

WEST TISBURY PLANNING BOARD MINUTES February 10, 2020

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

ABSENT: Henry Geller

ALSO PRESENT: Jane Rossi, Rise Terney, Rhonda Conley, Ted Jochsberger, Jane Rossi.

Leah, in her capacity as vice-chairman, opened the meeting at 5:30.

Continuation of a public hearing on an application from the Trustees of Reservations to install utility lines on the property located on Assessor's Map 36, Lot 28, 4 Thumb Point Road, a designated Special Way, under Section 6.2-4 and 9.2 of the zoning bylaws:

Leah Smith stated that she was filling in as Chairman in place of Ginny Jones. She pointed out that an abutter of the property had submitted a letter expressing concerns about the disruption the excavation might cause, along with documentation supporting parking limitations on the TTOR property, and the restricted use of Hughes Thumb Road. Matt mentioned that he had a conversation with Jarrett Brissette, Electrician, regarding the form of trenching that will likely take place and Matt was informed it would likely be directional drilling.

Bea made a motion to continue the public hearing to February 24, 2020 and Ginny seconded the motion. The vote was unanimous.

DISCUSSION:

2020 Warrant Articles:

Dimensional Table: Leah explained that the approval of the Planning Board's proposed warrant articles had to be extended due to board member illness. The Town Administrator granted the board the extension.

Bea pointed out that the board had previously determined that the proposed bylaw regarding the LI Two (Light Industrial District 2, airport) was not necessary since Light Industrial refers to use and not location. Jane stated that the bylaw request came from Geoff Rose having pointed out that the maps at the end of the zoning bylaws reference LI1 and LI 2. Bea pointed out that both locations allowed the similar uses.

Bea moved and Matt seconded the motion to remove the proposed article from the list of amendments. The vote was unanimous.

Section 4.4 Housing:

Bea pointed out that the ZBA's version of Section 4.4-3A 8 states that the main house can't be rented at market rate. Matt said the bylaw allows the owner to occupy the accessory apartment and there may be a need for the homeowner to supplement their income by renting out the main house. He said people shouldn't be denied that option. Rhonda said that the AHC's version states that "*at no time shall both the main house and accessory apartment be rented at market rate*". Leah reiterated that the accessory apartment is not solely restricted to affordable year-round rentals; the owner has the option to use the apartment for a family member or caregiver.

Board members agreed to change the language to read as follows:

At no time shall both the primary residence and the accessory apartment be rented at market rate.

Bea moved and Leah seconded the motion to approve the new language. The vote was unanimous.

●“Guidelines”:

Bea moved and Ginny seconded the motion to delete the word “guidelines” after “Affordable Housing Committee”. The planning board felt the AHC should be the authority on the affordable housing subject.

●Section 4.4-6:

Ted Jochsberger asked about the covenant and Bea said it could be whatever the AHC wants it to cover. Rhonda said the Dukes County Regional Housing Authority drafted the first covenant. Bea pointed out that explaining the regulations of a covenant in the body of the zoning bylaws isn't necessary. The covenant should be referenced and the interested party can refer to the said covenant on their own. The definition of a covenant is clear.

Bea made a motion to keep the current language in the bylaw and Ginny seconded the motion. The vote was unanimous.

●Pool standpipe requirements:

Jane explained that she had received a copy of the bylaw that Chilmark had approved at their last town meeting to identify pool standpipe requirements. Ginny explained that the Climate Change Committee has asked the Fire Chief what the locations are of all fire water sources throughout the town. The Committee has concerns regarding protection in the event of a State Forest fire. Matt was asked about the estimated cost of a standpipe and he said it is around \$15,000.00. He said Chilmark's bylaw is a nice idea, however, 7500 gallons of water is not going to extinguish a forest fire. He also pointed out that a pool is only full three months out of the year. The rest of the time it is drained to a minimal level and covered with a tarp.

Jane was asked to get Manny's opinion on the matter. The board felt more information was needed before proposing the bylaw.

Ginny moved and Bea seconded the motion to remove the bylaw for the 2020 town meeting warrant. The vote was unanimous.

●Definitions:

Leah pointed out to the members present from the Affordable Housing Committee that the planning board voted to not include Community Housing in the amendments to the Housing section since the state regulations do not include Community Housing. Rhonda stated that the Affordable and Community Housing definitions came from the Martha's Vineyard Commission.

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Bea stated that adding the definitions that the AHC proposes would create a huge task and the submittal of the proposal did not provide time for proper discussion. Leah said it should be addressed when time can be devoted to it. Bea also pointed out that a deed rider doesn't need a definition in the zoning bylaws because "deed rider" refers to a general document that anyone could find on their own. She said we also don't need to define a ground lease. Matt said that there is a need to seriously think about community housing and what category of applicant it provides for, noting that it requires a lot of work.

Rhonda asked if the board had received a response from the builders association. The board they had basically supported what had been written but didn't receive much of any feedback. Bea said the board did receive some feedback from Jim Feiner.

Ted asked if a copy of the Housing section could be mailed to each voter in town. The board said that would be expensive. However, Jane agreed to and the Town Newspaper columnists to put a notice in their column and to place several copies at the library, the Howes House, the town hall, the schools and on the town website. She was asked to highlight the changes in red.

Bea moved and Matt seconded the motion to approve the revised Definitions section. The vote was unanimous.

Update from Amy Upton on the Preserve West Tisbury Committee:

Amy reported that the committee needs to elect a Chairman. She said they need someone measured, objective and reasonable, and suggested that Samantha Look would be a good candidate. She asked if the committee could vote on a Chairman and the board encouraged her to elect one.

Amy said that the committee's proposal has merit. Matt stated that there was no need to place a size limit on houses, and suggested organizing their proposed key points.

CORRESPONDENCE:

- Public hearing notices from the Town of Tisbury RE: **Designation of special ways.**
- Violation notice from the Building and Zoning Inspector RE: LI District/Larkosh rental property.
- Public hearing notice from the Town of Edgartown RE: Two car garage and accessory apartment
- Application referred to the PB from the ZBA RE: approval of a bar sink in a pool house under Section 9.2-1D of the zoning bylaws on the property located on Assessor's Map 15, Lot 1.1, 25 Luce Farm Road.

MINUTES:

Bea moved and Matt seconded the motion to approve the minutes of the January 6, 2020 meeting. The vote was unanimous.

Bea moved and Ginny seconded the motion to approve the January 13, 2020 minutes. The vote was unanimous.

Respectfully submitted,

Jane Rossi, Administrator

Approved on February 24, 2020