

WEST TISBURY PLANNING BOARD MINUTES March 20, 2017, 5:30 PM

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

ABSENT: Henry Geller

ALSO PRESENT: Tim Barnett, Elaine Barnett, Shirley VanDerSchueren, Cynthia Aguilar, Cathy Minkiewitz, Harriet Bernstein, Ashley Hunter, Marc Rosenbaum, Katie Upson, Jane Rossi.

Ginny opened the meeting at 5:30.

Public hearing on a proposed Warrant Article to amend Section 6.2 Roads District of the zoning bylaw by adding to Section 6.2-4 Special Ways Zone, the designation of Manter's Path as a Special Way:

Ginny read the public hearing notice and explained the voting process. She said the board had not received any correspondence on this matter. She went on to explain that Town Counsel had requested that the article be pulled from Town Warrant at this time until further notice.

Elaine Barnett pointed out that a stretch of Manter's Path once ran across her property. In April of 1994 the path was slightly altered so that it no longer encroached on her property. Leah pointed out to Elaine that the section of path that had been altered was on Scrubby Neck Road and Watcha Path. It was not on Manter's Path.

Katie Upson wanted to know what happens next now that the article has been being tabled. Ginny said that it is being placed on hold for now. Jane explained that she had spoken with Jo Ann Taylor from the MVC and Jo Ann told her that a moratorium is in place on the pathway for one year. The moratorium will expire in February of 2018 so the nomination would not have to be reviewed again within the year.

Bea moved and Leah seconded the motion to close the public hearing. The vote was unanimous.

MINUTES:

- The minutes of the March 6, 2017 meeting were approved as written.

Leah moved and Bea seconded the motion to approve and the vote was unanimous except for an abstention from Susan.

DISCUSSION:

●Special Ways Brochure:

Harriet said that the Byways Committee is anxious to get the brochure on the Special Ways to print. She explained that on April 8th from 2 to 4 pm, the board will be presenting a new map that Cynthia Aguilar has created, along with a history of the Town of West Tisbury. Several speakers will be on hand to present other old maps as well. The presentation will take place at the West Tisbury Library. Jane was asked to get the sales tax certificate of exemption from Jen so that the printer can be paid. Harriet said that Town Counsel is currently reviewing the brochure. The Byways Committee hopes to have the brochure ready for their presentation on the 8th.

CORRESPONDENCE:

●Porter Thompson Mylar:

Leah moved and Bea seconded the motion to sign a Form A subdivision Mylar for Porter Thompson. The vote was unanimous and Susan and Leah signed, having been the only members on the board when the original subdivision was approved in 2005.

●Sheriff's Meadow Foundation decision:

Leah moved and Bea seconded the motion to sign the decision to remove a portion of a stone wall to install 4 parking spaces on the property located at Map 12, Lot 9, 468 Indian Hill Road. The vote was unanimous with one abstention from Susan.

Public hearing on a Warrant Article to amend Section 4.4-3 (1) of the zoning bylaw:

Ginny opened the hearing and read the hearing notice. She confirmed that all had read Chuck Hodgkinson's letter stating his concerns about the bylaw amendment and how it has and will impact his road. Bea stated that she was in favor of the amendment because it will allow an absentee owner the ability to rent an accessory apartment year-round to a qualified tenant. She stated that Chuck Hodgkinson's arguments are sound (correspondence not in favor of the amendment), but she feels the ability to retain an apartment for the affordable housing rental market is important. Ginny commented on the origin of the original bylaw. She said the intention was genuinely to protect the West Tisbury residents. She said she is not in favor of the amendment. She read a rental ad in the Real Estate Guide that said a bedroom was a rental unit. She said we have to make sure that these units are rented affordably. Matt said that the assessors should be aware of what is in a house. If there is an illegal rental space they should be making Joe aware of it. Jane stated that they generally do. Marc Rosenbaum stated that the zoning bylaw is clear regarding what is and is not allowed. The Regional Housing Authority is notified of each new accessory apartment and the status regarding whether it is being rented or used for family. He said that the focus is not on what is not allowed, but whether the bylaw is clear enough. He wondered if removing the language would be a detriment or a benefit to the town. Matt described the activity within a detached bedroom in his neighborhood. He said it has a delinquent owner and the place is rented as an apartment with several occupants. There is a lot of added traffic to the road and there is no enforcement. He added that he agreed with Chuck in terms of the road. He pointed out that the Housing Authority admittedly does not enforce the regulations on the accessor apartments. Leah stated that the majority of the apartments are used for family. Rental units in general are needed. We need to enforce regulations for homeowners to abide by the laws.

Bea said that a layout of the entire spectrum should be presented at Town Meeting, including the pros and cons of the bylaw change. Marc stated that one of the pros would be that the rental unit remains and one of the cons might be that the owner is not present to oversee the property/rental unit.

Bea moved and Leah seconded the motion to close the public hearing. The vote was unanimous.

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Meeting Adjourned at 6:45 pm

Respectfully submitted,

Jane Rossi, Administrator