

WEST TISBURY PLANNING BOARD MINUTES June 26, 2023, pg 1

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

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

Arnie Fischer, Jean Fischer, Eleanor Neubert, Sarah, Steve Rattner, Christopher Cunio, Jeffrey DuBard, Patrick Robson, Bill Veno, Chris O'Sullivan, Kate O'Sullivan, Reid Silva, Jane Rossi.

Leah opened the meeting at 5:30 pm.

• Public Hearing on an application from Flat Point Farm, The Priscilla P. Fischer 1994 Trust, to subdivide and create 4 buildable lots, and to adjust property lines, under a Form C and a Form A application, on Assessor's Map 35, Lots 3.1 through 3.1, 4, 5, 6, 7 and 8, 126, 161, 180, 200, 212 and 250 Road to Great Neck, RU District:

Leah opened the public hearing and read the hearing notice. Heikki recused himself from the hearing being an abutter to the property. She explained that the board has reviewed the proposal several times over the years and they are familiar with the property having conducted site visits.

Reid Silva said this is the first official application for a Form A and a Form C subdivision plan. In the past a form B plan was filed in 2018 that modified an original Form B which was approved by the Martha's Vineyard Commission. The property map was displayed and explained. Reid said the O'Sullivan and Annie Fischer lots are not a part of the proposed subdivision. There are the existing kid's lots, and the proposal creates 4 additional lots. There are an existing house, barn, oyster shack, 2 kid's lots that are developed and 2 vacant kid's lots. The oyster shack is a building that can have a separate lot by right (Lot A). Lots are created via Form A around existing structures that pre-date zoning. Lot B is the farm and a dwelling that is leased by the Fischer's daughter. Lots C and D are created around existing houses. Lot F is an unbuildable lot that will comprise the area of the road. Lots G and H are not buildable by themselves. The Agricultural lot that will be owned by the Land Bank is not buildable. It is a part of the bigger parcel but is restricted. The Form A plan creates lots that have existing structures and pre-date zoning.

The Form C plan is similar. Lots A,B,C,D and E will stay the same. The 4 kid's lots will be 3 acres each. Reid said the Form A requires a public meeting and the Form C requires a public hearing and they need to go to the MVC together. The 4 new lots that will be created are located on the new road that includes a cul-du-sac at the end. The Form A process is less complex and is easier to justify that we are taking existing uses and creating a new road. Both the Form A and the Form C have to go to the MVC; Reid said they should be referred together since they support each other. The new road will provide access for the Fischer lots and the O'Sullivan property will create its own road with access via the newly created Fischer road. He said the plan does not negate the O'Sullivan's access, it just changes the placement of the easement.

WEST TISBURY PLANNING BOARD MINUTES June 26, 2023, pg 2

Sarah O’Sullivan said the new plan provides them less than full access. Her family uses part of the new road to get down to their property, but currently something in the road obstructs their full access. Reid said that any blockage has nothing to do with the proposal, making it a separate issue. Matt Merry asked about the oyster shack lot and the portion behind Emily’s. He wanted to know if they could become buildable. He said there appear to be 7 lots that are building-optional. Reid said the oyster shack lot has building potential. The total number of lots is 13. Today they have 8 buildable lots with 9 houses. Leah pointed out that the lot around the oyster shack could have a house and a guest house with another Form C. Reid said that potentially, that was the case. However, the Fischer’s have no plans other than what is before the board.

Ginny stated the plan is respectful of the flood area and pointed out that she knows the property well. She reiterated the fact that the Form A plan is simply formalizing the lots that have been in existence for many years; each lot is entitled to its own legal acreage. One of the reasons for the new road was that the old road was close to the waterway. She said the efforts of the Fischer’s was admirable. The 3 acre affordable lot located on Harpoon Lane will need to be considered further.

Reid explained that the 4 new lots will be sold and they are not large enough to have guest houses. The “kids” lots are 3 acre lots and they will not be allowed guest houses. The oyster shack lot is 6 acres. Leah said due to the sensitive nature of the location of the oyster shack lot, the board may not allow any further subdivision and no guest house.

Leah summed up the discussion by stating that the application will be referred to the MVC. She hoped the issue with the O’Sullivan family will be resolved. Jane was asked about the affordable portion of the project and explained that the Fischer’s have purchased a 3 acre parcel on Harpoon Lane. In the recent past the Fischer’s attorney appeared before the board informally to explain that they may consider creating an affordable house and a market rate house on the lot and will address the matter in the near future. She said the board had received a letter from the attorney explaining the idea and the letter is available in the Planning Board office. Amy asked if Mr. Cunio had anything to add to the conversation and he said he did not at this time.

Ginny made a motion to refer the application to the MVC and Amy seconded the motion. The vote was unanimous with one abstention from Heikki.

Jane said she would draft a letter and circulate it to the board members.

MINUTES:

Approval of the June 5, 2023 and June 12, 2023 minutes:

WEST TISBURY PLANNING BOARD MINUTES June 26, 2023, pg 3

Amy moved and Heikki seconded the motion to approve both sets of minutes. The vote was unanimous.

DISCUSSION:

Visioning Study:

Leah informed the board that she, Ginny and Jane have contacted several of the recommended participants to the steering committee. She said some have responded with interest but not all have been heard from. Once formed, the committee will conduct an initial meeting with the Consultant, Delia Clark. The goal is to hold the final workshop in the spring. Jeffrey DuBard suggested the committee be mindful of diversity when selecting committee members.

Dr. Fisher Road:

Jane asked the board to review the road at their convenience to see if they feel the trees should be trimmed for safety vehicle access.

Meeting adjourned at 6:45 pm

Respectfully Submitted,

Jane Rossi, Board Administrator.

Approved on July 31, 2023 Ginny-yes, Matt-yes,

Amy-yes, Leah-yes, Heikki-yes