

# Edgartown Planning Board - Meeting Minutes

Tuesday, February 7, 2023, 5:30 PM

The Edgartown Planning Board scheduled a meeting for Tuesday, February 7, 2023, 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.*

## **CALL TO ORDER**

Meeting called to order at 5:31 PM. Present: Lucy Morrison (Chair); Mike McCourt, Glen Searle.

Absent: Fred Mascolo, Cisek, Morgan.

Others present: Doug Hoehn, Julia Livingston, Mike Tomkins (VLSE) Tracey Smith, Penn Edmonds;

Due to only three members present at the onset, Ms. Morrison notified members that she would address business out of order for expediency.

## **SCHEDULED BUSINESS**

**5:45 PM – ANR – Simmons and Daniels (Katama Road QPRT) and Navigator Nominee Trust – 321 Katama Road, 11 pleasant Avenue and Grand View Avenue. Application to permanently discontinue and abandon a private way previously known as “Grand View Avenue” and to divide the land between the two abutters.**

Present for the Applicant: Doug Hoehn, SBH, Inc.

An ariel view of the locus was reviewed. Mr. Hoehn described Grand View Avenue as a ‘paper road’ only, never developed, cleared, or used as a road, created as part of the ‘katama gables’ subdivision from the late 1800s.

*(Mr. Cisek arrived at about 5:35 PM)*

Lot ownership, and proposed lines of division were reviewed.

After discussion, it was MOVED by Searle, SECONDED by McCourt

*To endorse the plan as not requiring approval under the subdivision control law, as the plan proposes a lot-line adjustments, and no lots will be left without adequate frontage.*

VOTED: 4, 0, 0. (5:41 PM)

**5:30 PM - PUBLIC HEARING - Coastal District Special Permit: Chappy Holdings, LLC, 40 Litchfield Road (30-133); Application to construct and maintain a 20' by 40'; in-ground swimming pool, fence, and associated landscaping within the inland zone of the coastal district.**

*Present for the Applicant: Mr. Mike Tomkins, Vineyard Land Surveying & Engineering.*

Mr. Tomkins agreed to proceed with four board members.

The public hearing was opened at 7:41 PM.

The locus of the site was noted. The proposal and site plan was reviewed.

A second structure on the property was noted.

An existing hot tub and deck will be removed.

The pool will be 20' x 40', with underground storage for the equipment under the deck.

The pool and construction will be in the inland zone of the coastal district, with no modification below the 12' elevation.

The proposed development will be outside of the flood zone.

Depth to ground water is about 7 feet, placing it about eight feet below the bottom of the pool.

A dry-well location was not located on the plan. An updated plan would be filed showing the dry well location.

The applicant agreed to a dry hydrant or 'draught hydrant' for fire-fighting purposes.

Mr. Searle suggested that the board should consider waiting until Conservation Commission finally decided prior to making a decision.

Mr. Tomkins noted that the Conservation Commission had not yet set a date.

The applicant confirmed that they were familiar with standard conditions for pools.

The board was informally polled; most agreed to postpone a decision until after Conservation Commission had formally acted.

After decision, it was MOVED by Morrison, SECONDED by Searle

*To continue to March 7, 2023, 5:30 PM.*

VOTED: 4, 0, 0. (5:50 PM)

## **SECOND READING – ZONING BYLAW AMENDMENT – SECTION VII – FLOOD PLAIN DISTRICT**

**Second reading of revised language proposed to bring the Town into compliance with state regulations. Request approval to submit to Selectboard and move to public hearing.**

Mr. Finn noted that the initial draft of the bylaw had been reviewed by Shannon Hulst, Barnstable County & Woods Hole Sea Grant Floodplain Coordinator and Deputy Director of the Cape Cod Cooperative Extension. The changes to the existing bylaw were reviewed in general terms.

After some brief discussion, it was determined that the public hearing for the proposed change will be scheduled for March 14, 2023.

Mr. Finn will prepare an 'as changed' version of the bylaw; it was noted that the warrant article will likely propose a 'strike and replace' of the existing section.

### **6:00 PM - PUBLIC HEARING - Definitive Subdivision: Townsend & Shoshana S. Belisle, 8 Oyster Pond Road (25-1.251); Application to divide about seven acres into a two conforming lots served by a private road.**

*Applicant: Doug Hoehn, SBH, Inc.*

The public hearing was opened at 6:01 PM.

The locus map was reviewed.

The subdivision plan was reviewed.

- The property was purchased in May of 2021. Approximate area: 7.2 Acres
- The existing access to the lot was reviewed.
- The lot does not have access to Oyster Watcha Road.
- The applicant wishes to divide the land to create a 'family compound'.

- The existing access is shared with an abutter – Ms. Deborah Hall.
- The proposed private way would provide road frontage for a second lot on the property.
- No further subdivision would be possible.
- The east/west dividing line is formed specifically to allow an existing well to be maintained.
- Mr. Finn noted that an existing ‘fork’ in the existing driveway could serve as a turnaround for emergency vehicles.
- No public comment was offered.
- There was some discussion as to how the road covenant would be structured, and emergency vehicle access to both lots ensured.

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

*To approve the subdivision plan as presented, subject to an approved road maintenance agreement, incorporating such conditions as the Fire Chief should see fit to require, and other standard conditions for approval.*

	VOTE:
MCCOURT: YES	SEARLE: YES
CISEK: YES	MORRISON: YES
	(6:20 PM)

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Ms. Julia Livingston noted that the Town’s finance committee had asked representatives of the MV Commission whether the MVC would be willing to assist the town revise its Zoning Bylaw. The response was enthusiastic affirmation.

There was further discussion regarding the proposal to review and make changes to the Zoning Bylaw, the warrant article requesting money for same, and other similar details.

Ms. Livingston strongly recommended that the Planning Board communicate the funding need to the Planning Board.

**6:30 PM – PUBLIC HEARING (Continued from Jan 24, Dec 13, Nov 29, 2022) - SP: Eastern Wall, LLC, 58 Oyster-Watcha Road (41-1.1); Construction of a guest house "larger than 900 square feet in total liveable area" within the coastal district.**

*Present: Mr. Leonard Scheiffer, Mr. Michael Barclay, Mr. Chris Alley.*

The board continued the public hearing at 6:30 PM.

Ms. Morrison asked the applicant about the existing structures on the property.

Mr. Barclay: A main house, five bedrooms; a pool house with three bedrooms; the septic is approved for ten bedrooms;

Ms. Morrison asked whether the existing pool house qualifies as a guest house; Mr. Barclay stated that the question had been answered in the previous special permit process.

There were questions in regard to the existing structures.

It was MOVED by Searle, SECONDED by Morrison

To continue to February 21, 2023, 6:30 PM.

SEARLE: YES

CISEK: YES

VOTED:

MCCOURT: YES

MORRISON: YES

(6:41 PM)

### **OTHER BUSINESS**

Mr Cisek expressed some concern in relation to the location of the bus-stop near the Stop and Shop.

The board generally concurred that they would like an update on the status and progress of the overall project.

### **LOSS OF QUORUM**

Ms. Morrison noted the absence of Mr. Morgan, and suggested that the MV Hospital project should not be taken up without a full quorum of voting members. The Board agreed.

Ms. Morrison also noted that, since the public hearing for the hospital would be continued without presentation or deliberation, the board members would not be required to stay.

Mr. McCourt, Mr. Cisek and Mr. Searle left the meeting at 6:43 PM.

### **7:00 - PUBLIC HEARING (CONT'D FROM 12/13/2022 ET SEQ.) - SP: MARTHA'S VINEYARD HOSPITAL, INC., 490 EDGARTOWN VINEYARD HAVEN ROAD (11B-243)**

**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.**

Ms. Morrison declared that no quorum existed, and that the public hearing would be continued without presentation or findings to February 21, 2023, 5:30 PM.

### **ADJOURN**

There being no further business, and in the absence of a quorum, Ms. Morrison declared the Planning Board meeting adjourned at 7:00 PM.

Respectfully submitted,

Douglas C. Finn  
Clerk Pro Temp