

WEST TISBURY ZONING BOARD OF APPEALS
MINUTES THURSDAY, February 2, 2017
2ND FLOOR TOWN HALL AT 5:05 PM

PRESENT: Nancy Cole (Chairman), Tony Higgins, Larry Schubert, Julius Lowe and Robert Schwier.

ALSO PRESENT: See attached attendance sheet.

ABSENT: Toni Cohen and Roger Hubbell

Minutes:

November 10, 2016 – Larry moved to approve the minutes. Bob seconded, the vote was unanimous.

Hearings:

5:10 pm- A continuation of a hearing on an application from Fullers Energy, agent for William Callahan, to install a two 24 panel ground mounted solar system taller than 12 feet, under 8.10-4 of the zoning bylaws, Map 8 Lot 24, 16 Red Coat Hill Rd, RU District.

Nancy opened the hearing stating at 5:10 pm at the previous hearing on January 26, 2016, the board had suggested the applicant reconsider the location of the units and asked the applicant to stake out a new location. A second site visit was scheduled. A site visit was conducted today, February 2nd, at 4:30 pm. The board observed during the site visit the applicant had moved the proposed location of the two solar trackers approximately 50 feet apart and 60 feet from the existing two bedroom house (under construction). The new location will bring it off the base of the hill, further away from the northwesterly property line (Bennett, Map 2 Lot 9.5).

Scott Young was satisfied that the new location would not negatively impact the lot which he is in the process of buying (Tisbury, Map 52A Lot 6.11). He expressed his appreciation on the efforts made by Mr. Callahan by compromising on the location of the units. The proposed new location of the trackers will also shield them from the road. Dave stated the house as shown on the site plan may not be 100% accurate. He drew the approximate location of the house and where the trackers will be located. The driveway which currently goes straight into the property will be changed to what is indicated on the site plan. Mr. Callahan will be planting trees and vegetation to screen the house from the road. Larry suggested that if the board approves the application an updated site plan would have to be prepared for final review and signature prior to a building permit issued. Dave spoke to the possibilities of camouflaging the units. Bob Fuller told the board there is nylon screening which comes in different camouflaged patterns. A discussion ensued regarding the different methods to camouflage the unit and the practicality of each method. The durability of the materials over time could not be predicted. Larry suggested this could be a tool to be used for future clients which might alleviate concerns from the neighbors. With no further input from the public, Julius moved to close the hearing and open the board meeting. Larry seconded, the vote was unanimous.

The board discussed the following:

Findings:

- 1) All reasonable efforts should be taken to maintain adequate screening from abutting neighbors which could include camouflaging the back side of the unit and/or providing additional screening.
- 2) The existing driveway will be reconfigured in a more curved style, where trees and vegetation will be planted to facilitate screening from the road.
- 3) The siting of the two trackers will be approximately 50 ft. distance from each other and 60 ft. north of the existing house.

Condition:

- 1) A new site plan showing the exact location of the two trackers in relationship to the house, including the new driveway configuration, will be prepared for the Zoning Board's review and signature prior to a building permit being issued.

Julius moved to approve the application under 8.10-4B of the zoning bylaws with the findings and conditions as listed above. Larry seconded. The roll call vote was taken: Bob-yes, Larry-yes, Tony H.-yes, Nancy-yes. The twenty day appeal period was explained. The board appreciated that the applicant worked with the board to reach a compromise solution.

Correspondence:

Email from Keith McGuire, agent for Virginia Yans (McLaughlin), dated February 2, 2017, re: Special Permit 2017-02.

Copies of the email were provided to the board members. Nancy read the email into the record. Mr. McGuire stated in the email that his client's concerns were heard by the board and the applicant at the public hearing on January 19, 2017, but not listed on the decision as a finding. The email was discussed and the board agreed that Ms. Yans concerns were addressed at the public hearing. A brief discussion ensued on what is reflected in the findings related to a decision filed by the Zoning Board of Appeals. The board agreed that not necessarily everything that is discussed at a public hearing would warrant a finding in the decision. A letter in response will be drafted for Nancy's approval and sent to Mr. McGuire.

Letter from Cynthia Bloomquist and Thaw Marlin dated; SP 2015-20.

In 2015, the building inspector issued plumbing permit (PP2015-0046) to install "rough plumbing" for a full bath in the garage. The permit specified "no connection without a permit from BOH and ZBA". The completion of the plumbing and a final permit was contingent on installing a new septic system which would serve the garage. An upgraded septic system was approved by the BOH and completed in July of 2016. They are looking for approval from the ZBA for a half bath with a slop sink in the garage. Julius moved to clarify specific language in SP 2015-20, to allow a half-bath with a slop sink, in a non-habitable garage. Larry seconded, the vote was unanimous. A letter will be sent to the building inspector for his records.

Meeting adjourned at 6:45 pm.

Respectfully submitted,

Clare Harrington
Board Administrator