

# Edgartown Planning Board Minutes

Tuesday, February 11, 2020

A regular meeting of the Edgartown Planning Board was scheduled for Tuesday, February 11, 2020, at 5:30 PM at the Edgartown Town Hall, Main Street, Edgartown.

*PRESENT: Fred Mascolo, Michael McCourt, Lucy Morrison, James Cisek (Alternate)*

*ABSENT: Glen Searle, Scott Morgan*

## **CALL TO ORDER**

The meeting was called to order at 5:30 PM, and a quorum was declared.

In the absence of Mr. Searle and Mr. Morgan, Mr. Cisek participated in deliberations.

It was noted for the record that the Public Hearing to receive comment on bylaws revisions, originally scheduled to be held during the meeting, was cancelled at the direction of the committee chairman.

## **SITE VISITS**

No site visits were scheduled.

## **SCHEDULED BUSINESS**

### **5:30 PM: Public Hearing: Special Permit - Upper Main St LLC, 207 Upper Main Street (20C-26)**

In accordance with MGL Chapter 40A, Section 10, the Edgartown Planning Board conducted a public hearing in the Town Hall, Main Street, on Tuesday, February 11, 2020 at 5:30 PM, at the request of Mark Harding (WampWorx) and John Lolley, on behalf of Upper Main St LLC, Owner, to build an accessory apartment for the in-house Dentist in the basement of the main structure that was constructed in 1998, including the addition of egress doors and windows; also, to add a separate two stall garage/apartment that will be only available to a year-round islander.

This application was made in accordance with Section 3.2 of the Edgartown Zoning Bylaw. The property is located at 207 Upper Main Street, Assr. Pcl. 20C-26. Copies of the application were available in the Planning Office for public review.

*Present for the applicant: Casey Decker from John Lolley, PE Engineering*

Ms. Morrison disclosed that she personally knew Mr. Decker, but had no financial stake in the matter.

Mr. McCourt noted that he would prefer the project presented to the full board.

Ms. Morrison noted that she would like to have a site visit to look at the site more in detail.

Mr. Decker was advised that opening the public hearing, and continuing to a date certain would allow the full board to review the application.

The public hearing was opened at 5:37 PM. Without deliberation, it was **MOVED** by McCourt, **SECONDED** by Morrison

*To continue the public hearing to February 25, 2019, 5:30 PM.*

VOTED: 5, 0, 0.

### **5:45 PM: DISCUSSION: Proposed Changes to Zoning Bylaw**

Mr. Mascolo noted that he had heard from attorneys, architects, selectmen, and representatives from

the MV Building Association, who have all expressed concerns. He stated that he believed he had the authority to “shelve” the proposed changes, but wanted to hear from other parties.

Mr. Mascolo also stated that he did not want to be known as a ‘punitive board’, and would prefer that the proposal be further reviewed.

There was some discussion and comment, with Mr. Cisek, Mr. McCourt and Ms. Morrison concurring with Mr. Mascolo.

Mr. Mascolo recognized Ms. Reade Milne, Edgartown Building Inspector.

Ms. Milne made comments regarding the source of the proposed bylaw changes, suggested that the bylaws intend to regulate in some cases; Ms. Milne stated that consistency in enforcing the bylaw regulations is paramount in her mind. Ms. Milne noted that the conversation has been ongoing for sometime, and would prefer that the situation be resolved.

Mr. Mascolo: “We have had pool houses since the 1600s here. They’re nothing new... Back then, they were called changing houses.”

Ms. Milne noted that she is not looking to be ‘punitive’; and argued that, a ‘changing house’ is not the same as a modern guest house, or pool cabana. I would like to start with the intention of the town.

Mr. McCourt: Can you continue to do your job without this being looked at? Ms. Milne noted that she could.

There was discussion of house sizes, the part-time use of houses, the purpose of zoning, the future potential uses of homes and business.

Ms. Milne: This is a bigger conversation.

Mr. Mascolo recognized Mr. Patrick Ahearn for comments. Mr. Ahearn noted that consistency in regulation has sometimes been lacking; from a historical point of view, outbuildings and accessory structures were part of the history of Edgartown. Barns and livery stables were common. Mr. Ahearn spoke about the zoning change from 10,000 to 5,000 square feet, the “Bransford” decision, the requirement for ZBA approval of structures on non-conforming lots, the requirement for HDC approval on any changes in the R5 district, the use of ‘gross floor area’ in the proposed changes, and the need for more study before any zoning changes are considered.

Mr. Mascolo suggested that a committee be formed to discuss potential zoning changes. Ms. Milne suggested making that a priority. Mr. Mascolo asked that he, Mr. McCourt, Mr. Ahearn, Mr. Ted Rosbeck, and Mr. Ben Hall be added to the committee.

Mr. McCourt noted that there would likely be no action on Zoning Bylaws for the next year. Ms. Milne suggested that a smaller working committee be formed, with multiple opportunities for public input.

Mr. McCourt suggested that a smaller committee would definitely benefit the process.

Mr. Mascolo supported Mr. Ahearn and Mr. Hall’s partnership on the committee.

Mr. Mascolo supported Mr. Ahearn and Mr. Hall’s partnership on the committee.

Ms. Morrison expressed concern with the membership of the proposed committee, and suggested that input from administrators should be part of the process.

Mr. McCourt suggested that a committee meeting be scheduled.

The Board agreed that the committee would meet on March 3, 2020, at 5:30 PM, at Town Hall. Mr. Finn said that he would make the posting.

It was MOVED by Mascolo, SECONDED by McCourt

*To withdraw the Zoning Bylaw warrant articles from the 2020 Warrant.*

VOTE: 3, 1 (MORRISON), 0.

## **ADMINISTRATIVE**

### **Approval of Minutes**

The minutes of November 12, December 3, December 17, January 7 and January 21 were presented for review.

It was MOVED by Morrison SECONDED by McCourt

*To approve the meeting minutes as presented.*

VOTED: 5, 0, 0.

### **Payroll**

Payroll sheets for February 18 and March 3 were reviewed and endorsed.

### **Decisions**

Decision for a Special Permit for 91 Weeks Lane (Kluchnik), and a Special Permit for the MVRR&RD (Edgartown WT Road – Assessors Parcel 25-4) were reviewed and endorsed.

## **UPCOMING MEETINGS**

A meeting was scheduled for February 25, 5:30 PM. Mr. Mascolo requested that the board take up appointments to the Steering Committee at that meeting.

## **ADJOURN**

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

*To Adjourn.*

VOTED: 5, 0, 0.

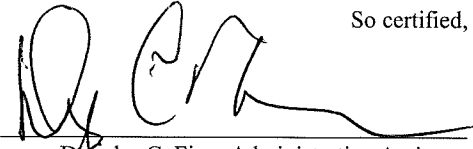
The meeting was declared adjourned at 6:37 PM.

Respectfully Submitted,

Douglas Finn,  
Administrative Assistant

These minutes were APPROVED as a true and faithful record of the meeting by a vote of Planning Board on February 25, 2020.

So certified,



Douglas C. Finn, Administrative Assistant

