

WEST TISBURY PLANNING BOARD MINUTES November 7, 2016 5:30 PM

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

ABSENT: Leah Smith.

ALSO PRESENT: Alex Elvin, Geoff Rose, Doug Ruskin, Joe Tierney, Tony Omer and Jane Rossi.

Ginny opened the meeting at 5:30.

DISCUSSION:

•Report on currently functioning Registered Marijuana Dispensaries in the state:

Jane Rossi reported that she has spoken with several town employees from various towns throughout the state that have functioning dispensaries. She had been asked by the board to find out how well they were operating. Jane reported that she had received no negative feedback for anyone. She was told that the facilities were basically “invisible” within the towns and the operations provide a lot good paying jobs.

Henry recused himself from the meeting.

The board wondered what would happen if recreational marijuana passes and becomes legal during the election. Geoff Rose said that medical and recreational are separate issues. He explained that nothing will happen right away. A committee will have to be formed to work out the logistics and to discuss licensing.

Bea stated that the reason Geoff was meeting with the board was to define its interpretation of the definition of a “cultivation area” for growing the marijuana plants. Joe Tierney interjected and stated that it was up to the B&Z Inspector to interoperate the zoning bylaws. If the applicant didn’t agree with his interpretation, he could appeal to the zoning board. Geoff said he will discuss the matter with Joe during office hours. Tony Omer stated that according to the ballot, the currently functioning dispensary owners will be the 1st to dispense registered marijuana. Geoff confirmed that by stating that those owners will be the first to be allowed to apply for a recreational license.

•Discussion with the Building and Zoning Inspector:

SHEDS:

Joe said that he attends a monthly meeting with the district inspector and he was told that a shed that is less than 200 square feet does not require a building permit. He said that under Section 4.2-2D of the zoning bylaw, there is a conflict in the language. He would like to propose to change to the language. However, a permit is still required for setback relief.

DETACHED BEDROOMS:

Joe began by stating that this topic has been discussed in the past but he feels it needs to be revisited. He explained that this past summer, someone rented out their main house and lived in their detached bedroom. He has a grill on the deck, a farmers sink, etc. Joe said it seems the intent of the bylaw is being over stepped. Generally, the placement of a sink outside of a bathroom will lead to a kitchen down the

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road. He wondered if detached bedrooms should have decks. If the unit were to become a dwelling, it would have to be reviewed by the BOH. Henry said a detached bedroom would require a change of use permit if it were to become a dwelling unit. Matt asked Joe what the allowable space was for a couple/couple with a child, etc.? Joe said there is building and state code information on that. Matt said a detached bedroom could become a small dwelling. Bea said it is a complicated issue; we want a nice small village and we have a need for affordable housing. We need to be consistent. Ginny pointed out that Leon Brathwaite suggested that internet based rental services are what we are trying to avoid. It was mentioned that Air B&B's will take out a tax from the rental and mail a check to the town. Bea said that the board can't regulate how a property gets rented. Joe suggested a local option tax and the BOH would set an occupancy limit. Joe said that most of these units can't be seen from the road. He said he would go with the idea that detached bedrooms cannot be rented. Bea suggested the board think this through and not rush any decisions.

NEW INITIATIVE FROM THE GOVERNOR:

Joe stated that the Smart Growth initiative is suggesting an increase of density on lots. It also suggests that a district should be designated for affordable housing. Bea said they want affordable small housing. She pointed out that West Tisbury has cluster zoning but it is not being taken advantage of. The state is encouraging the designation, but it is not required.

MINUTES:

The minutes of the October 17, 2016 were unanimously approved as written.

CORRESPONDENCE:

•Scott's Grove decision:

Susan moved and Bea seconded the motion to approve and sign the decision. The vote was unanimous and the decision was signed.

Jane was asked to look through previous minutes to see if the board voted on the owner occupied/seasonal accessory apartment homeownership.

Meeting Adjourned at 6:45 pm

Respectfully submitted,

Jane Rossi, Administrator

