

West Tisbury Zoning Board of Appeals (ZBA)  
Minutes June 30, 2016— 5:05 PM  
Second Floor, Town Hall

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

**ABSENT:** Roger Hubbell, Toni Cohen.

**ALSO PRESENT:** Reid Silva, Abby Webster, Julie Hitchings, Arthur Hitchings, Lara Maciel, Keith Maciel, Roy Hope, Michael Jacobs, Genevieve Jacobs and Clare Harrington

**Minutes:**

May 19, 2016 – Larry moved to approve the minutes with changes, Bob seconded. The vote was unanimous.

June 2, 2016 – Larry moved to approve the minutes Julius seconded. The vote was unanimous.

June 16, 2016 – Julius moved to approve the minutes with changes, Tucker seconded. The vote was unanimous.

June 23, 2016 – Bob moved to approve the minutes with changes, Julius seconded. The vote was unanimous, with one abstention (Larry Schubert).

**Hearings:**

**5:15 PM- A hearing on an application from Reid Silva, from Vineyard Land Surveying and Engineering, agent for Keith & Lara Maciel for a marine service business under 8.5-2, 3.1-1 and 9.2-2. Map 8 Lot 26.5, 8 Beaton Path, RU District.**

Nancy opened the hearing. *Correspondence:* Copy of a “Notice of Violation” from the Building Inspector dated 4/21/2016. Copy of letter from Keith & Lara Maciel dated May 3, 2016, to the Building Inspector. Copy of letter from Reid Silva dated May 20, 2016, to the Building Inspector.

Reid Silva, agent for the applicant explained the proposed project and presented a site plan dated June 30, 2016. In 2009 a special permit was granted to build a 30’ by 40’ sq. ft. barn for personal use only, since that time it has evolved to a small business. The plan shows the layout of the property including an existing dwelling with an attached garage and an existing workshop/barn and shed. Mr. Maciel is operating a marine service business with two employees. Most of the work is done off-site as a mobile mechanic, some work requires the boats to be brought to the site. There will be no storage of boats on a long term basis. The hours of operation are weekdays 7:00 am to 7:00 pm, Saturday 8:00 am to 5:00 pm, closed on Sunday. Two parking spaces are shown on the site plan. A site plan of the property shows eight boats scattered around the property including two that belong to the Maciel’s. The customer’s boats on average remain on the property no longer than two weeks.

Nancy asked for comments from the audience. Abbey Webster (Map 8 Lot 27) was concerned about the unsightly view from her property due to the number of boats being stored year round on the property. She asked about screening and the enforcement issue for any potential problems that may occur with the business since it is located in a residential area. She was concerned regarding the property values in the neighborhood. Roy Hope (Map 8 Lot 27.4) verified the points given in the narrative presented by Reid Silva. Julie & Arthur Hitchings (Map 8 Lot 26.4) expressed their concerns how the business has grown including the amount of boats stored in the yard over the winter. There were at least 14 boats shrink wrapped and stored over the winter which creates a negative impact on their property. The Hitchings suggested limiting the number of boats that can be stored on the property.

Michael and Geneviève Jacobs (Map 8 Lot 12) also shared similar concerns regarding the storage of boats. They understand the complaints filed by the building inspector concerning the expansion of the business on the neighborhood. They hoped it could be worked out between the neighbors and voiced support for Mr. Maciel's business. Paul Rashba (Map 8 Lot 15) voiced his support for the application. Julie Hitchings said they want to be good neighbors but don't see this as a small business with the amount of equipment and considering the size of the lot. She also mentioned the visual impact from her property and suggested more screening could be appropriate.

Tony H and Larry inquired if there are stored boats on the property over the winter. Keith stated he did store boats in the past but he wants to work with his neighbors in addressing their concerns. Nancy stated that under the home occupation bylaw specific parameters have to be met. Nancy and Julius suggested a limit on the number of boats stored on the property. Larry inquired as to the type of equipment he has on the property. Julius suggested the equipment be moved away from the neighbor's property and additional screening. Nancy asked how long the customer's boats are on the property. Keith answered it could be up to a week. Tony H. wanted clarification where the boats are kept while they are being worked on. Larry confirmed that there are two part-time employees. Keith stated that boats will not be stored on the property. A discussion regarding the procedure followed when power washing boats, especially concerning the potential runoff of hazardous material into the ground. Reid said all hazardous material would be contained to the shop. Nancy remarked that the board reviews these applications and considers them at face value as presented. If the business should morph into something other than what is allowed, the neighbors can take action by contacting the building/zoning inspector's office.

Tony H. reiterated that the property should not be used for a storage facility for customer's boats. Larry remarked that all painting be done on the concrete pad in front of the workshop with all potential hazardous material handled and disposed of properly. Michael Jacobs offered to find information about the cleaning residue left from power washing the boats. Keith stated that in 2009, the board granted a special permit to build a 30' by 40' garage for personal use.

Keith acknowledged that it grew into a business and apologized for not addressing the neighbor's concerns sooner and would like to move forward.

The discussion returned to the proposed hours of operation. Nancy told the audience this is their opportunity to address any other issues or concerns they may have. Julius suggested the board be specific regarding conditions and what would not be allowed.

The board agreed that a site visit would be necessary which was scheduled for July 5<sup>th</sup> at 4:30 pm. Larry moved to keep the public hearing open and continued the hearing to July 5, 2016, at 5:15 pm. Bob seconded, the vote was unanimous.

**Old Business:** Clare confirmed the wording in the "Notice of Public Hearing" mailed to the abutters, which clearly states "For more information and to see the application please contact or visit the Zoning Board of Appeals Office at the Town Hall".

**Report:** Larry Schubert informed the board that the "Request for Proposal" for the Fire House Affordable Housing Project, that the bids were opened today.

Meeting adjourned at 6:45PM

Respectfully submitted,  
Clare Harrington, Administrator

