

WEST TISBURY PLANNING BOARD MINUTES October 2, 2023, pg 1

PRESENT Ginny Jones, Amy Upton, Leah Smith, Matt Merry, Heikki Soikkeli, John Rau.

ALSO PRESENT: (Names as they appeared on the Zoom screen)

Farley Pedler, HEI, Phil Regan, Chris Egan, Tom Shockey, Rachel Sorrentino, and Jane Rossi.

Leah opened the meeting at 5:35 pm.

MINUTES:

Ginny moved and Amy seconded the motion to approve the September 18, 2023 minutes as amended. Ginny-yes, Amy-yes, Matt-yes, Heikki-yes, Leah-yes.

ZBA Referrals:

- **Fischer:** Swimming Pool on Map 35, Lot 3.6, 200 Road to Great Neck.
- **Moehnke:** Addition to the main dwelling on Map 11, Lot 73, 87 Field View Lane.

Ginny moved and Amy seconded the motion to refer the applications back to the ZBA for their consideration, Ginny-yes, Amy-yes, Matt-yes, Heikki-yes, Leah-yes.

5:40: Continued Public Hearing on an application Farley Pedler for the removal of trees located within the Scenic Roads District under the Town Bylaws adopted on February 5, 1974 and amended on October 27, 1976:

Leah said the board had received and reviewed the letter from the road association stating that they voted in favor of the request from Farley Pedler to remove designated trees and improve the way according to the recommendations from the Fire Chief. Chris Egan stated that the letter didn't accurately reflect what was said at the road association meeting: not all in attendance agreed with Farley's proposal. He said the recommendation from the Fire Chief was accepted based on an element of fear and it "swayed people somewhat". As a side note, Chris asked if trimming along the sides of the road was allowed without a formal board review since it has become overgrown. Leah confirmed that it was fine to trim back overgrowth as regular maintenance.

Matt asked if the association had approved the pothole repair as well and Chris thought they had. Jane mentioned that the discussion at the site visit pertained to somewhat filling in the potholes but Chief Pachico did not find it necessary to fill them entirely.

Farley said the pool will be delivered on a trailer pulled by an excavator. Matt said the association letter was based on the Fire access but not on the swimming pool delivery. He wondered how Farley planned to bring in a 14.5 foot high structure under a 12 foot tree canopy. He stated that Farley would not be allowed to cut trees and branches along the way that had not

WEST TISBURY PLANNING BOARD MINUTES October 2, 2023, pg 2

been approved. Also, he felt improvements to the potholes could increase traffic by creating a more desirable short cut to and from the school. Matt made two suggestions for the conditions in the decision:

If the traffic along Dr. Fisher Road should increase due to road improvements, the Road Association has the right to appear before the planning board to request the road be returned to its original condition. The Planning Board reserves the right to request that the fill be removed.

Prior to proceeding to the Pedler property, the applicant must measure the height and width of the delivery truck to confirm the truck, trailer and contents will fit along the roadway. No cutting or trimming shall take place if the delivery does not fit.

Ginny requested that the delivery company be informed ahead of time of the conditions. There will be different iterations of width and height along the roadway.

Amy said it could be problematic if the potholes are filled in and then removed. The Fire Chief suggested the improvement. Also, she informed Farley that some of the fiberglass pools are cut in half for delivery and the repaired at the site. Farley said he had not considered the idea. He added that he will carefully measure prior to delivery. If the delivery won't fit, he will forgo installing the pool.

Chris Egan pointed out that the distance from the Public Safety Building is the same to either end of Dr. Fisher Road and all of the emergency people are aware of that. Leah said long-time residents along the road have said that the potholes always re-establish themselves over time so the fill will eventually recede.

Matt Moved and Amy seconded the motion to close the public hearing and approve the application with conditions.

Matt-yes, Amy-yes, Ginny-yes, Heikki-yes, Leah-yes.

Site Plan Review application from Rachel Sorrentino for a house over 3000 square feet on Map 35, Lot 7, 71 Carl's Way:

Phil Regan, Architect, explained that the house had the same configuration as previously presented. To bring it under the threshold of the Residential Building Size Bylaw, they reduced every exterior dimension and relocated some of what was on the two main levels to the basement, including the laundry room. He said Joe Tierney confirmed the calculations and they have been approved by the Conservation Commission. Ginny asked for a letter from the Con Com stating their approval. Phil said it was a significant exercise to make all the adjustments. Amy thanked Phil and his partners for doing as the board had asked and Matt concurred. Ginny stated she was disappointed that the house looked exactly the same. She was concerned that the

WEST TISBURY PLANNING BOARD MINUTES October 2, 2023, pg 3

basement was no longer a lower level. Tom Shockey said they had met all state building codes on accessibility.

Amy made a motion to endorse the application and Heikki seconded the motion. Amy-yes, Heikki-yes, Matt-yes, Leah-yes, Ginny-no

DISCUSSION:

Curb Cuts:

Jane asked the board if they would draft a letter to Joe Tierney stating the need for full closure of illegal curb cuts. She explained that there is a property on Edgartown Road that attempted to create a second curb cut by removing trees and excavating an opening. Once Joe became aware of the unpermitted work he required the owner block the access, so the owner installed a split rail fence. Jane pointed out that an illegal or relocated curb cut requires improvements that return the no-compliant area to its original condition. A split rail fence is a temporary, yet removable obstruction; the owner should have been required to replant the trees that had been removed.

Amy mentioned the second curb cut on her property contains an easement to a transformer that the old property access leads to. She said she recognized the concern some may have since she lives on a main road and is a Planning Board member. She wondered if there was a way to identify why some may need to keep a previous access open. Ginny said some are hardly noticeable and people should simply leave them alone and allow them to grow in. Matt said it's appearance more than anything; some are blocked with dying plantings or will appear to block the access without actually doing so.

*Matt moved and Ginny seconded the motion to draft a letter to Joe.
Matt-yes, Ginny-yes, Amy-yes, Heikki-yes, Leah-yes.*

Meeting adjourned at 6:40 pm

Respectfully Submitted,

Jane Rossi, Board Administrator.

**Approved on October 30, 2023 Ginny-yes, Matt-yes,
Amy-yes, Heikki-yes, Leah-yes**