

Edgartown Planning Board Meeting Minutes

April 5, 2016 at 4:30 PM

Town Hall – 1st Floor Selectmen's Room

Members in Attendance: Robert Cavallo, Michael McCourt, Alan Wilson, Fred Mascolo, Robert Sparks and James Cisek, Alternate

Staff in Attendance: Georgiana Greenough, Assistant; Lucy Morrison, Clerk

Chairman Michael McCourt opened the meeting at 4:33 PM.

4:34 PM: Public Hearing Continuation: Beach St Properties LLC, 2 Beach St (29B-84): SP Coastal District; Demolition of a non-conforming 125 year-old dwelling on a non-conforming lot and rebuild on existing footprint less encroachments on town-owned road.

In Attendance: Geoghan Coogan, Bill Senst, Louise Brooks, George Davis, Jeff Whipple, Thayer Whipple, Melissa Marx, Alex Marx

Mr. Coogan approached the Board to explain the modifications made to the plans. He distributed a packet of elevations. The differences in design and square footage were highlighted on each page. Mr. Coogan stated that the newest plans are not much different than what currently exists on the property.

Mr. Coogan explained that the original house was 1,926 square feet and that the proposed structure would be 1,965 square feet, for an increase of 39 square feet. The structure would increase in 20,000 cubic feet increase due to the additional height added to the second floor. Mr. Coogan recounted how the design changed multiple times to accommodate the concerns of the Board and the neighbors.

Mr. Coogan presented the first draft of a landscaping plan, and stated that the applicants are working with the neighbors and collaborate on the landscaping designs. He showed where the two parking spaces would be located, and noted that they will not DOT regulation sized; he stated that the property was unable to accommodate larger parking spaces.

Mr. Coogan stated that the plan has changed in accordance with the neighborhood objections, and stated that he felt the Board's request for collaboration had been met.

George Davis requested that the letters be read.

Kim and Barrett Naylor wrote on March 15th to say that they are in favor of the new plans, but are still concerned about a construction plan, landscaping plan and parking. They thanked the Board for hearing their concerns throughout the process.

Tom and Diane Durawa wrote on March 12th to say that they feel comfortable with the project going forward with conditions based on the concessions made by the applicants to reduce the mass and scale

of the structure. They stated final concerns about the front steps that lead directly onto Dunham Road and requested that the back door be used exclusively, for safety reasons.

Mr. Davis stated that in the beginning the neighbors were unhappy with the structure itself, and that with the changes made, the neighbors are now content with the design of the structure. He noted, however, that there are several other unresolved aspects of the project, including: parking, a more detailed landscaping plans, and a construction plan.

Mr. Coogan stated that the homeowners are sensitive to the parking and the construction schedule. He stated that they are invested in the neighborhood, and plan to start construction in 2017. This will allow for plenty of time to hire a contractor and develop a detailed construction schedule and landscaping plan that the neighbors will be updated on.

Mr. Coogan stated that nothing else can be done to alleviate the parking situation, and that there will need to be coordinated efforts with contractors and workers during the construction phases to avoid congestion. Mr. Davis asked about a location for a dumpster. Mr. Coogan stated details will need to be worked out once a contractor has been hired.

Ms. Greenough read the list of proposed conditions. Mr. Davis requested that landscaping plans be done by a professional, and also that the easement of vegetation between properties be honored. Ms. Greenough stated that the easement must be abided by, and that it would be a legal issue, and not under the jurisdiction of the Planning Board. Mr. Coogan agreed to all of the conditions.

Mr. McCourt closed the public hearing at 4:59 PM.

Mr. Sparks commented that this was the most non-conforming structure ever seen before the Board. He stated that remarkable progress had been made by removing several of the non-conforming items. He stated that commendable work had been done with the neighbors, and that the plans have come a long way. He stated that he felt the most recent plan maintains the structure and the character of the neighborhood.

Mr. Cavallo stated that he appreciated the compromises shown in the evolution of the project. He stated that he found the increase in square and cubic footage acceptable.

Mr. Wilson asked for Mr. Cisek's opinion of the project, with his experience serving on the Historic District Commission. Mr. Cisek stated the HDC would not allow the structure to be demoed, but that he liked the design of the new house. Mr. Wilson agreed that he liked that design.

Mr. Mascolo stated that he liked what the project has changed into.

Mr. Sparks moved to approve the project as presented with the proposed conditions. Ms. Greenough asked to reserve the right to refine the conditions with the consent of the applicants. The Board and Mr. Coogan agreed. Mr. Mascolo seconded the motion to approve the project, and the motion passed unanimously, 5-0.

5:05 PM: Minor Modification: Stop & Shop, 257 Upper Main St (20A-57.1) SP: B-II Business District. Minor modification to an existing special permit to display and sell garden products at the entrance to the store.

In Attendance: Mary McEvoy, store manager

Ms. McEvoy approached the Board to explain the application. She stated that she would like permission to display and sell garden products outside the entrance to the store. There would be no differences in the products from the last few years.

The Board requested that the sidewalks be swept, the concrete bumpers for cars be lined up, and that a new bike rack be installed. Ms. McEvoy stated that she is working to fix the drainage issue on the right side of the parking lot.

Mr. Cavallo moved to approve the modification to the special permit to allow for the sale of garden products. Mr. Wilson seconded, and the motion passed unanimously, 5-0.

5:08 PM: Diminimis: Dages, 295 Katama Rd (30-159.2) SP: Coastal District. Construct a 16-foot elevated walkway from pool area to patio next to retainer wall.

In Attendance: David Brodsky

Mr. Brodsky approached the Board. He explained that the homeowners would like to build a four-foot wide walkway from the pool area to the back yard entertainment area, instead of having to walk through the house. The walkway would be simple in terms of construction and format and would be made to match the existing design of the house. Mr. Brodsky presented the plan engineered by John Lolley. The walkway would be 16 feet long, and made out of mahogany with white railings.

Mr. Sparks moved that the Board consider the application diminimis, requiring no further action from the Planning Board. Mr. Mascolo seconded, and the motion passed unanimously, 5-0.

5:15 PM: Release of Lots: Ann Floyd, 1 Dyke Bridge Rd (32-1) Request to release Cluster Development, Subdivision lots and Endorse Form A to create two additional lots.

In Attendance: Ann Floyd, Doug Hoehn

Ann Floyd approached the Board. She recounted that five conditions were placed on her Form C subdivision, and that she has met all of them. She performed an archaeological review of the lots and all of them were clear except for one (6A), which requires further review. She was present before the Board to ask that three lots (6B, 7A and 7B) be released. Ms. Greenough requested a copy of the PAL study. Ms. Floyd stated that it should be in the file, but that she could obtain another copy of it if needed.

Mr. Hoehn stated that nothing on the plan has changed. The Board was unable to sign before due to the archaeological review clause. Mr. Cavallo clarified by stating that the Board is signing a plan that has already been approved. Mr. Hoehn agreed.

The Board signed four copies of the plan and a mylar.

5:25 PM: Form A: Osler, Coughlin, 35 Cove Meadow Lane (18-31.2) Lot line adjustment. Osler to convey 813 s.f. to neighbor, Coughlin (18-40).

In Attendance: Doug Hoehn

Mr. Hoehn approached the Board. He stated that this application could be the smallest property line adjustment in history. He presented the plan: The Osler property, Lot 22, would be divided into Lot 24 and Lot 25 (813 square feet). Lot 25 would be unbuildable on its own, but is being conveyed to the abutting neighbor, Coughlin, for landscaping purposes.

Mr. Hoehn had suggested that the property owners establish an easement instead, to avoid Land Court fees, but the homeowners decided on a Form A.

Mr. Sparks moved to endorse the lot line adjustment as presented. Mr. Mascolo seconded, and the motion passed unanimously, 5-0.

5:35 PM: Slough Farm LLC, 15 Butler Cove Rd (44-35) SP: Coastal and Edgartown Ponds Districts. Request to renovate two pre-existing non-conforming structures: a farm house and a silo to be converted into an observatory.

In Attendance: Doug Hoehn, Jeremy Martin, Katie Chu, Tom Tate, Eric Peters, Priscilla Leclerc, Elizabeth Ricketts

Mr. Hoehn introduced Jeremy Martin, landscape architect from Reed Hilderbrand and Katie Chu, architect from Maryann Thompson Architects.

Mr. Hoehn explained that the next three applications are three separate properties, but are being developed as a compound. He explained that the applicants are under an agreement to the purchase farm lot, and currently own the other two. Mr. Hoehn stated that the farm lot is a conforming 3.1-acre property, but that the farm building does not meet the setbacks on the north or east sides.

Mr. Hoehn discussed the renovation and reconstruction of the silo. He stated that the Building Inspector does not believe an observatory can be added to it, since it would add human habitation, which would violate the height restriction. The silo is 49 feet, and is allowed as a permitted use in RA-120, only as a silo. Mr. Mascolo asked when the silo was built and commented that it may have been a lookout station in World War II.

Tom Tate, the contractor, explained that the silo renovations will remain in the application, but that the observatory use is eliminated for now. He expected to be back before the Board with further plans later down the line.

Ms. Chu presented the elevations for the reconstruction of the current farm building (p.15). The proposed structure would maintain the same footprint, and would not encroach any further past the setback lines. The plan also included several bump outs to remove volume to reduce square footage.

Mr. Hoehn stated that the current farm building needs work. Photographs of the structure showed the dilapidated building (p.6). Mr. Hoehn stated that the applicants will be restoring the farm to its full capacity.

Ms. Chu reviewed the existing exterior elevations and the proposed ridge heights (p.39). She stated that the purpose of the structure was to properly house the farm animals. She stated that the proposed farm building included a hayloft, which would allow for easier feeding from above. The hayloft increased the height over the current structure, but would also allow for the creation of bedrooms for farm hands on the second floor.

The Board reviewed the plans for the basement (p. 16), and the main floor of the farm building (p.17).

Mr. Mascolo commented that there were two bedrooms located next to an area that was marked for sheep and goats. Ms. Chu replied that those rooms would probably be used more like breakrooms for the farm hands, as opposed to bedrooms. She stated that there would be six bedrooms total; three on the first floor, and three on the second floor. Mr. Hoehn commented that the property was approved for up to six bedrooms by the Board of Health.

Ms. Chu stated that the entire structure would be 18,365 square feet, including the basement and the second floor. The first floor would be 9,257 square feet. The second story would be 7,316 square feet. This would actually decrease the footprint over the current structure.

Mr. Mascolo asked what will be farmed on the property. Ms. Chu replied that there are currently some cows, alpaca, sheep that live on the property, and that the rest would be gardens. Jeremy stated that the farm will not be a commercial operation. Mr. Hoehn mentioned that Laine and Julie Scott will be consulting on the farm management and have been involved in the design process.

Mr. McCourt asked about a timeline for construction. Mr. Hoehn stated that the applicants would like construction to be completed by March of 2018, starting construction after Labor Day of 2017.

Mr. Cisek asked if the current farm building would be demolished. Mr. Hoehn replied that it would be demolished since it was not structurally sound and the materials would not be worth saving.

Ms. Greenough asked if the height of the farm building would be increased to over 26 feet. Ms. Chu replied that it would not. The maximum height of the farm building would be 25 feet.

The Board asked if there would be any educational value to the farm, by bringing in students for farm education programs in conjunction with Farm Institute and others. Mr. Hoehn stated that the farm will have a community benefit by donating excess produce to schools and by participating in farmers markets. Mr. Martin stated that the applicants want to maintain a balance between a functional farm and a business operation. He emphasized that a portion of the building is being treated as a residential property and that there is no intention of any commercial activity.

Mr. Hoehn commented that the Herring Creek Association architectural review is stringent, and that the Conservation Commission has already unanimously approved all three properties.

There were no letters received regarding this application. Eric Peters was present in the audience to represent the seller. He stated that he was strongly in favor of the application.

Mr. McCourt closed the public hearing at 5:58 PM.

Ms. Greenough asked if there was a concept of how much a project of the scale would cost. She stated that since this is such a big project, the Board may want to consider a bond or a Form F. Mr. Tate stated that the application is essentially a dwelling, and that bonds are rarely used, even for much larger and more expensive projects. Mr. Hoehn stated that if for some reason the project is not completed, the Herring Creek Association would take action.

Mr. Sparks stated that he had no problems with the scope of the project.

Mr. Mascolo stated that he has never seen anything like this, and was in favor.

Mr. Cisek asked if the Board could condition the uses of the structures.

Mr. Sparks moved to approve the project as presented, not including the observatory. Mr. Mascolo seconded, and the motion passed unanimously, 5-0.

6:06 PM: 60 Slough LLC, 60 Slough Cove Rd (44-26) SP: Coastal District. Request to renovate a pre-existing non-conforming dwelling, construct an equipment barn and “treehouse” on a pre-existing

In Attendance: Doug Hoehn, Jeremy Martin, Katie Chu, Tom Tate, Eric Peters, Priscilla Leclerc, Elizabeth Ricketts

Mr. Hoehn stated that this 1.8-acre lot is undersized according to RA-120 zoning. The current building meets the setbacks. The proposed barn/garage would also meet the setbacks. The applicants were unsure whether the treehouse would be considered a structure, but decided to include it in the application. The current building is located in the Shore Zone.

Ms. Chu presented the elevations that showed the proposal does not change the footprint of the main building (p.27). The elevations displayed the existing volume and footprints. Ms. Chu explained that the applicants would like to restructure the roof, but are basically reconstructing the same building otherwise. The Board reviewed the plans for the basement (p.28). Ms. Chu explained that the lower level already exists, and that a window will replace the current garage door. The driveway will be reworked, and the current driveway will become a vegetative area.

Ms. Chu showed that the interior plans that would also have three bedrooms on the ground level, same as the current structure. A covered porch would replace the current sun room (p.30). There would also be a small kitchen, a dining room, and a living room. Ms. Chu reviewed the proposed exterior elevations (p.32-33), with new windows and siding designs. There would be no increase in square footage of the structure.

Mr. Hoehn stated that the treehouse would be no more than 30 inches off the ground. It would be constructed out of wood, or possibly canvas teepees (p.36). The applicants were unsure if it qualified as a structure, and may not need to be included in the special permit.

There were no letters received for this application.

Mr. McCourt closed the public hearing at 6:18 PM.

Mr. Wilson stated that he was strongly in favor of conservation of the island. He stated that it was wonderful that a family is going to keep this property a functional farm. He stated that the island needs more projects like this.

Mr. Sparks stated that he had no problems with this proposal.

Mr. Sparks moved to approve the application as presented. Mr. Cavallo seconded, and the motion passed unanimously, 5-0.

6:22 PM: Public Hearing: Dream Enterprises LLC, 27 Butler's Cove Rd (44-32) SP: Coastal District. Request to relocate a swimming pool and pool house and elevated walkway.

In Attendance: Doug Hoehn, Jeremy Martin, Katie Chu, Tom Tate, Eric Peters, Priscilla Leclerc, Elizabeth Ricketts

Mr. Hoehn presented the application for the Cove House, which would serve as the applicant's main house. The home was built 10 years ago by Norman Rankow and is located on 5.4 acres. The Conservation Commission has approved the removal of the existing pool, and the installation of a new one. The existing pool was permitted with a special permit issued in 2004. The applicants also propose the addition of a small slide for boats and kayaks to enter the pond, without creating a structure. Mr. Hoehn stated that he was unsure as to whether or not the boat rail system requires a special permit, but decided to include it in the application to be safe. The slide would consist of a series of wooden rails secured into the slope of the hill slightly above grade. There would be nothing motorized involved.

Mr. Martin explained that the boat rails would be made from black locust logs that were recycled from land clearing projects, and are very rot resistant. The elevation of the site varies in the proposed location, and is quite steep, but has the shallowest embankment into the pond. The applicants did not want to create a place with constant traffic, and this would allow for less impact on the existing vegetation.

Mr. Mascolo asked if the last log rung would be located in the water. Mr. Martin stated that the last step would be located at the high water mark, and that there would be nothing located below the last log. The Board reviewed the structure of the steps set into the logs. Mr. Mascolo commented that he has never seen anything like it. He asked the architect if this was a standard project. Mr. Martin replied no, but that the goal was to use natural materials to preserve bank of pond.

The Board reviewed plans for the pool. Mr. Martin explained that the mechanical equipment will be housed underneath the boat house (p.10-11). Mr. Hoehn stated that the new pool would be treated with saltwater, that the heating element has yet to be determined, and that the pool will have an automatic cover. Mr. Martin explained that the equipment will be housed in the basement on the garage, and will not create any noise disturbance.

Mr. Mascolo stated that his biggest concern with pools is the noise created by the equipment. He commented that with this application, the equipment location will not require insulation. Mr. Martin stated that the basement will be insulated. The Board reviewed the standard pool conditions and requested that a life-saving device be kept nearby. The lighting shall be downlit and shielded. Mr. Hoehn stated that there will be a continuous pool fence.

Eric Peters echoed the positive comments on behalf of his client.

Elizabeth Ricketts asked about the boat rail structure. The Board invited her to review the plans. She was satisfied from the plans that the last step of the terrace would not be located in the water.

Mr. McCourt closed the public hearing at 6:36 PM.

Mr. Mascolo moved to approve the pool and water access as presented with standard pool conditions. Mr. Cavallo seconded, and the motion passed unanimously, 5-0.

6:37 PM: Public Hearing: 31 Tower Hill LLC, 31 Tower Hill Rd (29-159) SP: Surface Water District. Request to construct, license and maintain a 17' x 8' extension to a T; four tie-off spiles; an 8' x 3' ramp and two 12' x 6' floats.

In Attendance: George Sourati, Elizabeth Ricketts

Mr. Sourati explained that the property was recently sold, and that the new owner would like to add an extension and other accessories to the existing pier. Mr. Sourati explained that the floats would be seasonal and that he was familiar with the standard conditions for piers.

Mr. Sourati stated that the Conservation Commission approved the application.

The Board reviewed the Wilson amendment, which requires that a life-saving device be readily accessible on the pier; the Brewer amendment, which gives a six-month grace period to rebuild the pier if destroyed by a natural disaster; and the Ewing amendment, which requires that stairs be built into the end of the pier for safety reasons.

Ms. Ricketts asked if the application had been reviewed by the Marine Advisory Committee. Mr. Sourati said yes, about two and a half months prior to this hearing.

Mr. McCourt closed the public hearing at 6:43 PM.

Mr. Mascolo moved to approve the additions to the pier and accessories as presented with the standard conditions. Mr. Sparks seconded, and the motion passed unanimously, 5-0.

Other Business:

Mr. McCourt discussed the Board of Selectmen’s meeting on April 4th. He was disappointed that neither the contractor nor the owner was present. He felt it should have been mentioned that they were asked to be present. The Planning Board has been accused of doing something that the Board does not have any power over.

Ms. Greenough stated that Mr. Hajjar spoke with Pam Dolby, Ron Rappaport, Matt Poole, and Rob Young about the work. It was originally a small fix that has turned into a complete tear down. She stated that Mr. Hajjar and the contractor are held responsible. She stated that the post office may be temporarily moving into the old library, instead of the trailers behind the fire station. The plans change every day.

The meeting was adjourned at 6:53 PM.

Respectfully Submitted,

Lucy Morrison

<i>Michael McCourt, Chairman</i>

<i>Robert Cavallo</i>

<i>Fred Mascolo</i>

<i>Robert Sparks</i>

<i>Alan O. Wilson</i>
Edgartown Planning Board
Date signed: _____