

**WEST TISBURY ZONING BOARD OF APPEALS**  
**Minutes for Thursday, February 11, 2021 meeting**  
**Online meeting via ZOOM- @ 5:00 PM**

**Present:** Deborah Wells, John Rau, Andy Zaikis, Jeffrey Kaye and Casey Decker

**Absent:** Larry Schubert, Julius Lowe

**Also Present:** Pam Thors, Bd. Administrator, Mauricio and Stephanie Gomez, Paula and Michael Reidbord, Christopher Murray

In the absence of the Chair and Co-Chair, but in the presence of a quorum, the board voted unanimously to appoint Deborah Wells as temporary Chair for the meeting.

*A rollcall vote was taken with the following resulting votes; D. Wells-yes, J. Rau-yes, A. Zaikis-yes, Jeffrey Kaye-yes and Casey Decker-yes.*

The minutes of the January 28th meeting were reviewed and approved.

*A rollcall vote was taken with the following resulting votes; D. Wells-yes, J. Rau-yes, A. Zaikis-yes, Jeffrey Kaye-yes and Casey Decker-yes.*

The board read the correspondence from Tara Whiting in which she requests a one year extension of her Special Permit issued on June 14, 2018.

*John Rau moved and Jeffrey Kaye seconded a motion to approve the request for an extension of one year until June 14, 2021.*

*A rollcall vote was taken with the following resulting votes; D. Wells-yes, J. Rau-yes, A. Zaikis-yes, Jeffrey Kaye-yes and Casey Decker-yes.*

**5:15 pm** - A Public Hearing on an Application for a Special Permit from Mauricio Gomez to allow the construction of a two story 2,016 sf. garage with a detached bedroom and bath and recreational area with a sink on the second floor, requiring 10 feet of north side yard setback relief under Section 11.2-2 of the Zoning Bylaws on Map 17, Lot 114, 129 Great Plains Rd., RU District.

The notice was read and Mauricio presented the application. He stated that the main house is under 800 sf. with little room for family recreation so they would like to build a three car two story garage with a detached bedroom and a separate family recreation area with a sink on the second floor.

The site plan was reviewed. Mauricio explained that he would like to be granted 10' of setback relief.

John cited the memo which explains the phone call Pam received from David Desmarais, an immediate abutter to the project. David, whose property would be most affected by the requested setback relief, said that Mauricio had agreed to reduce his setback relief request to 5'.

Mauricio said that he has staked the project at 50' from the lot line but that his builder hasn't been out to approve the location yet. He stated that he would like to have 5' of leeway in case his builder finds that it is necessary to move or re-orient the structure. He said that he is very serious about a peaceful solution. He added that he had spoken with David regarding providing additional screening

John suggested that the request be changed to 5' of relief as it seems to be agreeable to the only abutter voicing concern with the application. Mauricio agreed.

A discussion ensued regarding the fact that the applicant is not stating an absolute need for the setback relief but is looking for a safeguard in case his builder finds that it is necessary

Andy commented that they want to be a friendly ZBA but that this is not how the board usually operates in the case of setback relief requests. He added that he agrees with John regarding decreasing the request to 5' of setback relief.

John asked if trees would need to be cut down if the structure was located at 45' from the lot line. Mauricio said that there would be no trees taken down.

The plans and elevations were reviewed.

John asked about the staircase which accesses the first floor garage. Pam explained that the detached bedroom is limited to 400 sf and is allowable by right in this case. She said that the recreation area on the second floor can be any size so the staircase is not an issue, adding that this area is also allowable by right. She added that Joe went over the plan and verified this information.

Deborah clarified that the only issue before the ZBA is the setback relief request.

*John moved and Andy seconded a motion to close the public hearing and open the board meeting.*

*A rollcall vote was taken with the following resulting votes; D. Wells-yes, J. Rau-yes, A. Zaikis-yes, Jeffrey Kaye-yes and Casey Decker-yes.*

Changing the site plan to reflect the change in the setback relief request was suggested. The board agreed that the application may be approved conditioned upon the submission of a corrected site plan prior to the issuance of an occupancy permit.

*A motion was made and seconded to approve the request for 5' of north side yard setback relief with conditions.*

*A rollcall vote was taken with the following resulting votes; D. Wells-yes, J. Rau-yes, A. Zaikis-yes, Jeffrey Kaye-yes and Casey Decker-yes.*

**5:35 pm** - A Public Hearing on an Application for a Special Permit from Michael B. Reidbord to construct a 33' x 14' in-ground swimming pool and to convert an existing garage to a seasonal pool house with a half bath and utility sink under Sections 8.5-4 (C) of the Zoning Bylaws on Map 3, Lot 39, 9 Norton Farm Rd., RU District.

The notice was read and Paula Reidbord presented the application. She explained that they would like to install a pool where there is presently a vegetable garden on their lot. She stated that the existing garage would become a seasonal pool house in the summer and then serve as a garage in the winter.

The site plan was reviewed.

John asked if the footprint of the garage will change. Paula said that it would not. She said that interior finishes will be changed and a refrigerator, sink and dishwasher will be added. She said that new construction would only involve the replacement of the garage doors with a pair of sliding doors. She added that there will be no cooking facilities inside, only a barbeque area outside the garage.

The pool equipment shed is shown on the site plan next to the side of the garage. Paula indicated that they may decide to change its location. Pam explained that they may have to come back to the ZBA for an informal hearing to address any changes if the building department requires it.

The Google map was reviewed.

*Andy moved and Casey seconded a motion to close the public hearing and open the board meeting.*

*A motion was made and seconded to Grant the Special Permit with conditions.*

*A rollcall vote was taken with the following resulting votes; D. Wells-yes, J. Rau-yes, A. Zaikis-yes, Jeffrey Kaye-yes and Casey Decker-yes.*

### **Informal hearing-Josh Saltmarsh**

Josh explained that he would like to add a sink to his garage for handwashing. The garage was part of an approved application for a Service Permit, (casefile 2019-55), to operate a boat storage and maintenance facility.

Deborah verified that Josh is just looking for a sink and not a half bath.

Josh stated that the sink will be tied into the septic system for the main house.

*A motion was made to approve the change to the Special Permit as de minimus.*

*A rollcall vote was taken with the following resulting votes; D. Wells-yes, J. Rau-yes, A. Zaikis-yes, Jeffrey Kaye-yes and Casey Decker-yes.*

### **Bylaw change discussion**

The proposed change to the home occupation and service business bylaws was discussed. Deborah suggested that the board could research the question of the weight of the two vehicles allowed by a special permit under these bylaws now rather than wait until next year. Casey suggested asking the Island Builder's Association for some guidance. He said he would email the contact information for one of the members to Pam. All agreed that this would be beneficial.

The Meeting adjourned at 6:15 pm.

Respectfully Submitted, Pam Thors-Board Administrator