

WEST TISBURY PLANNING BOARD MINUTES July 31, 2017 5:30 PM

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

ALSO PRESENT: Vincent Maciel, Heather Maciel, Tom Della Rocco, Craig Danforth, Katy Upson, Doug Ruskin, Harriet Bernstien, Joshua Flanders, Albert Mark, Jane Rossi.

Ginny opened the meeting at 5:30 pm.

Site Plan Review application from Vince and Heather Maciel for provide space for two businesses on a portion of their property located at Map 21, Lot 6.1, 24 Huseby Mountain Road:

Vince Maciel displayed the plan and explained that the grade work that had been previously approved by the planning board has been completed and the hill has been removed from the center of the property. He and Heather explained that they would like to provide space for businesses that are unable to find space to store their equipment without the threat of having to move it at a moment's notice. They said they would like to provide two spaces on Lot 4 of the Lagoon Legacy plan, each having 125 square feet of space, for Craig Danforth and Tom Della Rocco to store their equipment. Currently, a section of the property is screened with trees, and the entire property will eventually be screened. Vince said that he would give Jane a list of items that will be stored on the property. The hours of operation will be between 7 am and 7 pm. Leah pointed out that trucks with back-up beepers should back in at the end of the day so the beepers don't sound in the morning. Bea asked about chemicals and Vince stated that he has a chemical license and does some tree spraying on occasion. He assured the board that the chemicals are well contained. Heather said that they have a spill kit on the premises. Vince said they will have an 8x40 storage container and he will get the list of additional items to Jane for the approval letter. Vince also said that they will have electricity and water on the property. Water is needed for grinding rocks, and rock grinding will occur occasionally, between the hours of 9 am and 5 pm.

Leah moved and Bea seconded the motion to approve the site plan. The vote was unanimous with an Abstention from Matt. The board signed the Mylar.

Site Plan Review application from Joshua Flanders, agent for David and Andrea Attisani, Map 32, Lot 110.1, 30 Carl's Way, house over 3000 square feet:

Joshua displayed the plan and explained that a foundation was installed four years ago, has been removed. The current owners of the property would like to construct a house and a garage on the 3.7 acre lot. The house will have an unfinished partial basement, 5 bedrooms and 4.5 bathrooms. The property is in a field with low lying trees. It is not in the shore zone and the height of the buildings will be under 30 feet. The plan was drafted by Sullivan and Associates, dated April 28, 2017 and re-written on June 17, 2017.

Leah moved and Susan seconded the motion to approve the site plan. The vote was unanimous and the board signed the plan.

Site Plan Review application from Albert Mark to construct a house over 3000 square feet on his property located at Map 10, Lot 199, 53 Stoney Hill Road:

Albert displayed the plan and said he is building a single family dwelling. He stated that the Building and Zoning Inspector gave him permission to frame the building prior to realizing that, according to Joe's calculations, the structure was over 3000 square feet. Albert explained that all remaining vegetation will be untouched and the rest of the yard will be grassed. The board encouraged him to adhere to the suggested conditions he had been given from the board. The plan was drafted by Kim Brown Designs, dated June 13, 2017.

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

CORRESPONDENCE:

- Copy of the decision from the MVC on the Registered Marijuana Cultivation Building.
- Merged lots policy from the Board of Selectmen:

The board discussed the policy that the Selectmen had drafted regarding merged lots. They felt the determination of whether or not lots should merged with an abutting lot should not necessarily be left up to the BOS. They felt that it would be beneficial if the undersized lots could remain undersized and buildable.

DISCUSSION:

● Houses over 3000 square feet:

Harriet Bernstein asked what the planning board is approving on a site plan review application when applying for a house over 3000 square feet. Leah explained that the board is responsible for reviewing a plan, but it is a simple review, and they can make suggestions. Ginny said that the board gives the applicant a list of suggested conditions along with each application. The list contains suggestions such as planting native vegetation, and installing downward outside lighting.

Doug Ruskin said that he was present to see the Stoney Hill site plan review. He said he had no objection to the proposal, however, he was mystified as to why the structure went up prior to the review. Doug asked if there was a large house bylaw. Ginny explained that the board has addressed the subject in the past. She also pointed out that the board is currently working on other major projects so large houses would have to wait. Leah said that the board was waiting to hear about the outcome of a court case in Chilmark to see how best to approach the subject. Katy Upson said that there are a lot of houses in close proximity to the pond, and the large houses

WEST TISBURY PLANNING BOARD MINUTES July 31, 2017 5:30 PM, pg 3

have large septic systems. She was concerned about pond contamination. Bea pointed out that those were Board of Health and Conservation Commission concerns.

Bea mentioned that Chuck Hodgkinson told her that Nantucket has a fee for filing permits for houses over 3000 square feet. The bigger the house, the higher the fee, and the money goes toward an affordable housing fund.

Harriet suggested that the planning board form a sub-committee to work on drafting a large house bylaw. Matt said that he would have a hard time telling someone they cannot build a large house. He said that the town has 3 acre zoning so 3000 square feet is not extreme on that size lot. Harriet said she would like to see a limit placed on house size. Matt said he would not want to be on a board that formed a subcommittee to make decisions that the planning board itself should be making.

●Byways Committee Discussion:

Harriet wanted to know why the changes to the Special Ways zoning bylaw could not be on the Town Meeting warrant. Ginny explained that, at the advice of Town Counsel, anything having to do with special ways was to be placed on hold until litigation has concluded.

Meeting Adjourned at 6:55 pm

Respectfully submitted,

Jane Rossi, Administrator