

**WEST TISBURY ZONING BOARD OF APPEALS**  
**Minutes for Thursday, August 19, 2021 meeting**  
**Online meeting via ZOOM- @ 5:00 PM**

**Approved on September 16, 2021**

**Present:** Larry Schubert, Julius Lowe, Deborah Wells, John Rau, Jeffrey Kaye and Casey Decker.

**Absent:** Andy Zaikis

**Also Present:** Pam Thors, Bd. Administrator, Reid Silva, Carter Payne

**500 pm:** Larry opened the meeting and asked if there was anything to discuss prior to the hearing at 5:15pm. Pam said she would like to change the meeting schedule for September. She explained that since the Planning Board is not meeting on Labor Day, the ZBA application scheduled for that Thursday would not be able to be reviewed by them beforehand. She said she has confirmed with the applicants that September 16<sup>th</sup> is acceptable. The second meeting in September will be scheduled for the 30<sup>th</sup>.

Jeffrey Kaye said that he will not be able to attend that meeting.

Larry asked about the agenda item referring to bylaw section 9.2-2. John said that in his opinion, applicants should be required to address the "Review Criteria" listed in the bylaw as part of the application process.

Larry said that it could be as simple as a statement required from the applicant attesting to the fact that they have reviewed the bylaw and are in compliance. He referred to a past application for a sawmill operation in a residential neighborhood, citing this as an example of a case where the items listed in the review criteria needed to be specifically addressed.

John suggested that the application could be revised to include a statement by the applicant that section 9.2-2 has been reviewed.

Pam said she could include something like this in the application and attach 9.2-2 as well.

Jeffrey suggested that there be a questionnaire going point by point through the list.

Larry said that there could be a place for the applicant to check off that they had reviewed 9.2-2 and are compliant. If during this process they find sections to which they do not comply, there could be space available for an explanation.

**515 pm:** A Public Hearing on an Application for a Special Permit from Carter Payne to construct a 30' X 48' garage/wood shop requiring 40' of setback relief from the Northerly lot line and 38' of setback relief from the Westerly lot line on a non-conforming lot at 55 Fishhook Rd., Map 13 Lot 6.3, RU District under Sections 11.2-2 and 4.2-2D4 of the Zoning Bylaws.

Larry read the notice. Reid Silva shared the Google Map showing the property and the Site Plan. He said that the existing shed will be demolished to allow the construction of the 30'x48' barn. He pointed out that the Sheriff's Meadow Foundation is one abutter to the property and Seven Gates Farm Corporation is the other.

John asked if these two entities were notified of the application. Pam said that they were but that neither had responded to the notice. Carter said that he had tried to get in touch with someone from Seven Gates to no avail but that The Sheriff's Meadow Foundation wrote him a letter of support. It was noted that the Planning Board had reviewed the application offering no opinion.

He said that if approved by the ZBA, they will apply to the Board of Health to re-locate the septic system.

Reid shared the plans and elevations for the proposed structure which, he noted, has a ridge height of 24'. He also verified that there will be no plumbing in the barn.

Julius raised the question of why they would need setback relief when the lot is 1.37 acres. Carter said that after spending three years on the property, he has found that the front field is aesthetically and historically an integral part of the character of the lot. He said that he feels that grouping the structures together seems to be more advantageous.

John asked about correspondence and/or restrictions on the property.

Reid said that Sheriff's Meadow and Seven Gates Farm will probably never develop anything close to this site because it is so remote. He noted that the impact is negligible when 1.4 acres is surrounded by 100's and 100's of acres of land.

*J. Rau and C. Decker made and seconded a motion to close the Public Hearing and open the Board Meeting.*

*A rollcall vote was taken to grant the Special Permit with the following resulting votes; L. Schubert-yes, J. Lowe-yes, D. Wells-yes, J. Rau-yes, J. Kaye-yes and C. Decker-yes.*

*Larry went over the 20-day appeal process.*

The Board reviewed and approved the minutes of the meeting of August 12, 2021 with corrections.

The Meeting adjourned at 5:40 pm.

Respectfully Submitted,

Pam Thors-Board Administrator