

**WEST TISBURY ZONING BOARD OF APPEALS  
MINUTES THURSDAY, NOVEMBER 10, 2016  
2ND FLOOR TOWN HALL AT 5:05 PM**

**PRESENT:** Nancy Cole, Chair, Tucker Hubbell, Bob Schwier, Larry Schubert and Julius Lowe

**ABSENT:** Tony Higgins and Toni Cohen

**ALSO PRESENT:** Geoff Freeman, Myron Garfinkle and Ann Crook.

**HEARINGS:**

**5:15 PM – A continuation of a public hearing from October 27, 2016, for an application from Jacob Engineering, agent for the MV Airport Commission (MVAC), for the removal of an existing Aircraft Rescue Fire Fighting (ARFF) and Snow Removal Equipment (SRE) building to replace with a new ARFF/SRE building totaling 23,000 sq. ft. under sections 3.1-1 of the use table and 9.2-1 review criteria of the zoning bylaws. Map 28 Lot 1 and Map 28 Lot 100.10, 54 Airport Road Ext, LI district.**

Nancy opened the hearing at 5:15 pm. At a hearing on October 3, 2016, the ZBA heard testimony from the applicant and public comments from the audience. The ZBA continued the hearing to October 27, 2016, because the application falls under the MV Commission DRI parameters.

Clare updated the board; the Martha's Vineyard Commission (MVC) approved the application for the project as DRI # 668 (Airport Fire Station) with conditions, on November 3, 2016. A copy of the decision was emailed to the ZBA on November 16, 2016, with a hard copy to follow by mail. The conditions imposed by the MVC were reviewed by the board. The MVC decision states the new building is 21,055 sq. ft., the application to the ZBA is 23,000 sq. ft., Myron Garfinkle (Chairman-MVAC) explained the specific use of the building detailing the floor plans. There was a brief discussion among the board on how square footage is determined. Ann Crook (Airport Manager) told the board, they have to comply with all federal regulations and guidelines as dictated by the FAA. The purpose of the building is essentially a fire station which cannot be accommodated in a smaller structure under the FAA and NFPA regulations and guidelines. A review of the parking layout was discussed. The Board suggested they talk with the MVC regarding the square footage stated on their decision before it's filed at the Registry of Deeds.

With no further comments from the public, Julius moved to close the public hearing and open the board meeting. Bob seconded, the vote was unanimous. Mr. Garfinkle reiterated the Airport has to comply with all federal standards. Larry reviewed zoning bylaw 9.2-2(C) review criteria, a large-scale structures; a special permit can be granted when the ZBA makes a **written finding**, that the use cannot be practically accommodated in smaller buildings. The board agreed the applicant has reached this threshold.

The board discussed the proposed findings.

- 1) Time line: the project was referred to MVC as a DRI, on October 5, 2016, the MVC approved the application on November 3, 2106.
- 2) The building is in harmony with similar structures located on the MV Airport and meets the review criteria 9.2-2.
- 3) The existing fire station is not sufficient in size to accommodate the airport demands and bring the facility into compliance with the FAA and NFPA.
- 4) Documentation from the applicant confirmed the total sq. is 23,000.

The board concurred with the conditions as outlined in the decision from MV Commission-DRI # 668). With no further discussion, *Larry moved to approve the application and grant a special permit as outlined in the findings stated above and to comply with all conditions as documented in the DRI decision #668 from the MV Commission, dated November 3, 2016. Tucker seconded, the vote was unanimous.* Nancy explained the twenty day appeal period.

**Old Business:**

**Ivory Littlefield – minor changes to SP 2015-8 (see narrative attached).**

The board reviewed the amended plan. It was agreed a public hearing is not necessary; the footprint of the structure remains the same and it has no effect on the setback relief. Tucker moved to approve the de minimus changes as outlined on the amend plan (SP # 2015-8). Julius seconded, the vote was unanimous. A letter and a copy of the amended plan will be forwarded to the building inspector.

**Business:**

The board voted to authorize that Clare Harrington (Administrator) may carry over 32.18 hours of vacation time beyond October 21, 2016. A letter was signed by Nancy Cole, Chairman, and will be forwarded to the Personnel Board.

The board reviewed documentation regarding a longer special permit term; the approval of section 30 of chapter 219 of the Acts of 2016, broadened chapter 40A, section 9, extending from two years to a three years for the term of a special permit expires. This change took effect on August 11, 2016. The boiler plate language on all decisions from the zoning board will reflect this change.

The meeting was adjourned at 6:45 pm.

Respectfully submitted,

Clare Harrington  
Board Administrator/ZBA