

Edgartown Planning Board Meeting Minutes

July 5, 2016 at 5:30 PM

Town Hall – 1st Floor Selectmen's Room

Members in Attendance: Chairman Alan Wilson, Robert Cavallo, Michael McCourt, Robert Sparks and Fred Mascolo

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

Chairman Alan Wilson opened the meeting at 5:32 PM.

5:30 PM: Public Hearing: Fager, 104 Wasque Ave (50-5 & 50-26) SP: Coastal District. Construct a one-story one-car garage on two non-conforming lots to meet setbacks

In Attendance: Dick Knight, Jeff Fager

Mr. Knight approached the Board with Mr. Fager to present the plans. The property is located in the inland zone of the coastal district. The application is to construct an accessory building that will function as a garage. There will be no changes made to the existing structures on the property. The existing bunk house does not conform to the setbacks, and the main house almost meets the setbacks; both are considered pre-existing non-conforming structures. The new garage will conform to the setbacks because the Fagers recently acquired the neighboring property.

Mr. Knight presented photographs of the property and the existing structures. The site plans listed the orientation of pictures as a reference.

Mr. McCourt confirmed with the applicants that the height of the proposed garage would not exceed 13 feet.

Ms. Greenough stated that only four board members are present, and that a unanimous vote would be needed for the application to pass. The applicants understood and decided to proceed.

Mr. Mascolo entered at 5:40 PM. Ms. Greenough retracted her previous statement.

Mr. Mascolo confirmed with the applicants that there would be no second floor, no living area, no basement, and no bathroom in the garage.

Mr. Wilson asked if there was anyone in the audience to speak for or against the project. Mr. Tom Wallace, who was present for the next application, commented that it was a lovely idea.

Mr. Mascolo moved to approve the garage as presented because it meets the setbacks, and will be built in the style of the neighborhood. Mr. Cavallo seconded, and the motion passed unanimously, 5-0.

5:44 PM: Form A - Rosabeth Kanter, Crackatuxet area (53-3) Divide a coastal barrier beach parcel into two non-buildable lots. MVC Checklist Items: 2.6 ANR; 8.5.a Coastal DCPC

In Attendance: Tom Wallace for Reid Silva

Ms. Greenough explained that the application is to divide one parcel of barrier beach into two parcels. She stated that the application will probably need to be sent to the MVC, since two checklist items are triggered: an ANR of a Barrier Beach, and a Coastal DCPC.

Tom Wallace approached the Board and presented the plans.

The site plans showed the property, the Atlantic Ocean, Edgartown Great Pond, and the creek running to Crackatuxet Pond. The property is currently held under one ownership with shared rights. The house with shared rights was sold, and instead of doing a cross easement, the family has decided to convey the parcel.

Ms. Greenough mentioned that the Conservation Commission has expressed concerns. The Conservation Commission may come to the next meeting after the application has been returned from the MVC, or they may go to the MVC hearings to discuss their concerns.

Mr. Mascolo asked what the issues were, since the lots would be unbuildable. Ms. Greenough replied that barrier beaches are fragile, and that the Conservation Commission would like to keep track of how many people have access.

Mr. Wallace stated that two families share the property currently; and after the subdivision, only the same two families will be able to use the beach. One family will use Parcel 1, and the other family will use Parcel 2. There will be no additional families allowed on the beach.

Mr. Sparks stated that there would be essentially no change in the use of the land after the subdivision.

Mr. Cavallo moved to refer the Form A to the MVC because it triggered two checklist items. Mr. Mascolo seconded, motion passed unanimously, 5-0.

Other Business:

Mr. Mascolo exited the meeting at 5:50 PM.

Ms. Greenough distributed a list of items to be considered for the Wave Lengths application. There is currently a cease and desist in place for the project.

Mr. Sparks asked what could be done about the situation; he asked if the Board could mandate that the building be torn down and rebuilt. Ms. Greenough replied that the Board does have the power to do that, but warned against having the project abandoned, which would create an even larger eye sore.

Ms. Greenough commented that some of the architectural views are unattractive. Mr. Sparks commented that many of the unattractive architectural attributes were not approved.

Mr. McCourt stated that the contractor will need to get creative with an architect and come up with some better plans.

Ms. Greenough mentioned that Jayne Leaf called the office to go over the public hearing schedule, the next of which has been scheduled for July 19th. Ms. Greenough mentioned that the Board would be discussing the application at this meeting. It was noted that Ms. Leaf was not present.

Mr. Sparks suggested that the Board impose fees if the project is going to sit after the cease and desist has been lifted.

Mr. Cavallo stated that the applicants have to come in with some sort of plan on the 19th. He mentioned the windows must be remedied.

The Board discussed the recently posted advertisement for the sale of the commercial and residential condos, and commented on how the picture does not look anything like the actual building. It was noted that neither the Planning Board nor the Building Inspector has approved anything for the basement.

Mr. Wilson commented on the handicapped access on the back of the building, and noted that he had to walk up several stairs.

Ms. Greenough mentioned the balconies on the second story, and suggested that the Board make a decision on moving them. She commented that the ZBA would never allow second story balconies in that location, since it infringes so much on the privacy of the neighbors.

Mr. McCourt asked if the application could be sent to the MVC. Ms. Greenough stated that the Board can voluntarily send applications, without a checklist item trigger, but stated that she was not sure how helpful it would be in this specific case. She stated that the Planning Board is much more familiar with the application.

Mr. McCourt asked about the original application process. Ms. Greenough explained that the application was sent to the MVC, who made revisions to the plans, and then the Planning Board approved the revised plans that eliminated the 2nd structure in the rear of the primary structure. She noted that the plans approved by the Planning Board were dated two months later than the ones done by Chuck Sullivan, which she received last week. It was noted that there were hardly any differences between those sets of plans.

Mr. Cavallo mentioned that in a private conversation with Ms. Leaf, she had stated that the plans for the two structures (223 and 284 Upper Main Street) got confused and merged into one when they were sent off to the modular company. When asked if she had looked at them, she had replied no.

Ms. Greenough commented that there was no permit for the elevator move. It was noted that the elevator has not yet been installed.

Mr. Cavallo suggested that the problems with the project be listed in order of priority.

Mr. Sparks stated that his biggest problem was the proximity to the street. Mr. McCourt agreed. Ms. Greenough commented that the location of the building was approved. She explained that when the MVC sent the application back to the Planning Board after removing the structure with three apartments in the back, the main building was never moved back from the street. She stated that it is only about five feet closer to street than old building, but seems more so because it is so imposing. Ms. Greenough stated that the foundation was built according to the plans by Schofield Barbini & Hoehn.

Mr. Wilson stated that the windows on the west side of the building were his biggest problem. Mr. Wilson noted that the Board has not yet discussed the other side. Mr. Sparks stated that the applicants should remove the balconies and fix the window schedule.

Mr. McCourt asked if the Planning Board had the right to inquire about the applicant's financial situation. Ms. Greenough replied that the financials are not in the purview of the Board. Mr. Sparks stated that the investors should be making the decisions.

Mr. Wilson stated that he would like to have an architect look at the plans and determine best options.

Mr. Sparks commented that an architect took two years drafting those plans.

Mr. Cavallo stated that the window schedule bothers him the most. He stated that the only reason to change the plans was to save money.

Mr. Wilson commented that the windows need shutters, and added that all of the buildings in the area have shutters on the windows.

Mr. Cavallo inquired about the green space formula for the parking lot, which mandates that 20% of total space of the parking lot be green space. Ms. Greenough stated that the applicants have met that requirement.

Mr. Sparks asked what in the building was approved.

The Board reviewed the plans done by Chuck Sullivan.

The Board reviewed and compared the elevations that were approved, and the modular plans that were not approved.

The meeting was adjourned at 6:50 PM.

Respectfully Submitted,

Lucy Morrison

Alan O. Wilson, Chairman

Robert Cavallo

Fred Mascolo

Michael McCourt

Robert Sparks

Edgartown Planning Board
Date signed: _____