

WEST TISBURY PLANNING BOARD MINUTES November 25, 2019

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

ALSO PRESENT: Samantha Look, Harriet Bernstein, Sue Hruby, Dan Doyle, Bill Veno, Joan Malkin, Paul Rashba, Newell Shinn, Bruce MacNally, Phil Regan, Ivory Littlefield, Heikki Soikkeli and Jane Rossi.

Ginny opened the meeting at 5:30.

DISCUSSION:

House Size Proposed Zoning Bylaw:

Samantha Look stated that they were before the board with concerns about a trend of bigger houses. She explained that house size is being considered all over the country as well as on the Cape and Islands, and the issues are being addressed in a variety of ways. She said they would like to see our community do the same. She said that the MVC is exploring the idea of having house size as a potential Development of Regional Impact. They are at the beginning stages of that by working on what square footage trigger would be and how it might work.

Samantha went on to explain that Harriet and others have done a lot of work on the impact of large houses. They have spent time working with the team in Chilmark. We want to see what the best fit for West Tisbury is and Chilmark has been helpful in guiding us through that process. They have collected a great deal of data and have had discussions with Chilmark to pave the way for a bylaw, and that they are happy with the way their bylaw is working. She said they would like to form a sub-committee to begin working on a bylaw and asked the board how they felt about that. We are respectful of the fact that you are busy and are on other committees. Leah said that the documentation they provided to the board looked like a nice compilation of information. I am impressed that you have gathered all of this information.

Bea asked about the by-annual review. Joan Malkin explained that when the Chilmark proposed bylaw got to town meeting, people asked if it would actually work. The town felt it would be difficult so they determined that the Planning board would take a look at the number of ZBA permits that were issued over the last two years regarding how many there were, the size of the houses. She said it's not a material addition to their workload. She said in Chilmark there were something like four permits granted, it was not substantial. She said the size limit in Chilmark is 3500 square feet. She wasn't sure how they were reviewing it now but she assumes that were reviewing it the same way. Henry asked if there is any information about people that have planned smaller houses to build just under the 3500 sq. ft. requirement. Joan said her daughter did. She designed a house that was 3499 sq. ft. It does happen and they are out there. Bruce McNally, architect, said their discussions have been broader than just discussing house size. What we are talking about is character of the town. The question of scale is relative. Size is a way into the question but what we are talking about more is about the size of the lot and where it is and what size would work.

Ginny asked if anyone wants to address the "Looking at the Vineyard" study. She said she heard that the building inspector in Chilmark was quoted as saying he considers the document to be one of the most important documents that has been created. It was written by Kevin Lynch and Vera Pratt. She said the committee might find it to be useful.

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Matt Merry asked Bruce, as an architect, if someone were to approach him with a plan to build a five or six thousand square foot house, are you open to design the house or would be try to encourage them to go smaller. Bruce said it depends on the location. He said that his “bread and butter” is not based on large houses. Matt said he would like to see the acreage of the existing large houses. If someone came to me with a quarter acre lot for a 5000 square foot house, that would be a totally different conversation. Matt said that he would like to see that part of the data to be addressed in the proposed bylaw. In 2018 you had two permits over 3000 square feet, what was the acreage. Sam said that in the data it shows lot size and square footage. The red dots on the map indicate where the large houses are located in West Tisbury. She said it’s not so much that we have a over abundant amount of large houses, it is more that we are trying to stay ahead of the building of these houses. She said the top of our goals. of our zoning bylaws

Matt said he does a lot of driving around and he doesn’t see large housing glaring at him everywhere he goes. He said he thinks the Stimola house triggered this conversation because it was a big house on a small lot. Matt asked if that was what has triggered them. Sam said it not just the way it looks, its energy, its resources, climate change, all of the concrete, wood and glass, not to mention solar panels. She said that one of the goals of this is to send a soft message to the town that a 6000 square foot house is still allowed, it would just be more closely looked at. Matt asked if basements were included in the square footage. Joan Malkin explained that they spent a lot of time thinking about what was consistent with the with other measures in the zoning bylaw, what was easy for the building inspector to measure and we came up with living area. A basement isn’t considered living area by definition. Matt said a lot of these houses are being built with that basement being finished. Joan said that one of the criteria is limited grading to maintain the area in its most natural state. Bruce stated that we are not going to turn into South Hampton, we have good zoning bylaws. He said that limiting the square footage as a hard number is probably not the best thing to do, it’s more a creating a qualitative bylaw instead of a quantitative one. He said it would be a bad idea to try to regulate what “looks good”. That would not be wise.

Ginny said that it seems we have looked at several applications for houses over 3000 square feet, not just what is indicated on the map that the group provided. Bea suggested that maybe they aren’t yet under construction. This is the data from the building inspector. Henry said he is aware that the discussion is minimally about the building and maximally about the character of the town. That should be included in the goal of the sub-committee. Translating that into a bylaw is very difficult.

Sue Hruby said she didn’t come to the meeting to speak on the house size subject, but she said she is aware of it. Is there a way to incorporate affordable housing into this plan. If someone has a large piece of property perhaps an affordable house could be provided. She said she didn’t want to get into it at the meeting, I’m just throwing it out to the group. Leah said that we do have a bylaw that states if someone creates a subdivision of more than three lots then a homesite lot is required. Aspen has some sort of regulation like that.

Bea stated that she was impressed with the thoroughness of the work the group has put into their plan and that she is filled with respect in going forward with this and she fully endorses them forming a sub-committee. Bea said that one of the PB members should be liaison. Amy Upton said she would be open to the possibility of being the liaison. Leah said this would probably not happen in 2020 but could perhaps happen in 2021. Bea said they did a survey and one of the question asked was if you would be in favor of

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limiting house size and the majority said they would not. She said it was close but most were not in favor. There is going to be a public relations job to be done as well. She said that Chilmark held several public meetings.

Bea asked about the chart with the red dots. She said that some houses are missing. She said she has two neighbors that have massive houses and they are not marked on the chart.

Matt asked Phil Regan what he thinks of this. Phil said that often times a client will come to him with no real number as to the size they want, they just have goals for the project and it is up to the architect to reach those goals. He said that someone once requested a 7500 square foot and Phil's response was "why". The answer he received was that they had a house in Toronto that was that size and it felt right. Phil suggested that they go through a programming exercise and see what your goals look like, so they did and the house ended up being 3500 square feet. He said he has had several conversations with clients who say they want to fit in. He said it all starts with a conversation prior to coming up with a design. Bruce added that a lot of clients that have very long ties to the Vineyard and they know the character of the island. It helps when discussing a project. Ginny said she assumed that the architects take their clients around and show them different projects they have done.

Harriet pointed out that they have struggled with what they should title the bylaw. Bea suggested "appropriate house bylaw". Sue Hruby suggested they look at the Kevin Lynch study because it is brilliant. Paul Rashba asked how this gets to town meeting. Bea and Leah explained the public hearing process. Bea also explained the petitioning process. Leah stated that excavation should be included in the bylaw and Bea said environmental impact and nitrogen loading should also be included. Ginny said we need to consider the Great Pond Sue said that what the laws are being treated with need to be considered.

Ginny said there are eight people listed as proposed committee members. Harriet said all eight want to be members.

Matt asked Newell if he was present for Vineyard Builders or for himself. Newell said he was there for both. Matt asked what the take from the committee based on the letter they recently wrote to the MVC. Newell said a lot of it has to do with impact, size and scale. They are hoping that the language is clear and concise. He said it seems less about size and more about impact. He said a lot of houses have designed professionals attached to them. Some much smaller houses can also impact the neighborhood. They can be poorly built and a waste of energy. Ginny read the letter from the MVBA to the MVC. She stated that it seems a little bit focused on the builders and less on the economy. She suggested an emphasis on the character of the Vineyard.

Bruce said that the make-up of the committee sees this as a beginning. He said they need to be more educated. Ginny suggested they resume when the group has formed a committee and they should bring the list of members. Bea stated that the committee will have to follow the same rules that boards and committees have to follow. Matt requested an outline when they report back.

Harriet said Jessica Rottie has suggested they focus on restricting the big houses. She said the other stuff can be a part of it but might muddy the waters.

The board determined they would vote on the committee at the next meeting.

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●Climate Change Committee Report:

Ginny said the committee met and it is starting to get organized. She said there is a report that came out last summer that can be found on the Emergency Management website in the town website.

●Sue Hruby report on going 100% renewable:

Sue said she is on the Energy Committee and they want to create a bylaw for the town to be 100% renewable energy by the year 2040. She passed out a report of what they are looking to adopt. She said they want to set a goal to reduce fossil fuel on the island. The large house bylaw might fit into that. She said “why not mandate all fossil fuels”. The town of Brookline has a regulation along those lines.

All cars will be electric, and houses would have to get switch out of using fossil fuel. Matt asked what would happen to all the car batteries. Sue said they will look at the current zoning bylaws and figure out where changes need to be made. She said they are also looking into financing. She pointed out that storms are more frequent and the winds are more intense and we have sea level rise. All of those factors have to be considered.

Sue also mentioned that the Cape Light Compact Board is tackling low and moderate income families. How do we become more independent when we lose power? Henry suggested tackling electric vehicles and fossil fuel at the same time. Matt asked if her committee had discussed the first generation of panels at the dump that are already dead. Sue said the town used about 70,000 watts a year from the solar panels. She said that in the event of an outage the town would be able to function if it were solar.

Bea moved that the board approve the committee with the members being determined at the next meeting, Leah seconded the motion and the vote was unanimous.

MINUTES:

Bea moved and Leah seconded the motion to approve the November 4, 2019 minutes. The vote was unanimous.

CPC projects up for review:

Bea read the list of applicants applying for CPC funding. She explained that the neighbors are against the affordable housing project on Old Court House Road because they only want one house but the AHC wants two rental units.

Bill Veno informed the board that Tisbury is designating Shubael Weeks Road and Red Coat Hill Road as Special Ways in their town.

Respectfully submitted,

Jane Rossi, Administrator

Approved on December 16, 2019