

**WEST TISBURY PLANNING BOARD MINUTES March 27~~0~~, 2023, pg 1**

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

ABSENT: John Rau

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

~~Ben Reeves, Katharine Sterling, Jeffrey DuBard, Martha Stackpole, Indaia, Sebastian, Michelle, Laura Silber, Michelle Borre, Bob Massieh, and Jane Rossi. Jen Rand, Doug Ruskin, Susan Silk, Cynthia Aguilar, Kate Warner, Eonki Seonwoo, Thomas Humphrey, Thomas Bena, Jeffrey DuBard, Brian Ditchfield, Marilyn Vakota, Brad Tucker, Liz Ragone, Lauren Lynch, Katharine Sterling, 5 Tablet, Jane Rossi~~

Leah opened the meeting at 5:30 pm.

**Warrant Article 2023 Board Discussion: Public hearing on the 2023 Warrant Articles for zoning bylaw amendments on the Use Table, Accessory Apartments, Swimming Pools, Definitions and a Visioning Study:**

**Section 8.5-4, Swimming Pools: Request from the Planning Board for \$25k to cover the cost of a Consultants to conduct a visioning study:**

Leah explained that a study was conducted twenty five years ago and it is now time for another. Ginny pointed out how impressive the last study was and how well attended it was during a weekend-long group event that was well managed and was met with enthusiasm. Kate added that she had also been a part of the study and the consultant was excellent.

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**Swimming Pool Bylaw:**

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Kate said the amendments are formatted so that the language refers to the current state code rather than amending the code numbers every few years. She explained that the language cannot “require”, but can “encourage” certain uses according to town Counsel. She noted that Town Counsel requested the pool “cover section” be removed from the amendments. However, Kate felt the language would work better if it stated that the town encouraged pool covers for heat and safety purposes. The board agreed with the proposed language. She added that the Fire Chief would prefer not to add any language regarding the use of a swimming pool as a water source in the event of a far. He would prefer to hold off for now until he can gather more information.

A discussion ensued regarding pool chemicals and how they were monitored prior to draining a pool. Kate said pools are not drained in the off season, the water level is lowered slightly. She

suggested Jane speak with Joe Tierney about how and where the discarded water goes and if it is actually tested by a professional.

**Affordable Assessor Apartment:**

Leah explained that the proposal was to clarify the allowable use of accessory apartments by adding “Family Members” and Caregivers” as was originally intended when the bylaw was first proposed. The terms appear in the definitions section of the bylaws but were never added to the

**WEST TISBURY PLANNING BOARD MINUTES March 27, 2023, pg 2**

body of the Housing section of the zoning bylaw as was intended. This amendment will clarify the use.

**•Use Table:**

Doug Ruskin suggested that the proposal to amend the Use Table be postponed until the visioning study is complete. He said there is a question of whether we want West Tisbury to remain rural and quaint and the study may shed some light on the subject. Leah said Doug had a good point. However, she said the issues are of immediate concern. Ginny added that the issues regarding use permits is becoming more pressing.

Chain Businesses: A language change was suggested to allow for 3 chain businesses since Cronig’s and Cottles (for example) have more than one business on the island. Leah suggested that the language may need to be removed from the Warrant all together.

Mobile Food Establishments (Food Trucks): Jen said the Select Board cannot be the permit granting authority under the zoning bylaws. She explained that the Planning Board would review an application for a mobile food establishment and the result of that review would go the Select Board for final approval. However, the Planning Board will be the permit granting authority.

Events: Leah explained that under the proposed bylaw, a property owner would be allowed to host a wedding or large personal event on their property by right. However, if the property owner chooses to rent their property for a fee so a paying tenant could conduct a similar event on the property, that would only be allowed one time annually per property. Several questions arose regarding the section of the amendments. John Rau asked about commercial property zoned in the VR and RU Districts such as the Grange Hall. He asked how the bylaw would affect their weddings and events with regard to hosting more than one event annually. Nevette said the Grange has its own regulations under their deed. It was pointed out that religious, charitable and educational uses are allowed regardless of the zoning bylaws. Several in attendance said they found the discussion to be confusing and some felt they would not feel comfortable voting on the proposal without clarification. Amy said she didn’t feel prepared to be able to speak on the subject. Lauren Lynch said the allowance for private homes verses places like the Grange, the Ag Hall and the Lambert’s Cove Inn should be clear in the bylaw. Heikki said he didn’t find the

proposed regulation to be confusing. What he said he did find confusing was why there was a difference between a private residence and a business. He felt an event should be treated the same for either location.

Leah suggested the board close the public hearing and continue to the next week for a discussion amongst the board members to finalize the amendments and determine what will be addressed on town meeting floor. Matt concurred and added that the discussion should be primarily amongst the board to limit distraction.

### **WEST TISBURY PLANNING BOARD MINUTES March 27, 2023, pg 3**

Ginny made a motion to close the public hearing and continue the discussion to the next meeting. Amy seconded the motion. Amy-yes, Matt-yes, Leah-yes, Ginny-yes, Heikki-yes.

#### **Referral from the ZBA:**

●Application for setback relief to install a Japanese Soaking Tub on Map 25, Lot 4.2, 10 Edson Forrest Road.

Ginny made a motion to refer the application back to the ZBA for their determination and Amy seconded the motion. Ginny-yes, Amy-yes, Leah-yes, Matt-yes, Heikki-yes.

Adjourned at 7:20 pm

Jane Rossi, Board Administrator.

**Approved on April 24, 2023-Jones-yes, Merry-yes, Upton-yes, Soikkeli-yes, Smith-yes**

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