They intend to be tasteful and well screened from the road because they appreciate their privacy as much as their neighbors do. She explained that the Stimolas wanted to donate the existing house but a lot of trees would have had to come down to accommodate the transport. Harriet Bernstein said that she appreciates Rosemary's stewardship to the town. However, West Tisbury is a small town with modest houses. It sets a precedent that we would not like to have in the town.

Henry stated that there needs to be a separation of opinions. The mission of the meeting is to review the application. Limiting the size of a house based on lot size is a separate discussion. Leah reaffirmed that site plan review is recommendation based to minimize neighborhood impact.

Ginny mentioned that, in the past, an application such as this could be referred to the Martha's Vineyard Commission. Attorney Sederholm stated that he is in the Commission and this application would not require a review because it would not be considered a development of regional impact. He said that this particular referral would be a rare occurrence. Doug also pointed out that under Section 9.1-3A of the zoning bylaw, the planning board is to refer an application to other boards, agencies and the like if they should deem it to be necessary, and those boards/agencies have 30 days to respond.

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Further discussion ensued. Jane asked the Stimolas who had drafted the plans since there was no agency listed on the plan. Michael said it was Kevin Bagley. Gail Tipton expressed concerns about water impact. She said she felt it was very important that the town think about proportionate planning. Ebba expressed concern about rain runoff. Matt said that 4 bedrooms is not a significant impact on a property. Leah said that the property will require a lot of screening. Henry suggested a road association be formed. Judy Crawford said that these houses are a wake-up call. It says we need to have a change in our bylaws. She said she urges the board to draft a bylaw. Victoria asked if the location of the house could be relocated closer to the northeast. Attorney Sederholm said that a re-location would violate the setback.

The board confirmed that the review was complete and that they will draft a letter to the Board of Health and the Building and Zoning Inspector. The Stimolas were asked to draft a landscape plan for the board to review, and they agreed to the request.

Meeting Adjourned at 7:00 pm

Respectfully submitted,

Jane Rossi, Administrator