

# Edgartown Planning Board Minutes

Tuesday, June 11, 2019

A regular meeting of the Edgartown Planning Board was scheduled for Tuesday, June 11, 2019, at 5:30 PM at the Edgartown Town Hall, 70 Main Street, Edgartown, Massachusetts.

*PRESENT: Fred Mascolo (Chair); Michael McCourt, Glen Searle, James Cisek (Alternate).*

*ABSENT: Lucy Morrison, Scott Morgan,*

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

## SITE VISITS

- 9:15 AM 1 MARINERS WAY
- 9:30 AM 227 UPPER MAIN STREET (CLARION HOTEL)
- 9:45 AM TENTATIVE: 24 CLEVELANDTOWN ROAD

No deliberation was conducted.

## SCHEDULED BUSINESS

### **5:30 PM PUBLIC HEARING: SPECAIL PERMIT MODIFICATION – VINEYARD MARINER HOLDING LLC (1 MARINERS WAY, 21-34.223)**

On Tuesday, June 11, 2019 at 5:30 PM, the Edgartown Planning Board will hold a public hearing in the Town Hall, Main Street, on the request of Sean Henry, Project Manager, MG2 Group, on behalf of Vineyard Mariner Holding LLC, Owner, for a special permit to install one (1) skylight and one (1) sun tunnel as shown on the plans, specifications and method statement as submitted.

This application was made in accordance with Section 10.2.A of the Edgartown Zoning Bylaw. The property is located at 1 Mariner's Landing, Assr. Pcl. 21-34.223.

Copies of the application were made available in the Planning Office for public review.

*Present for the applicant: Mr. Sean Henry, Attorney Richard Lynds, MG2 Group.*

The public notice was read; chair declared the public hearing open at 5:31 PM.

## Presentation

Mr. Finn presented photos that were taken, showing the location of the proposed skylight and sun tube.

Mr. Searle asked about the distance from the face of the roof to the top of the dome. Mr. Lynds replied: about 8" at most.

A letter from the Swartz was red into the record.

Ms. Swartz spoke, saying that she did not object to the two skylights as proposed.

Mr. Lynds confirmed that no other skylights were being considered at this time.

Mr. Mascolo stated that the site visit helped to reassure him that the proposed skylights were acceptable. Other board members concurred.

Ms. Swartz thanked Mr. Henry for his hard work on the project.

It was MOVED by Mascolo SECONDED by Searle

*To close the public hearing.*

VOTED: 4, 0, 0.

The public hearing was closed at 5:44 PM.

### Deliberation

Mr. Mascolo expressed the board's appreciation to the developer and builder for his hard work in helping to complete this project.

It was MOVED by McCourt SECONDED by Searle

*To approve the application as presented, with all other conditions for approval to remain in force.*

VOTED: 4, 0, 0.

### **5:46 PM - SPECIAL PERMIT: REQ FOR EXTENSION TO SPECIAL PERMIT**

The board considered a request received from Whit Sprague for an extension to a special permit, originally issued on April 27, 2017, as extended to April 27, 2019. The special permit was to construct a conforming two-story addition to a pre-existing non-conforming single family dwelling on a non-conforming lot in the Coastal District.

The property is located at 8 Haystack Ln, Assessors Parcel 11A-415.

*Present: Mr. Whit Sprague (applicant).*

Mr. Finn summarized the nature of the request.

There was some discussion related to the location, and the original approval. Mr. Sprague confirmed that he was ready to begin construction, and that he should be able to proceed very shortly. Mr. Finn confirmed that, so long as the construction project was commenced, Mr. Sprague was not required to conclude construction within any given time frame.

There being no objection to the request, it was MOVED by McCourt SECONDED by Searle

*To extend the original special permit approval to April 27, 2020. No further extensions shall be granted.*

VOTED: 4, 0, 0.

### **5:50 PM PUBLIC HEARING: SPECIAL PERMIT (PIER) – THE WITCHWOOD TRUST (60 WITCHWOOD LN, 36-303.15**

On Tuesday, June 11, 2019 at 5:50 PM, the Edgartown Planning Board held a public hearing in the Town Hall, Main Street, on the request of Kara Shemeth, SBH, Inc., on behalf of The Witchwood Trust (Owner) for a special permit to license and maintain an existing, private, non-commercial, timber pier and to add a 9.5' x 6.7' extension to the existing pier and a 20' float between the existing pier and an existing spile.

This application is made in accordance with Section 11 of Chapter 40A of the General Laws and Section 6.4 of the Edgartown Zoning Bylaw. The property is located at 60 Witchwood Lane, Assr. Pcl. 36-303.15.

Copies of the application are available in the Planning Office for public review.

*Present for the applicant: Ms. Kara Shemeth, SBH, Inc.*

## Presentation

Mr. Mascolo: Why extend the pier?

Ms. Shemeth: They are looking to dock a larger boat the previously, and also to have the option to dock a second boat. The pier is believed to be one of the oldest on the harbor.

The applicant's intention is to get the boat closer to the shore, which the modifications will allow. The float will go between an existing pile and the existing pier, and will largely be a non-invasive addition.

Ms. Shemeth stated that the proposal has gone through a number of reviews; Marine Advisory has approved; and the Conservation Commission will be reviewing the proposal tomorrow evening (June 12).

The board reviewed the site plan as presented. The pier is within the faired pier line.

There was no one present to speak to the application.

It was MOVED by McCourt SECONDED by Searle

*To close the public hearing.*

VOTED: 4, 0, 0..

The public hearing was closed at 5:54 PM.

## Deliberation

There was no objection from board members.

It was MOVED by McCourt SECONDED by Searle,

*To approve the application as presented, with the following conditions:*

- 1. The project shall be constructed according to the plans as presented in the documents submitted to the Planning Board as stated in the "Applicant provided" section above.*
- 2. Compliance with the Conservations Commission Order of Conditions.*
- 3. Compliance with the Marine Advisory Committee recommendations.*
- 4. Compliance with the Edgartown Harbor Plan Pier Permitting Guidelines.*
- 5. The Planning Board, its agents and employees have the right of entry upon the property to inspect for compliance with the Special Permit.*
- 6. No dredging is permitted without a prior approval from the Conservation Commission.*
- 7. Pier is for private, recreational use. No commercial activities are permitted without prior approval.*
- 8. Appropriate lateral access stairs shall be provided.*
- 9. Lighting, on lateral access stairs shall be limited to building code and shall be downward lit.*
- 10 No white caps shall be placed on the piles.*
- 11. Rafting of boats is not permitted.*
- 12. The applicant, owner and contractors are responsible for compliance with all conditions of this special permit.*
- 13. The project engineer and contractors are to be provided with a copy of this permit and plans, prior to commencement of construction.*
- 14. Boats shall be secured lengthwise and may not exceed the length of the floats.*
- 15. All removable floats must be removed between November 1 and April 1.*
- 16. If a pier or floats are damaged by natural causes or otherwise, they must be repaired or*

*removed within 6 months. (Brewer amendment.)*

*17. A life ring and 50' of line shall be placed at the harbor/bay end of the pier. (Wilson amendment.)*

*18. Stairs shall be placed at the harbor/bay end of the pier for swimmer safety. (Ewing amendment.)*

VOTED: 4, 0, 0.

#### **6:00 PM REQUEST FOR CURB CUT PERMIT:**

The Planning Board considered a request from Ms. Julia (Celeste) Tarka, 24 Clevelandtown Road (29A-71) for a curb cut.

Present for the applicant: Ms. Julia Tarka

The board reviewed the application. Ms. Tarka stated that the request was made in order to 'formalize' an existing access to the conforming lot. Ms. Tarka stated that a curb cut had existed, but had not been formally applied for nor approved. The changed location will allow more visibility when entering or exiting the lot.

There is no sidewalk on the side of the street bounding the subject lot.

Mr. Searle: is this a new application? Ms. Tarka: It is. The driveway has been improved in its current location, but with permission will be moved about six feet to the south/west.

There was some informal discussion related to other unrelated improvements to the property, as well as the history of the dwelling on the lot.

It was MOVED by Cisek SECONDED by McCourt

*To approve the request for a curb cut as presented.*

VOTED: 4, 0, 0.

#### **6:05 PM DAN DOYLE – MV COMMISSION – PRESENTATION**

Presentation on reimagining the 66' Right Of Way on Edgartown-VH Rd, west of the Triangle, approx. 2/5 mile in length.

*Present: Adam Turner, Dan Doyle, MV Commission.*

Mr. Turner: The efforts from the MV Commission has been to get more resources for the towns on the island. The difficulty with road improvements has often been stymied due to lack of resources for engineering.

A couple years prior, a grant was submitted and received for an island-wide engineer. Mr. Doyle is the general planner for the MV commission, and has been able to use the grant funds to conduct engineering work for improvement to storm drainage, and the general layout of the eastern end of Edgartown/Vineyard Haven Road.

Mr. Doyle: The limited resources required the MVC to focus on about 2/5 of a mile, stretching west from the Triangle. The goals: remove manholes from the travel lanes, improving drainage, improve pedestrian travel paths. Discussion was conducted about the historic reasons for the locations of the manholes.

Mr. Doyle presented a draft engineering layout, which he used to illustrate the efforts of the engineer to improve the road area, including: staggering bus stops so buses do not stop directly across from each other; keeping the buffer between the SUP and the travel lane free of any visual obstructions.

A cross section was presented, illustrating the relative widths of the SUP, the pedestrian areas, the bus stop areas, and the auto travel lanes. One side effect might be a reduction of speeds of auto traffic.

A potential extension of the SUP, cutting due south from Beach Road to Edg/VH road, to the west of Our Market.

Mr. Mascolo: There is an advantage to the ‘Triangle’ businesses to keeping the bicycle traffic coming into the triangle area, instead of diverting away from the triangle.

Mr. McCourt: We have so much congestion going on at the Triangle. Bicyclists and pedestrians get to that location and don’t know which way to go. Having them channeled to the SUP on the south side of Upper Main Street earlier would be preferable. They will still be coming up along Edgartown / VH road, and will have notice of the stores in that area.

Mr. Searle: Will the crosswalk by the post office be moved?

Mr. Doyle: I don’t believe we are proposing making changes closer to the Triangle. We are just hoping to allow for another crossing further west of the triangle.

Mr. Searle: Will other bus-stops on Edg/VH road be staggered? Mr. Doyle: We’re just focusing on this stretch; we might be able to get TIP funds to improve more of the road; however, at this point, we’re focusing on just this area. If this works, we may use these same strategies in other locations.

Mr. Turner: We started this project five or six years back; this section of this road in Edgartown is a test of the design; if it works, we can see about using similar design strategies elsewhere on the island.

Mr. Cisek: It seems that moving the manholes may be a problematic part of the overall project.

Mr. Cisek asked if the construction would be funded with state monies.

Mr. Turner: We don’t have funding for construction, as we don’t yet have an approved design. We didn’t have a design previously; but, the design proposed by the state was unacceptable for a number of reasons. however, I’m confident that we can get funding once we have a solid design.

Mr. Doyle: There are funding opportunities for shovel-ready projects; the hope is that we can get a design in the pipeline, which allows us to apply for funding.

Mr. McCourt: There are two issues with upper main street: 1: Get bicycle traffic off of Main Street. That’s a dangerous street. We have a SUP; we need to get bicyclists to use it! The bike traffic needs to be redirected – do we need signs? 2: The dark woods parking area is minimal – it’s very poor, and unreadable, even at a close distance. We need to improve signage.

There was some discussion related to the annual and seasonal use of the park-and-ride off of Dark Woods road.

Mr. Doyle described previous efforts, and the logic used to select the focus area for this project.

Mr. Doyle: The proposal isn’t definitive at this point; the bicycle ‘cross’ path isn’t part of this project, and the town would have to further consider that aspect before anything would begin to move forward in that area.

Mr. Doyle: Our 25% design would likely come back to the Planning Board for review and approval by late summer. We can drill down into more of the details as we move forward.

Mr. Turner and Mr. Doyle were thanked for their time.

## **ADMINISTRATIVE BUSINESS**

### **Administrator’s Update**

#### **Request For Comment: Verizon Special Permit – Small Cell Installation, 70 Herring Creek**

Mr. Finn stated that he had been contacted by an agent for Cellco Partnership d/b/a Verizon Wireless (“VZW”), in regard to a special permit approved by the Planning Board on August 15, 2017. The permit allowed the company to attach small cell antennas and supporting equipment to an existing, Utility Pole (#56/345) located in public right of way on Herring Creek Road (adjacent to 70 Herring Creek Road)

Mr. Finn stated that the special permit expired on November 8, 2018. The applicant has not commenced

work; however, it is now asking for an extension of the special permit.

Mr. Finn suggested that the board extend the special permit to November 8, 2019, with the condition that no further extension shall be granted.

There was some review of the request; generally, the board considered better communication and improved communication to be a benefit to the Town.

It was MOVED by McCourt SECONDED by Searle

*To approve an extension to the Special Permit, granted on November 8, 2019, and subject to the following:*

- All conditions of the original special permit remain in effect.
- The special permit shall be exercised no later than November 8, 2019.
- There shall be no further extensions to this special permit.

VOTED: 4, 0, 0.

#### Request for Comment: Clarion Hotel / Stairwell

Mr. Finn stated that the Building Inspector had requested Planning Board review of an enclosed stairwell on the south-east side of the Town Bar and Grill (formerly the Shiretown) located at 231 Upper Main Street.

The stairwell has been enclosed, with a shingled roof overhead. The Building Inspector is requesting that the Planning Board issue a determination as to whether a modification to the Special Permit should be requested, or whether the change constitutes a “de minimis” change to the original plan as approved.

The board reviewed photos of the staircase. Some members of the board expressed concern that the work had been completed prior to the matter coming before the Planning Board.

There was extensive discussion related to the rationale for closing in the stairwell, the other improvements to the site as part of the recent renovations, and what might be an appropriate response to the request that the Planning Board might choose to pursue.

It was MOVED by Cisek SECONDED by Searle

*To table discussion to the next regular meeting on June 18, 2019, and to request that the owner or the owner’s agent attend the meeting.*

VOTED: 4, 0, 0.

#### Boys and Girls Club

Mr. Finn encouraged the board to follow the proceedings of the efforts of the Boys and Girls Club to purchase land behind the existing recreation area and cemetery behind the Edgartown Elementary School.

#### **Review of Meeting Minutes**

The minutes of May 21, 2019 were presented for review.

#### **Review and Sign Payroll**

Payroll for the period ending June 11, 2019 was reviewed and approved.

#### **Review and Sign Decisions**

A Form D Covenant, presented by Facingwestventures (87 West Tisbury Road, Assessors Parcel 20C-110) was reviewed for approval and endorsement.

It was MOVED by Cisek SECONDED by Searle

To approve the Form D Covenant as presented, and to endorse.

VOTED: 4, 0, 0.

**Review schedule of meetings**

Upcoming Meetings were scheduled for June 18, July 9, July 16, August 6 and August 20.

**OTHER BUSINESS**

No other business was presented.

**ADJOURN**





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

VOTED: 4, 0, 0..

The meeting was declared adjourned at 7:03 PM.

Respectfully submitted,

Douglas Finn,  
Administrative Assistant

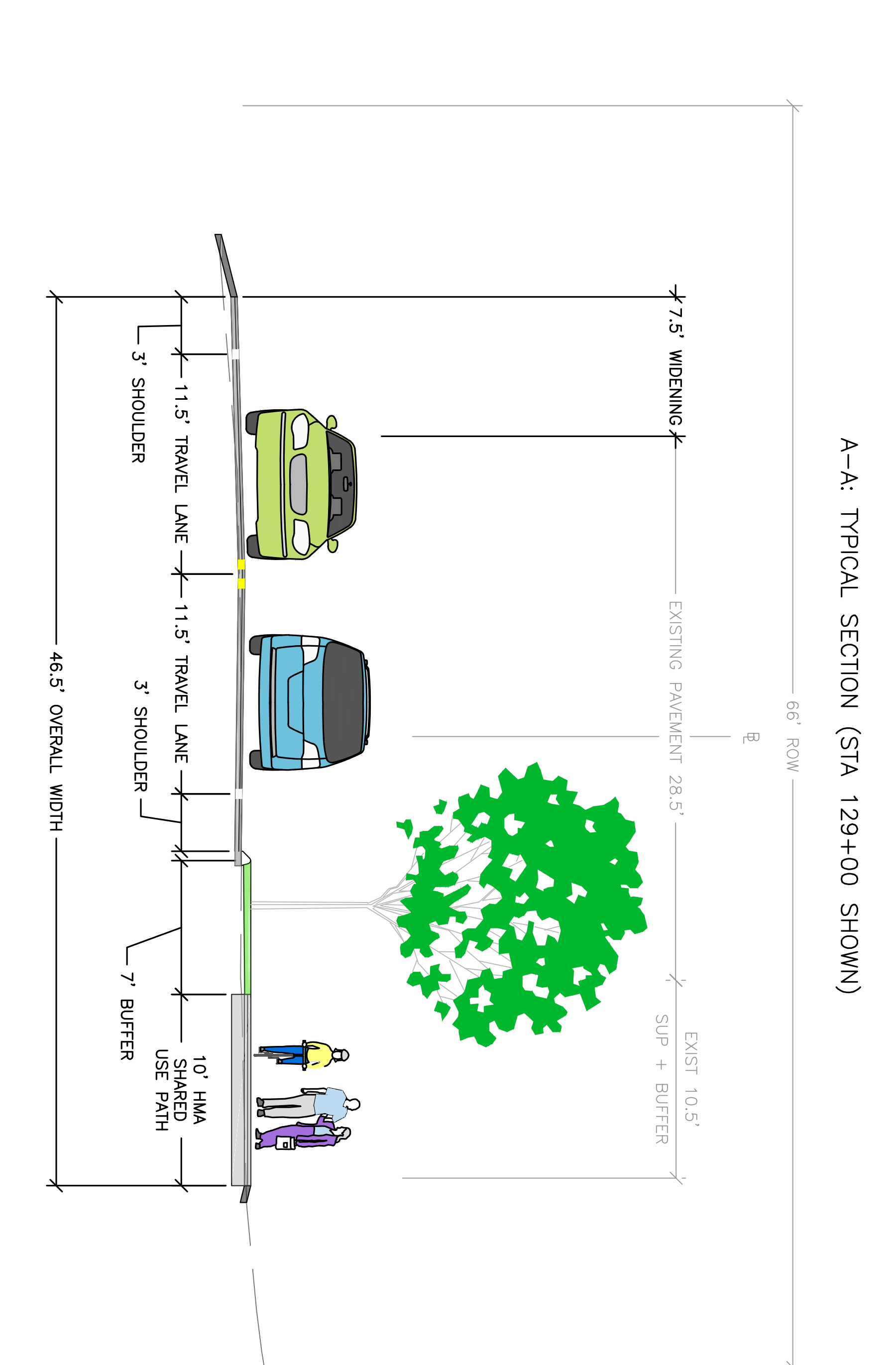
APPROVED by vote of Planning Board at a regular meeting, held on
<u>September 3, 2019</u> (Date of vote)
 Mascolo
_____ McCourt
<del>Lucy E. Morrison</del> abstain Morrison
 Morgan
 Searle
 Cisek (alternate)

**ADDENDUM A**

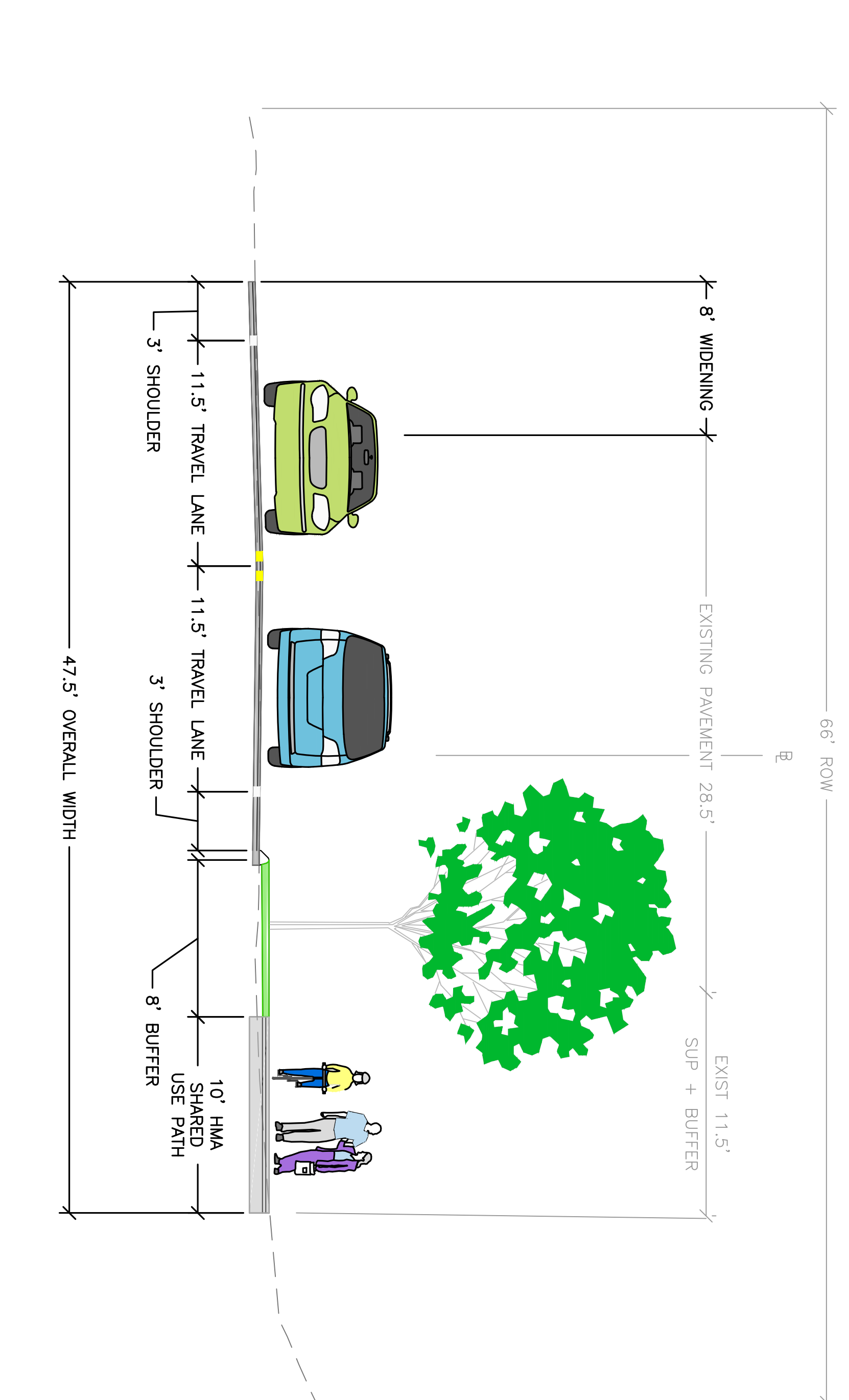
**Presentation by Dan Doyle, MV Commission  
Edgartown / Vineyard Haven Road Proposed Renovations**



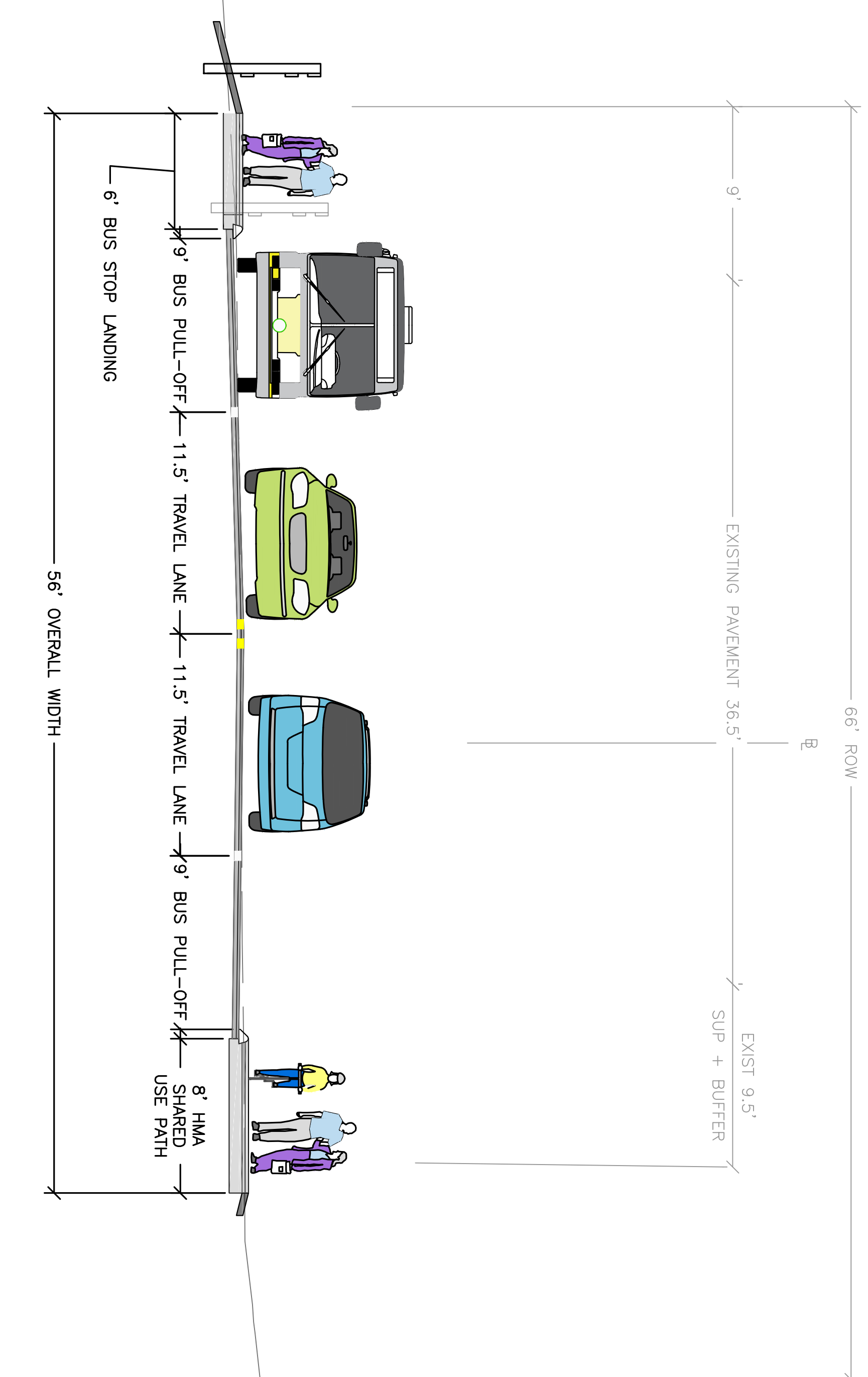
CONCEPT CROSS-SECTIONS



A-A: TYPICAL SECTION (STA 129+00 SHOWN)



B-B: SECTION AT WOODED SLOPE (STA 136+00 SHOWN)



C-C: SECTION AT BUS STOP (STA 146+00 SHOWN)

