

**88 Pin Oak Circle
Brief to the Planning Board
May 12, 2023**

In March 2022, Island Housing Trust entered into a purchase & sale agreement with the owner of 88 Pin Oak Circle, Marie Luck (Tr., Marie A. Luck 2017 Family Trust from Sandwich, MA) to purchase this 20,038 SF lot pending all approvals and permits. 88 Pin Oak Circle is part of an old subdivision (“West Tisbury Estates”) established by 40B in 1971 however no subdivision regulations exist to our knowledge other than the properties with affordability restrictions.

IHT seeks to propose the infill on this substandard lot as allowed under Article 4.4-3 B, Multi-Family Housing regulations of the West Tisbury Zoning By-laws. IHT is proposing a compact (approx. 1,700 GSF) two-family home on the lot with a two-bedroom residence on the first floor and a one-bedroom residence on the second floor. At the request of Joe Tierney, Building/Zoning Inspector, the lot was confirmed to be pre-existing and non-conforming (see attached opinion from Brush, Flanders & Moriarty).

In accordance with Article 4.4-3 B, Multi-Family Housing regulations of the West Tisbury Zoning By-laws, IHT is proposing to provide needed housing with the two-family residence, which density exceeds standards in Subsection 4.4-1 A and with a building height less than the allowed 32' based on the following:

1. At least 25% of the bedrooms shall be in units that are restricted as affordable housing subject to the terms and limitations of a covenant imposed by the Affordable Housing Committee.

IHT is proposing 33% of the total bedrooms to be restricted as affordable housing for households earning 140% or less of the AMI.

2. All affordable units created must be for year-round housing.

IHT proposes that both units would be restricted to year-round housing.

3. No further sub-division will be allowed.

IHT is not proposing or contemplating any further subdivision of the property.

Further, IHT is proposing this two-family residence in harmony with the general purpose and intent of the bylaws. IHT also believes the benefits of the proposed use to the Town outweigh its adverse effects by being consistent with the following:

1. Neighborhood character and architectural design

IHT is proposing the wood frame, natural shingled, modified saltbox style of structure to be in harmony with the style of homes in the surrounding subdivision. The compact two-family home is smaller than many homes in the neighborhood and is in keeping with the residential character of the area. Further, in response to neighbors' correspondence and comments, IHT's earlier design plans have been revised by relocating entries to the Old County Road side of the lot and shifting the parking area farther from neighboring homes. Screening with trees and shrubs will be located to increase privacy for all.

2. Impact on neighborhood roads and traffic

The property is at the corner of Old County Road and Pin Oak Circle so no vehicular traffic is anticipated on neighboring roads in the subdivision; residents will be able to access Old County Road directly from the corner of Pin Oak Circle, without traveling through the subdivision. Fire and other emergency vehicular access is also direct.

3. Alternate best use of land as agriculture or conservation

IHT believes this 20,038 SF lot would be too small and insignificant to be considered for an agricultural business or conserved land.

4. Transportation and shared use path access

IHT believes the proposed compact house will not affect transportation or shared use path access as it has been designed with no curb cut on Old County Road, thus avoiding traffic congestion and impaired pedestrian safety.

5. Visitability standards

The first floor residence is designed with features that will make it possible for most people to visit, including wide doors, an accessible bathroom and ground floor entry. The second floor residence is accessed via stairs so will not accommodate people using wheelchairs although the door widths and bathroom are fully accessible.

6. Affordability Rule of Thumb

The two-family home would consist of one year-round affordable unit with 33% of the total bedrooms restricted to households earning 140% or less of the AMI, and one unit to be for year-round occupancy. In addition, both units would be subject to IHT's ground lease restrictions.

In accordance with the requirement that “for any dwelling units approved under this Section 4.4-3 B, the lot shall contain at least ten thousand square feet of buildable land per bedroom, unless an enhanced septic treatment system is used and approved by the Board of Health,” IHT is proposing the following:

The two-family home would have a total of 3 bedrooms as allowed with an enhanced septic treatment system. IHT has received conditional approval from the Board of Health for an enhanced KleanTu system (see attached BOH letter) to accommodate the three bedrooms. The final BOH permit will be issued upon a clean water sample from the well to be drilled on-site at the appropriate time. Further, with the on-site well and septic system, the proposed house will not overload any municipal facility or any public or private water, sewage disposal, or drainage system.