

# **Meeting Minutes**

## **Chilmark Planning Board Meeting**

### **April 10, 2023**

#### **4:30PM**

#### **Via remote participation**

Present: Ann Wallace, Hugh Weisman, Catherine Thompson, Peter Cook, Rich Osnoss, Janet Weidner, Mitchell Posin

Not Present:

Public & Board/Comm. Members: Laura Silber, Fred Khedouri, Chris Alley, Jessica Roddy

Staff: Jennifer Christy, Admin. Asst.

Site: Remote Meeting/Participation on ZOOM

Chairperson Rich Osnoss called the Planning Board meeting to order at 4:30PM.

#### **Accessory Apartment & Guest House Zoning Bylaw Proposal Discussion:**

- Board members discussed the need to review the March 1<sup>st</sup> draft produced by Hugh Weisman again and also the need to approve for the public hearing process starting very soon. Peter Cook advocated to get to a public hearing process as soon as possible, due to the fact that the topic is ready for a discussion and the need is for opinions from the public on the topic in order to sharpen the amendment. Hugh Weisman expressed support for getting the amendment out to a public hearing. He also agreed to create a bullet point document.
- Cathy Thompson asked if there was a possibility for a bullet-pointed comparison of the new proposal with the current bylaw and an executive summary. Hugh Weisman agreed to develop a summary and a bullet point summary.
- Jennifer Christy shared her screen with the proposal for amendments to Article 4 Accessory Uses, for Guest Houses and Accessory Apartments, and Hugh Weisman verbally shared a summary of the red-lined changes proposed.
- Peter Cook inquired whether the Board may proceed with the current draft of the proposal for the purposes of a public hearing process. Rich Osnoss asked for feedback from the Board. Mitchell Posin and Hugh Weisman agreed this was a good way forward. Ann Wallace asked for clarification of the process.
- Hugh Weisman suggested that an executive summary accompany the submission of the proposal to the Select Board to begin the public hearing process. Hugh Weisman offered to write the executive summary and the Board will address the topic and review it at the next meeting.

#### **Discussion Zoning Bylaw Amendment to section 6.10:**

- Peter Cook noted that he would like to see a public hearing to either change a bylaw to exempt town-owned property, or amend the bylaw to exempt just the Peaked Hill property or a third option is to change the numbers. He felt that a public hearing process could address these three options and the public hearing could be advertised this way.
- Mitchell Posin thought that just exempting the Peaked Hill pastures land would most likely be most amenable to the public.
- Janet Weidner suggested that the Board “get behind” a particular proposal before sending the proposal to the Select Board and beginning the public hearing process.
- Hugh Weisman suggested that it would be a good idea for the Planning Board to get behind one idea or plan for Peaked Hill Pastures. Peter Cook stressed the need to move forward with a public hearing process for a proposal so that progress may be made.

- There was brief discussion regarding communication with Town Counsel regarding whether it would be feasible to petition the Select Board for a warrant article to appear on the Annual Town Meeting on the exemption to 6.10 of the zoning bylaws. Town Counsel expressed the view that time had run short and that it would be beneficial to the Town to have the time to look at an amendment to 6.10 with care and consideration.
- Mitchell Posin asked if the Town owned other land and Peter Cook stated that he did not think it did of this size. Mitchell Posin suggested that the proposal include other pieces of land so that it was not in danger of being spot-zoning.
- Rich Osnoss asked if would be a good idea to formulate a specific question for Town Counsel that will move this forward.
- Fred Khedouri stated he felt that if the Town is thinking of making changes to density then possibly there needs to be more thought done about where changes are being made to density. He wondered if impacts to areas have been done such as traffic studies and other studies that would provide facts that decisions would be made upon. He urged that a process be started, if this type of zoning is to be considered, that would provide facts about the site where the zoning change would be impacting.
- Ann Wallace reminded the Board members that the state has provided a way, through the 40B process, that would allow the Town to move forward without spot-zoning and she also recognized that Rich Osnoss has done considerable work to connect with a consultant that may help the Town navigate this very complex issue. Hugh Weisman supported the statements made by Ann Wallace.
- Rich Osnoss suggested that the Board continue to move forward and suggested taking no action at this time and he stated he would continue to try and connect with the consultant who may be able to assist.
- There was general agreement with this course of action.
- Chris Alley was recognized and noted the points that Ann Wallace made and encouraged the use to the 40B process which allows the Town to not have spot zoning.

**Form A Application & Plan, WMVP LLC, Map 17, Lot 22.6, 31 Blackpoint Road:**

- Chris Alley shared his screen and noted the property is part of a series of 5.5 approx. acre properties on Black Point Road.
- The Form A plan shows a division of the lot, taking 1.67 acres and attaching it an adjacent lot.
- Discussion occurred regarding whether the application would warrant a referral to the MV Commission.
- A motion to endorse the Form A was moved by Hugh Weisman. The motion was seconded by Mitchell Posin and the Form A was endorsed unanimously by a roll call vote: Hugh W-aye, Cathy T-aye, Ann W-aye, Rich O-aye, Janet W.-aye, Peter C.-aye, Mitchell P.-aye

**Annual Town Meeting Hand-Out for Zoning Bylaw 4.2A, 3. Amendment Proposal:**

- Ann Wallace suggested contacting Joan Malkin on her offer to speak at Town Meeting on this bylaw proposal.
- Janet Weidner stated she suggested this topic due to the fact that the bylaw amendments are confusing and the Planning Board should be clear about the amendments.

- Rich Osnoss suggested he would contact Joan Malkin and see if he may develop a plan for Town Meeting.
- Janet Weidner expressed the need for a hand-out and she asked if it could be ready by Tuesday, April 18, 2023.

#### **Topics Not Reasonably Anticipated by the Chair at the Time of Posting:**

- Janet Weidner asked if a hand-out or report would be given to Town Meeting from the Peaked Hill Pastures Request for Proposals (RFP) Committee.
- There was some discussion about the RFP Committee and its direction.
- Rich Osnoss expressed concern about making any statement to the townspeople about the Peaked Hill Pastures affordable housing proposal. He thought that the committee is not ready to provide an executive summary yet.
- Rich Osnoss reiterated that he does not feel comfortable with providing a statement at Town meeting.
- Fred Khedouri stated that it is important to note that there are two projects moving forward, one homesites and one rentals.
- Rich Osnoss stated that the \$150,000 estimate from Reid Silva is a high estimate and he does not feel that this number will be reached.
- Hugh Weisman clarified that two lots are by developer in the warrant article, but in fact that all four will be by developer.
- Peter Cook stated great lengths were taken to present the warrant article for Peaked Hill Pastures as a concept. He further noted that as it was discussed some aspects of the concept have been changed because we ran in to road blocks. He noted that the job at hand now is to get a consultant to help with the rental building project to leverage as much savings for the Town. Peter Cook noted that the better prepared we are for Town Meeting, the better it is for townspeople to make an informed vote. He also noted there is very little appetite to do a process that would be similar to the Middle Line Affordable Housing process.
- Ann Wallace urged the Town to regard the point of Hugh Weisman to plan for the concept for the whole site.

#### **Master Plan:**

- Rich Osnoss summarized the points made by Adam Turner at the last meeting on March 27<sup>th</sup>.
- Rich Osnoss thought it would be best to pinpoint 3-4 areas that need to be addressed.
- Ann Wallace suggested that, after town meeting and the election, that the former Master Plan subcommittee meet to organize. The former members agreed this is a good idea.

#### **Correspondence:**

- The Board members reviewed the correspondence and spoke about the topic of meeting remotely or in-person going forward.
- The Board members decided to continue remote meetings for the Board meetings for the time being and consider changes in the future.

Ann Wallace requested that a meeting of the Planning Board be posted for April 18, 2023 at 1PM to attend the Peaked Hill Pastures RFP meeting and deliberate.

**Minutes:**

- Minutes from Feb. 27<sup>th</sup>, March 13<sup>th</sup> and March 27<sup>th</sup> were not reviewed. The minutes from April 3, 2023 were not ready to review.

**Topics Not Reasonably Anticipated by the Chair at the Time of Posting:**

- Board members expressed a desire for Rich Osnoss to continue as Chairperson in 2023-24.

A motion was made to adjourn the meeting. The motion was seconded and passed unanimously by roll call vote.

**Next Meeting(s):**

- Monday, April 24 , 2023, 4:30PM

**Documents:**

- Proposal for amendments to the swimming pool section of the Chilmark Zoning Bylaws, 4.2A, 3.
- Proposed Draft Amendments to address Accessory Apartments & Guest Houses and exception for affordable housing submitted by Hugh Weisman
- WMVP LLC Form A Plan and Application, r'cvd on April 3, 2023 from SBH, INC.

Meeting adjourned at 6:05PM. Minutes respectfully submitted by Jennifer L. Christy