

WEST TISBURY PLANNING BOARD MINUTES November 16, 2020

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

ABSENT: Amy Upton

ALSO PRESENT: Brett Fisher, Kevin Cusack, Reid Silva, Tracey Smith, Tom Shockey, Jane Rossi

DISCUSSION:

●Inquiry from the Building and Zoning Inspector regarding the future status of an existing dwelling on the property located on Assessor's Map 11, Lot 46, Ophelia Way:

Brett Fisher appeared before the board and explained that he and his fiancé are planning to modify an existing house into an accessory apartment located on the above said lot. They plan to build a new house and refurbish the existing 930 +/- square foot dwelling. He said that one of his father's employees currently rents the existing dwelling and it is his father's wish that the occupant not be vacated from his current living quarters. Brett said they plan to scale down the size of the rental space in accordance with the current accessory apartment zoning bylaw by creating storage space out of the excess living space and will do so after the construction of the main house has been completed. Bea suggested that the applicant receive an occupancy permit only when the "proposed accessory apartment has been vacated for remodeling. Leah agreed with Bea and Henry pointed out that the current tenant will need to apply to the Housing Authority to confirm he qualifies as a tenant. Brett said his tenant would qualify.

Henry made a motion in favor of the request and Leah seconded the motion.

Bea-yes, Leah-yes, Ginny-yes, Matt-yes, Henry-yes.

●Referral from the ZBA for a house over 3000 square feet:

Kevin Cusack informed the board that the proposed house was total of 6142 square feet and not 8400 as had originally been suggested. He said the first and second floor total 5100 square feet and the basement, partially finished basement totals 1047 square feet.

Reid Silva displayed the aerial view shot of the property and explained the green line represented a path for the owners to use to get up the hill. He explained that they had appeared before the board during the summer for a lot line adjustment on this property. The three abutting lots are in single ownership. He said this lot rises high and there is a view from the top of the hill which is where the house will be located. Ginny asked if this lot was close to the Child property and Reid confirmed that it is. He further explained that the house contains a garage and a basement with a finished portion and a section for storage. Leah asked which elevation faces the Child property and Reid said it is the front of the house. He also said that choosing the location of the driveway was difficult because the lot is so steep.

Leah made a motion to approve the review of the house and Henry seconded the motion.

Leah-yes, Henry-yes, Ginny-yes, Bea-yes, Matt-yes.

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●Request for a board member to join the Bus Charging Station Committee:

Jane was asked to contact the Complete Streets Committee to select an interested member.

MINUTES:

Bea moved and Leah seconded the motion to approve the November 2, 2020 minutes. Ginny-yes, Leah-yes, Bea-yes, Matt-yes, Henry-yes.

CORRESPONDENCE:

●Email from Kate Warner RE: Request for a zoning bylaw amendment:

Leah said the letter sounded as though Kate didn't want to rent her apartment to qualified affordable housing recipient due the information the Regional Housing Authority gave her regarding potential insufficient rental payments. Leah suggested that Kate may be unaware she has the right to select her own tenant if they qualify for the rental assistance program.

Jane was asked to draft a letter to Kate pointing out her options.

●Referral from the ZBA:

Application for a spa (hot tub) with a deck and an automatic safety cover on the property located on Assessor's Map 6, Lot 6, 271 John Cottle Road:

Jane explained that the applicant was requesting to have a 64 square foot spa with an electronic cover. They do not want to erect a safety fence as is required under the zoning bylaws. Leah said although the spa will be located up on a deck, she still felt uneasy about the absence of a fence. However, she said the board should leave the decision to the ZBA. Bea suggested the board suggest in the letter that the ZBA may want to consider the idea of the fence.

Bea made a motion to send a letter to the ZBA and Leah seconded the motion. Bea-yes, Leah-yes,

Henry-yes, Matt-yes, Ginny-yes.

Application for a non-habitable barn/garage for storage within the coastal district on Assessor's Map 39, Lot 14, 350 Big Homers Pond Road:

Ginny pointed out that the structure on the plan is not a barn and shouldn't be indicated as such on the application. She said that barns are for agricultural purposes such as hay, barn animals and farm equipment.

Tom Shockey explained that the application was presented to the ZBA in the recent past but was not sent to the Planning Board for review of the house over 3000 square feet. The lot had been reviewed by the PB to determine it is an open lot and the structure height was not to exceed 18 feet. The application was reviewed by the Conservation Commission and is now before the ZBA for a special permit to

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construct within the coastal district. Tracey pointed out that the term “barn” only appears in the narrative and the structure will be used for storage.

Bea moved to approve the referral and Leah seconded the motion. Bea-yes, Leah-yes, Matt-yes, Henry-yes, Ginny-yes.

●FURTHER DISCUSSION:

●Henry reported that he, Jane, Amy and Joe had met to discuss amendments to some of the definitions in the zoning bylaws. He said it is a complicated task and the layout of the current bylaws is confusing. Amy is going to pass on the proposed language changes to the Preserve West Tisbury committee to try to gain some perspective.

●Leah reported that the Land Bank is considering purchasing a lot that has inadequate road frontage in West Tisbury.

●Bea reported on the Community Preservation Committee Applications:

Historical Preservation Camp Ground Association, DCRHA for the rental assistance program, Harbor Homes housing for women, Scott’s Grove, Mill Brook, MV Shellfish Group sea water lines and Lambert’s Cove Beach rope railing.

●Ginny mentioned that the great pond had been opened from the ocean.

Adjourned at pm 6:30

Respectfully Submitted,

Jane Rossi, Administrator

**Approved on November 30, 2020
Jones-yes, Phear-yea, Smith-yes, Geller-yes**