

Edgartown Planning Board Meeting Minutes
Tuesday, August 18, 2015 at 5:30 PM
Town Hall – 1st Floor, Selectmen’s Meeting Room

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

Staff in Attendance: Lucy Morrison, Clerk

Georgiana Greenough was unable to attend the meeting due to illness.

Chairman Michael McCourt called the meeting to order at 5:30 PM.

5:30 PM: Ancient Way (Dr. Fisher Rd) Permission to maintain a section between Saddle Club Rd and the State Forest

In Attendance: Keith Michaelson

Mr. Michaelson approached the Board to explain that the path is not currently passable. He would like to return the path to its natural width, so that it can be used for biking and walking. Pictures of the path taken on August 10th were distributed to the Board. Dr. Fisher Road begins at the Vineyard Golf Club, crosses Saddle Club Road, and then continues through the State Forest. The golf club maintains the path from their property to Saddle Club Road, and the State Forest maintains their portion of the path. The section from Saddle Club Road to the State Forest has not been maintained. Mr. Michaelson mentioned that there is a resident of Woodhaven Drive that has been placing rocks and other obstructions in the path.

The Board suggested that Mr. Michaelson be referred to the Ancient Way Committee. Ms. Morrison stated that the Ancient Way Committee is not active, and that the responsibility falls to the Planning Board. The Board will check on the procedures, but agreed to allow the clearing.

Mr. Sparks clarified that Mr. Michaelson will only be trimming branches, and that there will be no tree removal, or cars allowed on the path, and the maximum width will be four feet. Mr. Michaelson agreed.

The Board determined that a vote was not necessary, but all were in agreement that the clearing of the path was allowable.

5:37 PM: Continuation: Beach St Property LLC

The application has not yet been received back from the Martha’s Vineyard Commission. Mr. Cavallo moved to continue the hearing to October 6, 2015 at 5:30 PM. Mr. Wilson seconded, and the motion passed unanimously, 5-0.

5:38 PM: Curb Cut: Saville, 124 North Water St (20D-274) Review with abutters, Gene & Jan Barbato - 122 North Water St, regarding lamppost location

In Attendance: Chuck Sullivan, Wilson and Ellen Saville, Lil Province, Sara Barbato

Mr. Cavallo stated that this application has already been approved. Ms. Morrison explained that the curb cut application does not trigger a public hearing, but that negative comments and concerns were emailed to the Board the day after the last hearing concerning the moving of the light post. She also reminded that Board that at the site visit conducted on August 4th, the Board had agreed that the abutters were to be notified.

Mr. Sullivan distributed more pictures of the area. He stated that the Highway Superintendant, Stuart Fuller, had recommended that the light pole be moved 12 to 18 inches toward the Barbato house. This spacing would allow each neighbor to back in or out of their driveway without hindrance. Mr. Fuller had stated that the most ideal location for the streetlight would be directly on the property line between the two houses. Mr. Sullivan emphasized that when the Barbatos back out of their driveway, they must back out straight until they pass the parked cars before they can begin to turn.

Mr. Fuller had also stated that he was opposed to moving the streetlight to the far side of either curb cut, since it would disrupt the balance of streetlights along the street, and it would shine into the neighbor's bedrooms.

Mr. McCourt asked Ms. Morrison to read the email from the Barbatos. The Board reviewed the pictures that were attached to the email, where a bucket was used to simulate the streetlight. Mr. McCourt invited comment from the audience. Sara Barbato, of 122 North Water Street, stated that North Water Street is very narrow at this specific location. She stated that it is often difficult to back out of the driveway as it is, and that the driver must avoid parked cars, and watch for oncoming cars and pedestrians walking in either direction. She stated that having the pole 18 inches closer would make the turn increasingly difficult.

Mr. McCourt stated that this is a unique situation. He said that he was looking for the applicant to appease the concerns of the neighbors. Mr. McCourt asked Mr. Sullivan if there were any other options or solutions that had not been discussed yet. Mr. Sullivan stated that there is not much room for the driveway unless the pole is moved, and that another parking space on the street would be lost if the pole was not moved. Mr. Sullivan suggested moving the pole to the far side of the Barbato driveway, but the light would shine into their house and it would disrupt the pattern of streetlights.

Ms. Barbato stated that she appreciated the Board reopening the discussion about the light pole, but did not want it placed on the other side of her driveway.

Mr. Sullivan stated that the pole could be moved 12 inches, instead of the original 18 inches. He also suggested that the Barbatos turn around before exiting onto the street. Ms. Barbato said that since the road is so narrow, and people often overhang the street parking, that it is difficult to exit no matter which way it is approached.

Mr. Sullivan emphasized that Mr. Fuller's recommendation was to have the pole directly on the property line.

Ms. Barbato agreed to the pole being moved 12 inches.

Mr. Sparks moved that the light pole be moved 12 inches from the current position, instead of the 18 inches that was originally proposed. Mr. Mascolo seconded, and the motion passed unanimously, 5-0.

Form A – Elias, 27 Witchwood Lane (36-303.3) Corrected spelling on previously endorsed Form A not yet recorded; needs new endorsement.

Ms. Morrison explained that there was a misspelling on the original site plans. The mistake has been corrected and submitted for signatures. The Board signed the plans.

6:00 PM: Discussion with the Historic District Commission

In Attendance: Bricque Garber, Administrative Assistant; and Susan Catling, Commissioner

Bricque Garber explained that the Historic District Commission is in the process of expanding the district. They are currently working on a preliminary study to be sent to the state in mid-October. Copies of the study will be submitted to the Planning Board and the Board of Selectmen. Two public hearings have been held and one more shall be held prior to Town Meeting; and if the expansion is approved, a warrant article for the Annual Town Meeting 2016 will be drafted. A 2/3 vote will be required. She stated that Edgartown is one of the richest groupings of historic styles in New England.

Mr. Mascolo noted that the jail is included in the expansion, and expressed concerns about the auxiliary buildings in the back. Ms. Garber explained that the purpose of the Commission is to preserve the historic building, not to impede on any sort of function or business that the building may possess. She stated that one of the most interesting things about the jail is that it does not look like a jail; and by being in the new historic district, the Town would be protecting the façade.

Mr. McCourt stated that he would like to have a better understanding of the Commission's procedures, how the decisions are made and on what basis. Ms. Garber stated that the bylaws governing the Historic District Commission are not as specific as those for the Planning Board or the Zoning Board of Appeals. She provided a copy of the guidelines used to make determinations. She said that the Commission adheres closely to the established guidelines, but that they are fluid, since materials are changing.

The Board asked about the use of Azek materials. Ms. Garber replied that Azek is sometimes allowed, and as with everything, is examined on a case by case basis. She stated that the Commission often suggests the use of other materials more in keeping with the historic character, but has allowed some Azek products.

Mr. McCourt asked when the guidelines were formed. Ms. Garber stated that they were written in 1987, and that they are based on the Chapter 40C State laws. The state laws are based on the federal laws, as well as the Department of the Interior.

Mr. McCourt asked if decisions change based on the Commissioners. Ms. Garber stated that, similar to any other board or committee, different people have different areas of focus. A former Commissioner, Bill Bishop, focused on trim, window trim, and fascia boards. Ms. Garber stated that the Commissioners are passionate about Edgartown homes and pay attention to the details that keep the Village historic.

Mr. Mascolo asked if the historic district has been expanded in that past. It has not. This proposed expansion would more than double the size of the current Historic District. Ms. Garber was unsure if any vacant lots were included in the proposed expansion.

Mr. Wilson commented that there are brand new homes on Fuller Street, which is in the proposed new district. Ms. Garber stated that the new homes were some of the biggest impetus for the expansion. Mr. Wilson asked what can be done when an existing house does not comply with the historic standards. Ms. Garber explained that the new homes would be considered pre-existing, and would not be made to change anything. In the future, if the homeowners would like to change anything, they will be asked to come before the Commission.

Mr. Cavallo stated that he had no idea which way the town will vote at the ATM. Ms. Garber stated that a survey was sent out, and that there was very little opposition expressed about the expansion. She stated that most people voting on the expansion at the Annual Town Meeting will not be directly affected by it. She added that the increasing the size of the Historic District has been shown to increase tourism and the tax base.

Mr. McCourt expressed concern about inconsistencies of judgement. He personally experienced restrictions that were not consistent with any neighboring construction in 2000. Neither Ms. Garber nor Ms. Catling were involved at that time and could not speak to the situation.

Ms. Garber explained that historic materials are preferred, but that the Commission cannot deny an application based on composite alone. She stated that each decision is subjective; but based, on the location of the house, and on neighboring properties. She stated that the Commission provides direction, suggestions and recommendations to homeowners to preserve the historic facades, and keep the style of their home consistent with the neighborhood. She commented that most additions are approved, and that the Commission has never denied the square footage of an expansion. She stated that the primary focus of the Commission is the façade as seen from a public way.

Ms. Garber stated that the decisions of the Commission are subjective because each building is different; and that the flexibility of the decisions give an advantage to the homeowners.

Mr. McCourt thanked Ms. Garber for coming to the meeting and answering the Board's questions.

Discussion: Proposed Zoning Amendments for Annual Town Meeting 2016

The Board decided it was best to postpone this discussion to the next meeting when Ms. Greenough is present to explain her current thinking with the bylaw updates. Ms. Morrison presented some basic

ideas for zoning amendments regarding affordable housing for the Board to consider, including definitions, visibility standards, zoning for multi-family housing and tiny houses, and revamping the substandard lots for affordable home sites bylaw to make it more appealing.

The Board reviewed the upcoming applications, including: the Colvin garage, the JAM Family Trust fence, and the MVRRD reconfiguration.

The next meeting has been scheduled for September 1, 2015 at 5:30 PM.

Mr. Cavallo moved to adjourn. Mr. Mascolo seconded, and the motion passed unanimously. The meeting was adjourned at 6:54 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: _____