

## WEST TISBURY PLANNING BOARD MINUTES March 11, 2024 pg 1

PRESENT Leah Smith, Ginny Jones, Heikki Soikkeli, John Rau.

ABSENT: Amy Upton, Matt Merry.

ALSO PRESENT: (Names as they appeared on the Zoom screen)

Katharine Sterling, Oliver Ireland, Alisun, Armstrong, Mark Nicotera, Jeffrey DuBard, Jane Rossi.

Leah opened the meeting at 5:35 pm

### ● **Site Plan Review application from Oliver Ireland to construct a house over 3000 square feet on Map 34, Lot 8, 1175 State Road, RU District:**

Oliver explained that the application was to finish the basement. The site plan will remain the same with no expansion. They have lived in the house since 2022. The proposal is to finish the basement by insulating the large room, install a half bathroom and create a personal work shop room. Leah pointed out that the space does not have any glazing (windows) so it doesn't count toward the RFA (residential floor area) under section 4.4-8 of the zoning bylaws. The entrance will be through the bulkhead.

*John made a motion to endorse the plan as presented and Ginny seconded the motion. John-yes, Ginny-yes, Heikki-yes, Leah-yes.*

### **Public Hearing on the zoning bylaw amendments Warrant articles for 2024 Annual Town Meeting:**

**Leah opened the public hearing and read the hearing notice.**

#### **Definitions Section 14.1 of the zoning bylaws:**

**Farm Stand:** The board discussed the reasoning behind the proposal to add the language to the zoning bylaws. Jane explained that the bylaws currently do not have a definition for farm stands . Leah asked what the difference was between a farm business such as Ghost Island Farm or North Tisbury Farm versus a residence selling their garden vegetables at the end of their driveway. Jane said she would consult the building inspector for clarification.

**Remove “studio” from the definition for a “bedroom”.** Jane explained that the building inspector requested the language change due to the fact that a studio is not allowed to have a bedroom.

**Section 4.4-8 Attic:** Heikki Soikkeli, member of the Preserve West Tisbury Committee, explained that the Building Inspector had an issue with the current language under the bylaw which affected his interpretation of the bylaw. An attic has to be called “habitable space” to be

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counted toward the RFA, or “storage space” to **not** count toward the RFA. The proposed bylaw clarifies the intent of the bylaw.

**Section 4.4-8 Basements:** Heikki said there was a lot of confusion about “4 ft above grade” language, so the committee eliminated that language. The new language still leaves a bit of interpretation for the Planning Board. He said Joe feels comfortable with the new language.

Ginny expressed her concerns about the potential for underground development. John said that the space still wouldn’t count toward the RFA even though it could be used as living space. Jane expressed concern about heavy excavation.

*Heikki said he will speak on Sections 4.4-8 on town meeting floor.  
Leah will speak on the definitions Section on town meeting floor.*

*Heikki made a motion to close the public hearing and John seconded the motion. Heikki-yes, John-yes, Ginny-yes, Leah-yes.*

### **●Public hearing on an application from Mark Nicotera on behalf of Robert Souza to finish the basement of an existing house (currently under construction) on Map 10-203-1, Takemmy Path, RU District:**

Mark Nicotera explained that, after receiving the calculation sheet from the Building Inspector, it was determined that the application did not require a special permit under Section 4.4-8 of the zoning bylaws because the size of the house including the finished basement did not make the structure over 3500 square feet, but rather its size totals 3183 square feet. A site plan review for the house under construction had previously been reviewed by the Planning Board.

*The application was withdrawn by the applicant. He will draft a letter to withdraw and forward it to Jane.*

Katherine Sterling expressed her confusion regarding the additional habitable space within a basement and its potential to increase the size of the house. Heikki explained that the space is not viewed by the neighbors and there is an allowable amount of glazing under the zoning bylaw. He added that in fairness, the board must sometimes draw the line and not be too restrictive.

Meeting adjourned at 6:30 pm

Respectfully Submitted,

**Jane Rossi, Board Administrator Approved on March 25, 2024 Smith-yes, Jones-yes. Soikkeli-yes, Rau-yes.**