

**Edgartown Planning Board Meeting Minutes
Selectmen's Meeting Room – 1st Floor Town Hall
May 19, 2015 at 5:30 PM**

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

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

Public Hearing: Wave Lengths, 223 Upper Main St (20A-95) Modification of a special permit to extend the permit for the fourth year. (Colin Young for applicant)

Mr. Young was asked if he wanted to proceed with only 4 board members. He said he would. Mr. Mascolo said he needed to recuse himself from the hearing as he has a conflict of interest with this project. One of his real estate agents is representing the applicant. It was then observed there would only be 3 members able to vote on the hearing which is not a quorum. Mr. Cavallo moved to postpone the public hearing until June 2nd. Mr. Young agreed. Mr. Sparks seconded. Mr. McCourt voted yes. Mr. Mascolo abstained. The motion passed 3-0. The board apologized to Mr. Young.

Public Hearing: Ann Floyd, et al. 1 Dike Rd (32-1.2) Application to modify a Subdivision Definitive Plan and a special permit for a Cluster Development and, if approved, endorse modified Form A plans.

The applicants have requested the hearing be postponed to June 9th because the Martha's Vineyard Commission has not completed their DRI review.

MRK Mullen Realty LLC, Mullen Way (29A-57 & 97) Endorse Definitive Plan

The appeal period has passed. Michele Cassavant requested that she presented the plans. The Board unanimously voted to endorse the subdivision plan (two mylars: one for Land Court, one for the Registry of Deeds) and signed the mylars and three white copies of each: one for the Planning Board records, one for the Town Clerk and one for applicant.

Simpson's Lane/ Chappy Ferry Line – Brief discussion

The Board reviewed the Simpson's Lane/Chappy ferry situation. Ms. Greenough stated that a draft of all of the options, including short and long term mitigations, will be ready in about two weeks. She also reminded the Board that they had wanted to do more staging, and suggested that be done before the next meeting. Mr. McCourt stated that he is uncomfortable recommending long-term mitigations without involving experts. He recommended using the MVC to help plan the long-term solutions, but noted that there will need to be a significant amount of observation time. He stated that he does not want to make any major changes shortsightedly, and there is not much time before the busy summer season. He recommended that Simpson's Lane be patrolled in some capacity, and provide better signage. He suggested the Board make minor changes to clean up the existing process, observe over the summer, and then look at other options. Mr. Mascolo reviewed the long-term ideas: another ferry slip, subsidize another boat, and different traffic flows. The Board agreed that these suggestions will not be happening this year.

Ms. Greenough mentioned that Mr. Wilson had suggested stopping the ferry line for the block of Simpson's Lane that is most affected. Under this system, the line would stop at North Summer Street, and then immediately go down to Daggett Ave. The block of Simpson's Lane from North Summer St to

North Water St would be thru-traffic only. Mr. Sparks commented that this solution would only push the problem back one block, and cause more traffic on Pease's Point Way.

Mr. Sparks was strongly in favor of the double line on Daggett proposition. Mr. McCourt stated that the Police Chief previously said that a public way cannot be blocked, and that Mr. Wells had serious concerns about that idea. Mr. Mascolo commented that it is better for the Town to have people walking past businesses, and suggested using Winter St for staging. He also emphasized the importance of better signage.

Ms. Greenough stated that the report will help to narrow down the ideas into viable recommendations.

Mr. Mascolo suggested that every idea be arranged into succinct bullet points.

Mr. Cavallo moved to continue the hearing on the Simpson's Lane traffic issues until the report is finished. Mr. Mascolo seconded, and the motion passed unanimously, 4-0.

6:15 PM: Public Hearing: Gibney, 50 Edgartown Bay Rd (46-38) SP: Coastal District. Application to construct a 12' x 33' swimming pool on a non-conforming lot in the coastal district.

In Attendance: David Hobaica- Easton Pool, Doug Cooper

Mr. Hobaica approached the Board to explain the application to install a gunite pool with an automatic cover.

Mr. Mascolo commented that the pool was not staked for the site visit conducted earlier in the day. He stated that it is the Planning Board's policy to not review a pool application without seeing exactly where it will be located on the property. He said that in the future, it is important to stake where the pool will be.

The Board reviewed the plans. There is a wooden deck that will go around the house and lead to the edge of the pool. Mr. Mascolo asked about the pool mechanicals. The applicants would prefer not to enclose the pool equipment, but understand that it is a standard condition and have offered to provide a six-foot by eight-foot shed. Mr. Mascolo also requested that soundproofing material be placed on the inside of the shed. Mr. Hoibaca stated that there will be two heat pumps and that one can stand five to ten feet away and not hear them.

Joseph Sieber, an abutter to the property, was present and had some concerns about the application. He stated that his property is about 12-14 feet higher in elevation from the Gibney's and that he can hear everything. He asked if any additional tree barrier would be provided. The Board noted that the plans show major landscaping and extensive plantings. The entire lot will be screened. Mr. Sieber asked about the height of the trees. They are shown as ranging from four feet to ten feet on the plans, and none of the existing trees will be removed.

Mr. Cavallo commented that the Board can ensure that the equipment is as soundproofed as possible, but cannot mitigate any noise created by people. Mr. McCourt emphasized that the shed shall be kept away from abutters and soundproofed it.

Mr. Sieber asked about noise levels of the pool equipment. Mr. Hoibaca replied that the pumps are quieter than an air conditioner.

There were no letters received for the hearing.

Mr. McCourt closed the public hearing at 6:32 PM.

The Board discussed moving the shed. The applicants and the Board ultimately decided the shed was best located where originally planned. Ms. Greenough commented that if the equipment shed is to be moved, the applicant must return to the Board for approval.

Mr. Mascolo emphasized the importance of soundproofing the pool equipment, and would like assurance that it will be soundproofed. The applicant replied that a variable speed pump will be used and that it is a lot quieter than other types, but also that the shed will be soundproofed.

Mr. Mascolo added that the Wilson Amendment is not included on standard checklist, but requires that a lifesaving ring, or some other sort of life preserving device, is available somewhere inside the pool area. The applicants responded that the condition is reasonable and that they will certainly comply.

Mr. Sparks moved to approve the application as submitted with standard pool conditions, emphasizing the enclosed pool equipment. The pool is located within the setbacks and is in accordance with coastal district bylaws. Mr. Mascolo seconded, and the motion passed unanimously, 4-0. The applicants will need to return to the Board if anything on the plan is changed.

6:43 PM: Form A: Macrae, 141 Litchfield Rd (34-16) Create an additional lot

In Attendance: Reid Silva

Mr. Silva presented the plans for a new lot on Chappaquiddick. The original lot was 6.78-acres. The proposed plan has divided it into a 3.76-acre lot with the existing house and shed, and another 3.02-acre lot that is vacant. There is an easement to share the driveway, so a new driveway will not need to be cut.

Mr. Sparks and Mr. Cavallo commented that both lots have good frontage.

Mr. Mascolo stated that there are no problems with the subdivision, and that all zoning requirements are met.

Mr. Mascolo moved to endorse the Form A as presented. Mr. Cavallo seconded, and the motion passed unanimously, 4-0. The Board signed two white copies and the mylar.

6:49 PM: Form A: Turner, 39 Slough Cove Rd (44-12.2) Create an additional lot

In Attendance: Reid Silva

Mr. Silva presented that plans for a new lot on Old Slough Cove Rd. The original Turner property was about 50-acres. It was divided into large pieces for each of the four children, and has been incrementally divided since.

The Board commented that there was adequate frontage.

Mr. Mascolo moved to endorse the Form A as presented. Mr. Sparks seconded, and the motion passed unanimously, 4-0. The Board signed two white copies of the plans and the mylar.

All Island Planning Board meeting – May 20, 2015 at 6:00 PM

Ms. Greenough reminded the Board of the All-Island Planning Board meeting. Mr. McCourt and Mr. Sparks will not be able to attend. Mr. Mascolo will try, but was unsure. Mr. Cavallo said he would chair the meeting.

Edgartown Lofts – Project

The Board reviewed the Edgartown Lofts project. Ms. Greenough and Michael Donaroma went up and made some emphatic demands to finish the work on the parking lot before Memorial Day weekend (May 22-25). The deadline for any work is May 20th at midnight, and no work can be done through the summer until September 15th. Ms. Greenough recommended that the Board modify the decision to allow for some landscaping before September or preferably before the weekend of July 4th. Mr. McCourt commented that the parking lot already looks much roomier.

Mr. Mascolo moved to allow the applicants to continue working on the landscaping for two weeks, excluding weekends, beginning the Tuesday after Memorial Day. Mr. Sparks seconded, and the motion passed unanimously, 4-0.

Katama Wireless Facilities – AT&T

Ms. Greenough provided an update on the Katama wireless facility in one of the silos. AT&T has decided to "indefinitely suspend the work". They will continue to pay the lease, but will not be building anything at this time. The reasons and intentions behind this decision have yet to be disclosed. There was a lawsuit against AT&T + Planning Board and it was settled. Ms. Greenough mentioned that Verizon has inquired about the project and expressed an interest in working with the Town for that site.

Wireless Coverage on Chappaquiddick

An RFP was sent out to build a tower on Chappaquiddick. Three responses were received, and Grain Communications was recommended. They will be awarded the RFP proposal at a meeting of the Selectmen in the near future. Grain Communications has just finished the construction of a tower next to the Ice Arena in Oak Bluffs. The Edgartown proposal was accepted in mid-April. The Board commented that it has been an interesting process, and are excited that a tower might be constructed on Chappy.

Mr. Sparks moved to adjourn. Mr. Cavallo seconded, and the motion passed unanimously. The meeting was adjourned at 7:09 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: _____