

**Edgartown Planning Board Meeting Minutes**  
**Tuesday, October 6, 2015 at 5:30 PM**  
**Town Hall – 1<sup>st</sup> Floor Selectmen’s Meeting Room**

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

*Absent: Fred Mascolo*

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

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

**5:30 PM: Public Hearing: Beach St. Property LLC, 2 Beach St (29B-84) Continued**

Mr. Sparks moved to continue the application to October 27<sup>th</sup>. Mr. Cavallo seconded, and the motion passed unanimously, 4-0.

**5:35 PM: Form A – McCall, Morse St (20D-84.1 & 84.2) Lot line adjustment.**

*In Attendance: Kara Shemeth*

Ms. Shemeth approached the Board to explain the application. Both the Hegartys and the McCalls would like to construct a pool on their property. As is, both of the pools would have been on the same property. The proposed lot line adjustment would allow for both properties to have adequate space to construct a pool. Both of the lots would remain conforming; the Hegarty property will be 10,076 square feet, and the McCall property will be 10,805 square feet after adjustment. Mr. Wilson moved to endorse the Form A. Mr. Sparks seconded, and the motion passed unanimously, 4-0. The Board signed the plans.

**5:45 PM: Meet Adam Turner, New Executive Director of the MVC**

*In Attendance: Adam Turner, Christina Brown, Bill Veno*

The Board thanked Mr. Turner for making the trip over to introduce himself. Mr. Turner provided the Board with a brief overview of his qualifications. He has experience with planning, zoning codes, and working with local boards. He said that he anticipates coming to the Planning Board meetings frequently.

He presented the Board with the current DRI checklist, and announced that revisions will be being made over a six week period. He invited the Board to attend the MVC meetings to offer their viewpoints, and also stated that he would be willing to come to Edgartown to hear the Board’s opinions. He commended the Board for their decisions on Upper Main Street, and emphasized the importance of local situations being handled by local boards. He stated that he felt the Commission was comfortable trusting the Planning Board for a decision on 2 Beach St.

He added that the Commission is available for mapping technology and support. He stated that the Commission would like to be an advocate for the local boards.

Mr. McCourt stated that he would like to see the MVC be utilized more by the local boards. Mr. Sparks expressed concerns about the expansion of the DRI checklist, but was looking forward to better relationship with the MVC.

Mr. McCourt asked if Mr. Turner could help the Board negotiate with the Department of Transportation. Mr. Turner stated that he has worked with the Departments of Transportation in other states, and knows how difficult it can be. He stated that if the Board and the Commission are united in their efforts, it could make the process easier. He mentioned Senator Wolfe's proposed bills S122 and S111, which would give more power to local boards.

Ms. Greenough added that none of the towns have certified planners; she stated that the Board often looks to the administrative assistants as planners, but they are not. She said boards could use help with writing zoning bylaws and obtaining grants. Mr. Turner stated that he would be happy to offer technical assistance.

Mr. Turner encouraged the Town to take the lead on issues and projects, and use the MVC for support. He thanked the Board for the invitation, and stated that his door is always open.

Bill Veno acknowledged Ms. Greenough's second certificate (Level 2) through the CPTC. He added that there are only four or five people in the state to receive two certifications.

**6:05 PM: Public Hearing: Lawcewicz, 202 Upper Main St (20C-212) SP: B-II: Additions to pre-existing non-conforming dwelling on a conforming lot**

*In Attendance: Tadeusz Lawcewicz, Maria Lawcewicz, and Phil Hughes*

Mr. Lawcewicz approached the Board. The application proposes to rebuild and add four square feet to an existing wood deck; to construct a new 110 square foot mudroom onto an existing deck footprint to the front entrance with six square feet of side deck; to construct a 12' x 13' dining room on the back entrance; and to raise the roof six feet to create a second story, for a total height of 22 feet. The structure encroaches eight feet into the ten foot setbacks.

Mr. Sparks asked if the property was connected to town sewer. Mr. Lawcewicz replied that the property has a septic system on site. The addition would not be adding any bedrooms or bathrooms to the two bedroom, one bathroom house.

Mr. Wilson stated that the plan appears to be in compliance, except for the northwest side setback. The zoning district has 10' setbacks, but the dwelling is two feet from the property line. Mr. Wilson commented that the application is not increasing the non-compliance of the structure; and that the area

will benefit, due to the improvements made to the house. Mr. Wilson also complimented the appearance of the yard and garden.

Mr. Sparks clarified that the application does increase the non-conformity due to the raising of the roof. Ms. Greenough agreed that there will be an increase of the square footage within the setback area. The board will have to make the call as to the degree of impact on the community.

Mr. Sparks stated that it is not typical for the homeowner to have designed the plans, and that they are usually approved by an architect or engineer. He asked if the plans had been approved, and if they are detailed enough for approval by the Building Inspector, and suggested Mr. Lawcewicz meet with the Lenny Jason.

There were no letters received on this application.

Phil Hughes, the owner of Wheel Happy, requested a timeframe of the material delivery and construction. Mr. Lawcewicz stated that he anticipates that the framing will be complete before winter, and the roof will be raised in the spring.

Mr. Hughes asked if the construction materials and the delivery trucks would impede the business or the parking lot. Mr. Lawcewicz replied no, that the fence will be opened, and that the trucks will stay out of the shared driveway. He stated that during the busy season, from Memorial Day to Labor Day, Mr. Hughes' customers will not be affected. Mr. McCourt stated that there is an easement on Mr. Hughes' property to get to Mr. Lawcewicz's, and that neither party can block it. He emphasized the need for a strong mutual agreement before the project is approved. Mr. McCourt commented that this is a unique situation with an easement, and that both properties have equal rights. He emphasized the importance of the timing of the cement trucks and the foundation work.

Mr. Lawcewicz stated that material storage will not be an issue, and that he only anticipated two deliveries of wood. He stated that the framing will begin this year, and the project will be completed before April of next year.

Mr. Hughes stated that material deliveries are not a problem so long as the business is accessible; so that the driveway and parking lot are not blocked. Mr. Lawcewicz stated that all materials will be delivered before April 2016.

Mr. Wilson commented that the non-conformity of the structure will not have an impact on the people next door. Mr. Hughes agreed, and stated that he had no problems with the construction.

Mr. Sparks stated that he saw no issues with the application, other than the building inspector being satisfied with the plans.

Mr. Wilson stated that he admired a homeowner with building experience.

Mr. McCourt closed the public hearing at 6:21 PM.

Mr. Sparks thought that the proposed improvements were in keeping with the neighborhood, and that the increase to the non-conformity in terms of the expansion of the floor space within the setback area was not an issue. He was in favor of the application.

Mr. Cavallo agreed. The application proposes minor repairs, and the neighbors do not have any concerns. Mr. Cavallo stated that the non-conformity is not an issue in this case. He encouraged the Board to place two small conditions on the decision: that the plan require the approval of the Building Inspector, as it is not an architectural rendering; and that there be no impediment to the neighboring business by blocking the driveway.

Mr. Wilson stated that he was in favor of the application. He modified Mr. Cavallo's suggestion to say that any changes made to the plan by the Building Inspector be sent to the Planning Board for the file. The Board agreed.

Mr. Wilson moved to approve the application as presented because the neighbors support the application; the increase to the non-conformity of the structure has no detrimental effects, and is offset by the improvements made to the appearance of the house. The delivery of materials will be restricted to not interfere with Wheel Happy, and with all deliveries completed by April 30, 2016. All other material delivery required will be allowed by mutual consent. Mr. Cavallo seconded, and the motion passed unanimously, 4-0.

**6:30 PM: Discussion & Update: Edgartown Lofts Rental Units, Review punch list and schedule of proposed construction per decision conditions**

*In Attendance: Gene Erez*

Mr. Erez approached the Board and presented the floor plans for the apartments. He noted that the applicants are only dealing with the Building D, which house the Martha's Vineyard Saving Bank and Post Office. There will be five apartments built on the second floor. The handicapped ramp and other accesses will not be affected. The walkway will be enclosed from the railing, so that a roof can be created over the area, and doors installed on either side.

In order to minimize impact to the structure, the eaves of the roof will be cut off, and the framing will slide in from both the parking lot side of the building, and the front of the building that faces Edgartown-Vineyard Haven Rd. This will allow the floor system to be framed without the roof being removed. This will also allow for secondary protection and reinforcement for the floors and ceilings of the building.

There will be a new entrance to the second floor from the front facing Edgartown-Vineyard Haven Rd. The materials will be stored in the back by Dark Woods Rd. Mr. Cavallo asked if the new fence would pose an issue. Mr. Erez stated that the fence will be a small problem.

Mr. McCourt stated that the biggest issue before the Board is the protection of people. Mr. Erez stated that the staging will be secure, and that there will be fencing all the way around the building so that people cannot access the dangerous areas during construction.

Mr. Sparks asked if there are special building codes for federal buildings, like a post office and a bank. Mr. Erez replied no, but mentioned that the sprinkler system runs through the attics, which is going to be a challenge, since lines will need to be cut, and the system repressurized.

Mr. McCourt expressed some security concerns, and if the new openings to the ceilings of the existing businesses would cause any problems. Mr. Erez replied that there will be no openings to the businesses below, and that the floors and ceilings will remain intact. Mr. Cavallo clarified that the new floor will be slid in directly on top of the existing ceilings; Mr. Erez agreed.

Mr. Wilson expressed concerns about the support of the roof after the eaves have been removed. He asked if a major snowstorm could have a detrimental effect and cause the roof to collapse. Mr. Erez replied that the building has been over-engineered to prevent such an issue, and commented on the building having steel beams and columns. He commented that the plan as proposed is the least destructive, and that there will be two layers of sheetrock to achieve the fire rating and the waterproofing necessary.

Ms. Greenough requested a schedule of the staging and an overlay of the parking lot plan showing where construction vehicles and dumpsters will be located.

Mr. Erez stated that the construction crew will likely use the spaces that people use the least, and that the vehicles will be contractor trucks, not utility vehicles. He also stated that the goal is to minimize the staging, and that he will provide an overlay. He emphasized the three month timeline beginning in December.

Ms. Greenough requested that Mr. Erez come to the office soon to record all of these agreements for the file. Mr. Erez agreed to do so.

Mr. McCourt stated that the Board's biggest concerns are public safety, and any impediment to business. Mr. Erez stated that both the bank and the post office will have full access, and that the construction crew will use as few parking spaces as possible.

Mr. Cavallo showed a picture of the curbing in the parking lot, and suggested that they be rounded to avoid tire punctures. He also suggested increased signage in the circle, and mentioned that some of the old parking lot outlines are not completely covered, and that it causes people to park in strange places.

Mr. Erez mentioned that he will be meeting with engineers to discuss a wet sprinkler system for the apartments. The water main is in Building C, and there might need to be overhead hardware for the connection, which would require insulation in the bridge between the two buildings. Mr. Sparks commented that this might prove as a problem for the post office and the large trucks that use that alley. Mr. Erez stated that it was outside of the scope of what was originally discussed, and that he will keep the Board up to date on the decisions and progress.

Mr. Sparks stated that felt that the plans addressed the concerns of public safety, and that the bank and post office will remain open and uninterrupted. Mr. Sparks moved to accept the plans as presented,

with the condition that Mr. Erez meet once more with Ms. Greenough to document the agreements made at this hearing for the file. Mr. Cavallo seconded, and the motion passed unanimously, 4-0.

**7:05 PM: Public Hearing Continuation: Purvis, 8 Swan Neck Lane (43-3.22) SP: Coastal District. Review staked in ground swimming pool**

*In Attendance: Reid Silva*

The Board conducted a site visit the morning of the hearing, and reviewed the location of the staked pool. Mr. Silva submitted the pool checklist. No other information has changed since the last hearing. There has been no communication from the abutter.

Mr. Cavallo moved to approve the application for the swimming pool with standard pool conditions. Mr. Sparks seconded, and the motion passed unanimously, 4-0.

**7:09 PM: Form A Continuation: Bokat (Giordano) Pease's Point Way (20B-72) PB requested shared driveways due to narrowness of Pease's Point Way**

*In Attendance: Reid Silva*

Mr. Silva presented the plans, and noted that the applicants were supportive of the Board's decision to restrict the curb cuts through a shared driveway. The only change made was an added note stating that all lots shown on the plan shall share the common curb cut on Pease's Point Way as it exists on the plan.

Mr. Cavallo moved to endorse the Form A, conditioned the plan showing one curb cut. Mr. Sparks seconded, and the motion passed unanimously, 4-0.

Mr. Sparks moved to adjourn. Mr. Cavallo seconded, and the motion passed unanimously, 4-0. The meeting was adjourned at 7:26 PM.

Respectfully Submitted,

Lucy Morrison

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<i>Michael McCourt, Chairman</i>
_____
<i>Robert Cavallo</i>
_____
<i>absent</i>
<i>Fred Mascolo</i>
_____
<i>Robert Sparks</i>
_____
<i>Alan O. Wilson</i>
Edgartown Planning Board
Date signed: _____