

Edgartown Planning Board
Tuesday, August 7, 2012 – 5:30 p.m.
Selectmen's Meeting Room
Minutes

*Members in attendance: Robert Cavallo, Chairman, Fred Mascolo, Michael McCourt, Robert Sparks, Alan Wilson, and James Cisek in to replace Mr. Cavallo for Barnes hearing.
Staff in attendance: Georgiana Greenough*

Old Business: Barnes, 51 Witchwood Rd, widow's walk.

- The board addressed the presence of a widow's walk on the Barnes dwelling which appeared to be larger than 8 feet in one direction, which would require a special permit under article 11.3.B. The board asked for the opinion of the building inspector who went to the property and measured it. He reported that the plans were incorrect, the stairs were turned 90 degrees, and although the deck was larger than 8 feet in one direction, the "walkable space" was reduced to less than 8 feet, due to the construction of planters or benches. He added that the Planning Board can do what they want. A conversation between Mr. Wilson, planning board member, and Mr. Rankow, the Barnes' builder, netted the refusal of Mr. Rankow to apply for a special permit that was not required of him.
- Mr. Sparks suggested the bylaw 11.3.B. definition of an elevated deck be clarified.
- The board discussed other special permit applications of widow's walks which were heard in the past by both the Zoning Board of Appeals and the Planning Board. The Planning Board consistently conditioned the widow's walks to be recessed without spindles and railings and finished in the same material as the roof. The assistant reported that the ZBA's take on widow's walks was if the deck was located above the second floor, it was an "elevated deck" and required a special permit, adding that a huge consideration was privacy and noise for the neighbors.

Barnes, 60 Witchwood (36-303.12) Continuation SP: Addition of two floats to existing pier

Chairman Cavallo asked Mr. Sparks to run the continued hearing. He recused himself from the hearing as he has a conflict of interest with the builder for the property. He then left the room. Mr. Sparks opened the hearing by reading the public notice. Richard Barbini, Schofield Barbini & Hoehn, Inc., agent for the applicant, presented the application. No new materials were submitted. Mr. Barbini said the applicants would like the 5' x 28' float to be located inside the L at the end of the approved timber pier, to make it easier getting in and out of boats. He said the Conservation Commission has already approved it, as well as the Marine Advisory Committee.

The Marine Advisory Committee approved the float noting, in a letter to the Planning Board, that if the Barnes did not have the benefit of the unauthorized dredging, they would not have been able to apply for the float. They also noted that the Barnes' builder was Norman Rankow, who was also the Chairman of the Dredge Committee at the time the unauthorized dredging took place. They said they had a lively discussion about "punishment v. reward" regarding the unauthorized dredging and said they chose to ignore the controversy and politics, and deal with what was before them.

The assistant read a letter from abutters Guernseys objecting to the addition of the floats saying the silting was caused by the increased number of piers in Katama Bay and they "have lost 7 feet of tide in the past 50 years... believing it is ...the result of the approval of many new marine structures up

harbor that have changed the flow of water and subsequently eliminated all the eel grass in Katama”.

The public hearing was closed and the board deliberated. The board believes the use is in harmony with the general purpose and intent of the Edgartown Harbor Plan including the Pier Permitting Guidelines. The use complies with the provisions set forth in the Surface Water District article 20.4.e.

Mr. Wilson made a motion to approve the special permit for the float as submitted with the standard conditions including the Brewer amendment and the Wilson amendment. Mr. Mascolo seconded the motion and it was unanimously passed.

Szabo-Imrey, 51 Witchwood (36-303.15) SP: Widow’s walk 11.3.

Mr. Littlefield, agent for the applicant, did not appear at the hearing. It was understood that he would return when his clients had reviewed the Planning Board’s requests for modifications to the plans for a widow’s walk.

Zoning Discussion: Transient Residential Facilities

The assistant presented drafts of state and local municipality regulations, and definitions of transient residential facilities which deal with short term rentals, but still considers it as a single family residential use. Some municipalities’ use classifications carve out exceptions to the prohibition against the use of residential property on a transient basis. Then there was the issue of licensing properties that are let to four or more persons who are not related to the person conducting the rental. The diversity of the definitions and uses, either licensed or not, of single family residential dwellings for transient use needs a lot more studying.

The Board voted to table the discussion for now, and asked the assistant to provide additional information. It was noted the board has plenty of time to hold a public hearing before the next annual town meeting, April 2013. Mr. McCourt asked if the CPTC group could assist the board. The assistant will inquire as to possibly getting professional advice.

Bicycle Signs on Upper Main Street

The board conducted a posted site visit with Sergeant Craig Edwards for the purpose of defining locations for the placement of bicycle & other road signs. Upper Main Street is hard to navigate and bicycles are all over the place. A couple of locations were high on the list for bicycle route signs and stop signs for bicyclists. The first place was on the corner of Cannonball Park and West Tisbury Rd in front of the county jail. The second priority was at the merging of Cooke St. and Upper Main St. The third location was at the Triangle. It was also discussed that the paths between the signs should have “sharrows” depicting bicycles stenciled onto the bike path pavement. Although bicycles have a right to be in the roadway, Mr. Wilson asked if the signs could say “Please use the bike paths.” Another suggestion was to create a flyer to be given to the bicycle shops showing the location of all the bike paths in Edgartown. The assistant will try to create a map of the proposed signs and their locations.

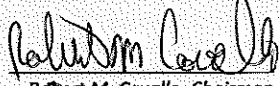
Mass ROAD SAFETY AUDIT

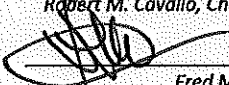
The assistant and the Transportation Planner at the Martha’s Vineyard Commission arranged for the State to conduct a “Road Safety Audit” on Upper Main Street (in particular in front of Stop & Shop) on Thursday, August 9, 2012 at 11:00 AM. Everyone attending will meet in the Selectmen’s meeting room first, then everyone will conduct a site visit, and then return to the


Selectmen's meeting room to summarize the State's recommendations for the town's options to mitigate the intense traffic situation at that location.


The meeting was adjourned at 6:35 p.m.

Respectfully submitted, Georgiana Greenough


Robert M. Cavallo, Chairman


Fred Mascolo


Michael McCourt


Robert Sparks

Alan Wilson

Edgartown Planning Board

Date signed: 9/18/2012