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

ABSENT: Matt Merry

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

Daniel O'Connor, Marilyn O'Connell, Jonathan, Everett and Judy Bramhall, Heather and Alexander Garzero, Debra Cedeno, Rick Fehon, Bill Plapinger, Nancy's iPad, Rebecca Schrumm, Kate DeVane, Ilaria Rebay, Stan, Jeffrey DuBard, Alice Kyburg, iPhone and Jane Rossi.

Leah opened the meeting at 5:30 pm.

5:30: Site Plan Review application from Heather Garzero to convert a portion of an existing garage into a craft workshop on Map 22, Lot 47.1, 642 State Road:

Heather explained that she is a scenic artist and creates personal artwork onto fabric. She dyes the fabric, allows it to air dry and then washes and dries it. She said she will not be selling her product from the property. She said her products are non-toxic

Ginny asked about the second driveway on the property and Alexander Garzero said it is actually located on the abutting lot and they have no reason to use it.

Amy mentioned that she is a painter and does not pour any paint or anything relating to it down the drain. She stores it in a container until she is able to properly dispose of it.

Leah said the plan seems fine. She requested that the applicants contact the Board of Health for a review of their proposal.

Amy moved to accept the plan as presented with the request of a Board of Health review and Ginny seconded the motion. Amy-yes, Ginny-yes, Heikki-yes, Leah-yes.

5:45: Site Plan Review application from Everett and Judy Bramhall for two studios above a proposed garage on Map 14, Lot 6, 301 Forest Road:

Everett explained that he is an architect and his wife is an artist. They each need space to work so they propose to construct a garage with two small studios above. Each will contain a lavatory and a small sink. The property is 10.5 acres and the structure is well within the setbacks.

Leah stated that the applicants visit the Board of Health to inform them of their plans.

Ginny moved and Amy seconded the motion in favor of the plan. Ginny-yes, Amy-yes, Leah-yes, Heikki-yes.

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DISCUSSION:

- **Request from Eric Peters for a site visit to Harpoon Lane to review the Fischer property proposed for affordable housing.**

The board suggested the site visit be scheduled when Matt Merry can be present.

- **Request from Zimmerman to cut more trees on the property located on Map 7, Lot 57, 380 Lambert's Cove Road.**

Jane explained that she had reviewed the site and the tagged trees. There is one large pine tree that the owner meant to include in his previous request but neglected to do so. The rest of the trees to be removed are small saplings. John said he had driven by the property and he had no concerns. The board was fine with the request to remove a tall pine tree and some saplings.

Jane said she will notify the owner that the added removal is allowed.

- **Complete Streets Committee request to accept new members:**

Jane explained that Greg Pachico and Adele Anderson wish to join the committee. Currently there are five full members. Leah suggested designating Greg and Adele as associate members which allows them to vote in the absence of a full member.

Ginny moved and Amy seconded the motion to approve the request. Ginny-yes, Amy-yes, Leah-yes, Heikki-yes.

REFERRALS FROM THE ZBA:

- **Bullan: request to convert a pool house and an outdoor shower into a 580 square foot habitable space on Map 30, Lot 2.68, 89 Pond Road:**

Heikki recused himself from the review as he represented the applicant. He explained that the plan was to convert the existing pool house and outdoor shower into a habitable space that would not include a kitchen. The first floor would contain a living area and a bathroom and the second floor would contain a bedroom. Leah asked if the structure was to be a detached bedroom add in that the maximum limit was 400 square feet. Heikki it is neither a detached bedroom or an accessory apartment, it will be considered habitable space.

The board determined they would leave it up to the ZBA. Ginny moved and Leah seconded the motion to draft a letter to the ZBA. Ginny-yes, Leah-yes, Amy-yes, Heikki recused himself.

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●Hamilton: request to split, stack and deliver wood on Map 17, Lot 48, 190 Otis Bassett Road.

Debra Cedeno, a member of the road association and an abutter to the property explained that the activity is extremely disruptive and the application provides no specific days and hours of operation. She said a previous neighbor conducted the same kind of activity without a permit and it was a huge problem.

The board said they are not the permit granting authority but would include the issues in the letter to the Zoning Board of Appeals, the permit granting authority.

●Pedler: Application for a swimming pool on Map 21, Lot 13.2, 50 Dr. Fisher Road:

The board wanted to confirm that the letter to the ZBA include the requirement of a fence.

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

●Parr: application to place a sign on the house on Map 32, Lot 4.5, 5 Murphy's Way:

The board had no problem with the placement of a sign on the office door to deter guests from using that entrance to the house.

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

6:00: Continues hearing on an application from Chris Cottrell to construct a barn under Section 4.4-8 of the zoning bylaws on Map 15, Lot 1, 274 Indian Hill Road:

Leah explained that the proposal is in excess of what is allowed without a special permit. She said there are several issues regarding the lot including violations within the wetlands, he did some major excavation prior to submitting the application, the property is no longer in keeping with the historical nature of the area and the neighbors are disturbed by all of the activity. Ginny said the landscaping plan emailed to the board was not a certified plan. John asked why the applicant doesn't just reduce the size of the structure to the allowable size which would be 400 or so feet smaller. Heikki said the landscaping plan was deficient and parts of the Preserve WT zoning bylaw point to a denial. Amy thanked Mr. Plapinger for his letter which she said she appreciated. Jane asked if Chris Cottrell was present to comment but received no response. Mr. O'Connell said he would like to see the excavated area restored.

Leah made a motion to deny the application and Heikki seconded the motion. Leah-yes, Heikki-yes, Amy-yes, Ginny-yes.

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Leah moved and Ginny seconded the motion to close the public hearing. Leah-yes, Ginny-yes, Amy-yes, Heikki-yes.

Meeting adjourned at 6:45 pm

Respectfully Submitted,

Jane Rossi, Board Administrator

Approved on April 3, 2023 Ginny-yes, Leah-yes, Amy-yes, Heikki-yes,

Zimmerman

Continued Public Hearing on an application for a special permit from Chris Cottrell to construct a barn under Section 4.4-8 of the zoning bylaws on Map 15, Lot 1, 274 Indian Hill Road, RU District:

Leah updated the board on the contents of the previous meeting regarding Mr. Cottrell's application. She explained that the board conducted a site visit to the property and reviewed the location where the proposed barn will be located, pointing out that a lot of excavation has already happened on the northwest side. Ginny asked if the application should be reviewed by the MVC due to the excessive amount of excavation. She said the applicant seems to have exceeded what's allowed. Reid pointed out that the excavation doesn't trigger a review by the MVC. There is nothing about excavation in the new bylaw (Section 4.4-8). Amy said the board could choose to send the application as a discretionary referral if they chose to.

A discussion ensued regarding the specific calculations provided by the Building Inspector. The consensus was that Joe has the final say on the calculations. Those present in the room were satisfied that the calculations were correct.

Matt pointed out that the lack of landscaping on the property was an issue and he asked why a landscaping plan hadn't been received. Chris said he would provide one to the board in the morning. Mr. O'Connell mentioned that Chris had cleared his trees completely on the side of the property that abuts the O'Connell property so Mr. O'Connell has had to plant a screen on his own land. Matt said he had an issue with the aesthetics of the barn, stating that it wasn't in keeping with the architecture of the surrounding area; what was once a quaint lot with one house has now become something quite different. Heikki pointed out that there is no architectural review under the zoning bylaws. However, Matt stated it is in the town bylaw that the intention of the bylaw is to protect and preserve the natural character of the town including the RU and Roadside District. Ginny said the Roadside District dates back several years and is there for a reason.

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Ginny asked for a description of what the agricultural component for the project. Chris said he currently raises chickens and other fowl, and he plans to garden in the future. He said he wants to be independent and self-sustaining.

There was a question about the excavation that had already occurred. Chris said he began excavation for this project in July and hadn't done any excavating since he filed his application with the Planning Board. A discussion regarding an MVC review came up again and the board felt this project can be easily handled by the board under the direction of the PWT bylaw.

Matt made a motion to continue the hearing until a landscaping plan has been submitted to the board. Ginny seconded the motion to continue until February 27, 2023 at 6:00 pm. Matt-yes, Ginny-yes, Amy-yes, Heikki-yes, Leah-yes.

The board required that no land work occur at this time.

●Continued Site Plan Review application from Marcio Aquino to construct a house over 3000 square feet on Map 29, Lot 15, 107 Vineyard Meadows Farm Road, RU District:

Leah stated that the board had received the calculation sheet from the Building Inspector and they confirmed that the house was within the square footage allowed. She requested that Mr. Aquino be respectful of his neighbors when considering his landscaping plan to screen his house. Mr. Aquino said he already has a plan to screen particularly from the neighbors closest to his property on the south side.

Ginny made a motion in favor of the plan and Leah seconded the motion. Ginny-yes, Leah-yes, Amy-yes, Matt-yes, Heikki-yes.

CORRESPONDENCE:

●Letter from the MVC on the Songwind discretionary referral:

Leah said the board sent the application for a large guest house, to get an opinion from the commission on whether or not the application required a review. A previous referral on the property had been sent back to the Planning Board stating the MVC did not need to review the project. This particular review had exceeded its required review window and was therefore declined a review.

The board determined it was not necessary to re-send the application to the MVC.

●Letter from Ben Reeves and Katherine Sterling RE: Merry Farm LLC:

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Leah mentioned that the board is waiting for a written opinion from the Land Bank or a revised plan from Jeffrey DuBard with the proper location of the Land Bank easement displayed on the plan.

Leah listed her responses to the letter received by Ben and Katherine:

1. The ownership of the property is not in question. The land used for the “open space” aspect of the plan belongs to the applicant.
2. Private restrictions are not the Board’s purview. The Board has no jurisdiction to lessen private restrictions, but the Board may impose stricter conditions that would supersede a private agreement.
3. The open space area must be supervised by a non-profit conservation group or the Town to enforce the open space condition of the designated land.
4. The applicant has designated one lot to be “affordable” under the Town’s definitions; the applicant’s “attainable“ lots are his own definition, not a legal category recognized by the Town.
5. All lots and residences must comply with Board of Health regulations on well and septic location, etc.

Leah emphasized that the open space has to remain open, with no buildings. Mr. Reeves said, in his opinion, it isn’t that the board can’t act on the existing restriction agreement, it chooses not to. Jane said the board will respond to the letter in writing.

MINUTES:

Amy moved and Heikki seconded the motion to approve the January 23, 2023 minutes as amended. Amy-yes, Matt-yes, Heikki-yes, Leah-yes, Ginny abstained.

Meeting adjourned at 7:10 pm

Respectfully Submitted,

Jane Rossi, Board Administrator.

Approved on February 27, 2023: Leah-yes, Amy-yes, Ginny-yes, Heikki-yes.