

## **WEST TISBURY PLANNING BOARD MINUTES August 14, 2023, pg 1**

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

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

Tom O'Brien, Jack O'Brien, Hugh Phear, Bea Phear, Bethany Hammond, Julie's Ipad, CF123, Farley Pedler, Candy Webster, and Jane Rossi.

Leah opened the meeting at 5:35 pm.

### **DISCUSSION:**

#### **•Continued public hearing on an application from Candice Webster to construct an addition to the main dwelling under Section 4.4-8 of the zoning bylaws on Assessor's Map 2, Lot 8, 2 Simran Road, RU District:**

Leah explained that the board had conducted a site visit to the property. She said the proposal doubles the size of the house, the lot is steep, and the board had requested a landscaping plan at the last meeting. A landscape plan had been submitted and Jane displayed the plan. Tom O'Brien, contractor, explained the locations of the recently planted trees and the trees that will be planted. The green dots on the plan indicate the location of the trees. He said the shed has been relocated 50 feet away from the property line and the yellow areas indicate the locations of the existing gardens. Leah said there didn't appear to be any additional screening between the property and the direct abutter. Tom said there are several trees and a fence that screen the properties. Ginny asked about a shed that she had suggested be donated to Habitat for Humanity and Candy said she donated it to a neighbor for his landscaping business. Leah asked Hugh Phear, the direct abutter, if the screening was adequate. He said he had asked for more trees to be planted since he lives up the hill from the property and has a commanding view of it. He said taller screening could help; the fence is 4 to six feet tall, varying in height in several location.

Tom asked about the upper portion of the proposed attached garage where the applicant has requested two bedrooms. He asked if that was allowed or should it be a studio of storage space. Amy said the bylaw states that the applicant may borrow square footage from the Residential Floor Area (RFA) to create additional Supplementary Floor Area (SFA), but cannot borrow in the other direction, as in take from the SFA allotment to add to the RFA number. Candy said the bedrooms would be for her future grandchildren. Ginny commented that 981 square feet of supplementary space is a lot and there was a question about possibly renting the space. Candy said she had never rented rooms and did not plan to in the future. Leah pointed out that the issue is not about rentals, it is the new bylaw that requires specific limits. This is an application to ask for more than what is allowed.

Matt Merry said the additional 981 feet is what is being requested by the applicant. They are allowed to apply and they could build the addition today without creating usable space. There was a discussion regarding what determines habitable space and whether or not a studio would be considered a habitable space based on how it is conditioned; insulated or not. There was also discussion regarding the state building codes and what is

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considered to be included in the building volume. Heikki explained that attics and basements were to be included in the RFA per the algorithm detailed in the bylaw language as well as the definition of these spaces. Matt stressed the fact that the applicant is requesting 981 square feet of additional space beyond what the bylaw allows by right. Tom said that was correct. However, he believed it was 918 square feet.

Matt pointed out that the applicant is asking for additional space on 3.1 acres. The garage is allowed regardless. He said he would be open to conditioning the application to screening, any excavation will require repair to the road by the applicant, and the house is not to be rented at any time.

Candy said the property is her “forever home” and she will be there until her children take it over. It will be a multi-generational house since her daughters will be living with her and, perhaps her future grandchildren. She said her guest house has one bedroom and is currently rented. The second bedroom listed on the guest house accessor’s card is basically a room with an electrical box so is not suitable as a bedroom.

Heikki suggested that Candy could improve the guest house by making the second bedroom habitable, and the extra bedrooms Candy is looking for could go in the basement. Candy said her basement was not sufficient as bedroom space.

Amy recommended that the applicant read the section of bylaws that describe the parameters for an accessory apartment as a potential means to expand the multigenerational needs of her family. Amy was under the impression that if the property had been created before the year 2000 the applicant could have a guest house and an accessory apartment on the same property

Matt suggested the board continue the hearing and get some answers before voting on the application. He also said Joe Tierney should be present at the next meeting to answer any questions the board or the applicant may have. Leah said Jane needed to ask Joe whether the breezeway is included in the calculations, can a guest house and an accessory apartment be on the same property, and does habitable space have to be insulated (conditioned).

***Ginny made a motion to continue the hearing to August 28, 2023 at 5:30 pm and Amy seconded the motion. Ginny-yes, Amy-yes, Matt-yes, Heikki-yes***

The applicant’s daughter stated that the application process had already taken too long and had cost her mother a lot of money. Matt pointed out that the applicant was not going to be happy with the outcome if the board voted “now”, and the board was only trying to help the applicant out. Candy agreed to the continuance.

**• Continued public hearing on an application from Farley Pedler for the removal of trees located within the Scenic Roads District under the Town Bylaws adopted on February 5, 1974 and amended on October 27, 1976:**

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Leah explained that the board had conducted a site visit to the road and there were 3 trees marked to be removed at the request of the Fire Chief, and several other trees tagged by the applicant that will need to be removed to allow for a swimming pool delivery. The road association meeting will take place in September. Leah suggested that the public hearing be continued until that Road Association meets and drafts a letter to Farley or the Board with their findings.

*Amy made a motion to continue to October 22, 2023 and Heikki seconded the motion. Amy-yes, Heikki-yes, Leah-yes, Matt-yes, Heikki-yes.*

**●MINUTES:**

*●Amy made a motion to approve the **July 31, 2023** minutes as amended and Matt seconded the motion. Amy-yes, Matt-yes, Leah-yes, Heikki-yes, Ginny-yes.*

*●Amy made a motion to approve the **August 7, 2023** minutes as amended and Matt seconded the motion. Amy-yes, Matt-yes, Heikki-yes, Ginny-yes and Leah abstained.*

**●ZBA Referrals:**

**Watcha Club LLC Height relief on a wooded lot on the coastal district on Map 43, Lot 1, 100 Watcha Club Road, RU District.**

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

Meeting adjourned at 7:00 pm

**Approved on August 28, 2023 Heikki-yes, Amy-yes, Matt-yes, Ginny-yes, Leah-yes.**

Respectfully Submitted,

Jane Rossi, Board Administrator.