

WEST TISBURY PLANNING BOARD MINUTES May 23, 2016, 5:30 PM

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

ALSO PRESENT: Chuck Sullivan, Derrell Bazy, Chris Lyons, David Vignault, Jane Rossi.

Ginny opened the meeting at 5:30.

MINUTES:

- The minutes of May 9, 2016 were unanimously approved as amended.

- The minutes of May 16, 2016 were unanimously approved as written. *Matt Merry abstained from the vote.*

Continued public hearing on a special permit for a second curb cut on Map 12, Lot 36, 95 Christiantown Road, Barron/Leaning:

Chuck Sullivan, architect for the applicants, displayed a plan that he stated was slightly revised from the original plan. He explained that the applicants have decided to relocate the proposed curb cut 50 feet to the north, placing it further away from the Eldridge property and making it visually safer. The relocation would mean that the driveway would be much shorter and less of an impact on vegetation. He said that the applicants plan to relocate to the Vineyard permanently in the next couple of years and the existing house on the property is not winterized. They are going to relocate the proposed house further away from the property that farms alpaca's because odor and flies are an issue. Bea said the relocation of the curb cut made better sense and Leah agreed. Leah also said that the fence on the alpaca farm is on the property line and the animals are very much present. Ginny asked why a certain section of the property was so green. She asked if fertilizer had been used. Chuck said the reason it is so green is because it is a wet area. Chuck said the property will be screened with natural vegetation.

It was determined that the hearing be continued and all abutters were to be notified of the evenings discussion and the continuation date. Jane was asked to include a copy of the plan in the mailing.

Leah motioned to continue the public hearing to June 6, 2016 and Bea seconded the motion. The vote was unanimous.

DISCUSSION:

●Accessory Apartments:

Bea stated that the reason for the discussion was because a real estate broker had expressed her concerns to the board regarding accessory apartments. The concern was the "owner occupied" "domicile year round" language prevents a seasonal resident from renting out an accessory apartment. Bea explained that a seasonal resident could not rent the apartment in the affordable pool if the owner isn't domicile year round. Ginny's concern was that a house with an accessory apartment is more valuable to a seasonal person and would take the apartment further out of the pool. She said the purpose of the bylaw was to provide for town residents. Henry asked her if she was worried that people will buy and then build them. She said she was not. Bea said that she though Ginny was concerned that the apartments would be lost.

WEST TISBURY PLANNING BOARD MINUTES May 23, 2016, 5:30 PM, pg 2

David Vignault said of the 40 +/- apartments in town, only about 12 are used as affordable rentals. He said there was no obvious abuse of any of them except for one that had been advertised as a weekly rental. Leah asked David what his thoughts were regarding the seasonal limitations and he said he didn't really have an issue with it.

Henry said that the rules would still apply to the homeowners regardless of their residential status. He didn't see a problem with changing the bylaw to rid the language of "owner occupied." Dave said that generally, the seasonal person is purchasing the property for themselves. The rental piece isn't that great of a factor. Leah said that many wouldn't consider building an apartment as an investment because it wouldn't generate a lot of income after paying for the construction.

Bea said she would re-write the language in Section 4.4-3 A 1 of the zoning bylaw by eliminating "year round" with required approval by the ZBA. She will create a draft for review prior to a public hearing on zoning bylaw amendments.

●Curb Cut request on Cardinal Way:

Jane Rossi explained to the board that Michael J. Pieczek, owner of a vacant lot located at 29 Indian Hill Road, Map 16 Lot 87, had approached her with a request for a curb cut on Cardinal Way. The reason for the request was because there is a 100 foot greenbelt that runs the length of his property along Indian Hill Road. Cardinal Way runs along the length of the northern side of his lot, and, logistically, would be better suited for the placement of a curb cut.

The board determined that Cardinal Way was the best location for the curb cut.

●Walsh property on Old County Road:

Ginny informed the board that the Selectmen are becoming agitated by the amount of complaints they have received regarding the Martha's Vineyard Film Festival's purchase of 694 Old County Road. The board discussed the fact that an educational organization cannot be denied according to the state but it can be conditioned in accordance with the town bylaw. Matt asked if it would be sent to the MVC as a DRI and he was told it would.

Meeting Adjourned at 6:45 pm

Respectfully submitted,

Jane Rossi, Administrator