

Edgartown Planning Board Meeting Minutes
August 16, 2016 at 5:30 PM
Town Hall – 1st Floor Selectmen’s Room

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

Members Absent: Robert Sparks

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

Chairman Alan Wilson opened the meeting at 5:30 PM.

5:30 PM: Continuation of Public Hearing: MV Ocean LLC (Wrigley) 24 Ocean View Dr (29-149) SP: Surface Water District. Construct a second pier, 4 tie spiles and 2 floats.

Mr. Mascolo moved to continue the hearing. Mr. Cavallo seconded, and the motion passed unanimously, 5-0. The hearing was continued to October 4, 2016 at 5:30 PM.

5:31 PM: Change of Address & Street Access: Coffey, 343 Chappaquiddick Rd (34-40.1) Site plan review for change of address and access

In Attendance: Morgan Coffey

The property is located on Chappaquiddick. The existing driveway was created to access two structures on the Vickers property, located behind Ms. Coffey’s property. That property is now a separate lot and has its own access off of Quammox Road.

Ms. Coffey stated that a new driveway off Quammox Rd would be much safer, since the existing driveway comes off of a small circle in the road and is awkward to navigate.

Mr. McCourt asked if trees would be planted in the existing driveway. Ms. Coffey said that she would landscape the area.

The new address will be officially assigned by the Board of Assessors, but it was assumed that the new address would be 1 Quammox Road.

Mr. Cavallo asked who would be impacted by the change. Ms. Coffey stated that no one would be affected, because everyone else has their own driveway now, and that the driveway is no longer used as an easement to the back properties.

Mr. Mascolo moved to approve the change of address and access because of the safety reasons and the change would not impact anyone else in the neighborhood. Mr. McCourt seconded, and the motion passed unanimously, 5-0.

5:30 PM: Old Business:

The Board discussed the DRI Checklist. The Board expressed concerns about the changes made to the parking lot regulations, from size of the lot to the number of spaces. The assistant and the clerk explained the reasons for the changes.

Mr. Wilson noticed that the word “ninety” was misspelled on page 8.

Mr. Mascolo asked if storage space would count towards the square footage thresholds. Ms. Greenough replied that she would need to check with the Building Inspector, but she was fairly confident that it only referred to living and/or working space, and not storage.

The Board discussed the B-II Master Plan, which was last edited in 1988. Ms. Greenough suggested that the Board review the document before sending it to the MVC.

Mr. Cavallo asked if Ms. Greenough had the name of the manager for Edgartown Lofts, and stated that he would like to have a letter written to find out the progress of the project, and provide answers to questions regarding the parking lot.

5:56 PM: Public Hearing: Vineyard Wash, 234 Upper Main St (20A-85) SP: B-II Business District. Add new uses: car detailing & boat cleaning to property & sale of retail items including souvenirs, chips and soda.

In Attendance: Igor Vukoje

Mr. Cavallo recused himself from the hearing because the Edgartown Paint Shop is a direct abutter.

Ms. Greenough read the public notice.

Mr. Vukoje approached the Board. He stated that the location of the business is convenient for people to walk into town while their car is being cleaned, and the business would provide an important service needed in Edgartown, especially for all of the off-roading beach vehicles. Mr. Vukoje stated that Vineyard Wash would be open from 8 AM to 8 PM, that none of the equipment used would generate an unacceptable level of noise, and that the business would only use environmentally friendly products. Mr. Vukoje stated that there would not be any pollution or spillage into the street.

He stated that he would like to provide some vending machines for chips and soda to entertain customers while they're waiting for their cars. He stated that it usually takes about an hour and a half to complete the car detailing, and he would like to provide a comfortable environment for his customers to sit and relax. He stated that the business would not make any extra profit from the snacks, and that they would just be provided for convenience for customers.

Mr. McCourt asked if the business would be run by appointment only. Mr. Vukoje replied yes, that appointments would be preferred to reduce the parking issues and avoid traffic problems. There are four spaces designated for business in the lot, two would be in use for reservations, and two would be available for walk-ins.

Mr. Vukoje stated that he plans to be open from April to October. The business is located in an outdoor garage, and it would not make sense to remain open in the winter. Vineyard Wash will have three employees: two that will be clean cars, and one to take reservations, answer the phones and assist customers.

Mr. Vukoje stated that car detailing has been a family owned business for 15 years. He started Vineyard Wash last year, and has been in operation for two summers. He stated that this location is much more convenient.

Mr. McCourt asked about the types of equipment. Mr. Vukoje replied that a vacuum and a power washer would be used. He stated that there would be no electric buffers. He stated that the residential neighbor was undisturbed by the noise levels generated by the equipment.

Ms. Greenough stated that a letter was submitted to the Board by email from Shelley O'Neal, who works in the Harbormaster's office. She wrote to object to the project on basis that the water run off might go into the storm drains, which ultimately empty into the harbor. Mr. Wilson stated that he acknowledged Ms. O'Neal's concerns, and stated that the Board may need to address the situation in the future.

Mr. Vokoje stated that he could easily reroute the water to water the plants. Mr. Mascolo added that phosphorus, commonly found in soaps, is good for plants.

The Board asked if a special permit was needed to sell food. Ms. Greenough said no, and stated that Board of Health approval would not be required, since no food would be prepared on site. Mr. Vukoje reiterated that the vending machines would only be for convenience for customers waiting.

Mr. Wilson stated that his only concern with the application is that the water drain-off be properly disposed of.

Mr. Mascolo suggested that the Board review the application in three months to address any potential complaints, and to see if the water drainage, or trash disposal are an issue.

Mr. Mascolo moved to approve the special permit with the following conditions: if the water drain-off becomes an issue, the applicants must install a remediation system to redirect the water to disperse it into the plants; and an administrative review in six months to address any potential complaints. Mr. McCourt seconded, and the motion passed unanimously, 4-0.

Mr. Cavallo re-entered the meeting.

6:13 PM: Public Hearing: Benoit, 201 Upper Main St (20C-24.1) SP: B-II Business District. Addition to existing 64 s.f. deck for an elevated 200 +/- s.f. elevated deck with carport below on non-conforming structure on non-conforming lot

In Attendance: Linda Benoit, Phil Hughes

Ms. Greenough read the notice.

Ms. Benoit explained the history of the building. She stated that her son, who is very sick, is now living in the upstairs apartment, and the lower space is rented. Ms. Benoit's son would like to expand the deck to allow for more functional uses, like grilling. The applicants did not want to lose any parking by expanding the deck, and have also proposed that a carport be built underneath the addition to the deck. There is currently an 8'x8' deck on the property.

Mr. Wilson mentioned that a bylaw was passed several years ago to prohibit viewing platforms, and that it restricts decks from being built without any support underneath.

The Board reiterated that the structure is non-conforming, and is located on a non-conforming lot.

Ms. Greenough mentioned that the application was flagged by the Treasurer because of back taxes owed on the property; and that according to Edgartown code, the Planning Board cannot proceed until that situation is dealt with. She stated that the applicant can request a hearing with the tax collectors, the Board of Selectmen, the Treasurer, and a Planning Board member.

Mr. Wilson asked if anyone in the audience would like to speak on behalf of the application.

Phil Hughes, a neighbor at 204 Upper Main St, was in the audience to express support for the project.

Ms. Greenough mentioned that one letter was received. Robbie Hutchison, an abutter to the property at 207 Upper Main St, wrote to the Board on August 16, 2016. Her letter stated that she was not in favor of the project because the lot is small and non-conforming. She stated that the deck is not an integral feature of the property and is not in keeping with Upper Main St. She stated that there have been noise issues with the property in the past, and that she saw no hardship by eliminating the proposed expanded deck.

Mr. Mascolo asked if the deck would be visible from the road. Ms. Benoit replied no, that the view is obstructed by trees. Mr. Mascolo encouraged the applicant to figure out the situation with the back taxes, and then return to the Board.

Mr. Cavallo moved to continue the hearing until after the tax issues have been resolved. Mr. Mascolo seconded, and the motion passed unanimously, 5-0.

6:31 PM: Curb Cut: Caraboolad, 63 Fuller St (20B-106) Add two curb cuts on Fuller St.

In Attendance: Steve Pogue, architect; Drew Brasser

Mr. Pogue approached the Board. He stated that the curb cut bylaw is new and very restrictive, and he hoped that the Board would not apply the bylaw in absolute certainty for every situation. He stated that the new bylaw would cause some sites to be unduly burdened, and not be able to be developed. He stated that he hoped the Board had latitude to grant leeway to that ordinance for this instance.

The applicants proposed a turn-around in the front of the house, which would add two 10-foot curb cuts on Fuller St. There are also two garage doors that open onto Thayer St. These garages would have double doors on the street that are decorative, and give the impression of a carriage house.

Mr. Pogue stated that the total curb cuts on Thayer St would be reduced from 45 feet to 17 feet (two 8'6" curb cuts). He stated that new driveways would look and function better than what exists.

The Board noticed that there would be four curb cuts on the one lot. It was noted that the lot has about 250 feet of frontage, which is significant for downtown.

Mr. Cavallo thought that the applicants were asking for too much, and expressed concerns about setting a precedent.

Mr. Brassler stated that the applicants are asking for more curb cuts than allowed, but would not be eliminating any parking. Mr. Cavallo stated that he was not worried about a loss of parking since Thayer St does not allow parking anyway.

It was noted that Stuart Fuller had said that there were too many curb cuts.

The Board discussed that there are currently two curb cuts on the property, and the property could be allowed two in the future. There are two roads adjacent to the property, and there could be one on each road. The curb cuts on Thayer St are backing onto a public way. Mr. Cavallo mentioned that the Board made Ms. Sharp arrange her curb cuts so there would be no backing out onto public streets.

Mr. McCourt stated that he would be in favor of two curb cuts for this property.

Mr. Mascolo stated that he was not opposed to the curb cuts. He liked the half circle in the front of the property, and suggested that there only be one on the side. He stated that he does not want anyone backing onto the public street.

Mr. Cavallo stated that he was concerned that the Board was bending too much on a new bylaw.

It was noted that there is no sidewalk on Thayer St.

The project also needs to be sent to the Historic District Commission. Ms. Greenough stated that the HDC will not be hearing the application until the curb cuts are resolved.

The Board encouraged the applicants to find a way to make it two curb cuts instead of four.

Mr. Pogue and Mr. Brassler asked to officially withdraw the application. They will try to re-submit a new proposal on September 6th.

Mr. Cavallo moved to accept the withdrawal of the application. Mr. Cisek seconded, and the motion passed unanimously, 5-0.

Mr. Mascolo moved to adjourn. Mr. Cavallo seconded, and the motion passed unanimously, 5-0.

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: _____