

Edgartown Planning Board – Meeting Minutes

Tuesday, April 4, 2023, 5:30 PM

The Edgartown Planning Board scheduled a meeting for Tuesday, April 4, 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

The meeting was called to order at 5:31 PM.

PRESNENT: Lucy Morrison, Mike McCourt, Glen Searle, James Cisek

Also Present: Doug Finn, Barbara Bellissimo, Joseph Schott.

Not present: Scott Morgan, Fred Mascolo

At Ms. Morrison's request, Mr. McCourt was chair pro temp.

SCHEDULED BUSINESS

5:30 PM - PUBLIC HEARING - Special Permit: Island Holdings LLC d/b/a Winnetu Oceanside Resort, 31 Dunes Road (52-261)

Application to host the 45th annual ""Possible Dreams"" event at the Winnetu Oceanside Resort on Sunday, July 23, 2022 from 3 to 6:30 PM

In accordance with Sections 5.1 and 10.1.G.6.5 of the Edgartown Zoning Bylaw, the Planning Board scheduled a public hearing on Tuesday, April 4, 2023 at 5:30 PM, at the request of Rebecca Pierce, MV Community Services, on behalf of Island Holdings LLC, to host the 45th annual "Possible Dreams" event at the Winnetu Oceanside Resort on Sunday, July 23, 2023 from 3 to 6:30 PM.

The subject property is located at 31 Dunes Road, Assr. Pcl. 52-261.

Present for the applicant: Ms. Barbara Bellissimo. Vice President of Development, Marketing & Communications for the MV Community Services.

Presentation / Findings

The event will be very similar to the last year's event.

The event will take place on Sunday, July 23, 2022 from 3 – 6:30 PM.

Tent breakdown will be complete by July 25th.

The plan is very similar to that approved by the Planning Board in the past.

Capacity: We are planning to have 300 guests attending the event. Approximately 50 staff will work the event and will arrive prior to the event start time.

Parking: The Winnetu will reserve spaces in their private lot for VIP guests. Remaining cars will be parked along Katama Road. Guests will then be shuttled to/from Winnetu.

Tents: We plan to use one tent, which will be rented through Tilton Tents, and will be set up Friday afternoon (7/21) and removed Monday morning (7/24).

Amplification: We will have the need for music and amplification to run the auction from 3 to 6:30 PM.

Police: We will work accordingly with the Edgartown Police Department to provide the necessary coverage at our event. Chief McNamee will be made aware of our event upon approval.

One Day Liquor License: We have enclosed a copy of permit application for Edgartown Board of Selectmen and will submit liquor liability closer to the event along with the appropriate TIPS certification from Winnetu, who will serve the beer and wine.

The organization has the complete support of Winnetu to have the event on its grounds, provided it gains your approval of a special use permit.

There was some concern relative to parking, but no outstanding lasting concerns.

No member of the public will be present.

The public hearing was closed at 5:38 PM.

Deliberation / Decision

The board felt that the benefit provided by the event would far outweigh the minor inconvenience that the event might cause immediate abutters or the town in general.

The board also agreed that the proposed conditions and offers by the applicant would remediate any outstanding concerns. Ms. Morrison asked that conditions (if any) from last year's decision be applied in this case.

Mr. Finn also suggested that applicant should continue to work cooperatively with Edgartown Police Department to coordinate traffic control, parking, and shuttle service to and from the event site.

It was MOVED by Searle, SECONDED by Cisek

To approve as presented with all offers and conditions as noted.

VOTED: 4, 0, 0.

5:40 PM - PUBLIC HEARING - Special Permit: Island Holdings LLC d/b/a Winnetu Oceanside Resort, 31 Dunes Road (52-261)

Application , to amend a special permit to allow the applicant to host the MV Food and Wine Festival at the Winnetu Oceanside Resort, Friday through Sunday, October 19 - 22, 2023; all events relative to the event will end no later than 7 PM

In accordance with Sections 5.1 and 10.1.G.6.5 of the Edgartown Zoning Bylaw, the Planning Board scheduled a public hearing on Tuesday, April 4, 2023 at 5:45 PM, at the request of Adam Epstein, Innovation Arts and Entertainment, on behalf of Island Holdings LLC, to amend a special permit to allow the applicant to host the MV Food and Wine Festival at the Winnetu Oceanside Resort, Friday through Sunday, October 19 - 22, 2023; all events relative to the event will end no later than 7 PM.

The subject property is located at 31 Dunes Road, Assr. Pcl. 52-261.

Mr. Finn noted that the applicant Mr. Adam Epstein, had requested a continuance to a date certain.

It was MOVED by Searle SECONDED by Cisek

To continue the public hearing to May 2, 2023, 6:00 PM.

VOTED: 4, 0, 0. (5:40 PM.)

NOTE: No substantive presentation being made, all members in attendance on May 2 will be eligible to vote on the application.

(Scheduled for 6:20 PM, taken up at 5:43 PM) – Request for a De Minimis Determination: Mike Smith and Phoebe Cole Smith, 46 Caleb's Pond Lane (30-24.1, 30-24.2)

Applicant requests de minimis determination for slight adjustment to orientation of an existing structure.

The board took up a request for a de minimis determination as requested by Mr. Joseph Schott, on behalf of property owners Mike Smith and Phoebe Cole Smith.

The request was for the modification of the orientation of an existing building (a cabin) which is intended to be moved to a different location on the lot. The lot is noted as pre-existing, non-conforming due to size.

A proposed storage shed on the site was noted. Mr. Schott noted that it may or may not be built, and the board agreed that the applicant could return with a request to construct the shed at a later time.

The proposal to adjust the location of the cabin

- Will not change the footprint,
- Will not change the height of any existing structure,
- Will not add living space
- Will not increase or decrease non-conformity?
- The use will meet zoning
- Will not change the use on the lot, and
- Will not demolish any section

After review, it was MOVED by Searle SECONDED by Cisek

That the change in orientation of the cabin is a de minimis change to the original plan, and does not require further action or approval by the Planning Board. All original conditions of approval of the original special permit remain in full force and effect.

VOTED: 4, 0, 0. (5:49 PM)

5:30 PM - PUBLIC HEARING - Special Permit (cont'd from 3/21): Robert M McCarron, Trustee, 20 Orr Lane (20B-76.4)

In accordance with Section 5.1 of the Edgartown Zoning Bylaw, the Planning Board scheduled a continuance of a public hearing on April 4, 2023 at 5:30 PM, at the request of Doug Hoehn, Schofield, Barbini and Hoehn, on behalf of Robert M McCarron, Trustee of 20 Orr Lane Realty Trust, to construct a pool and cabana in the Coastal District.

The subject property is located at 20 Orr Lane, Assr. Pcl. 20B-76.4.

The public hearing was continued at 5:50 PM.

Mr. Finn noted that Mr. Doug Hoehn, agent for the applicant, had written to request a further continuance without presentation to a date certain.

It was MOVED by Searle, SECONDED by Cisek,

To continue the public hearing to May 2, 630 PM.

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

Updated on Stop and Shop Progress

Mr. Patrick Melle, and Ms. Lisa Davis Lewis provided a brief update to the overall construction project at Stop and Shop, noting locations of store amenities, the overall construction schedule, and timeline for

completion.

6:00 PM - PUBLIC HEARING (SP): WJG Realty Trust, 239 Upper Main Street (20A-57.2)

Application to modify a special permit in order to construct a temporary outdoor display to sell garden and outdoor products.

In accordance with Sections 3.2.B.5 of the Edgartown Zoning Bylaw, the Planning Board will hold a public hearing on Tuesday, April 4, 2023 at 6:00 PM, at the request of Geoghan Coogan, Coogan Law Offices, on behalf of WJG Realty Trust, to amend a special permit to allow the applicant to install a 20' x 40' tent to be used for the temporary sale and storage of seasonal items; also to conduct outdoor sales of seasonal items from the tent through the summer of 2023.

The subject property is located at 239 Upper Main Street, Assessors Parcel #20A-57.1

Present for the applicant: Mr. Geoghan Coogan. Ms. Lisa Davis.

Presentation / Findings

Applicant is seeking approval to install a 20 x 40 ft. tent to be used for the temporary sale and storage of seasonal items, and to conduct outdoor sales of 'seasonal' items.

The 20' x 40' tent will be located in accordance with the site diagram as noted, on the right (east) Side of Existing Store.

Tent will take approximately (5) Parking spaces.

Handicap spaces will be relocated to the front of the building.

The tent will open as soon as it is permitted and will continue through mid-September.

Tent will be utilized to approximately (5) months - only through fall of 2023.

The outdoor sales would be open Monday through Saturday, 7:00 a.m. to 10:00 p.m., and Sunday, 7:00 a.m. to 9:00 p.m. It will be staffed by a minimum of one employee.

The proposed tent will be located along the eastern side of the building away from any construction activities. It will result in the temporary reduction of 6 parking spaces.

Additionally, 4 handicapped parking spaces will be relocated to the front parking area.

A new crosswalk will be provided to the handicapped spaces.

The proposed tent will have minimal impact on parking and traffic circulation.

The proposed tent will have no impact on store operations, and will not be near any construction activities.

The board determined that the second weekend in October would be an acceptable 'outside' limit for the use period for the tent of the tent.

Other outdoor sales would be conducted as has been previously.

It was not certain whether outdoor sales would continue once the store renovations were completed.

The existing parking lot is anticipated to be paved in mid-May. The process would take about a week and should not post long-term disturbance to traffic on Upper Main Street.

No member of the public was present to offer comment. No written comment was received.

The public hearing was closed at 6:05 PM.

Deliberation / Decision

The offers by the applicant seemed consistent with the intent of the Zoning Bylaw. No problems were

noted with previous outdoor sales.

The use of the tent in 2022 at the same location and in the same manner did not pose a problem for patrons of the store, abutters, or the town.

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

*To permit placement of the tent in accordance with the application and all offers;
and to permit outdoor sales of flowers and other seasonal items; both are
permitted through the second weekend in October.*

VOTED: 4, 0, 0. (6:07 PM)

At 6:08 PM, Ms. Morrison left the meeting.

OTHER BUSINESS NOT REASONABLY ANTICIPATED 48 HOURS IN ADVANCE

Mr. Finn asked whether the board would like to proceed with the interview with the applicant on April 5. After discussion, it was determined that the interview should be postponed.

ADJOURN

There being no further business it was MOVED by Searle, SECONDED by Cisek

To adjourn.

VOTED: 3, 0, 0.

The board stood adjourned at 6:13 PM.

Respectfully submitted,

Douglas C. Finn
Clerk Pro Temp