

Planning Board Minutes 07/24/17

APPROVED

Chilmark Planning Board July 24, 2017

Present: Joan Malkin, Rich Osnoss, Chairperson, Janet Weidner, Peter Cook, Mitchell Posin, John Eisner

Not Present: Chris MacLeod

Public: Candace Nichols, David Damroth, Doug Hoehn, Annie Cook

Staff: Jennifer Christy, Admin. Asst.

Meeting called to order at 4:32 PM

- **Continued PUBLIC HEARING: David Damroth Form C Subdivision, Map 11, Lots 54.4 & 54.5**

- Mr. Osnoss opened the public hearing at 4:33PM.
- The Board members reviewed the plan and the written decision received from the MV Commission on July 19, 2017.
- Mr. Hoehn presented the plan with conditions agreed to with the MV Commission.
- Mr. Hoehn agreed to send a copy of the letter from the natural heritage organization.
- Mr. Osnoss addressed the interest of showing the buffer zone widths on the plan.
- Ms. Weidner asked that a note be added to the linen stating that no further subdivisions are allowed. She also asked that the linen show that only one guest house is allowed on either of the two lots. It was noted by Mr. Hoehn that there are many explicit conditions itemized in the MV Commission and he suggested that the linen reference the actual MVC written decision.
- Ms. Nichols, a representative of Mr. & Mrs. Staples, detailed her concern with the linen showing specific measurements on the plan. She noted her client has concerns with density.
- Ms. Nichols further asked the Board members to consider requiring the showing of the building envelopes on the lots.
- Ms. Nichols noted that many restrictions were not placed on the linen originally, when the lot was first subdivided. Mr. Damroth noted this was not correct.
- Mr. Osnoss stated that it is his understanding that Mr. Damroth has been through a very rigorous process and he is not in favor of making a second site visit to the Damroth property in order to discuss and delineate building envelopes.
- Mr. Posin confirmed with Mr. Hoehn that other lots abutting the Damroth lots do not have set building envelopes and he noted that the owners of the abutting lots purchased lots with 50 foot setbacks and those are what the building envelopes are. He further noted that building envelopes hamper the selling power of a lot owner.
- Mr. Eisner inquired about the nitrogen system and the reasoning behind not requiring the system on the youth lot. Mr. Damroth noted the MVC did not recommend it and he further noted that the technology is not proven to work.
- Mr. Damroth noted that he has preserved much of the land over the years.
- There was no further discussion.
- Mr. Posin made a motion to close the public hearing and Ms. Weidner seconded the motion to close the public hearing. The vote to close the public hearing was voted unanimously. Public hearing closed at 5PM.
- The Board noted they would like two more notations made to the linen to show the width of the buffer zone on the western edge of the subdivision and to reference the MV Commission written decision with identifying DRI and recording numbers.
- Mr. Posin made a motion to approve the subdivision with the two added notations. Ms. Weidner seconded the motion. The vote was unanimous to approve the subdivision with the two added notations.

- **Guest House Discussion:**

- Ms. Malkin noted her draft description that she has suggested be sent to the Housing Committee for their consideration.
- Mr. Osnoss read aloud the draft Guest House topic description as drafted by Ms. Malkin.

- Mr. Cook noted that the original Guest House bylaw was adopted before a more rigorous building code was established. He noted the base amount of infrastructure that is necessary for 800 sq. ft. is much the same as for large structures and therefore the amount of square footage gained for a similar amount of investment is lower for Guest Houses.
- The Board members unanimously agreed to send the question as drafted by Ms. Malkin to the Housing Committee in order to gather their thoughts on the issue.
- **Master Plan Update:**
 - The subcommittee updated the other Board members on the status of the Menemsha map.
 - Ms. Weidner noted the BOS approved the Menemsha Maps for installation at the park 'n ride area and at the Comfort Station in Menemsha. Mr. Carroll is working to install the maps.
 - Mr. Brewster, the MVC-contracted consultant, has returned to the island for further study and will be providing an interim report by the August 14th meeting.
 - Mr. Cook informed the Board members on a book and speaker by the name of David Foster. He has found this man's writing to be very informative and may be of a benefit to the Menemsha Master plan writers.
- **Correspondence:**
 - Noise Pollution:
 - Ms. Cook was present to address her email to the BOS and the Planning Board regarding noise.
 - Ms. Christy detailed the information that was provided to her by Chief Klaren regarding noise disturbance in Town.
 - Ms. Malkin discussed that there are two areas: areas that are dealt with using existing regulation and areas that are not currently dealt with with regulation.
 - Mr. Osnoss noted that the climate in Chilmark can very much shorten the time period within which contractors may work.
 - Further discussion occurred about the breadth of the issue.
 - The Board members asked that information be found about what other island towns have as noise regulations.
 - Ms. Malkin suggested that the Board members report to the BOS that the Board is looking into island noise regulations and will be doing some investigatory work on the regulation of construction and yard maintenance noise in Town. The Board is not planning on taking on the issue of motorcycle noise due to the existing regulations and is also not going to address the issue of fireworks in Town. Ms. Malkin noted that the noise pollution issue will be dealt with but the Board does not have a time limit on this and it may be a winter project.
 - CPTC
 - Board Members asked Ms. Christy to please resend the list of available courses originally sent by Mr. Veno.
 - Mr. Osnoss suggested that a course may be helpful to establish a set of criteria for the Site Review Committee in order to establish a more codified process for Site Review.
 - It was suggested that information on what other Towns do to organize and codify how Site Review committees respond to projects/development may be good.
- **Minutes:**
 - The minutes from July 10, 2017 were reviewed and approved with one change.
- **Next Meetings:**

- Monday, August 14, 2017, 4:30PM

- **Documents:**

- David A. Damroth Form C definitive subdivision, Map 11, Lots 54.4 & 54.5 Plan
- MVC Written Decision for David A. Damroth Form C definitive subdivision, Map 11, Lots 54.4 & 54.5 Plan
- Form C Procedure
- Sample noise regulations from Boston

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