

## **WEST TISBURY PLANNING BOARD MINUTES August 8, 2016, 5:30 PM**

**PRESENT:** Ginny Jones, Bea Phear, Leah Smith, Susan Silva.

**ABSENT:** Matthew Merry, Henry Geller.

**ALSO PRESENT:** Richard Conover, Mark Miller, Peter Greulich, Chris Greulich, Tim Barnett, Elaine Barnett, Kristen Fauteux, Lisa Amols, Katy Upton, Rez Williams, Bill Veno, Jo Ann Taylor, Ashley Hunter, Harriet Bernstein, Cynthia Aguilar, Susan Feller, Jane Rossi.

Ginny opened the meeting at 5:30.

### **Informational discussion on the proposed Special Way designation of Manter's Path:**

Ginny read the letter that was sent to the abutters regarding the informational meeting. She explained that the Byways Committee has proposed to nominate Manter's Path to be designated as a special way. She explained the designation process.

Elaine Barnett, an abutter of the way, explained that several years ago permission was granted by the Planning Board to re-route the way so that it didn't travel through her structures. Susan concurred with Elaine. Jane said she would look up the document.

Mark Miller, an abutter to the way, wanted to know who was proposing the designation. Ginny told him the Byways Committee has requested the designation. She explained that the designation does not take away property owners rights, the way is used for walking, cycling and horseback riding, the designation protects the way from being paved over which would erase its historical value. Leah explained that some of the existing special ways are either partially or fully used by vehicular traffic. Mark pointed out the location of his property on the displayed map, and explained that there are about 15 yards of forest in the middle of the way. He asked if a path would be cut through the area. Ginny said the way will not be disturbed. Leah explained that the special ways are all in different condition depending on use. She also stated that designation of a special way does not automatically grant public access; it does not change the rights of use. Ginny pointed out that the designation of these ways is preserving history. Bea explained that the zoning bylaw regulations protect the ways for the future. If not protected, they could be paved over or wiped out.

There was a brief discussion regarding trespassing and property owner responsibility in the event of an accident or injury to a pedestrian traveling along a way. Bill Veno pointed out that it would be very difficult to sue an owner should an incident occur on or near their property.

Ginny explained that a public hearing will be held at a later date prior to Town Meeting. Lisa Amols asked if the abutters to Manter's Path will receive notification of the hearing and Jane said she would send them a hearing notice.

### **DISCUSSION:**

#### **•Susan Feller RE: Housing Bank:**

Susan Feller appeared before the board to discuss the possible creation of a Housing Bank. She explained that the idea had been addressed in the past but the effort had not been successful. The bank would work

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similarly to the Land Bank but the required percentage would be less than the 2% Land Bank fee and the fee would be attached to the Seller rather than the Buyer of a property. The proposal would be to attach the fee to property sales of one million dollars and over. Susan said she was there to request that the planning board ask the AIPB to approve an island wide housing bank. Private donations and CPC funding are still avenues of funding but the housing bank would be another vehicle to create a money pool. Susan pointed out that Nantucket had proposed to place the transfer fee on property sales of two million and higher.

Bea asked Susan who would be responsible for holding the funds. Susan said the housing bank would be non-profit and it would be up to whoever is building the houses to determine who would hold the funds. She said it would be set up much like the Land Bank but it is still a work in progress. She stated that she is trying to generate enthusiasm at this point and said that many real estate companies support it. However, she said they have received some negative feedback.

Ginny suggested that Susan gather more details about who is going to be involved and how it will all work. Susan said she would provide Jane with copies of old referendum and the warrant article from the prior proposal.

### **Continued public hearing on a Form C application for Lagoon Legacy, LLC, M 21, L 6.1, 24 Huseby Mountain Road RE:4 lot subdivision plan in the LI District:**

Ginny explained that the board had received a letter from the MVC which stated that they had determined that a public hearing with the MVC was not necessary.

*Bea moved to approve and sign the plan and Leah seconded the motion. The vote was unanimous. The board members signed the Mylar and plans.*

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

### **Letter of Intent to Complete Streets:**

Jane explained that there is a policy in place pertaining to eligibility for funding from the state for implementing street safety and traffic calming. The process is for the Planning Board to request that the Selectmen sign and submit a form letter to Complete Streets as the beginning step in a series of phases that will be met during the application process.

*Leah moved to request the letter of intent and Susan seconded the motion. The vote was unanimous.*

### **Site visit scheduled:**

At the request of Chris Alley and a real estate broker, the board scheduled a site visit to 55 Naushon Road, Map 1, Lot 38. The purpose of the visit was to determine whether the lot was wooded or open.

### **Firehouse Affordable Housing Units:**

Bea informed the board that the Island Housing Trust won the bid for the firehouse project.

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**MINUTES:**

The minutes of the July 25, 2016 meeting were approved as amended.

*Bea moved and Leah seconded the motion. The vote was unanimous.*

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Meeting Adjourned at 6:45 pm

Respectfully submitted,

Jane Rossi, Administrator