

Edgartown Planning Board - Meeting Minutes

Tuesday, December 7, 2021, 5:30 PM

The Edgartown Planning Board scheduled a meeting for Tuesday, December 7, 2021, 5:30 PM.

The meeting was audio and video recorded. Attendees participated by video conference, in accordance with Chapter 20 of the Acts of 2021. 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 VISIT

268 MATTAKESETT ROAD / SOMERSET DRIVE – (SNIDER SUBDIVISION)

CALL TO ORDER

The meeting was called to order at 5:31 PM, and the roll was called:

PRESENT:

SCOTT MORGAN

GLEN SEARLE

MIKE MCCOURT

FRED MASCOLO

LUCY MORRIGON

JAMES CISEK (ALT)

SCHEDULED BUSINESS

5:30 PM – FORM O (RELEASE OF LOTS) MATTAKESETT REALTY TRUST II, 284 KATAMA ROAD

The board reviewed materials related to a request for a final release of lots, and issuance of a Form O subdivision. It was noted that water installation was completed, and the Edgartown Water Department noted that only an "as built" plan was outstanding, expected within a week. Road lines and grades had been reviewed by the Edgartown Fire Chief, and were acceptable. Roads are expected to be paved within a week. A street sign is installed. Electrical work is nearly complete with the final interconnection by Eversource scheduled, but remaining to be completed.

Mr. Cisek asked about drainage on the site. Mr. Snider noted that each lot would have to be graded appropriately. Each lot would be reviewed independently as construction proceeded. It was noted that allowing storm water to drain onto an abutting property is not permitted.

Mr. Hoehn noted that SBH would be completing the 'as built' plans, and would be delivering to the water department.

It was MOVED by Mascolo, SECONDED by Searle

To release all lots, concluding the Town's interest in the subdivision process, and authorize Lucy Morrison to sign any necessary documents on behalf of the board.

MASCOLO: YES
MORGAN: YES

VOTED
MCCOURT: YES
SEARLE: YES
MORRISON: YES:
5, 0, 0. (5:39 PM)

5:40 PM - PUBLIC HEARING - SP(COASTAL DISTRICT): PAUL H. GERSHKOWITZ, LAURIE B. GERSHKOWITZ AND PATRICIA J. O'MEARA, 2 KATAMA FARM ROAD (52-26.11)

The Edgartown Planning Board scheduled a public hearing on Tuesday, December 7, 2021 at 5:40 PM, at the request of Sasha Robinson-White, RW Design, on behalf of Paul H. Gershkowitz, Laurie B. Gershkowitz and Patricia J. O'Meara (Owner) to construct additions to an existing accessory structure where such additions shall not expand the disturbed area (footprint) of the structure, and to construct a pool on a conforming lot in the inland zone of the Coastal District.

Application was made in accordance with Section 5.1 of the Edgartown Zoning Bylaw. The property is located at 2 Katama Farm Road, Assr. Pcl. 52-26.11.

The public hearing opened at 5:40 PM.

Present for the applicant: Sasha Robinson-White, Robinson White Design

Presentation / Findings

- A site plan showing proposed additions and other work were presented and reviewed.
- Applicant proposes additions to the main dwelling, which are outside of the scope of the special permit review.
- Applicant proposes to remove an existing second-floor deck, replacing it with a first-floor pool cabana with second level open deck.
- Applicant proposes a 20' x 40' in-ground pool with auto cover, and an attached 10' x 10' in-ground spa; pool and spa to be surrounded by bluestone terrace.
- Pool equipment to be enclosed by fencing for sound remediation, and will be surrounded by new vegetation.
- Property is within island roads district, and lies below the 10' contour.
- The lot is conforming.
- All proposed work will conform to dimensional requirements.
- Images of the existing site were reviewed.
- Pool equipment is at least 85' away from neighboring structures. Some sound remediation around pool equipment is required. A full enclosure was not mandated.
- Location of septic tanks and leaching field were discussed; construction is not expected to intrude upon existing septic system. No expansion of septic system is proposed.
- The property is served by town water. Bill Chapman noted that the
- The location of the nearest public fire hydrant was considered. It was determined that a hydrant is located opposite Katama Farm Road on Katama Road, within 500', and a draft hydrant from the pool would not be required.
- Comments from Mr. Bill Chapman (Edgartown Water Department) were considered. No other public comment was received.

The public hearing was closed at 5:54 PM.

Deliberation / Decision

After brief deliberation, it was MOVED by McCourt, SECONDED by Mascolo

To approve the project as presented with Standard Conditions for Swimming Pools.

MCCOURT: YES

MORGAN: YES

VOTED:

MASCOLO: YES

SEARLE: YES

MORRISON: YES

5, 0, 0. (5:56 PM)

5:50 PM - PUBLIC HEARING - SP(COASTAL DISTRICT): CHAPPY HOUSE LLC, 39 CALEB POND ROAD (30-53.11)

The Edgartown Planning Board continued a public hearing from Tuesday, November 9, 2021 at the request of Reid G. Silva, PE/PLS, Vineyard Land Surveying & Engineering, on behalf of Chappy House LLC (Owner) to construct a guest house within the inland zone of the coastal district.

Application is made in accordance with Section 5.1 of the Edgartown Zoning Bylaw. The property is located at 39 Caleb Pond Road, Assr. Pcl. 30-53.11.

Applicant: Reid G. Silva, PE/PLS, reid@vlse.net

The public hearing was continued at 5:57 PM.

Presentation / Findings

The project as previously presented was reviewed.

- Mr. Silva noted that the Conservation Commission had reviewed and approved the project, and an order of conditions would be forthcoming.
- Mr. Silva noted that the site for the structure was the only reasonable location on the property.
- The Conservation Commission noted that the structure as proposed was described as 'modest', and saw nothing out of the ordinary.
- The location of the Coastal Bank and Conservation Commission approval were the only outstanding items.
- No further communication or public comment was approved.

There being no further presentation, the Public hearing was closed at 6:00 PM.

Deliberation / Decision

After brief deliberation, it was MOVED by Morgan, SECONDED by Searle

To approve the project as presented with Standard Conditions for Construction Projects.

MCCOURT: YES
MORGAN: YES

VOTED:
MASCOLO: YES
SEARLE: YES
MORRISON: YES
5, 0, 0. (6:20 PM)

5:50 PM - PUBLIC HEARING - SP(COASTAL DISTRICT): ALISON BURKE ALBERS TRUST - 2014, 7 GREEN HOLLOW WAY (29-129.1)(CONTINUED FROM NOVEMBER 16, OCTOBER 26, OCTOBER 5, 2021)

Application to construct a Pool and a Spa in the inland zone of the Coastal District.

5:50 PM - PUBLIC HEARING - SP(COASTAL DISTRICT): ALISON BURKE ALBERS TRUST-2014, 7 GREEN HOLLOW WAY (29-129.1)(CONTINUED FROM NOVEMBER 16, OCTOBER 26, OCTOBER 5, 2021)

Application to remove a pre-existing non-conforming structure and replace it with a pool-cabana in the same footprint, and to construct a garage; both structures to be constructed in the inland zone of the Coastal District.

Present for the Applicant: Doug Hoehn, SBH, Inc.; James Moffatt, Greenwater Architects; Kris Horiuchi, Landscape Architect; Jeff and Alison Albers.

The public hearing was continued at 6:01 PM.

Presentation / Findings

Mr. Hoehn noted that the proposal is for a pre-existing non-conforming guest house, a proposed pool, and a proposed garage.

Mr. Hoehn noted that that proposed replacement main dwelling (not under special permit review) is conforming, and is replacing a structure that intrudes on the setbacks.

Mr. Hoehn reviewed the previous proposed guest house / pool cabana structure, and the specifics as to the height and location of same.

Mr. Hoehn also presented the revised guest-house proposal, its location and general footprint. The revised guest house will be a single-story structure, with 355 square feet proposed to be placed inside the footprint of the existing structure, inside the setback area (the existing structure has an 855 square-foot footprint in the setback area). In addition, there is 515 square feet outside of the setback.

The proposed building conforms to the 900 square-foot limit for guest houses, and the coastal district height limit.

A second-story observation deck is proposed as part of the structure.

The usage of the proposed structure is the same in description – a guest house – but has only one bedroom (vs. current structure, which has two bedrooms).

Pool equipment will be placed against the west-side of the guest house, and will be within a fence enclosure.

Mr. Morgan: did the applicant consider taking the original proposed structure to simply move it so that it was conforming? Mr. Moffatt: The newly proposed design preserves some privacy. Additionally, the very narrow view corridor is only available from the location in the existing setback.

There was no new letters or public comment.

Mr. Finn confirmed that there was a municipal fire hydrant located at the entrance to the Albers driveway.

Deliberation / Decision

After brief comments, the board generally concurred that the changes to the plan were sufficient in meeting

the concerns of the Planning Board, and appreciated the willingness of the applicant to work with the town.
It was MOVED by Morgan, SECONDED by Mascolo

To approve the applicant as presented and amended, in accordance with the site plan dated December 6, 2021 and the Floor Plans and Elevations dated December 3. Conditions for Construction Projects and Conditions for Swimming Pools apply.

	VOTED:
MASCOLO: YES	MCCOURT: YES
MORGAN: YES	SEARLE: YES
	MORRISON: NO
	4,0,1 (6:17 PM)

6:00 PM - PUBLIC HEARING - SP: MARTHA'S VINEYARD HOSPITAL, INC., 490 EDGARTOWN VINEYARD HAVEN ROAD (11B-243)(CONTINUED FROM NOVEMBER 9, 2021)

Application to construct and operate a Senior Residential Facility, comprised of a seventy (70) bedroom skilled nursing facility, to be contained within five (5) "houses", each of which will have fourteen (14) bedrooms; also to construct a seventy-six (76) bedroom Workforce Housing complex, consisting of seven (7) structures; also to conduct site activities including clearing of land, grubbing, grading, filling, trenching, installation of utilities, construction of support structures, roads and parking areas, construction of paths, lighting, and landscape elements, and all other work necessary thereto.

Present for the applicant: Geoghan Coogan, Ed Oliviere, Ed Pesce, Renee Lohman, Denise Schepeci, Mark Nicotera, etc.

The public hearing continued at 6:19 PM.

Presentation / Findings

Mr. Coogan reviewed a number of questions from previous meetings, including site density, the use and preservation of the natural landscape, the affordability of the proposed facility, the affordability of the proposed workforce housing, and the demand for skilled nursing for island seniors.

Mr. Coogan presented various cross-sections of the site, showing the relative heights of the buildings in the context of surrounding properties.

Mr. Ed Pesce presented several revised site plans, which showed a rearrangement of the workforce housing structures on the north-side of the site, closest to Edg-VH Road.

Mr. Pesce also presented two options for street layout for the workforce housing on the north-side of the site, noting that he preferred and recommended "Diagram A", showing a cul-de-sac turnaround at the north-east end of the street layout.

Mr. Finn asked whether the new arrangement of workforce housing structures met setback requirements. Mr. Pesce noted that they do not, and that they would be asking for relief. Mr. Finn also noted changes to the proposed site grades, and the location of the stormwater infiltration system. Mr. Pesce noted a new sidewalk onto the site that would connect to the SUP on Edgartown-Vineyard Haven Road.

Mr. Cisek: Will VTA enter onto the site? Answer: No.

Recess:

At 6:40 PM, Mr. Finn noted that Mr. Searle had lost his connection to the meeting. Ms. Morrison called for a two-minute recess in order to allow Mr. Searle to return.

Ms. Morrison called the meeting back to order at 6:44 PM.

Presentation / Findings

Mr. Devon Pope, 53 Teaberry Lane, asked a number of questions in regard to the availability of the new facility to current residents of Windemere, whether there would be a preference for island residents over off-island residents.

Ms. Lohman noted that the current 32 residents of Windemere would be welcome to transfer to the new facility. Ms. Lohman noted the desire to establish a preference for island residents who are eligible for skilled nursing, and briefly described the differences between skilled nursing, assisted living, and independent living facilities. Ms. Lohman noted that the facility is intended to serve a single scope – skilled nursing - and may not necessarily serve other needs (such as memory care) needing to be addressed by other facilities or locations.

Ms. Lohman also addressed the governance structure of the organization, noting that Navigator Homes MV is a 501(C)[3] entity, governed by a board of directors of island residents; the organization’s parent organization is the MV Hospital.

Mr. Rob Ianelli Jr (50 Teaberry Lane) asked whether there was an exhaustive search of other properties on island. Mr. Coogan noted that the lot was significant in size, offered the ability to cluster the structures away from existing abutters, preserving a large portion of the lot as undisturbed. Mr. Coogan also noted the availability of infrastructure (water and sewer), the willingness of the former owners to sell the property at a very good price; the access to the site from a main artery.

Mr. Rob Ianelli Sr (48 Teaberry Lane) noted that he wasn’t a ‘fan’ of the proposal; he noted that this was not the ideal location for the proposal; Mr. Ianelli noted that he had submitted a letter for the record.¹

Mr. Ianelli Sr. also noted that the proposed staff housing would not be sufficient to house the number of workers necessary for the facility. Mr. Coogan agreed, stating that the proposed workforce housing, as proposed would NOT be sufficient to house all of the staff of the proposed facility.

Ms. Margaret Ianelli (48 Teaberry Lane) asked whether the proposed housing would be suitable for couples, or families with children. Mr. Ed Olivier noted that the proposal calls for one-, two- and four-bedroom units, which would be suitable for individuals, couples or families. The residency requirement is that at least one tenant must be an employee.

Ms. Ianelli also asked about parking requirements for the facility. Mr. Ed Pesce noted that the proposal provides a total of 121 parking spaces, which exceeds the zoning requirements, which calls for the 99 spaces required by the zoning bylaw.

Mr. Searle asked whether maintenance staff would qualify for housing on the site; Mr. Olivier noted that a certain number of housing units would be reserved for employees with lower earning potentials (such as maintenance and cleaning staff).

Mr. Ben Hall noted that the site is within the island roads district, and may have certain restrictions applied. Mr. Hall also recommended that the workforce housing could and should be broken up into smaller, detached dwelling units. Mr. Hall noted other sites on the island are available with equal land areas; Mr. Hall also noted his concern with the availability of the site to residents who qualify for Medicaid and/or lower-income populations.

Mr. Finn noted that while the property is in the island roads district; however the restrictions only speak to the height of structures within 200 feet of the way. Mr. Finn also noted that the availability of water and wastewater in Edgartown likely made the property more appealing for this type of development.

Ms. Lohman noted that there would be no ‘cherry-picking’ of private pay residents over Medicaid-qualifying residents. If a room is available, it will be provided to a Medicaid-qualifying resident.

Mr. Rob Ianelli Jr. asked about an easement offered to certain Teaberry Lane residents in exchange for the

¹ “2021-1206 - LETTER - From Ianelli.pdf”, included in project file.

right to connect to the force-main that would be installed for the facility.

Mr. Olivier noted that, when the group first approached the Wastewater Commission for a connection, one of the mileposts was to make a connection to the force-main on the “Morgan Woods” property; in order to do that, the force-main from the proposed development would run along the backside of several properties along the southern-most segment of Teaberry Lane, and easements from those specific property owners were sought for that purpose. Mr. Coogan also noted that the discussions related to wastewater are ongoing, and no final decisions have been made. Mr. Coogan described the question as to wastewater management as ‘at a standstill’.

Mr. Chris Alley briefly described the process by which the conversation regarding easements proceeded, and noted that the request for the connection came from the property owners, and not the current applicant.

Mr. Morgan also expressed concerns regarding wastewater management, and whether the current facility can even handle the increased flow from the development. Mr. Morgan also advocated for the concerns of the abutters, noting that their concerns were his. He noted that a redesign of the property, comprising of a single central access road with structures abutting on either side, would seem to be more palatable.

Mr. Coogan responded, noting that the wastewater conversation was ongoing, with the potential for on-site and off-site management options being reviewed and considered.

Mr. Coogan also spoke to site selection, noting that clustering of the facility’s several buildings was integral to the overall success of the proposal. Mr. Coogan noted the dense vegetation being proposed as a buffer, the 130’ distance between the property line and the nearest building, and the adjustments to the topography to reduce visibility of the site.

Mr. Morgan noted that the main “Green House Homes” structures need to be clustered, but that the workforce housing could be more evenly distributed throughout the site.

Mr. Larry DeFeo described his opposition to the project, describing it as ‘fundamentally commercial’ in nature.

Mr. Devon Pope noted concerns related to the misleading nature of the governing organization as a ‘non-profit’, the need to consider alternative options, why the existing facility cannot be ‘revamped’ or redeveloped to meet the needs to be met by this facility, and questioned whether a facility on Martha’s Vineyard makes sense, when other off-island locations might make more economic or logistic sense

Letters

Mr. Finn read three letters² into the record:

- From Mr. Robert Ianelli Sr and Ms. Margaret Ianelli, 48 Teaberry Lane, dated December 6, 2021.
- From Daniel and Paulette Sladkus, 56 Teaberry Lane, dated December 6, 2021
- From Linda Messersmith Armour, 502 Edgartown Vineyard Haven Road, dated December 6, 2021 (the letter served as a transmittal letter, from Ms. Armour to the Edgartown Wastewater Commission, dated December 16, 2020)

Other comments

Mr. Coogan invited board members to suggest areas of focus that the applicants can focus on. Ms. Morrison noted that a review of the overall architectural design would make sense at some point.

Mr. Coogan asked about referral of the project to the commission. Mr. McCourt noted that the project should have its ‘rough edges smoothed out’ before the project is referred. Ms. Morrison noted that she would defer to the board’s wishes.

Mr. Morgan noted that he would prefer to keep the matter at the town level for the time being, and asked to

² Letters are incorporated into the project file, and are available for public review upon request.

see a different design that addressed the abutters' concerns regarding sightlines, privacy, etc.; Mr. Morgan further noted the need to address neighbor concerns prior to the project's referral.

It was MOVED by Morrison, SECONDED by McCourt

To continue the public hearing to December 14, 2021, at 6:30 PM.

MASCOLO: YES

MORGAN: YES

VOTED:

MCCOURT: YES

SEARLE: YES

MORRISON: YES

5, 0, 0 (7:37 PM)

OTHER BUSINESS NOT REASONABLY ANTICIPATED

Ms. Morrison noted that there had been comments / complaints / concerns regarding excessive noise coming from Stop & Shop. It was agreed to take up the matter after representatives from Stop & Shop are notified of the discussion.

ADJOURN

It was MOVED by Mascolo, SECONDED by Morgan

To Adjourn.

APPROVED BY UNANIMOUS CONSENT.

(7:39 PM)

Respectfully Submitted,

Douglas Finn
Planning Board Assistant

MEETING PARTICIPANTS:

Name (Original “Zoom” Name)

Fred Mascolo (Fred's iPad)
Glen Searle (Glen 's iPad)
James Cisek
Lucy Morrison
Mike McCourt
Scott Morgan (Scott)
Doug Finn (Town of Edgartown)
James Hagerty (Town of Edgartown)
Ben Hall Jr
Cait Cantella
Chris Alley (Chris)
Chris Dunn - Greenwater Architects
David McDonough
Denise Schepici
Devon Pope
Doug Hoehn (Doug)
Ed Pesce
Edward Olivier
Geoghan Coogan
James Moffatt, Greenwater Architects (James Moffatt - Greenwater)
Jeff Albers
Katherine Ellsworth
Kris Horiuchi
Larry DeFeo
Lawrence Passmore
Marie Araujo
Marie Zadeh
Mark Nicotera
Melinda Loberg (Melinda)
Oliver Snider
Paal Brandvold
Paddy Moore
Paul Gershkowitz
Philip Wallis
Polly Brown
Reid Silva
Renee Lohman
Robert Ianelli Jr. (rob)
Robert Ianelli Sr.
Rodianna Pope
Ruth Neeman
Sasha Robinson White (RWdesign)
Thomas Levi