

WEST TISBURY ZONING BOARD OF APPEALS
Minutes for Tuesday, November 7, 2019 meeting
2nd Floor, West Tisbury Town Hall - @ 5:00 PM
Approved on November 14th

PRESENT: Nancy Cole, Toni Cohen, Julius Lowe, Deborah Wells and John Rau

Also Present: Walker Roman, Danielle Mulcahy, Bill and Selena Roman, Travis Ritchie and Pam Thors-Board Administrator

The invoices were signed and the minutes of the meeting held on October 24, 2019 were approved with corrections.

5:15 pm- A hearing on an application from Eliot Coutts for a Special Permit to allow construction of a covered porch with attached deck requiring 11 feet of setback relief under Section 4.3-3 (D) of the Zoning Bylaws, Map 7 Lot 79, 65 Longview Rd, RU district.

The notice was read and Eliot presented the application. He stated that they are looking to add a covered porch with attached deck to the Southeast side of their home. It was verified that there was no correspondence regarding the application.

A motion was made to close the Public Hearing and open the Board Meeting.

A motion was made to approve the Application for Special Permit. The vote on the motion was unanimous in favor.

Nancy went over the 20 day appeal period.

Nancy asked the board members to read through the changes to the DRI checklist sent by the Martha's Vineyard Commission and note any suggestions/changes.

Nancy reviewed the letter from the Attorney General's offices regarding their approval of the following language in the Pool bylaw: *All pools must be surrounded by a physical barrier meeting all requirements of the State Building Code. Powered Safety Covers do not satisfy this requirement.*

The corrected plans submitted by Leah Houghton were signed by the board members in attendance at that hearing on October 24th. Pam will ask Larry to sign at the next hearing.

5:35 pm- A hearing on an application from Thomas Walker Roman, for a Special Permit for an Accessory Apartment with attached Art Studio under Section 4.4-3A of the Zoning Bylaws, Map 25 Lot 4, 20 Alberts Pond Ln., RU district

The notice was read and Walker presented the application. John asked about the site plan and whether the drawing of the building includes the art studio. Walker stated that it only shows the Accessory Apartment. The possibility of requiring an amended site plan showing the entire structure was discussed. Walker stated that they would like to build a one bedroom accessory apartment under 800 sf with an attached art studio that would not be accessible from the apartment. He noted that the basement would be accessible from the art studio. Walker said he had talked to Joe who said that because it is not accessible from the apartment that it may be utilized.

Nancy stated that the floor plan for the Accessory Apartment should only include the total sf of the Accessory Apartment and not the art studio. John asked if the site plan is acceptable since it does not show the art studio.

Julius asked if they really think this would be problematic considering the fact that the art studio is permitted by right and the applicant is only before them for the Accessory Apartment. He suggested that requiring a new plan might be unnecessary. This was discussed and it was verified that since the applicant was only before the board for the Accessory Apartment that the submitted plan would suffice.

Deborah asked if the lot had been resurveyed. Walker said that they had a new plan drawn but that the lot had not been resurveyed. Accessory structures were discussed. The bylaw section 11.2-2 was also reviewed. The use of the basement in relation to the bylaw was discussed. It was agreed that a condition should be that the basement must be used for storage and remain non-habitable.

A motion was made to close the Public Hearing and open the Board Meeting.

A motion was made to approve the Special Permit with Conditions. The vote on the motion was unanimous.

5:55 pm: Continued from A hearing on an application from Carter Hakala for a Special Permit to construct a 1,440 square foot barn containing an Accessory Apartment, a studio, an office and garage storage under Section 4.4-3 (A) of the Zoning Bylaws, Map 10 Lot 192.1, 19 Kaitlyn Farm Rd, RU district.

A motion was made to continue this hearing without testimony to November 21, 2019 at 5:15pm due to the lack of a quorum of board members in attendance at the previous two hearings.

6:15 pm: A hearing on an application from Linda Alley, agent for The Martha's Vineyard Preservation Trust to amend Special Permit #2016-30 to extend the operation of the "Island Made Holidays at Alley's Farm Stand" allowing them to open on Fridays preceding Thanksgiving under Section 9.3-3 of the Zoning Bylaws, Map 32 Lot 58 and 58.2, 1043 State Rd, RU district.

Nancy read the notice and a letter from the applicant asking the board's permission to "Withdraw her application without prejudice".

A motion was made to allow the applicant to withdraw the application without prejudice. The vote on the motion was unanimous.

The meeting adjourned at 6:30 pm.

Respectfully Submitted,

Pam Thors, Board Administrator