

Planning Board Minutes 05/13/19

APPROVED

Chilmark Planning Board May 13, 2019

Present: Catherine Thompson, Peter Cook, Chris MacLeod, Rich Osnoss, John Eisner, Janet Weidner

Not Present: Mitchell Posin

Public & Board/Comm. Members: Clark Goff, Reid Silva, Wendy Weldon, James Langlois, Leonard Jason. Jr., Building Inspector

Staff: Jennifer Christy, Admin. Asst.

Meeting was called to order at 4:32 PM

- **Form A: Wendy J. Weldon, Map 35, Lot 2**

- Mr. Silva presented a new plan copy that shows a new note to add: "Parcel A and Lot 5A shall collectively be subject to the terms and restrictions of the Covenants recorded at Book 371 Page 719;" The plan shows the removal of the roads. He also noted that he changed a word "dwelling" to "structure".
- Chairperson Osnoss inquired if all Board members and parties to the Form A had read the two submitted letters from Kaplan Law LLC (May 1, 2019 and May 13, 2019). All stated they had read the letters, except Mr. Eisner who proceeded to review the correspondence.
- Ms. Weidner reviewed the requests from Kaplan Law LLC in the May 13, 2019 received letter and confirmed that the newly submitted plan has the 'collectively' language added in the notes and the removal of the roads on the plan. Mr. Silva reiterated his concern with the removal of features on plans like paths, roads, trees and such and noted that the inclusion of these kinds of features enhances a plan for the benefit of owners of the lots. Ms. Weidner asked about the number of acres noted in the Kaplan letter: 6.85 acres. Mr. Silva noted this is the combined acreage of Parcel A and 19 Lake Road, which will be merged together as one lot.
- Mr. Cook made a motion to endorse the plan. Ms. Weidner seconded the motion. Chairperson Osnoss brought the motion to a vote. The vote was unanimous and the plan was endorsed. The Board members signed the Form A plan.

- **Form A: Wendy J. Weldon, Map 35, Lot 2, Building Envelope Change Request:**

- Mr. Silva presented a request to alter the building envelope at 18 Austin Pasture. Mr. Silva read aloud the portion of the covenant that addresses the placement of buildings. Mr. Silva distributed the specific Buildings and Improvements text from the covenant and a photo of the Austin Pasture area printed from Google Earth.
- Ms. Weidner asked Mr. Silva to review why the applicant should not be required to ask for a change in the covenant, as the Kaplan Law LLC letters proposes and as was done in 1997. Mr. Cook noted that the building envelope may be amended, as per the covenant, and he does not therefore see that there is an issue in approving the alteration to the building envelope. Mr. Eisner noted also that the covenant also does not indicate the process for altering and approving a building envelope.
- Ms. Weidner made a motion to approve the alteration of the building envelope as presented. Mr. Cook seconded the motion and the vote to approve the building envelope alteration was unanimous.

- **Report of the Subcommittee to the Planning Board:**

- Ms. Thompson summarized the idea to pursue an application for a grant titled the Massachusetts Housing Technical Assistance grant.
- Ms. Thompson noted that the MV Commission would be assisting the Town in writing the grant and the purpose would be to fund a consultant that would assist in identifying affordable housing options for the Town.

- The subcommittee members reviewed the draft report that they are developing regarding Peaked Hill Pastures area and hope to have it ready to submit to the Board members at the next meeting.
- **Correspondence:**
 - Mr. Cook made a motion to reappoint Jim Feiner and Jessica Roddy to the Housing Committee as requested. The motion was seconded and voted unanimously.
- **Topics not reasonably anticipated by the Chairperson at the time of posting:**
 - No other topics were addressed.
- **Minutes:**
 - The minutes of April 8, 2019 were reviewed and approved with one change.
 - **Next Meeting:**
 - Meeting with Phillipe Jordi after May 29th to view the Smalley's Knoll and Scott's Grove again TBD
 - June 3, 2019, 4:30PM: Review of Draft Report from the Subcommittee, Review of Grant Opportunities, Other items as received
 - Tentatively June 10, 2019, 4:30PM
- **Documents:**
 - Wendy J. Weldon Form A Application and Plan dated January 28, 2019
 - Revised Wendy J. Weldon Form A Plan dated January 28, 2019 (Submitted by Reid Silva at meeting)
 - Kaplan Law, LLC letter and accompanying documents related to Weldon Form A
 - May 1, 2019 Letter
 - May 13, 2019 Letter
 - 'Conditions' document from Kaplan Law LLC r'cvd on April 8, 2019
 - Wendy J. Weldon Form A Board action signed extension agreement until May 31, 2019

Meeting adjourned at 6:30PM. Minutes respectfully submitted by Jennifer L. Christy