

## Planning Board Minutes 01/28/19

### APPROVED

#### Chilmark Planning Board Jan. 28, 2019

Present: Peter Cook, Chris MacLeod, Janet Weidner, Rich Osnoss, Mitchell Posin

Not Present: John Eisner, Catherine Thompson

Public & Board/Comm. Members: Patricia Lincoln, Ellen Biskis, Christine Flynn, Philippe Jordi, David Vigneault, Ted Rosbeck, Adam Turner, Ann Wallace, Clark Goff, Joseph Chapman, Janice Brown, Aaron Brown, Lindsay Brown, Bennett Brown, Chris Alley, Reid Silva

Staff: Jennifer Christy, Admin. Asst.

Meeting was called to order at 4:30 PM

- **Patricia Lincoln Letter Discussion:**

- Chairperson Rich Osnoss opened the meeting and read the letter from Patricia J. Lincoln regarding her lot at 4 Pease's Point Way and Map 26, Lot 3 into the record.
- Chairperson Osnoss also read into the record a letter that was sent by Ms. Lincoln to the Building Inspector in August 2018 and also a letter received by the Board from Jean Kelleher, the realtor for Patricia Lincoln.
- Ms. Lincoln provided photographs to the Chairperson.
- Chairperson Osnoss notified Ms. Lincoln that the Board does not adjudicate disputes among neighbors, but that he is willing to hear the concerns in an attempt to help further a resolution of the matter. Chairperson Osnoss invited Ms. Lincoln to make any other additional remarks before he opened up the discussion to others. Ms. Lincoln made a number of additional remarks.
- Mr. Chapman addressed the concerns and noted that he has cleared dead trees, but no live trees. He also noted that there is a container that is on the property and he noted that he intends to clean the area this coming spring. He noted that he is interested in putting in more plantings such as fruit trees and other comparable plantings.
- Ms. Biskis was recognized and stated the Chapman property is well-kept and she noted that the letter from Ms. Lincoln notes "an established old right-of-way" and claims that Mr. Biskis dumped tree trunks and blocked this "old right of way". Ms. Biskis stated there is no right of way that has been granted to Ms. Lincoln by the Biskis family and the vegetation is placed on their lot.
- Mr. Cook stated that the Board has done its job to accept the letter and read the letter into the record and he suggested that the Board move on to other business after thanking the parties involved for participating and wishing them well in the resolution of the problem.

- **Peaked Hill Pastures Site Discussion:**

- Ms. Weidner opened the discussion on the Peaked Hill Pastures site and gave a short description of the discussion and site visits to date.
- Mr. Vigneault was recognized and thanked the Board for inviting the housing entity representatives and representatives of the MVC to a meeting to discuss the topic of housing at the Peaked Hill Pastures site. He noted there is approximately 350 families on the list that are interested in purchasing a house on the island and that there is a need for rentals, specifically. He further noted that a change recently in the need has been for 12 month rentals for all income levels. He noted that ownership is often best suited to "one-off" lots and he urged the Board to consider "turn-key" ownership in the Peaked Hill site. The "turn-key" model allows a great number of the questions that will face the Town to be answered at the outset due to the fact that financing and ultimate cost of the houses is established before they are offered for ownership.
- Mr. Jordi was recognized and briefly discussed the Smalley's Knoll and Scott's Grove projects, noting that the projects were built with ease of replication in mind.
- Mr. Vigneault addressed the fluctuations of the list of those interested in rentals on the island. He noted the growth in the waitlist is for those who are eligible for the higher rent units. He reiterated the need to assess the need for rentals at all income

levels.

- Ms. Weidner noted that the Peaked Hill Pastures Proposals Committee suggested that senior housing is needed. Mr. Vigneault noted that Island Elderly Housing has a fairly large inventory, yet it will likely not be enough to satisfy the growing need. He also mentioned that the Town's Accessory Apartment bylaw could be maximized to assist with the senior housing issue.
  - Ms. Flynn noted that the Peaked Hill Pastures site is a great opportunity and invited the Board to utilize the MV Commission for any resources as the Board moves towards a recommendation for the site.
  - Mr. Turner noted that there are planning grants available to the Town to inform how the Town moves forward with a plan for the site. He also noted that there are hardly any 12 month leases available on the island and the Town governments are going to need to step in to assist in the development of 12 month rentals since the market will not assist with this.
  - Mr. Turner also noted that the "turn-key" option for building addresses the visual concerns of townspeople and addresses the affordability questions of possible renters and owners.
  - Mr. Turner encouraged the Board to move forward since the need is acute for housing and also encouraged the Board to utilize the resources of the MV Commission.
  - Mr. Vigneault noted that putting out a request for proposals from a developer would save considerable amounts of time in the development of a housing development and he urged the Board members to learn from their work in Middle Line Road and the Nab's Corner projects.
  - Mr. Cook suggested that a valuable way forward would be to create competing proposals that would address two ideas that could be adopted by the Town and would, in the process, reveal the best plan for the site.
  - Mr. Jordi invited the Board members to contact him to view in person the housing projects and those that incorporate open space. He also noted that he is knowledgeable about the concerns for Towns that do development in rural areas particularly considering infrastructure.
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- **Form A: Wang Vineyard Realty Trust, Map 7, Lot 40**
    - This Form A was postponed until Feb. 11, 2019.
    - An extension agreement was signed by the applicant's agent, Reid Silva, and the Board chairperson allowing for the period of action to extend through Feb. 28, 2019.
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- **Form A: Ghee House LLC, Map 14, Lot 33:**
    - The Board reviewed the plan with Chris Alley.
    - Mr. Posin made a motion to endorse the plan. The motion was seconded. All ayes.
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- **Building Envelope Alteration: 22 Austin Pasture Realty Trust, Map 33, Lot 47:**
    - The Board reviewed the new building envelope. A motion was made to approve the change in envelope. The motion was seconded. All ayes.
    - Ms. Christy stated that she would create an approval letter that Board members will sign.
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- **Swimming Pool Zoning Bylaw proposal amendment discussion:**
    - Chairperson Osnoss opened the discussion and notified the Board members that Town Counsel is reviewing the swimming pool bylaw proposal and may suggest changes.
    - Mr. Osnoss expressed some concern with the swimming pool proposed bylaw amendments. He noted that his concern is with the fact that there is extensive code requirements for the building of pools and he is not sure that the proposal reflects correctly what is needed. He distributed a draft of his recommendations for an amendment proposal.
    - Mr. Rosbeck noted there is an area in the pool construction code that allows for a person to not have a fence installed if they have an automatic cover, but he recommends putting a fence requirement into the zoning bylaws. He recommended this due to the fact that automatic covers sometimes malfunction leading to safety hazards.

- The Board reviewed the proposal to add the following sentence to the previously approved swimming pool zoning bylaw proposal: The exterior wall of a dwelling may serve as part of the pool enclosure if the applicant's design/construction meets all applicable state standards governing doors and windows between the dwelling and the pool area.
- There was more discussion.
- Mitchell Posin made a motion to approve the additional words. The motion was seconded. All ayes.
- Ms. Christy stated she would prepare a second letter from the Board to the Board of Selectmen stating that the Board had voted to add an additional sentence to the swimming pool zoning bylaw proposal (previously submitted to the BOS with a cover letter on Dec. 18, 2018).
- **As-of-Right Zoning Bylaw proposal amendment discussion:**
  - The proposal was not reviewed.
- **Correspondence:**
- **Topics not reasonably anticipated by the Chairperson at the time of posting:**
  - No other topics were addressed.
- **Minutes:**
  - The minutes of January 14, 2019 were reviewed and approved with changes.
- **Next Meeting:**
  - January 28, 2019, 4:30PM
- **Documents:**
  - Lincoln letter document attachments
  - Peaked Hill Pastures site plans
  - Wang Form A Plan
  - 22 Austin Pasture Plan
  - Drafts of Swimming Pool ZBL amendment proposals and As-Of-Right ZBL amendment proposals
  - Ghee House Plan

Meeting adjourned at 5:49PM. Minutes respectfully submitted by Jennifer L. Christy