

WEST TISBURY ZONING BOARD OF APPEALS

Thursday, February 15, 2024
Meeting Minutes

Approved February 29, 2024 (4-0)

Present: Deborah Wells, Andy Zaikis, Casey Decker and Pat Barrett

Absent: Larry Schubert (*except for Webster*), Julius Lowe, Jeffrey Kaye

Also Present: Kim Leaird (*Board Administrator*), Tom O'Brien, Meg Carman, Robert Aryee, Cody Coutinho, Suzanne Hammond, Richard Hammond

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5:00 pm – Minutes of February 1, 2024 meeting were approved 4-0. Larry called in to hear the request by Tom O'Brien on behalf of Candice Webster. The board also voted to make Deborah the acting chair for tonight's meeting.

- **Candice M. Webster, 2 Simran Rd., Map 2 Lot 8.** Proposal to alter approved plans (SP #2022-58) by adding a roof over pool house trellis. Tom O'Brien said they are closing the gap from the pergola. They plan to drop beams, it will not be made any higher. A motion was made and seconded that this alteration is de minimis. Kim will write a letter to the Building Inspector and the signed plan will become part of the project folder.

A roll call vote was taken with the following resulting votes. Motion passed 4-0.

L. Schubert-yes, D. Wells-yes, A. Zaikis-yes, C. Decker-yes

Larry left the meeting.

- **Quezia da Silva and Ronaldo Andrade, 364 State Rd., Map 11 Lot 57-2.** The board reviewed and signed the final landscape plan.
- **Vineyard Wind Hangar, 17 Hangar Rd. North, Map 28 Lot 1.5.** Per Condition #2 of Special Permit #2022-52, granted October 20, 2022, the applicant submitted both a landscape and lighting plan approved by the LUPC. Both were reviewed and signed and will be part of the project folder.

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5:15 pm – (*Continued from November 30, 2023 and January 4, 2024*) A public hearing on an Application for a Special Permit from **Keith Bassett**, to rent five (5) bedrooms (known as the West Tisbury Inn) under Section 8.5-7 of the Zoning Bylaw, at **1070 State Rd., Map 32, Lot 90** in the VR district. (***NOTE: Applicant has requested to continue to a date after March 1, 2024**)

Deborah read the hearing notice. The Applicant is not available to meet until after March 1st.

*A motion was made and seconded to continue the hearing to **March 14, 2024, at 5:15 p.m.***

A roll call vote was taken with the following resulting votes. Motion passed x-0.

D. Wells-yes, A. Zaikis-yes, C. Decker-yes, P. Barrett-yes

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5:15 pm – A public hearing on an Application for a Special Permit from **Margaret J. Carman** to operate a pick-your-own blueberry farm as a Retail Business (not listed elsewhere), as allowed in the RU district for agricultural use, under the limited provisions of M.G.L. c.40A s. 3 and under Section 3.1 of the Zoning Bylaw at **225 Old County Rd., Map 16 Lot 230**.

Deborah read the hearing notice at 5:15 p.m. Present was Meg Carman. Their family has owned the 17+ acre property since 1902. It is a big U-shaped lot and she lives on one end and their idea is to have a pick-your-own blueberry farm on the other side [of the U-shaped lot]. There are no plans for a building – they will have a table set out for customers. In addition, a solar powered-well is in the works so they will not need to bring in utilities. Eventually she hopes to have up to 500 bushes. They received MESA (Mesa Endangered Species Act) from the Mass. Division of Fisheries and Wildlife for a 4-acre section of the parcel. They also have a special permit from the Planning Board for a curb cut and have allowed nine 8’x20’ dirt parking spaces (no asphalt).

Andy asked about the planned driveway which is depicted on the plan as a straight red line from Old County Rd. to the back of the property. Meg said this area will be clear cut, but they may make it more winding off of Old County so it’s not a straight look-back from the road. Just beyond the area designated for parking will be rows of blueberry bushes on each side, sited 10 ft. apart. They plan to start clearing just two of the four acres. Project is expected to take up to three years to be fully developed. They will plant 200 bushes this April.

There was no correspondence. The project was already in front of the Planning Board for a curb cut.

A motion was made and seconded to close the hearing and open the board meeting.
There was no further discussion.

It was moved and seconded to GRANT the Special Permit. Deborah went over the 20-day appeal period.

A roll call vote was taken with the following resulting votes. Motion passed 4-0.
D. Wells-yes, A. Zaikis-yes, C. Decker-yes, P. Barrett-yes

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5:35 pm – A public hearing on an Application for a Special Permit from Vineyard Land Surveying & Engineering Inc. on behalf of **Peter and Rachel Sorrentino** to construct an 18’x40’ inground swimming pool and to demolish an existing dwelling then re-construct a 990 sq. ft. habitable accessory structure under Sections 8.5-4C and 6.1-5B of the Zoning Bylaw at **71 Carls Way, Map 35 Lot 7** in the Inland Zone of the Coastal District within the RU district.

Deborah read the hearing notice and opened the hearing at 5:35 p.m. Present were Cody Coutinho and architect Robert Aryee. Currently there is an existing dwelling and an existing cottage on the property. They are looking to demolish the accessory dwelling and build a guest house and pool. A special permit is required for the guest house because it is a habitable accessory structure in the Inland Zone of the Coastal District.

The main dwelling went to the Planning Board under the big house bylaw, but Applicant pulled that application and redesigned it so the house size is under 3500 feet. This was then approved under site plan review. There is a proposed garage on the plan as well, and approximately 15 ft. of open space between it and an adjacent pool shed.

Pool fence starts at the proposed guest house, encircles pool and returns behind guest house. They've been to the Conservation Commission and were approved and have been to the Board of Health for septic. Nothing encroaches on the setbacks.

Deborah asked how the pool would be heated and explained that the Board encourages environmentally friendly heat sources at the direction of the Select Board. Applicant said they are unsure but they intend to install solar panels on the guest house as there is room for quite a few. Board said findings would reflect that the Applicant is strongly encouraged to use an electric heat pump or solar panels to heat pool.

Deborah read a letter from the Planning Board that strongly urged screening the pool from the view of the pond. Applicant said they had discussed screening of the main dwelling with the Planning Board, but not of the guest house and pool. They have agreed to maintain the existing tree line and the Conservation Commission has restrictions on portions of the lot that can't be mowed. There have been conversations on how to maintain wetlands so the existing lawn area does not intrude on it. Discussion followed about the types of trees that could be planted and ultimately decided that this is in the purview of the ConCom, not this board.

Public comment

Richard Hammond said he has deeded access to the pond along Carls Way and wanted to make sure he is able to maintain that. The board thought since it was deeded access, that there was no question about that.

Deborah went over the standard pool conditions.

A motion was made and seconded to close the hearing and open the board meeting.

The board discussed that one finding should be worded to say: "Applicant is strongly encouraged not to use a propane heater."

It was moved and seconded to GRANT the Special Permit as conditioned. Deborah went over the 20-day appeal period.

A roll call vote was taken with the following resulting votes. Motion passed 4-0.

D. Wells-yes, A. Zaikis-yes, C. Decker-yes, P. Barrett-yes

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The Meeting adjourned at 6:00 p.m.

Respectfully submitted,
Kim Leaird, Board Administrator