

# Edgartown Planning Board Minutes

Tuesday, June 16, 2020

A regular meeting of the Edgartown Planning Board was scheduled for Tuesday, June 16, 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.

*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 5:32 PM. Mr. Mascolo called the roll:

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

A quorum was declared.

## **SCHEDULED BUSINESS**

### **5:30 PM: PUBLIC HEARING – SP(PPOOL) (from May 5, Apr 7): DAVID SCHAEFER, 40 PEASES POINT WAY N (20D-71.12)**

**Applicant proposes to construct an in-ground swimming pool, solid wood fencing, sound-proof equipment shed, an outdoor shower enclosure, and associated utilities and landscaping.**

Mr. Mascolo continued the public hearing at 5:35 PM.

Mr. Finn noted that the applicant had requested a further continuance. It was MOVED by McCourt SECONED by Searle

*To continue the public hearing to July 7, 2020, 6:15 PM.*

ROLL CALL VOTE:

CISEK - YEA

MCCOURT - YEA

MORGAN - YEA

MORRISON - YEA

SEARLE - YEA

MASCOLO - YEA

THE MOTION PASSED.

### **5:50 PM: SITE PLAN REVIEW – SOLAR INSTALLATION: Borrego Solar, 11A Street (24-2.8)**

The Planning Board proceeded with a Site Plan Review (Zoning Bylaw, section 14.2) on an application to construct a solar carport system. The applicant is the Vineyard Transit Authority, with

the locus of the proposal being 11 A Street, Assessors parcel 24-2.8.

*Present for the applicant: Ryan Bailey, Borrego Solar Systems, Inc.*

**Presentation / Findings**

- The facility has been reviewed and approved by the Airport Commission.
- The project was remanded back to the MVAC and the Town for permitting with no concurrence.
- A battery storage system – about 500kw capacity, manufactured by NEC, has been installed.
- No bond is in place for removal; a buyout provision is in place, allowing the VTA to ‘buy’ the facility at the end of the agreement.
- The lease requires the operator to remove the system.

Mr. Mascolo suggested that the Board ask for an opinion from Town’s Counsel prior to proceeding.

Mr. McCourt: The project has been reviewed by the airport commission, but we can’t be overly cautious. An opinion from Counsel is warranted.

Ms. Morrison: What will Counsel review? The Contract?

Mr. Mascolo: My concerns are liability. We’re looking for an opinion from the town’s perspective to insure the town won’t be liable.

Ms. Morrison: I don’t think a review by counsel isn’t necessary.

Mr. Searle: I also don’t believe that review by our counsel is necessary, given the reviews that have already been conducted by the VTA, the Airport Commission and the MV Commission.

Mr. Morgan: I concur, and am comfortable voting on this tonight.

Mr. Cisek: I’d like to see what the airport commission has for a review.

Mr. Mascolo: I’d like to continue this to a meeting, and would like to see images of what the project will look like when completed, and an opinion from Town’s Counsel.

Mr. Bailey presented additional information as to the visual of the proposal, and additional plans;

Mr. Bailey also presented the contract between the applicant and the VTA. There was some discussion as to whether the town has any liability in the matter.

There being no further discussion, it was MOVED by McCourt SECONED by Morrison

*To approve the project as presented.*

ROLL CALL VOTE:

CISEK – YEA

MCCOURT - YEA

MORGAN – YEA

MORRISON - YEA

SEARLE – YEA

MASCOLO - YEA

THE MOTION PASSED

**6:00 PM: Site Plan Review – Solar Installation: Sun Harvest Solar; 10 Janes Cove Way (38-3.8)**

The Planning Board proceeded with a Site Plan Review (Zoning Bylaw, section 14.2) on an application to construct a ground-mounted solar photovoltaic array, less than 20 Kwh nameplate

capacity, at 10 Janes Cove Way, Assessors Parcel #38-3.8

As the applicant was not in attendance to present the application or answer questions, it was MOVED by Morgan SECONED by Morrison

*To table the matter to a later meeting.*

ROLL CALL VOTE  
CISEK – YES  
MCCOURT – YES  
MORGAN – YES  
MORRISON – YES  
SEARLE – YES  
MASCOLO – YES  
THE MOTION PASSED

## **ADMINISTRATIVE**

### **Update – 17 Katama Point**

Mr. Finn noted that the Building Inspector had followed up on a concern related to a special permit issued to 17 Katama Point Road, and whether a pool equipment shed was being built with a full roof per the conditions of approval. The Building Inspector reported that the structure appears to be a work in progress, and that it appears that the roof is in mid-construction. Mr Finn noted that the building inspector will keep tabs on the progress of the project.

## **APPROVAL OF MINUTES**

The minutes from June 12, 2020 were distributed.

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

No other business was presented.

## **NEXT MEETING**

The following upcoming meetings were noted:

*Planning Board: July 7, July 21, August 7, August 21*  
*Edgartown: Election, Thursday (from 10 AM to 6 PM, Town Hall)*  
*MV Commission: Thursday, June 18 (Meeting House Way Subdivision)*  
*Thursday, July 2, 7 PM (Boys and Girls Club Subdivision)*

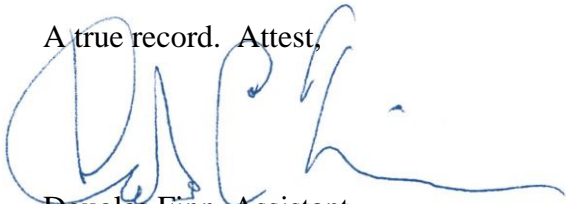
## **ADJOURN**

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

ROLE CALL VOTE:  
CISEK – YES  
MCCOURT – YES  
MORGAN – YES  
MORRISON – YES  
SEARLE – YES  
MASCOLO – YES  
MOTION PASSED

The meeting was declared adjourned at 6:26 PM.

A true record. Attest,

A handwritten signature in blue ink, appearing to read 'D. Finn', written over the word 'Attest,'.

Douglas Finn, Assistant  
Edgartown Planning Board