

WEST TISBURY PLANNING BOARD MINUTES September 28, 2020

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

ALSO PRESENT: Chris Alley, Greg Ehrman, Sean Dougherty, Hadley Boyd, Elizabeth and Ebin Armer, Jane Rossi.

DISCUSSION:

●Referral from the Zoning Board of Appeals on two applications for construction within the Coastal District as required under Section 6.1-7 of the Zoning Bylaws:

***Dunkley, LLC & Eversource, Map 32, Lot 85, 70 Taffy’s Field Road:**

Leah asked where the property was located and Chris Alley gave her detailed directions. He then explained that the property contains an old summer camp. The Conservation Commission has reviewed and continued the hearing, and the builders agreed to pull the structure inland and the renovations to the existing dwelling will not increase the size. He said the board of Health will review and consider a denitrification system for the property. Leah asked if the property had changed hands and Hadley Boyd explained that her parents purchased the property in 1973 and she and her family are doing the renovations. Leah said the renovations will be an improvement. Matt asked about the height of the house and Ginny pointed out that the lot is wooded. Ginny expressed that they be mindful that nothing harmful runs down into the pond. Chris said the treatment unit will be sufficient.

Bea said she had no objection to the project and made a motion in favor of it. Leah seconded the motion. Bea-yes, Leah-yes, Matt-yes, Henry-yes, Ginny-yes. Amy stated that the proposal looked lovely.

Jane said she would draft a letter to the B&Z Inspector.

***Ebin & Elizabeth Armer, Map 32, Lot 85, 14 Factory Brook Road:**

Ebin Armer explained that he and his wife Elizabeth are proposing to move and exterior wall out four feet. The house was built in 1972 and is lacking space and closets. They need some room to add closet space. They are also proposing to bump out a wall by two feet to create a mud room. He explained that the property was previously owned by Gay and Arthur Nelson and he has received letters from abutters stating they had no objection to the project. He also pointed out that they didn’t want to renovate to increase the headroom because the roof already has solar panels in place that they don’t want to disturb.

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

●Attic/Loft Definitions in the zoning bylaws:

Henry explained that he had found two issues within the definitions section of the zoning bylaws which was the reason for the discussion. First, he said that the Building and Zoning Inspector had made a decision based on his interpretation of the definitions for “loft” and “attic” space, and Henry found there to be a problem. Second, he said that because Joe made a decision to bypass a public hearing for a special

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permit to for an applicant to construct a structure over 676 square feet on a non-conforming lot, abutters were not notified and therefore were not able to comment.

Henry explained that the issue is with storage space. If an area is located directly under the roof it is considered an attic and is therefore storage space. Equally, a basement is considered to be storage space. Bea clarified that an attic technically has little head room and is located directly under the roof, while a loft is an open, functional space. Henry said a loft, being open and functional for an occupant should not be considered a space for storage because it should count in the calculations regarding the size of the structure.

Bea stated that the issue appears to be that Joe failed to count and identify the spaces according to the bylaws. The applicant would have had to apply for a special permit in this case and was directed not to. Henry said there is a statement within the bylaw language about storage space that states space isn't counted in the structure size if it is for storage. A basement isn't directly under a roof but an attic is. Henry said his take is that the bylaw language needs to be addressed. Bea said an attic has little headroom while a loft does. Henry said there was no need to deal with the Daniels plan at this time.

Amy stated that the 676 structure size was odd. Ginny pointed out that it came to be when apartments were allowed to be located over garages. There is a state definition that the board should take a look at.

It was determined that Jane would ask Joe Tierney to meet in a zoom meeting with her, Henry and Amy to discuss any bylaw amendments. Bea suggested they also discuss issue regarding the insulation/deletion of space within an habitable structure. Matt reminded the board that he had spoken with Farley Pedler about this and would follow up.

●Crow Hollow Site Visit:

Ginny said she visited the Look/Strom property on her own and found the road to be adequate for a subdivision. Leah said she went with Bea and Henry and agreed that the road appeared to be adequate. She stressed that the board was not making a formal decision on the adequacy of the road and the applicants would need to present a certified plan in a public hearing. She said they suggested to the property owners that they contact the Fire Chief. There are already 3 structures on the property. Matt asked if it was mentioned where the turn offs would be located. He said beyond the circle would need to be widened and the road is not in in the adequate condition beyond the circle. This would likely be referred to the MVC.

Jane was asked to draft a letter.

●Review of the Knight road on Davis Look Road:

The board was unable to find the road and requested a scheduled site visit with the Surveyor. Jane said she will take care of it.

MINUTES:

Bea moved and Leah seconded the motion to approve the August 31, 2020 minutes. Ginny-yes, Bea-yes, Leah-yes, Matt-yes, Henry-yes.

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•Further Discussion not anticipated by the Chairman:

*Jane informed the board that she had been asked by the ZBA Administrator to continue the split-shift schedule that was implemented during Phase 2 of the pandemic. Jane explained that, although she preferred to get back to her regular schedule, she did not have a problem continuing with the split-shift as long as it was approved by the proper town authorities. She also stated that she felt it was the ZBA's responsibility to seek permission. The board members were in favor of allowing the current schedule to continue as long as the proper channels were covered.

Adjourned at 6:30 pm

Respectfully Submitted,

Jane Rossi, Administrator

Approved on 10/19/20 Phear-yes, Jones-yes, Smith-yes, Geller-yes