

## **WEST TISBURY PLANNING BOARD MINUTES March 27, 2017, 5:30 PM**

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

**ALSO PRESENT:** Melissa Manter, Bill Veno, Doug Hoehn, Hal Child, Alex Meyer, David Fielder, Harriet Bernstein, Rez Williams, John Hartzband

Ginny opened the meeting at 5:30.

### **Public hearing on a Site Plan Review application for Miller's Professionals, Inc., to install 16 parking spaces on Map 21, Lot 12.2, 93 Dr. Fisher Road, LI District:**

Ginny opened the meeting and read the public hearing notice. Alex Meyer, representative of Miller's Professionals landscaping business, explained that they need the parking spaces to park their large trucks such as bucket trucks and chippers. He said he is currently in the process of getting the lease paperwork from the owner of the property, Dan Larkosh.. He said that they don't intend to use all of the spaces at this time, but they were told by the Zoning Inspector that the plan should show the maximum spaces they would need.

Ginny read a letter from Constance Breese. The letter objected to the entire area that Mr. Larkosh leases out, stating that it is a mess and Mr. Larkosh is unwilling to comply with zoning regulations. The road is also in disrepair and maintenance should be a required.

David Fielder explained that the Dr. Fisher road association is trying to deal with the road issue. He said there is increased heavy traffic and the road is in bad shape. Hal Child asked if there was a master plan for the area or perhaps some planners working on a plan for the area. He said there are several lots with several different owners. He asked if utilities were going to be installed. He said that the Big Sky Tent building proposal is going to need a lot of power. In the future, the road is going to get even busier. He said that the road association has hired him to maintain the road but he feels the town should be dealing with the issues.

Ginny explained that when the area became Light Industrial (which was passed at town meeting), the Board of Assessors had asked that the Light Industrial area be adjusted because several lots were half in the RU district and half in the LI district. The Planning Board was asked to adjust the zoning so each lot would be entirely within either residential and LI. Someone had sold an acre to Bizzarro without consulting the Planning board. Larkosh purchased the lots on his side of the road; he purchased a small lot from Melissa Manter to square off his lots. He rented a portion initially and slowly rented other small sections. Ginny said she doesn't know if or when utilities will be installed.

Bea said that she sees three issues with this:

- The application before the board
- The history of the unsightly mess.
- The maintenance of the road.

She explained that she worked out an appropriate allocation of road maintenance costs in her neighborhood and this neighborhood should do the same. She suggested Larkosh pay his share of the road. It is most heavily used by his tenants.

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Hal asked if the planning board had its own legal counsel. He was told that the board needs permission from the Selectmen to seek counsel. Hal said he felt the board should have its own. Bea stated that the board cannot mandate the way the Dr. Fisher road association functions.

David Fielder stated that the Big Sky Tent people are creating an issue for the RU district. He felt it was unrealistic to continue to maintain a dirt road. He said that the entire length of Dr. Fisher road could be maintained but they don't want it to be a short cut between Old County Road and Old Stage Road. David said they were before the board looking for help. Hal said he wants to throw the problem back to the town. Matt said the town doesn't own the road. Henry said there is no jurisdiction by the board. Bill Veno said that Dr. Fisher Road is not a special way and could be paved over.

Matt stated that he would like to see some of the road issues resolved before approving a plan. He suggested that the road association should consider charging both Larkosh and Bizzarro more since they are the reason for the heavy traffic. He said it is the responsibility of the road association to maintain the road; the board cannot control what is happening in terms of the road. David Fielder said the decision the board makes on this application will have a ripple effect on the road.

Matt moved to postpone the hearing until the road issue is taken care of. Bea said she felt the applicant was being victimized. She suggested a modification to the amount of parking spaces. Alex said they could live with 4 spaces for now.

*Leah moved to approve four parking spaces but added that the area should be fenced in. Bea seconded the motion and all were in favor. Ginny abstained from the vote.*

Henry stated that the first order of business on this particular area is a comprehensive plan for the road. Then the issue of governing would be between the owners of the lots and the road association. Bea stated that the board should get Mr. Larkosh on the agenda for a discussion. David Fielder said that the discussion was helpful to him.

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

### **Form A application from Doug Hoehn on behalf of Catherine Walsh to create 3 buildable lots out of two on Map 31, Lot 17, 690 Old County Road:**

Doug displayed the plan and explained that the planning board had approved a plan for 2 lots on the property in 2007, creating a 5 and a 7.5 acre lots under the rear lot bylaw to reduce frontage. He said the owners would like to divide the 6 acre rear lot into two 3 acre lots. He said the plan contains multiple notes to reference the 2007 plan. The road/driveway will serve all three lots. The original 6 acre lot could have had 2 dwellings on it so this plan does not increase the number of dwellings.

Bea asked if there was an agricultural restriction on the property. Doug said that the owners have mentioned possibly talking with the Land Bank about the back field. The field did once grow tomatoes. Leah pointed out that the front lot is large enough for a guest house if they wanted one.

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Bill Venio stated that this property has been an area that the Byways Committee has been trying to get a connection through to Old County Road. Perhaps there is a way to get the Walsh's to agree to a trail. A discussion ensued about proprietor's ways.

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

### **DISCUSSION:**

#### **●Christine Flynn on Terms and Definitions RE: Affordable/Community Housing:**

Christine explained that she was asked to provide an analysis regarding the terms and conditions that the MVC has compiled proposing that each town compile them into their zoning bylaws. During that analysis, she discovered that the WT bylaws contain quite a few terms that will need to be revised for approval at Town Meeting. Christine said that she would like to sit down with Jane to sift through the language and amend it accordingly. She said she would like to represent her findings at the end of May or early June. Leah said she thought it was a good idea to get it all systemized.

Bea mentioned the survey that Christine has distributed and stated that it seemed a bit open ended. She felt it may be difficult to analyze the results. Christine said it was just a rough draft and was open to feedback.

#### **●Report from Henry on the AHC member search:**

Henry said that he was not having any luck finding an interested party to represent the PB on the AHC Committee. It was determined that it should be advertised in the paper.

### **CORRESPONDENCE:**

- Letter from Robert P. Murphy RE: Marketed property off State Road.
- 2 Oak Bluffs public hearing notices.
- Report from Jane on the Byways Committee brochures:

Jane reported that Town Counsel has signed off on the brochure and it is ready to go to print.

### **MINUTES:**

- The minutes of the March 20, 2017 minutes were approved as amended.

Meeting Adjourned at 6:45 pm

Respectfully submitted,

Jane Rossi, Administrator