

# Edgartown Planning Board - Meeting Minutes

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Tuesday, August 17, 2021, 5:30 PM

The Edgartown Planning Board scheduled a meeting for Tuesday, August 17, 2021, 5:30 PM.

*The meeting was audio and video recorded. Attendees participated by video conference, in accordance with Chapter 53 of the Acts of 2020. All supporting materials were provided to the members of this body and made available on a publicly accessible internet website. Members of the public were able to access the site, using the instructions included in the Meeting Agenda. The public was encouraged to follow along using the posted agenda. Deviations from the agenda, if any, were noted.*

## **SITE VISITS**

No site visits were scheduled:

## **CALL TO ORDER / ROLL CALL**

Ms. Morrison called the meeting to order at 5:34 PM, and called the roll:

MASCOLO: Present

MORRISON: Present

MORGAN: Absent

SEARLE: Present

CISEK: Present

MCCOURT: Present

A quorum was declared.

The board reserved the right to address unscheduled agenda items out of order, for the convenience of the Board and applicants.

## **SCHEDULED BUSINESS**

### **5:30 PM – MASTER PLAN CONSULTANT – AWARD OF RFP**

*Present: Master Plan Steering Committee members: Juliet Mulinare, Jen Smyth, Pia Webster, Paulo DeOliveira, Elaine Miller (Tisbury Planning Board)*

Ms. Mulinare presented a final report from the Master Plan Steering Committee, recommending Dover, Kohl & Partners be awarded the Master Plan Consultant contract.

There was some discussion regarding the options the board had, the cost of the consultant services and other related topics; conversations concluded with the need to pursue the Master Planning process with due diligence, and confidence that this vendor would serve the town well.

It was MOVED by McCourt, SECONDED by Mascolo

*To award the Contact for Master Plan Consultant Services to Dover Kohl and Partners, and to authorize Mr. Finn, Ms. Mulinare, Ms. Smyth, and select members of the Steering Committee to commence negotiations on a final contract for services.*

VOTED:  
MASCOLO: YES                                   MCCOURT: YES  
MORRISON: YES                               SEARLE: YES  
  CISEK: YES  
APPROVED: 5, 0, 0 (5:46 PM)

Ms. Mulinare noted that the next step would be negotiation of a contract.

**5:35 PM – ANR – 29B-35, 127 SOUTH WATER STREET - RED FOX HOLDINGS**

*Present: Doug Hoehn, SBH, Inc.*

Mr. Hoehn presented a plan for the division of 127 South Water Street into two conforming lots. Each lot would have frontage on South Water Street, and would be able to access the lot across their own frontage. It was noted that the lot with the existing house would require an application for a curb cut. No zoning violations would result.

After some review, it was MOVED by McCourt, SECONDED by Mascolo

*To endorse the plan as not requiring approval under the Subdivision Control Law.*

VOTED:  
MASCOLO: YES                                   MCCOURT: YES  
MORRISON: YES                               SEARLE: YES  
  CISEK: YES  
APPROVED: 5, 0, 0 (5:55 PM)

**5:40 PM – ANR – 45-122, MAPES AVENUE – THE OUTER BANKS NOMINEE TRUST**

*Present: Doug Hoehn, SBH, Inc.; Reade Milne, Building Commissioner.*

Mr. Hoehn presented a plan for the division of a single lot on Mapes Avenue into two conforming lots. Both lots would be able to be accessed across their own frontage; no new access on Katama Road would be required.

There was some discussion as to how the new lot would be developed. Each lot would have frontage on Mapes Avenue, and would be able to access the lot across their own frontage. It was noted that the lot to be created would have a tennis court on it, which Ms Milne noted would be a non-conforming structure, as it was an accessory use without a principal use on the lot. Mr. Hoehn agreed to provide an amended plan that clearly noted that the tennis court would be removed.

There being no further discuss, it was MOVED by Mascolo, SECONDED by Searle

*To endorse the plan as not requiring approval under the Subdivision Control Law.*

VOTED:  
MASCOLO: YES                                   MCCOURT: YES  
MORRISON: YES                               SEARLE: YES  
  CISEK: YES  
APPROVED: 5, 0, 0 (6:04 PM)

**5:45 PM – DISCUSSION – POTENTIAL ADDITIONS / AMENDMENTS TO ZONING BYLAW (6:04 PM)**

**Swimming Pools**

*Present: Ted Rosbeck*

There was extensive discussion about a proposal for a bylaw change that would allow swimming pools on non-conforming lots by right, when constructed and operated within certain reason.

Mr. Finn noted that the language would continue to be revised, and a later revision would be brought back to the Board for review.

### **Affordable Housing**

*Present: Christina Brown, Arielle Faria, Christine Flynn (MVC)*

There was extensive discussion about a first draft of a zoning bylaw addition, entitled “Homestead Lot Overlay District”. Mr. Finn presented the proposal, which would allow for reduced dimensional requirements in exchange for a permanent “Affordable Housing” or “Community Housing” deed restriction.

### **Regulations regarding removal of trees on undeveloped lots**

The Board engaged in a general discussion about the removal of trees on undeveloped lots, in anticipation of or association with new development. After discussion of the subject, Mr. Finn noted that he would continue working on language, which will be presented at a later date.

Mr. Finn was directed to invite the Town's Tree Warden to review the draft language, and to attend a meeting to provide feedback.

### **Solar Energy Systems Requirement for Commercial Development**

Mr. Finn noted that he had some draft language for a "solar overlay district", which would require and regulate solar installations on large commercial structures or large parking areas.

### **Other Potential Zoning Changes**

Mr. Finn noted that he was working on

- A Zoning Change, which would clarify the Coastal District Exemption in the R5
- A review and update of application fees (Mr. Finn will poll the other towns to determine what they charge for special permits, subdivisions, ANR plans, etc.)

At 7:15 PM, Mr. Searle excused himself and left the meeting.

## **OTHER BUSINESS NOT REASONABLY ANTICIPATED 48 HOURS IN ADVANCE (7:15 PM)**

There was discussion related to the activities of the All Island Planning Board, which has been discussing and examining the effectiveness of the Island Towns' relationships with the MV Commission.

Mr. McCourt briefly discussed the activities of the AIPB, and a letter drafted by the AIPB, asking the MV Commission to commence an independent study to review the interactions between the Towns and the Commission. There was some discussion related to the need for a Classification / Compensation study at the commission level.

After extensive discussion and debate, it was **MOVED** by Mascolo, **SECONDED** by McCourt

*To approve the letter and to sign.*

VOTED:  
MASCOLO: YES                      MCCOURT: YES  
MORRISON: ABSTAIN              CISEK: YES.  
3, 0, 1 (PASSED) 7:26 PM

**ADJOURN**

It was MOVED by Mascolo, SECONDED by McCourt  
*To Adjourn.*

APPROVED BY UNANIMOUS CONSENT.  
(7:30 PM)

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These minutes were approved as the official record of the meeting, by a vote of the Planning Board at a regular meeting on October 5, 2021.

Attest:



Douglas Finn  
Planning Board Assistant