

# Edgartown Planning Board Minutes

Tuesday, May 19, 2020

A regular meeting of the Edgartown Planning Board was scheduled for Tuesday, May 19, 2020, at 5:30 PM. Pursuant to the Governor's order of March 10, 2020, and Chapter 53 of the Acts of 2020, the meeting was conducted with 100% remote participation for all members, applicants, and the public.

*This Open Meeting of the Edgartown Planning Board was being conducted remotely, consistent with Governor Baker's Executive Order of March 12, 2020, and the State of Emergency in the Commonwealth due to the outbreak of the 'COVID-19' Virus.*

*In order to mitigate the transmission of the COVID-19 Virus, the Town was advised and directed by the Commonwealth to suspend public gatherings, and as such, the Governor's Order suspends the requirement of the Open Meeting Law to have all meetings in a publicly accessible physical location. Further, all members of public bodies were allowed and encouraged to participate remotely.*

*The Order, which was posted with agenda materials for this meeting allowed public bodies to meet entirely remotely so long as reasonable public access was afforded so that the public could follow along with the deliberations of the meeting.*

*RESIDENTS, APPLICANTS and INTERESTED PARTIES were informed via the publicly posted agenda that they could*

- watch the meeting live on Facebook: <http://www.fb.com/EdgartownPlanningBoard>;
- participate in real time by telephone: (646) 558-8656 (Meeting ID: 927 0316 7710); or
- participate in real time by Zoom Teleconference: <https://zoom.us/j/92703167710>

*The meeting was audio and video recorded, with attendees participating by video conference.*

*All supporting materials that had been provided to the members of this body were available on a publicly accessible internet website. Any member of the public was 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 would be noted.*

## **CALL TO ORDER**

The meeting was called to order at 5:30 PM. Mr. Mascolo called the roll:

MASCOLO: Present	CISEK: Present
MCCOURT: Present	MORGAN: Present
MORRISON: Absent	SEARLE: Absent

A quorum was declared.

## **SCHEDULED BUSINESS**

### **5:30 PM – De Minimis – Shane Tank, Premier Chef Services Inc., 258 Edgartown-VH Road (21-34.221)**

Mr. Finn introduced Mr. Shane Tank, who requested De Minimis determination to add temporary take-out service from his location, a properly permitted catering-only kitchen, located at 258 Edgartown-VH Road

Mr. Tank noted that his request was to provide take-out from his location only for the short-term to

allow his employees to stay employed.

**Comments from the Board**

McCourt: After McCourt confirmed the location, he noted that traffic would likely not be too much of an issue.

Morgan: We all have to help as we can; my reservation is taking away from the restaurants that are setup to serve food to the public.

Morrison: How will you coordinate pickup by one customer at a time? Mr. Tank: We would coordinate through text messaging, and by sending a staff person out to the parking lot to deliver food. This would be one or two nights per week.

Morrison: what will the scale of your operation be? Mr. Tank: Single-serve meals, likely based on a theme.

Cisek: No issues.

It was MOVED by Morgan SECONDED by Morrison

*To approve the application as submitted; the exemption will expire on October 15, 2020.  
If the service is to be continued past that date, the applicant must apply for a  
modification to the Special Permit.*

VOTED: ROLL CALL VOTE  
MASCOLO: YES      MCCOURT: YES  
MORGAN: YES      MORRISON: YES      CISEK: YES  
(5:40 PM)

**5:40 PM – Discussion – Mill Hill Road**

*Present: Donna Lowell-Bettencourt, Troy Bettencourt, David Burke, Jim Wilson, Allan deBettencourt, Bruce McNamee, Alex Schaeffer, James Hagerty*

Mr. Mascolo noted that concerns had been raised regarding the condition of Mill Hill Road.

Mr. Mascolo recognized Police Chief Bruce McNamee for comments, who admitted that the road is narrow, certainly, and there have been issues related to the condition in the past.

Mr. Mascolo recognized Town Administrator James Hagerty, who noted that the survey of the road was underway, with the resulting layout the next step.

Mr. Mascolo recognized Fire Chief Alex Schaeffer, who noted that the department is aware of the road, the width, and the apparatus can travel the road, and stated that regular operations take that into account when considering what equipment to dispatch to any call in that area.

Mr. Mascolo recognized Highway Superintendent Allan DeBettencourt, who noted that the survey was a necessary precursor to making any improvements to the road.

Mr. Mascolo recognized Mr. David Burke, who noted that he was the author of the warrant article appropriating the money for the survey, the past history of the adoption of the road as a town road, his concerns about subdivisions being approved in the vicinity, and some of the activity related to divisions of land over the years.

There was some discussion related to the recently-approved ANR plan (submitted by Wilson / Bellizzi), and the character and capacity of the easement road to serve the lots as created.

Mr. Mascolo recognized Edgartown Water Department Superintendent Bill Chapman, who briefly discussed the various water mains that lie under the road, or that lead from the standpipe to other areas.

Mr. Burke reiterated his concern that the division of land exacerbates the problems of congestion, speed, and noted other issues related to Mill Hill Road.

Mr. Jim Wilson (24 Mill Hill Road) reiterated the purposes of the lot line adjustment (from 2019), and the purposes for the division of land (2020). Mr. Wilson was also interested in the widening of the road, and improving safety for all residents.

Mr. Mascolo noted that one of the primary concerns of the Planning Board is safety.

Mr. Hoehn noted that there have been other cases where ANR plans have been used to divide lands, and has been adjudicated on a case-by-case basis.

Mr. Hagerty noted that the anticipated process of improving Mill Hill Road isn't 'linear', and that a number of factors that could complicate the process.

There was some discussion related to trimming of trees immediately adjacent to the road. Mr. DeBettencourt noted that he would prefer to wait until the layout of the road is clearly delineated.

There was some discussion related to current conditions that preclude good visibility on the road.

There was some discussion related to acceptable road widths.

There was some discussion related to whether neighbors would agree to improvements of the road, if such improvements would result in damage or removal of personal property (fences, shrubs, etc.)

Mr. Morgan noted that further discussion hinged on the results of the survey, and MOVED (SECONDED by McCourt)

*To table the discussion until after the survey of Mill Hill Road is completed.*

VOTED: ROLL CALL VOTE

MASCOLO: YES            MCCOURT: YES

MORGAN: YES            MORRISON: YES            CISEK: YES

(6:50 PM)

### **6:00 PM – DISCUSSION – Use of Public Spaces to Expand Retail and Restaurant Options**

Mr. Finn noted that, in light of restrictions due to the Covid-19 epidemic, the Board of Selectmen would be looking at innovative uses of public spaces (roads, sidewalks, parking areas) to support retail stores and restaurants. Mr. Finn encouraged the Board to follow the conversations, and provide input when appropriate.

There was some discussion related to various options and potential problems.

Mr. McCourt noted that any plan to make use of public spaces should be designed to benefit all downtown businesses, and not be setup only to benefit certain restaurants in proximity to the spaces.

### **CORRESPONDENCE**

Mr. Finn noted two letters had been received: One from Peter Getsinger (9 May), and one from Lindsay Allison (9 May), in regard to a proposed oversize guest house, received after the public hearing had closed (5 May). Mr. Finn noted that the application had been withdrawn by the applicant.

### **DISCUSSION ITEMS**

#### **Master Plan Steering Committee**

Mr. Finn noted a request had been received from Mr. Ben Hall to be appointed to the Master Plan Steering Committee.

Mr. Mascolo noted that the Master Plan Steering Committee would likely remain inactive for the time being, and tabled any discussion on Mr. Hall's request to a future meeting, date to be determined.

**Review of Fee Schedule**

Mr. Finn presented a schedule showing current fees for applications, comparable fees from other towns, and a recommendation for fee adjustments. Mr. Mascolo directed Mr. Finn to gather more data on what other island towns charge for fees, and return a revised report to the Board.

**ADMINISTRATIVE**

**Review / Approve Minutes**

Mr. Finn noted that minutes from April 7, April 28, and May 5 were prepared and ready for review.

**OTHER BUSINESS NOT REASONABLY ANTICIPATED 48 HOURS IN ADVANCE**

No other business is anticipated.

**NEXT MEETING**

**PLANNING BOARD MEETINGS: June 2, June 16, July 7**

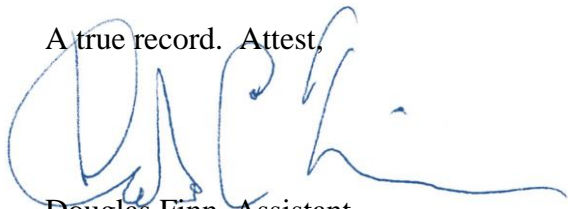
**TOWN MEETING: Saturday, June 13**

There being no further business, it was MOVED by McCourt SECONDED by Morgan  
*To Adjourn.*

VOTED: ROLL CALL VOTE  
MASCOLO: YES      MCCOURT: YES  
MORGAN: YES      MORRISON: YES      CISEK: YES  
(7:03 PM)

The meeting was declared adjourned at 7:07 PM.

A true record. Attest,



Douglas Finn, Assistant  
Edgartown Planning Board