

# Edgartown Planning Board - Meeting Minutes

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Tuesday, August 1, 2023, 5:30 PM

The Edgartown Planning Board scheduled a meeting for Tuesday, August 1, 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**

No site visits were scheduled.

## **CALL TO ORDER**

Meeting called to order at 5:30 PM.

*Present: Lucy Morrison (Chair); Scott Morgan, Glen Searle, James Cisek (alternate).<sup>1</sup>*

*Absent: Mike McCourt, Fred Mascolo.*

*Others Present: Ms. Julia Livingston*

## **APPROVAL OF MINUTES**

Ms. Morrison requested a motion regarding minutes of previous meetings. A few minor corrections were noted. It was MOVED by Searle, SECONDED by Cisek

*To approve the meeting minutes of June 20, July 11, and July 25 as presented and amended.*

VOTED: 4, 0, 0. (5:32 PM)

Mr. Mike McCourt joined the meeting at 5:33 PM

## **SCHEDULED BUSINESS**

### **5:30 PM - PUBLIC HEARING (cont'd from May 2, 2023) - Definitive Subdivision: ADEC Meeting House Way Real Estate, LLC, 35 Division Road (37-46)**

**Application to divide a single parcel (17.28 acres +/-) to create a new private way (Surke Meadow Way) five buildable lots, and two 'open space' lots of 5.58 acres and 4.55 acres)**

In accordance with Section 2.2 of the Edgartown Zoning Bylaw and the Edgartown Subdivision Rules and Regulations as amended, the Planning Board continued a public hearing from Tuesday, May 2, 2023 at 5:30 PM, at the request of Doug Hoehn, SBH, Inc., on behalf of ADEC Meeting House Way Real Estate, LLC, To divide a single parcel (17.28 acres +/-) to create a new private way (Surke Meadow Way) five buildable lots, and two 'open space' lots of 5.58 acres and 4.55 acres).

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<sup>1</sup> Full attendance list is attached to these minutes.

The subject property is located at 35 Division Road, Assr. Pcl. 37-46.

*Present for the applicant: Doug Hoehn, SBH, Inc. Attorney Robert Moriarty*

The public hearing was continued at 5:34 PM.

**Presentation / Findings**

Mr. Hoehn noted that the project had been voted as approved by the MV Commission, but the written decision was not yet completed.

Mr. Hoehn reviewed the proposal as presented to and approved by the MV Commission.

Municipal sewer would run along the proposed road, cut between lots 2 and 3, and continue along the south-east edges of lots 4 and 5.

All lots would be served by private wells.

NHESP regulations do not apply, as the only identified habitat will be preserved as undeveloped.

The applicants will be looking to quickly release lot 5; release of lots 1 through 4 can wait until the construction of the private way (and installation of utilities) is completed.

**Continuance**

After some deliberation It was MOVED by Searle SECONDED by McCourt

*To continue the public hearing to August 15, 2023 at 5:50 PM.*

MORGAN: YES

SEARLE: YES;

VOTED:  
MORRISON: YES;  
MCCOURT: YES  
CISEK: YES  
(5:54 PM)

**5:45 PM – ANR ENDORSEMENT – 20C-218 – Galley – West Tisbury Road**

The Board considered a request for an endorsement of a plan not believed to require approval under the Subdivision Control Law (81L).

The plan is noted as prepared for Aushra R. and Kenneth C. Galley, scale 1" = 30', dated July 6, 2023, prepared by Vineyard Land Surveying and Engineering.

*Present for the applicant: Reid Silva, VLSE, Inc.*

After review, the board concluded that the plan shows a proposed conveyance or other instrument, which adds to or takes away from existing parcels such that no lot affected is left without minimum required frontage or area as required by the Town of Edgartown Zoning Bylaw.

After some deliberation, it was MOVED by McCourt SECONDED by Cisek

*To endorse the plan as presented.*

VOTED:  
MORGAN: YES                      MORRISON: YES;  
SEARLE: ABSTAIN;              MCCOURT: YES  
CISEK: YES  
(6:02 PM)

**6:00 PM - PUBLIC HEARING - Ponds District Special Permit: MV Regency Group, LLC, 71 Butler's Cove Road (53-7)**

**Application to construct a 182 foot long elevated wood boardwalk in the shore zone of the coastal district, and Zones 1 and 2 of the Edgartown Ponds Area district**

In accordance with Sections 5.1 and 8.4.B.4 of the Edgartown Zoning Bylaw, the Planning Board continued a public hearing from Tuesday, July 11, 2023 at 6:00 PM, at the request of Doug Hoehn, SBH, Inc., on behalf of MV Regency Group, LLC, to construct a 182 foot long elevated wood boardwalk in the shore zone of the Coastal District, and Zones 1 and 2 of the Edgartown Ponds Area district.

The subject property is located at 71 Butler's Cove Road, Assr. Pcl. 53-7.

*Present for the Applicant: Mr. Doug Hoehn, SBH, Inc., Ms. Stephanie Pierce, Reed Hilderbrand Landscape Architects.*

The public hearing was opened at 6:03 PM.

**Presentation / Findings**

Mr. Hoehn presented a locus map, and the proposal.

The owners wish to build an elevated walkway through the property to a beach area.

Mr. Hoehn noted that the specific path of the walkway has changed, upon request by the Conservation Commission, and is reflected in the plan presented to the Board.

The total length of the modified walkway is 416 feet.

The walkway is elevated at generally 24" above grade.

A proposed landing has been removed at the request of the Conservation Commission.

Mr. Morgan suggested a single-pier support system instead of two piers.

No lighting is proposed.

No handrails are proposed.

Members generally agreed that the proposed walkway is consistent with the intent of the bylaw, and will not cause undue disturbance to the environment or the neighbors.

**Deliberation / Decision**

It was MOVED by Morrison, SECONDED by Morgan

*To approve the application as presented, with standard conditions for piers and docks; applicant further agrees to construct the boardwalk using single ‘monopole’ piers, instead of ‘goalpost’ style twin piers, if feasible.*

VOTED:  
MORGAN: YES                      MORRISON: YES  
SEARLE: YES                      MCCOURT: YES  
CISEK: YES  
(6:21 PM)

**6:15 PM – ANR ENDORSEMENT – Soverns – Trapps Pond Road**

The planning board considered a request for endorsement of a plan believed not to require approval under the subdivision control law.

The plan is noted as a “Plan of Land in Edgartown, Mass.,” surveyed for Christopher Soverns, Scale 1” = 50’, dated July 7, 2023, prepared by Vineyard Land Surveying and Engineering, Inc. (Job No 317).

Present for the applicant: Reid Silva, VLSE, Inc.

Mr. Silva presented the plan:

Parcel A and Parcel B are intended to be preserved as undeveloped, used as “common land” for the benefit of all land owners.

The Lots 1, 2 and 3 are intended to be developed.

There was discussion relative to the purpose of parcels A and B, the intention behind the plan, whether the plan is needed by the owners at all, and whether the plan could or should be referred to the MVC under the DRI Checklist.

Mr. Silva noted that the plan was not necessary for the development of the property; it was the intention of the proponent only to preserve Parcels A and B, and this plan was deemed a way to pursue that goal.

After review, the applicant agreed to a continuance of the discussion to a date certain.

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

*To table discussion on the proposal to August 15, 6:20 PM.*

VOTED:  
MORGAN: YES                      MORRISON: YES;  
SEARLE: YES;                      MCCOURT: YES  
CISEK: YES  
(6:52 PM)

**REVIEW OF CORRESPONDENCE**

No correspondence was presented for review.

## **MEMBER CONCERNS**

Mr. Cisek noted the construction of a fence on the street side of the “Franklin” hotel; after deliberation and discussion, it was determined that the placement of a fence was not directly required – nor prohibited – by the Town’s Special Permit decision, but that the MV Commission decision might speak to the issue. Ms. Morrison noted that enforcement of the MVC decision was a matter for the Commission to take up.

## **UPCOMING MEETINGS**

Ms. Morrison reminded members of the next regular meeting, to be held on August 15, 2023, 5:30 PM.

## **ADJOURN**

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

*To Adjourn*

VOTED: 5, 0, 0 (6:59 PM)

Respectfully submitted,

Douglas C. Finn  
Clerk Pro Temp