

Edgartown Planning Board - Meeting Minutes

Tuesday, June 20, 2023, 5:30 PM

The Edgartown Planning Board scheduled a meeting for Tuesday, June 20, 2023, 5:30 PM.

The meeting was audio and video recorded. Attendees participated by video conference, in accordance with Chapter 2 of the Acts of 2023. 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

Site visits were scheduled as follows:

- 9:15 Am – 11 Coffins Field Road (Cassavoy)
- 9:40 Am – 92 Schoolhouse Road (Coghlin)
- 10:00 Am – 258 Edgartown Vineyard Haven Road (21-34.221)

No discussion or deliberation was conducted at any site visit.

CALL TO ORDER

Meeting called to order at 5:31 PM.

Present: Lucy Morrison (Chair); Mike McCourt, Glen Searle, Scott Morgan, James Cisek (alternate).¹

Absent: Fred Mascolo.

SCHEDULED BUSINESS

5:30 PM – SITE PLAN REVIEW (cont'd from May 2, May 16): Ground Mounted Solar PV – Barbara and Michael Cassavoy, 11 Coffins Field Road (25-21.6)

The board continued a site plan review of a proposed Installation of a 12.8kWDC ground mounted solar PV system at the Cassavoy Residence at 11 Coffin's Field Road. Present for the applicant: Jack Sipperly.

Discussion / Deliberation

A revised site plan was submitted, and reviewed.

The applicant noted the requirements for the placement of the array, and clearance around it for fire prevention purposes.

The applicants agreed to work in good faith with the abutters to build screening on the abutters property to visually screen the array.

¹ Full attendance list is attached to these minutes.

Decision

It was MOVED by Searle, SECONDED by Cisek

To approve the application as presented, with all offers and conditions as noted.

VOTED:

MORGAN: YES;

MCCOURT: YES;

SEARLE: YES;

CISEK: YES;

MORRISON: YES.

VOTED: 5, 0, 0. (5:44 PM)

Mr. McCourt noted the removal of two trees on Upper Main Street, and a significantly bright light placed at the post office.

5:50 PM - PUBLIC HEARING - Special Permit (cont'd from May 2, May 16): Robert M McCarron, Trustee, 20 Orr Lane (20B-76.4)

In accordance with Section 5.1 of the Edgartown Zoning Bylaw, the Planning Board Continued a public hearing from May 2, 2023 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.

Applicant: Doug Hoehn, dhoehn@sbhinc.net; Jonathan Kirby, Matt Goodfriend.

The public hearing was continued at 5:50 PM.

Presentation / Findings

Mr. HOehn noted the efforts on the part of the applicant to monitor and measure ground water.

Ground water wells were placed, and high-ground water was measured no higher than 2.2' elevation.

The design was modified to reduce the length from 75' to 65', and the pool has been elevated to be fully above the high-water elevation as observed.

The revised schematic (dated June 15) was reviewed.

Mr. Morgan stated that the adjustments to the plan meet his concerns.

There being no further presentation, the chair closed the public hearing at 5:58 PM.

Deliberation

There was brief deliberation.

Decision

It was MOVED by McCourt, SECONDED by Searle

To approve the application as presented, with standard conditions for swimming pools.

VOTED:
MORGAN: YES; MCCOURT: YES;
SEARLE: YES; CISEK: YES;
MORRISON: YES.
VOTED: 5, 0, 0. (5:59 PM)

6:00 PM - Request for Endorsement – ANR: 20A-31 – 3 Clark Street – Andrews

A request for endorsement for a Form A was reviewed. The plan was reviewed.
The plan would leave all lots with adequate frontage and area.

Decision

It was MOVED by Morgan, SECONDED by Cisek

To endorse the Form A as presented.

VOTED:
MORGAN: YES; MCCOURT: YES;
SEARLE: YES; CISEK: YES;
MORRISON: YES.
VOTED: 5, 0, 0. (6:05 PM)

6:10 PM - PUBLIC HEARING - Coastal District Special Permit: MVY Home LLC, 17 Garden Cove Rd (53-8.1)

In accordance with Sections 5.1.D.2, 5.6.G.2.b, 10.1.G.4 and 10.1.G.5 of the Edgartown Zoning Bylaw, the Planning Board will hold a public hearing on Tuesday, June 20, 2023 at 6:10 PM, at the request of Reid Silva, Vineyard Land Surveying & Engineering, on behalf of MVY Home LLC, to construct a 65 SF mudroom addition to an existing main dwelling on a pre-existing, non-conforming lot and construct an accessory 600 SF pool house.

The subject property is located at 17 Garden Cove Rd, Assr. Pcl. 53-8.1.

Present for the applicant: Cody Coutinho, Vineyard Land Surveying and Engineering.

The chair opened the public hearing at 6:11 PM.

Presentation / Findings

The site plan was reviewed.

An existing pool house will be replaced by a larger structure, a single large room with two small closet spaces, for a total of about 600 square feet.

The pool house will be 101' from the edge of the wetlands.

The mud-room addition will be between the existing dwelling and the garage.

The pool equipment is currently in the pool house, and will remain in the new pool house.
There will be no toilet installed – an outdoor shower will be incorporated into the designs.
There being no further presentation, the chair closed the public hearing at 6:16 PM.

Deliberation

The proposal will not increase the impact to the area or cause a greater disturbance to the abutters.
The structure will not significantly increase the use on the lot.

Decision

It was MOVED by Searle, SECONDED by Morgan

To approve the application as presented, with standard conditions for construction projects.

VOTED:
MORGAN: YES; MCCOURT: YES;
SEARLE: YES; CISEK: YES;
MORRISON: YES.
VOTED: 5, 0, 0. (6:20 PM)

6:30 PM - PUBLIC HEARING - Special Permit (cont'd from Jun 6): James W. Coghlin, Jr. and Kristen L. Coghlin, 92 Schoolhouse Road (29-45)

In accordance with Section 10.1.K of the Edgartown Zoning Bylaw, the Planning Board continued a public hearing on from Tuesday, June 6, 2023 at the request of Dharshini Joseph, Dharshini Joseph Landscape Architecture, Inc., on behalf of James W. Coghlin, Jr. and Kristen L. Coghlin, to remove ten Protected Trees from the Tree Yard of a residential lot in the R-20 Residential District.

The subject property is located at 92 Schoolhouse Road, Assr. Pcl. 29-45.

Present for the applicant: Dharshini Joseph, Dharshini Joseph Landscape Architecture, Inc.

The public hearing was continued at 6:30 PM.

Presentation / Findings

The site plan was reviewed.

There being no further presentation, the chair closed the public hearing at 6:30 PM.

Deliberation

There was brief deliberation.

Decision

It was MOVED by Searle, SECONDED by Cisek

To approve the application as presented.

VOTED:
MORGAN: YES; MCCOURT: YES;
SEARLE: YES; CISEK: YES;
MORRISON: YES.
VOTED: 5, 0, 0. (6:34 PM)

6:50 PM - PUBLIC HEARING - B-II District Special Permit: Richard J. McNulty, Sr., 258 Edgartown Road LLC, 258 Edgartown Vineyard Haven Road (21-34.221)

In accordance with Section 3.2 of the Edgartown Zoning Bylaw, the Planning Board continued a public hearing from Tuesday, June 6, 2023, at the request of Thiago De Sa, Trimarket LLC, on behalf of Richard J. McNulty, Sr., Trustee of 258 Edgartown Road LLC, to operate a retail store, which will offer retail sale of groceries, which will include the sale of food prepared or portioned on site and prepackaged food or drink, both for consumption off-site. There will be no dining facilities on site.

The subject property is located at 258 Edgartown Vineyard Haven Road, Assr. Pcl. 21-34.221.

The public hearing was continued at 6:50 PM.

Presentation / Findings

Ms. Morrison noted receipt of a request from the applicant to withdraw the application.

Ms. Morrison noted that the current use does not require a special permit, as it has the same impact according to the zoning bylaw.

Ms. Morrison noted withdrawal without prejudice allows them to return at a later date if they wish.

There was discussion relative to the current operation, what licenses were necessary, and what the applicants were doing to bring the operation up to compliance.

Mr. Morgan expressed disinterest in allowing a withdrawal without prejudice. Mr. McCourt concurred.

Mr. Cisek disagreed, stating that a two-year moratorium would be restrictive.

There was some discussion relative to the role of the Planning Board, the Board of Health, and other Town permitting bodies relative to the operation.

Decision

It was MOVED by Morgan, SECONDED by Searle

To close the public hearing, and accept the withdrawal of the application with

Meeting Participants (via “Zoom”)
Name (Original Name)

Doug Finn (Tech) (Town of Edgartown)

Deb Butler

Lucy Morrison

Michael Shalett

CassavMA

MLW

Scott Morgan (Scott)

Glen Searle (Glen 's iPad)

James Cisek

Cody Coutinho (VLSE)

Jack Sipperly (Jack)

Jonathan Kirby

Mike McCourt

Douglas Hoehn

Gary Simmons

Julia Livingston

sevdak

Jordan Hoehn

Rob McCarron (Rob M)

17748368779

Scott McCarthy

MjG

Jim Coghlin

Jongseok Lee

Travis Ritchie

Sam Sherman (Ezra Sherman)

Dharshini Joseph

Trisha

Evan Thomas