

Town of West Tisbury

PLANNING BOARD

P. O. Box 278

West Tisbury, MA 02575-0278

508-696-0149

planningboard@town.west-tisbury.ma.us

APPLICATION FOR SPECIAL PERMIT

Date: May 12, 2023

Date Received by Planning Board: _____

Name of Applicant and Mailing Address: Philippe Jordi, Island Housing Trust
PO Box 779, West Tisbury, MA. 02575

Telephone Number(s): 508-693-1117, 508-560-6445

Name of Owner and Mailing Address (If not Applicant): Marie Luck
6 Morningside Lane, Sandwich, MA. 02563-2922 - (Authorization attached.)

Map and Lot # and Street Address of Subject Property: 16-194
88 Pin Oak Circle

Applicant is: Purchaser (Owner, Tenant, Purchaser, Other)

Applicable Section of Zoning Bylaw: 4.4-3 B, Multi-Family Housing

Date(s) and Title(s) of Plans Submitted:

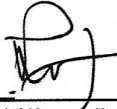
Site Plan of Land, April 6, 2023

88 Pin Oak Circle – Proposed 2-Family Residence, February 27, 2023

Brief Description of Proposal:

Applicant is applying for a Special Permit for a duplex on this .46 acre/20,038 SF vacant, pre-existing, non-conforming lot in accordance with Article 4.4-3 B, Multi-Family Housing regulations of the West Tisbury Zoning By-laws. The two-family structure would consist of a 2-bedroom residence on the first floor and a 1-bedroom residence on the second floor. The 1-bedroom unit or 33% of the total bedrooms would be affordable to households earning 140% or less of the AMI, and the 2-bedroom unit would be additionally restricted to year-round occupancy. An enhanced septic treatment system has been conditionally approved by the Board of Health pending a clean water sample.

I hereby request a hearing before the West Tisbury Planning Board with reference to the above noted application.

Signed:  _____
Philippe Jordi, Island Housing Trust
Title(s): CEO _____

Application fee of \$150.00 is required. Date Paid: _____

FOR PLANNING BOARD USE

Size of Subject Lot: _____ Zoning District: _____

Registry Book and Page #'s and Date _____

Other Boards Involved with the Permitting:

Within an Overlay District?

Martha's Vineyard Commission Referral Required? _____ If So, MV Checklist
Items: _____

Marie Luck
Marie A. Luck 2017 Family Trust
6 Morningside Lane
Sandwich, MA 02563-2922

Feb. 24

March, 2023

Md.

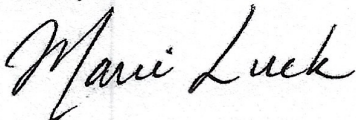
West Tisbury Boards and Commissions
West Tisbury Town Hall
P.O. Box 278
West Tisbury, MA 02575

RE: 88 Pin Oak Circle

Dear West Tisbury Boards and Commissions:

This is to inform you that I give my authorization for Philippe Jordi of Island Housing Trust to present their proposal to the Town for approval from the Planning Board, Affordable Housing Committee, Board of Health, Zoning Board of Appeals and other departments as required for approvals to create a two-family home on the lot located at 88 Pin Oak Circle.

Thank you,



Marie Luck

**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.

BRUSH, FLANDERS & MORIARTY, LLC

ATTORNEYS AT LAW

March 24, 2023

By email only to: pjscott@ihtmv.org

Philippe Jordi, Executive Director
Island Housing Trust Corporation
21 Mechanics Street
Tisbury, MA 02568

Dear Philippe:

You have asked for my opinion on whether 88 Pin Oak Circle, shown as Lot 32 on West Tisbury Case File No. 22, also known as West Tisbury Tax Assessor's Parcel Map 16, Lot 194 ("locus"), is a preexisting nonconforming lot under the state zoning statute, Chapter 40A, § 6.

I've reviewed the record title forward from the deed dated March 23, 1976, recorded with the Dukes County Registry of Deeds in Book 335, Page 395 describing locus. Locus is shown as Lot 32 on West Tisbury Case File No. 22 as having 20,050 sq. ft. of area and more than 50 feet of frontage on both Pin Oak Circle and Old County Road; according to my Registry research, these boundaries have not changed.

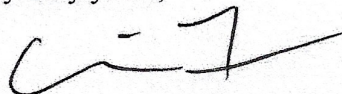
For a few years in the early 1990s the titleholder of locus, Marie Luck, was also the appointed personal representative for the Estate of Ernest Montilio, the deceased titleholder of adjoining land shown as Lots 31 and 33 on said Case File 22, and on West Tisbury Tax Assessor's Map 16 as Lot 195. Provided Ms. Luck was not a beneficiary of Mr. Montilio's estate, then locus has not been held in common ownership with adjoining land.

Therefore, although locus does not meet current area requirements under the West Tisbury Zoning Bylaw, my Registry research indicates that locus is a preexisting nonconforming lot under Chapter 40A, § 6.

This opinion is given solely for your benefit and shall not be relied on by third parties.

Please don't hesitate to contact me with any questions.

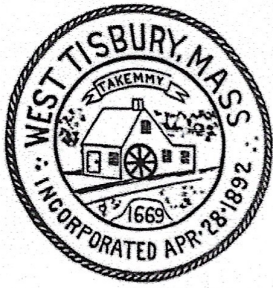
Very truly yours,



Caroline R. Flanders

CRF:arf





Town of West Tisbury

BOARD OF HEALTH

P. O. Box 278

West Tisbury, Massachusetts 02575

Telephone 508-696-0105

Email: boh@westtisbury-ma.gov

January 27th, 2023

Island Housing Trust

On 1/26/23 the Disposal Works Septic Application for 88 Pin Oak Circle, Map 16, lot 194 was tentatively approved by the West Tisbury Board of Health. In accordance with Town regulations, final approval will be granted when a well has been installed, tested and approved.

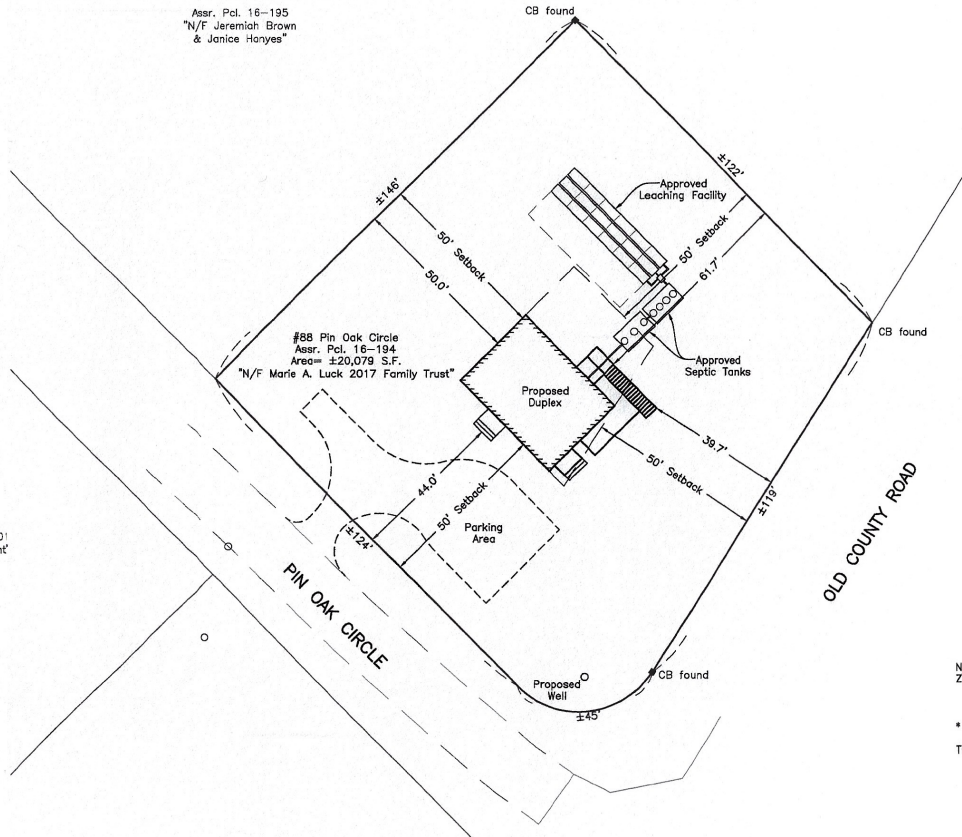
Alex Lam

West Tisbury Board of Health

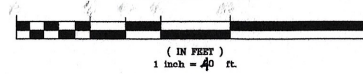
Assr. Pcl. 16-195
"N/F Jeremiah Brown
& Janice Honyes"

Assr. Pcl. 16-201
"N/F David Bryant"

Assr. Pcl. 16-202
"N/F Martha Macgillivray"



GRAPHIC SCALE



Notes:
Zoning District: RU
Setbacks: 50' All Sides
Minimum Lot Size- 3.0 acres

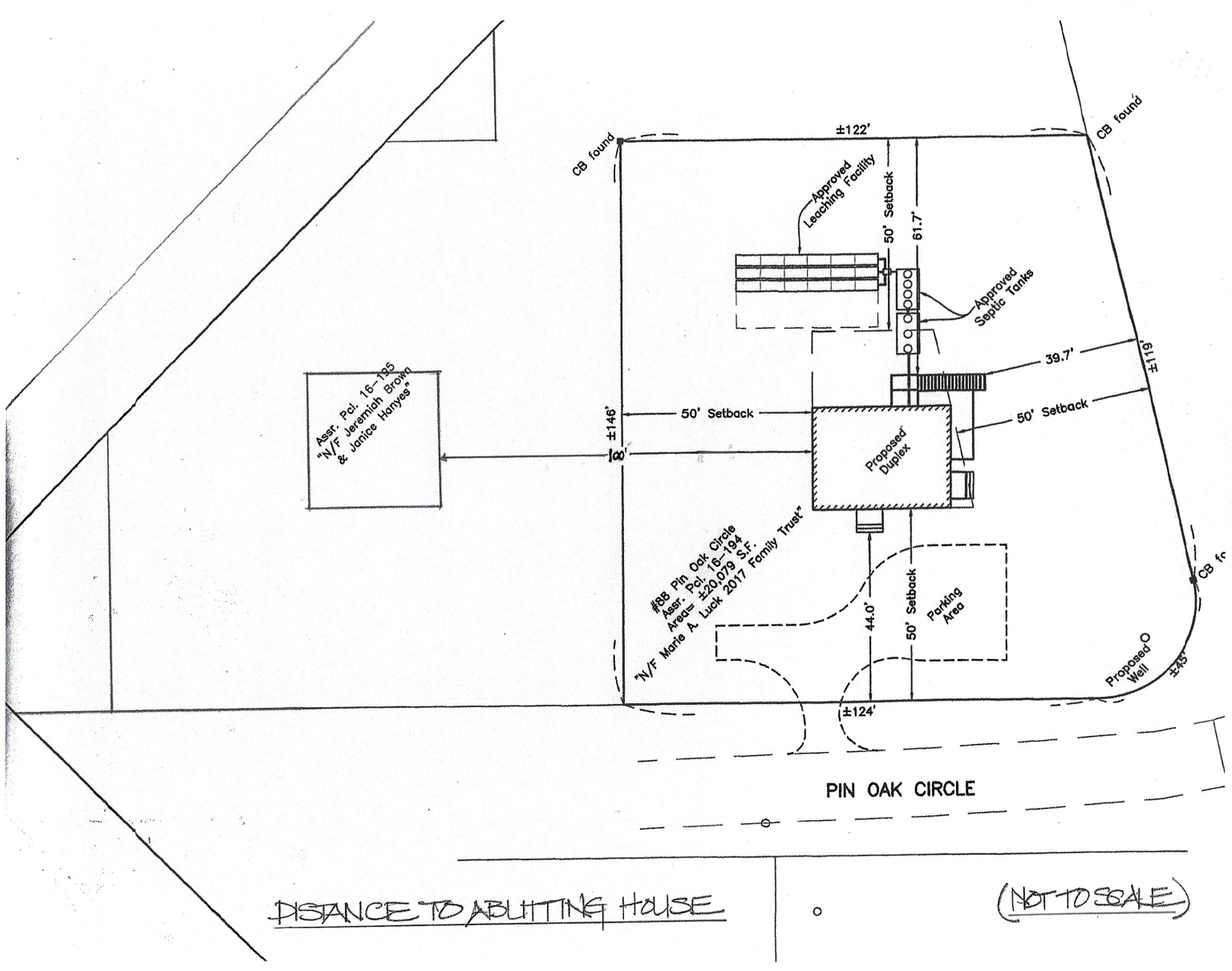
* Setbacks to be confirmed by town official

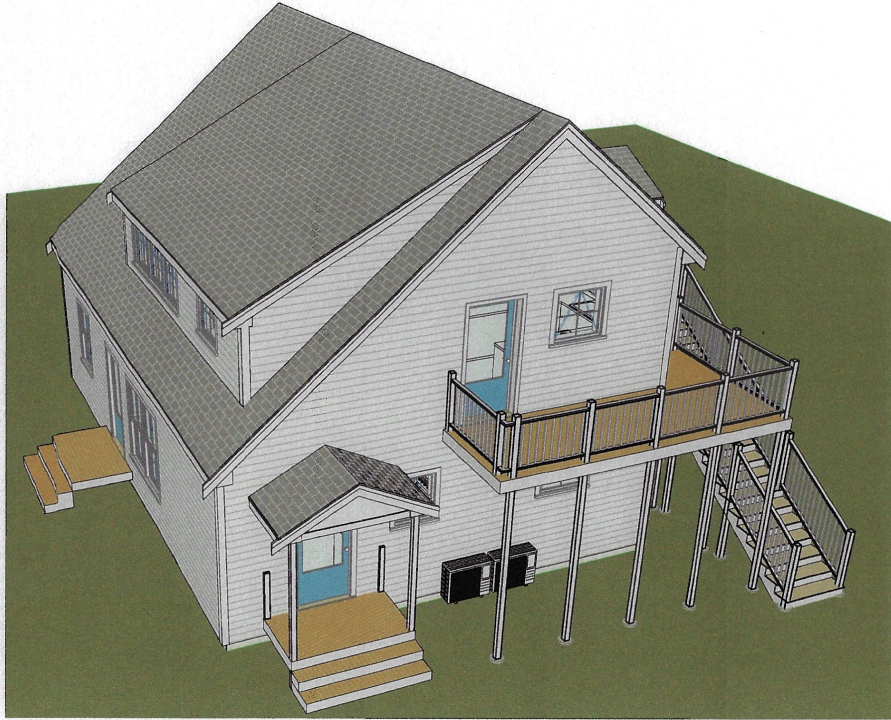
This lot lies entirely within the Island Roads - Major Roads District

Site Plan of Land
in West Tisbury, Mass.

Prepared for
Island Housing Trust


April 6, 2023 Scale: 1"=40'





A-1	Cover Sheet
A-2	Front
A-3	Back
A-4	Right
A-5	Left
A-6	Crawl
A-7	First Floor Plan
A-8	Second Floor Plan
A-9	First Floor Framing
A-10	Second Floor Framing
A-11	Ceiling Framing
A-12	Roof Framing
A-13	Schedules
A-14	Section 1
A-15	Section 2
A-16	Section 3
A-17	Section 4
A-18	Section 5

88 Pin Oak Circle - 03.24.2023.jrh

A-1	Cover Sheet	<p align="center">88 Pin Oak Circle Proposed 2-Family Residence by Island Housing Trust</p>	Island Housing Trust P.O. Box 779 West Tisbury, MA 0257 www.ihtrmv.org	
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Front Elevation

SCALE: 1/4" = 1'-0"

A-2	Front	<p align="center">88 Pin Oak Circle Proposed 2-Family Residence by Island Housing Trust</p>	<p align="right">Chris Ellis 2681 Patterson Court, St. James City, FL 33956 phone: 774-212-6625 computerhomedesign@me.com</p>
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Back Elevation

SCALE: 1/4" = 1'-0"

A-3	Back	<p align="center">88 Pin Oak Circle Proposed 2-Family Residence by Island Housing Trust</p>	<p align="center">Chris Ellis 2681 Patterson Court, St. James City, FL 33956 phone: 774-212-6625 computerhomedesign@me.com</p>
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Right Elevation

SCALE: 1/4" = 1'-0"

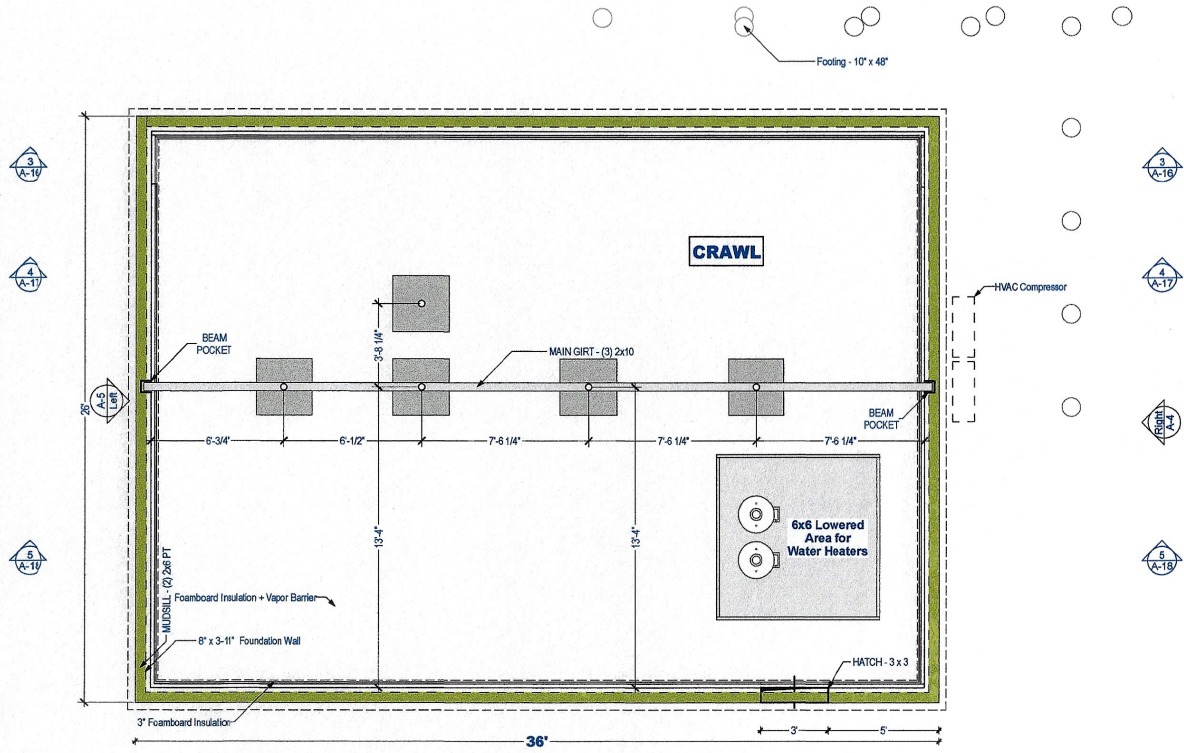
A-4	Right	<p>88 Pin Oak Circle Proposed 2-Family Residence by Island Housing Trust</p>	<p>Chris Ellis 2681 Patterson Court, St. James City, FL 33956 phone: 774-212-6625 computerhomedesign@me.com</p>
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Left Elevation

SCALE: 1/4" = 1'-0"

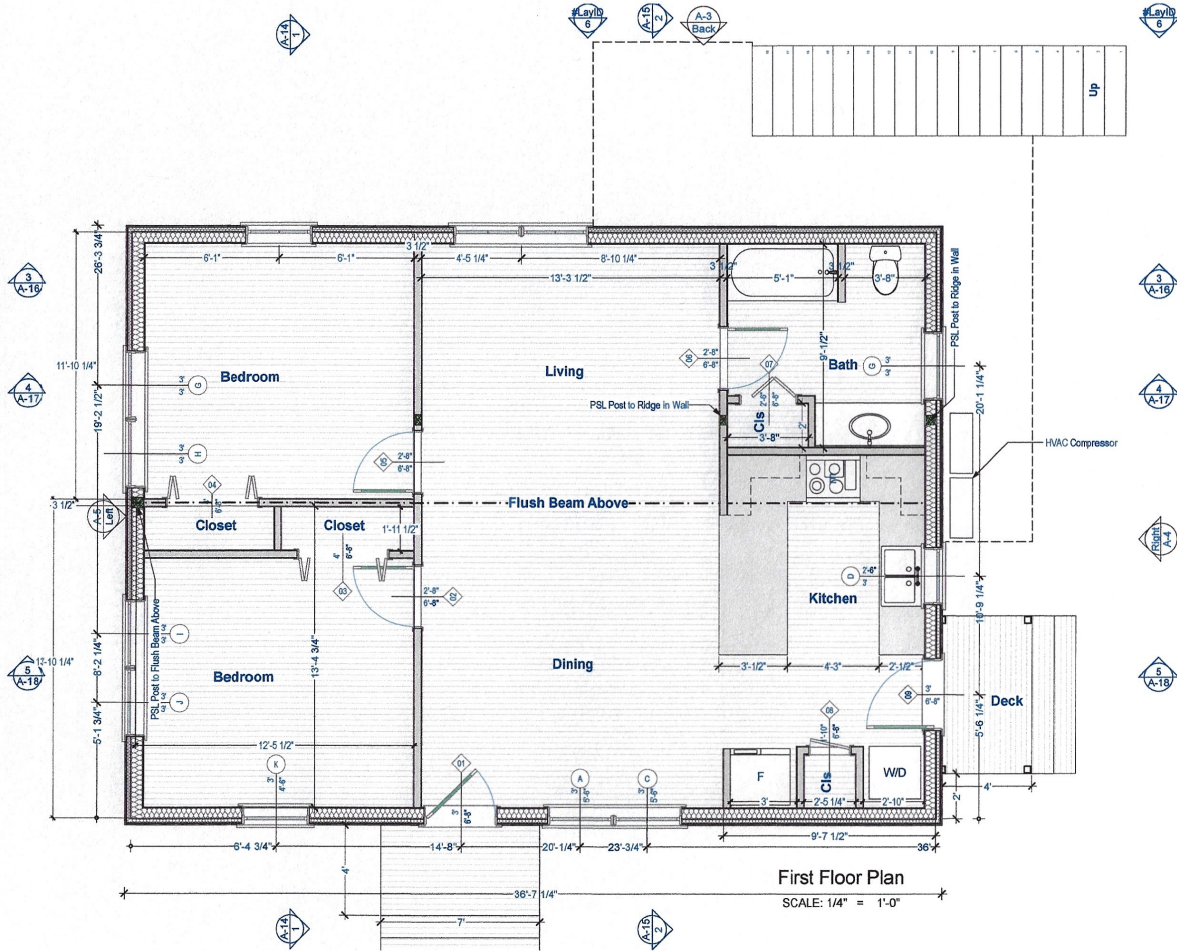
A-5	Left	<p>88 Pin Oak Circle Proposed 2-Family Residence by Island Housing Trust</p>	<p>Chris Ellis 2681 Patterson Court, St. James City, FL 33956 phone: 774-212-6625 computerhomedesign@me.com</p>
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Crawl

SCALE: 1/4" = 1'-0"

A-6	Crawl	<p>88 Pin Oak Circle Proposed 2-Family Residence by Island Housing Trust</p>	<p>Chris Ellis 2681 Patterson Court, St. James City, FL 33956 phone: 774-212-6625 computerhomedesign@ime.com</p>
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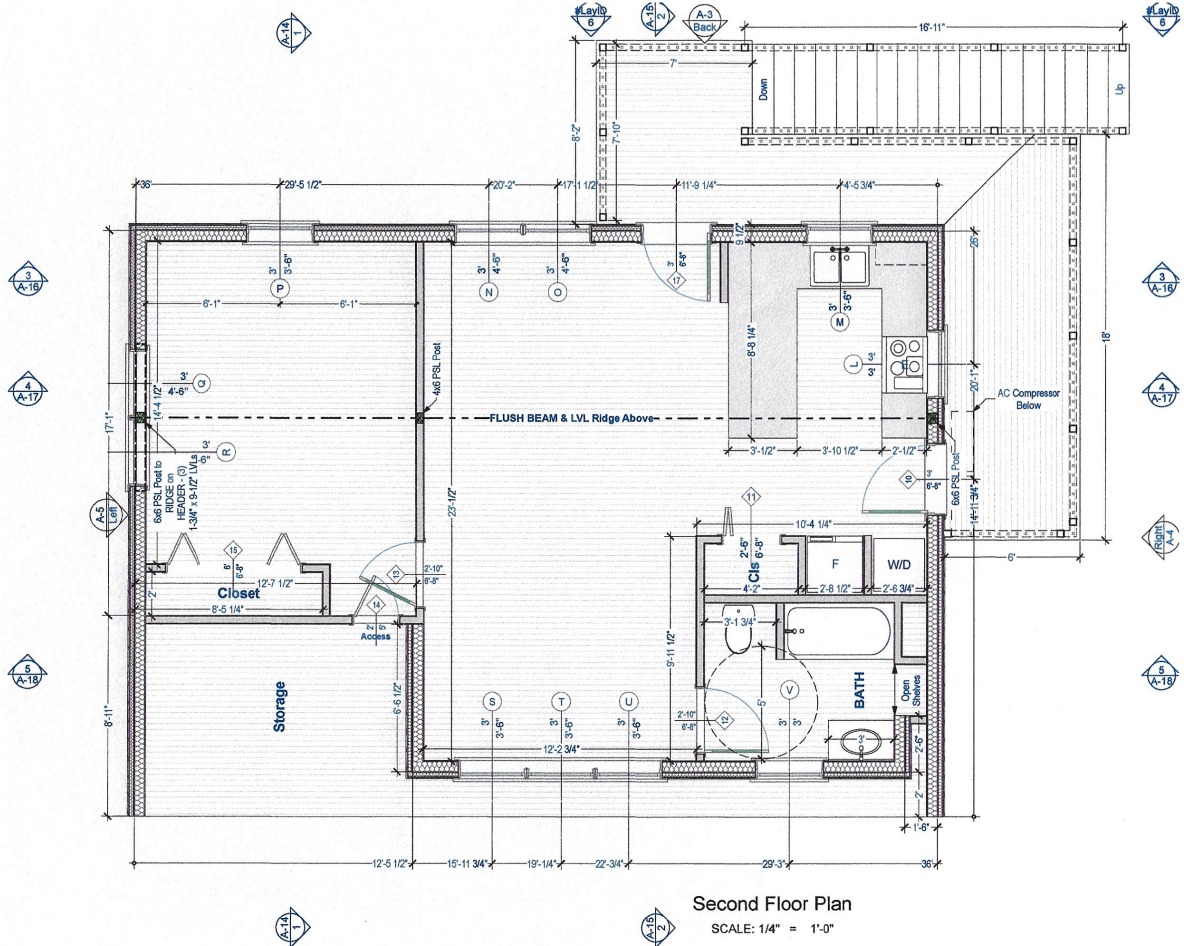


Chris Ellis
 2681 Patterson Court, St. James City, FL 33956
 phone: 774-212-6625 computerhomedesign@gmail.com

88 Pin Oak Circle
Proposed 2-Family Residence
 by Island Housing Trust

First Floor
Plan

A-7



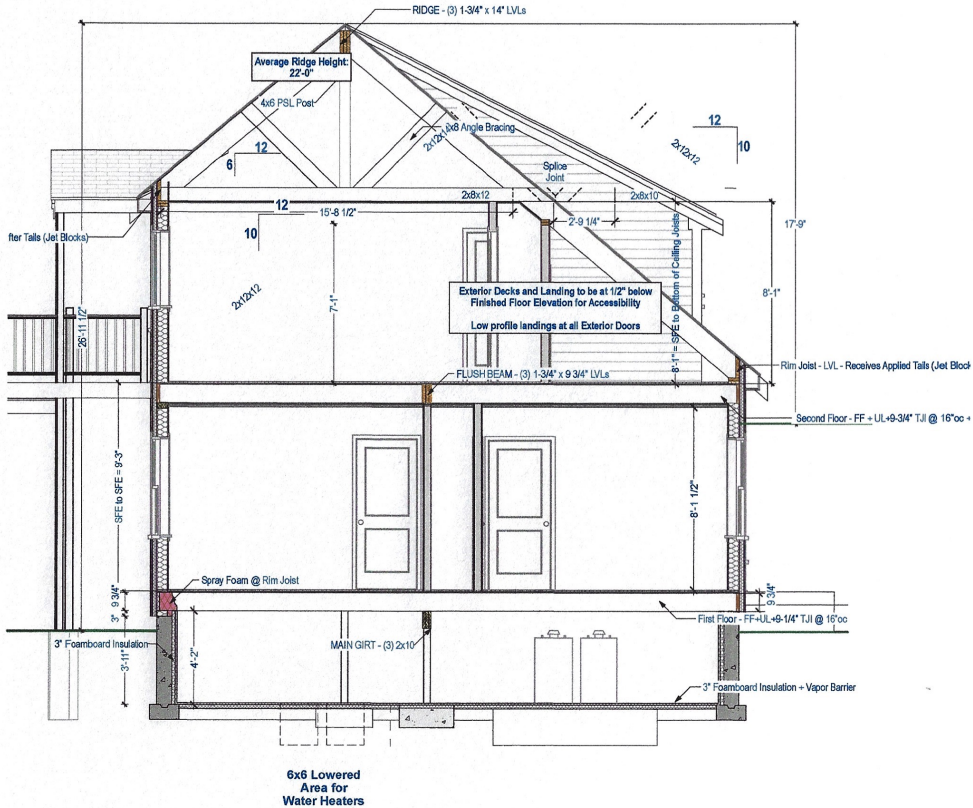
Second Floor Plan
SCALE: 1/4" = 1'-0"

Chris Ellis
2681 Patterson Court, St. James City, FL 33956
phone: 774-212-6625 computerhomedesign@me.com

88 Pin Oak Circle
Proposed 2-Family Residence
by Island Housing Trust

Second Floor Plan

A-8



Section 1
SCALE: 1/4" = 1'-0"

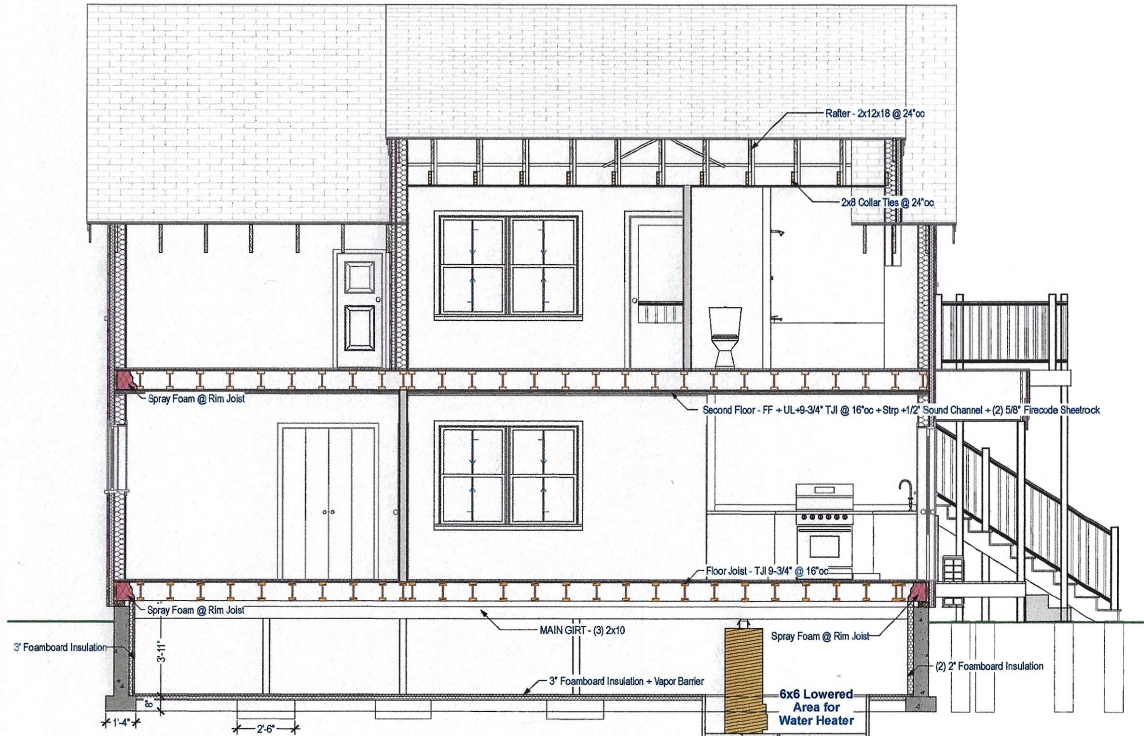
Chris Ellis
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88 Pin Oak Circle
Proposed 2-Family Residence
by Island Housing Trust

A-14 Section 1

88 Pin Oak Circle - 03.24.2023.dwg

88 Pin Oak Circle - 03.24.2022.rvt



Section 5

SCALE: 1/4" = 1'-0"

Chris Ellis
2681 Patterson Court, St. James City, FL 33956
phone: 774-212-6625 computerhomedesign@me.com

88 Pin Oak Circle
Proposed 2-Family Residence
by Island Housing Trust

A-18 Section 5