

Edgartown Planning Board
Tuesday, February 4, 2014
Town Hall – 1st Floor Selectmen’s Meeting Room
Minutes

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

Members Absent: Fred Mascolo and James Cisek, alternate

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

The meeting was called to order at 5:30 PM.

Form A - Elias, Aziz S. & Deborah L, 27 Witchwood Lane (36-303.3)

In attendance: Richard Barbini, agent for the applicant

Richard Barbini presented the plans. Lot #2 (7,393 s.f.) was created to be conveyed to the abutter, Norman N. & Margaret J. Rankow (36-303.5) whose shed was located within his setbacks. Once recorded, the Rankow shed will be compliant with setbacks. Mr. McCourt moved to endorse the Form A as presented. Mr. Wilson seconded, and the motion was unanimously approved. The original and two copies of the site plans were signed.

Form A – Chappaquiddick Realty Trust/Olsson, 72 Chappaquiddick Ave (31-166 & 31-153)

In attendance: Robert McCarron, legal counsel for the applicant

This application was previously endorsed on May 7, 2013, but was required to make a minor modification to accommodate requirements for filing in Land Court. The old plans show a mysterious public way towards the back of the property that no one has been able to locate physically. The Land Court’s Engineering Department has reviewed the plans, and deemed that there is no basis for this public way. Land Court requires that it be removed from the plans and resubmitted. The modified plans were presented by Doug Hoehn who stated that the plans are the same as those previously endorsed, but the public way has been removed. Mr. Cavallo moved to re-endorse the plans by having members place their initials next to their names. Mr. McCourt seconded the motion and Mr. Sparks voted yes. Mr. Wilson abstained. Motion passed 3-0. Only three signatures are required for a Form A endorsement.

5:43 PM: Chappy House LLC/Riley. 66 Litchfield Rd (35-4) SP: Replace 60 feet of existing wooden boardwalk and construct an additional 20 feet.

In attendance: Richard Barbini, agent for the applicant

Chairman Sparks opened the hearing by reading the public notice. Richard Barbini presented the application and distributed photographs of the existing boardwalk. The posts for the structure are not dug into the ground, but instead rest on pieces of brick or concrete. This procedure is stable, but enables the boardwalk to be removed, even in the winter. He explained that this project has been previously approved by the Conservation Commission with no conditions. The current 60 feet boardwalk was damaged in a storm, and will be replaced. An additional 20 feet will be placed on the shore side. There was no comment from the audience. Mr. Sparks closed the public hearing. Mr. Cavallo stated that this project does not provide any detriment to the environment and conforms to the bylaw. Mr. Wilson moved to approve the extension of the removable boardwalk for these same reasons. Mr. McCourt seconded the motion, stating that this project falls within the permitted use stated by the bylaw. Mr. Cavallo and Mr. Sparks voted yes. The motion passed 4-0.

5:53 PM: Carlucci. 17 Faulkner Dr (45-124) SP: Construction of a swimming pool & cabana.

Chairman Sparks opened the hearing by reading the public notice. Mr. Cavallo asked to be recused from this hearing due to a business relationship with the contractor for this project. A motion was made, seconded and unanimously passed 3-0 to continue this hearing to February 18, 2014 at 6:40 PM due to a lack of quorum.

5:57 PM: Chappy Ferry Discussion

In attendance: Peter Wells, owner and operator of the Chappy Ferry

Peter Wells approached the Planning Board. He speculated that based on the amount of developable land on Chappaquiddick, the number houses and residents could potentially double. This increase in residency would increase the demand on the Chappy ferry. He passed out aerial photographs of the Edgartown Harbor waterfront. He suggested that when property becomes available, the town purchase it for the Chappy ferry to accommodate these additional developments. He emphasized that the town needs to be thinking ahead and out of the box to adapt to service twice as many Chappaquiddick residents. There needs to be more places to dock a ferry, which is not a serious issue on the Chappy side, but is a huge issue on the Edgartown side. Aero

Avenue was mentioned as a potential landing area, which would be about a mile trip for the ferry and it would run less often (every 15 minutes as opposed to every 6 minutes). There would be no staging downtown, so no additional waterfront view obstructions, and could potentially alleviate traffic downtown. Mr. Wilson also suggested Mattakessett, or Wasque Avenue. Mr. Wells noted that area is directly exposed to weather, since it is facing the northeast, and would pose a problem. Mr. Sparks suggested landings on both sides of Memorial Wharf, which is already town owned property. It is already a commercial location, which might decrease any potential protests from residents. It would be ideal to have two ramps on each side, so a total of four boats could run at once.

There are currently no spare ferries, which could pose a problem should something happen to one in the summer. Mr. Wells is currently designing plans for a new 64 foot steel boat. The current ramps also need some work. It is extraordinarily difficult to refinish them, costing a total of about \$84,000, so it makes more sense to replace them, but it requires the slip being out of commission while the work is taking place.

The board recommended the establishment of a committee to discuss potential developments for the Chappy ferry. Recommended members might include Charlie Blair, Harbormaster; Jane Varkonda, Conservation Commission, Agent, Bruce Macintosh, Marine Advisory Committee; Arthur Smadbeck, Board of Selectmen, Robert Sparks and Alan Wilson from the Planning Board, Chiefs of Police and Fire, and others who may express an interest in planning for the Chappy ferry.

6:50 PM: Landry MV Trust, 139 Plantingfield Way (13-18) SP: Construction of swimming pool & cabana.

Due to a request from the applicant, Mr. McCourt moved to postpone this application to February 18, 2014 at 6:50 PM, when all five members will be present. Mr. Cavallo seconded, and the motion passed 4-0.

Old Business:

The repetitive petition on 10 Tilton Way is scheduled on March 4, 2014. Ms. Greenough handed out language to assist the board in making a determination. Essentially, it is required that the board considers the specific or material change on which the previous unfavorable action was based. A 2/3

vote is required. A copy of the ZBA denial will be distributed prior to the meeting.

Ms. Greenough also reviewed the next agenda for 2/18. It is important that the board look over all the applications in advance, and get their questions answered before the meeting. She reminded the board that they are allowed to discuss the pending applications among themselves, but cannot imply how they intend to vote on them.

Mr. McCourt commented on Bad Martha Farmer's Brewery Decision. He was disappointed that the board approved the application so quickly without asking for more information. There were many possible conditions that could have been applied to the decision; it also could have been continued, with more information requested from the applicant. Given the current traffic situation on Upper Main St, and the fact that it is a direct route to downtown, the Planning Board should be doing everything possible to prevent a further traffic problem. For example, they could have asked for a traffic study to be conducted. The plans were extremely vague: there was no specific driveway or traffic plan, nor was there a business plan. The project is essential a promotion and marketing tool, that encourages people to come in, taste the beer and see it how it is made. He would have liked the applicant's plan to have specific details. Mr. McCourt emphasized that he thinks the brewery is a good idea, that it will add something different to Upper Main Street, but wants something to fall back on. If the application had continued or was conditioned, the applicant would have been required to come back with a more specific plan. Mr. McCourt regrets the hasty decision with no conditions, and hopes that the Planning Board will look closer and ask for more details in the future.

Mr. Wilson made a motion to adjourn. Mr. Cavallo seconded, and the motion passed 4-0. The meeting adjourned at 7:00 PM.

Respectfully Submitted,

Lucy Morrison
Planning Board Clerk

