

WEST TISBURY PLANNING BOARD MINUTES April 4, 2016, 5:30 PM

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

ALSO PRESENT: Tucker Hubbell, Larry Schubert, Nancy Cole, Joe ElDeiry, John Keene, Vincent Maciel, Clare Harrington and Jane Rossi.

Ginny opened the meeting at 5:30.

DISCUSSION:

•Proposed bylaw amendments from the Zoning Board of Appeals:

Nancy Cole began by stating that some issues have recently come up with regard to plan review by the planning board. She said that the planning board has reviewed a couple of craft workshop applications through the site plan review process prior to the applicant appearing before the ZBA for setback relief. The issue is that abutters have not been able to weigh in on the craft workshop piece because the planning board hadn't held a public hearing. She said that some of the public present at their hearing were under the impression that they would be able to speak to the craft workshop piece of the applicants plan, only to find that the workshop had already been approved.

Larry said it seemed odd that a craft workshop is reviewed by the planning board while a home occupation is reviewed by the ZBA. He felt they should both be reviewed by the ZBA, or, the planning board should require a public hearing. Tucker agreed and stated that one board should be the permit granting authority to include a use permit.

Bea stated that the planning board had set conditions on both craft workshops including review after one year. She agreed that one board should handle an applicant's request, particularly when they are numerous.

Tucker said he wanted to talk about the "craft workshop" and "studio" definitions. He explained that in 2000, zoning changes were made because there were a lot more trades people. In the old studio definition, plumbing facilities were allowed. In the current bylaw, they are not allowed. He felt the planning board should reconsider the current bylaw. Larry said that the plumbing facility language was removed because they had concerns that the building could turn into a detached bedroom. Matt pointed out that not all are honest about sticking to the original approval.

Tucker also said that it might be good if a proposed craft workshop application meets size and setbacks, it could be reviewed by the planning board under a public hearing. If the applicant's plan requires ZBA review then they would go to the ZBA for everything. Matt said that the ZBA has a better handle on the setback regulation than the planning board does. Tucker suggested that the "studio" definition be stricken from the bylaw. Henry suggested that the term "workshop" could cover the studio and the craft workshop.

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The ZBA requested that under section 8.6-2 of the zoning bylaw, item "C No lamp shall be mounted higher than the eve line of the structure." They said the lamp should be allowed to be placed higher for safety reasons.

Larry stated that section 4.4-3 of the zoning bylaw should be revisited. He explained that he is the current chairman of the Affordable Housing Committee and someone appeared before their board wanting to know why a house with an accessory apartment would have to be owner occupied. He said that a seasonal resident would have to take the accessory apartment out of the affordable rental pool because the property wouldn't be owner occupied year-round. Bea said that Dale Julier had appeared before the planning board with this question and she was hoping to sit down with Dale to contemplate some appropriate language for the bylaw. Ginny said she was not in favor of seasonal owners renting a year-round unit. She said the bylaw was established to allow owners to stay in their homes and generate some income.

It was decided that both boards would discuss these issues further in the near future.

•Lagoon Legacy, LLC Site Plan Review:

John Keen, Joe ElDeiry and Vincent Maciel appeared before the board with a plan to display the use of the one side of an approved subdivision plan. The other side had been previously reviewed.

John Keene displayed a plan before the board and explained what he proposes to place on the property. He pointed out where the storage area will be located. He said the materials will be rocks and contractors chips. They don't produce mud and they are a good sound barrier. There will be an area for parking trucks which will be picked up in the morning and returned at the end of the work day. There will be a wood chipping area which does not generate a lot of sound like a stump grinder would. There will be 15 parking spaces for various tractors, trailers and dump trucks, and there will be a corner for storing machinery. There will also be various piles of dirt and the like. Leah asked if the piles would be high. John said the height would depend on the workday. Bea asked about the hill and wondered how much of it will be removed. John said they will take ten feet off the top to level the land off for the purpose of creating a good working surface and reducing the sound travel. Vincent Maciel said the leveling off of the hill will be quite an expense but it will help to keep sound from traveling. He said that people will understand why it needs to be done when it is complete. Leah asked about run off on the side of the property that abuts Melissa Manter's property. John said there will be piles of woodchips there which will catch any runoff and buffer Melissa's view of his property.

Joe said their hours of operation are 7:30 am to 5:00 pm Monday through Friday and 8:00 am to noon on Saturdays down at the pit. He said they have to start trucks up earlier on occasion. Joe also said he had spoken with Bill Coogan, an abutter to the property, before he traveled out

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of the country. Joe said he would re visit the project with Mr. Coogan upon his return to the island.

Leah suggested the project be reviewed in one year to see if it needs further conditioning. She also suggested that they bring in a plan with the trucks, storage containers, etc..., drawn to scale. The board wondered if the project should be reviewed by the MVC. They decided to discuss the project with Adam Turner when he appears before the board in a week to discuss the DRI Checklist.

Susan motioned to approve the plan pending discussion with the MVC and Leah seconded the motion. The vote was unanimous. Matt Merry abstained.

The applicants were asked to draft a plan of the entire project to include the Maciel Tree and Landscaping business.

●**All Island Planning Board Meeting:**

Board members asked Henry about the regular AIPB meetings since they have been asked to host one. Henry said they can be lengthy and many people attend, some entire boards attend. Regarding the issues, he said that issues maybe be better solved island wide. Bea said she attended the first meeting and it seemed unfocused but was a good place for people to express their concerns. Matt mentioned that the board could be blindsided by something if they don't weigh in. Henry explained that the state could decide what the island will do regarding affordable housing if the island doesn't develop a plan. That is where the HPP committee comes in. They will be hiring a consultant to help them form a plan.

Jane was asked to draft a letter to Mac Anderson stating that we will host the next meeting but it will have to be at our regular meeting day and time and will be limited to one subject per town.

CORRESPONDENCE:

●Approval letter to the building and zoning inspector RE: Merry/Lyons Form A property adjustment.

●Approval letter to the building and zoning inspector RE: Red Farm Realty Trust Form A property line adjustment.

MINUTES:

Bea moved to approve the minutes of March 28, 2016 and Leah seconded the motion. The vote was unanimous.

Meeting Adjourned at 7:00 pm

Respectfully submitted,

Jane Rossi, Administrator