

Approved Meeting Minutes

Chilmark Planning Board Meeting

October 23, 2023

4:30PM

Via remote participation

Present: Ann Wallace, Catherine Thompson, Peter Cook, Hugh Weisman, Mitchell Posin

Not Present: Rich Osnoss, Janet Weidner

Public & Board/Comm. Members: Deborah Hancock, Chief Sean Slavin, Clark Goff, Julie Flanders, Daniel Greenman (MV Times), Barbara Barre (at 5:10pm), Adam Petkus (at 5:00PM), Reid Silva (5:15PM), Sergio Modigliani (5:20PM)

Staff: Jennifer L. Christy

Site: Remote Meeting/Participation on ZOOM

The Board members nominated Cathy Thompson to be the interim Chairperson for the duration of today's meeting.

The Meeting opened at 4:30PM

Discussion: Menemsha Traffic Calming:

- Cathy Thompson opened the topic of the various ways to slow traffic on Basin Road with a focus on speed bumps.
- Chief Slavin stated his view that he generally supports the idea of temporary speed bumps. He mentioned that residents have asked about the possible legal issues with speed bumps, specifically regarding exactly where they may be placed, and he would prefer bumps that are removable due to winter plowing issues and if they cause any kind of obstruction.
- Dan Doyle of the MV Commission asked if there was a specific wish for speed bumps or are there other options on the table for calming traffic.
- Chief Slavin noted that there is some sign-fatigue in Menemsha and a drawback to automatic speed signs is that they are electronic and need to be plugged in.
- Dan Doyle presented some ideas for traffic slowing visual cues that may be painted on the roads in case there is interest in solutions other than or in addition to speed bumps. He also shared his screen to show flexible bollards with reflective and bright tape. Additionally, Dan Doyle shared a picture of a road that is painted with SLOW and an arrow, particularly for the portion of the road just before the large curve. Finally, Dan Doyle spoke about the speed table such as the one on Circuit Ave in Oak Bluffs that has some effect in slowing speed.
- Cathy Thompson thanked Dan Doyle and Chief Slavin for their attendance. She asked Jennifer Christy to please invite Keith Emin, Highway Superintendent, to the next meeting.
- Deb Hancock was recognized and offered the opinion that she is in favor of some of the ideas proposed by Dan Doyle due to the fact that speed bumps may slow traffic, but noted that they can be very jarring and also visually interruptive. She also noted that she purchased and donated a speed sign to the Town.
- Peter Cook noted that the issue must be looked at broadly, as a traffic calming discussion, and he noted that there are different needs as one travels along Basin Road. He thought the alternatives, either paint on the road or strips that change the sound of the roadway for the driver should be looked at.
- Hugh Weisman shared his screen of a photo of a traffic slowing option in Italy which takes a photo and issues a ticket if the driver is speeding.
- Ann Wallace asked about the time issue in getting traffic solutions in place for next summer and wondered about the permitting issues. Dan Doyle stated that he would look into the process for

permitting and what permissions may be needed for some of the traffic calming applications. Hugh Weisman stated he has painted Middle Road, a town road, for many years without trouble.

Minutes:

- October 10, 2023 was reviewed and approved, as amended, by roll call vote.

Form A: Susan Eddy, Map 25, Lot 7.6, 12 Welles Way:

- Reid Silva was not present to address the plan. Jennifer Christy was requested to reach out to the applicant to see if they may attend the November 13th meeting of the Board and if they would provide an extension of the 21 day period of action for the Board.

Discussion: Pickle Ball and possible zoning bylaw amendments:

- Peter Cook updated the Board on the fact that the Select Board has sent the proposed zoning bylaw back to the Planning Board for public hearings. Jennifer Christy shared the schedule for a public hearing and noted that the advertisement will appear in the October 27th and November 3rd Vineyard Gazette editions and the hearing would be on November 13th.

Discussion: Accessory Apartment and/or Guest House ZBL amendment proposal:

- Hugh Weisman stated he would address this topic in the larger topic of “possible zoning bylaw amendments”.

Discussion: Agricultural zoning and possible zoning bylaw amendments:

- Peter Cook was recognized and noted that he had talked with Mara Flanagan and he noted that the farm group is working on how to move forward. He noted that there is no action for the Planning Board to take at this time. Ann Wallace inquired whether the farm group may be going to the Select Board with their proposal and Peter Cook stated that he thought this might be the case in the future.

Form A: Susan Eddy, Map 25, Lot 7.6, 12 Welles Way:

- Reid Silva appeared and shared a satellite image of the area and showed map 25, lot 7.6 which is Susan Eddy’s 13 + acre lot. He described the frontage as Welles Way and showed the divisions of the lot.
- Hugh Weisman stated he would be in favor of endorsing the plan. Ann Wallace asked about the second Note on the 1982 Form C Definitive Subdivision plan of Welles Eddy Jr. that created the Susan Eddy lot at Map 25, Lot 7.6. Reid Silva stated that he had also seen this note and suggested that the Planning Board at the time may not have meant to place that note on the plan which specifically states that any further subdivision would need to be in the form of a form “C”. He thought that the correct tool is a Form A since there is frontage and access for all lots.
- Cathy Thompson asked if Reid Silva would be able to provide an extension to the 21 day period of action. Reid Silva stated he would grant an extension of the 21 day period of action. Peter Cook agreed that this Form A should be reviewed by the full Board at the next meeting on the Board on November 13th.
- A motion was made to approve an extension of the 21 day period of action to December 11, 2023 and this motion was seconded. The vote was unanimous by roll call vote.

Discussion: Fractional Ownership Interval Time Share:

- Jennifer Christy noted to the Board members in attendance that Town Counsel has provided some comment and she has sent this comment to the Chair. She noted she has not heard a response yet as to whether to place this comment from Town Counsel on a meeting agenda. Jennifer Christy also noted that Town Counsel recommended that the Board pause progress on this bylaw proposal until Tisbury is alerted by the Attorney General’s Municipal Law Unit as to whether their bylaw proposal to regulate FOITS type units meets with their approval or not.
- The Board took no further action.

Discussion: Building Dept. and possible zoning bylaw amendments:

- Hugh Weisman presented his report on his work reviewing the zoning bylaws with the Building Inspector.
- Peter Cook suggested a full discussion will need the whole Board.
- Sergio Modigliani noted that the comments relayed by Hugh Weisman of his conversation with Joan Malkin are in line with what he remembers from the time when discussion occurred about Total Living Area during the development of the Residential Building Size Regulations.
- Sergio Modigliani noted that differences of definitions under the Town's zoning bylaws and the State's building code is very common within the Commonwealth.
- Sergio Modigliani also suggested that the Board tread lightly due to the fact that changes in how living area is measured may create nonconformance.
- Sergio Modigliani also noted that he would ask the Board to consider making the definition of TLA more generous rather than more restrictive. This may, he noted, reduce the occurrence of nonconformance.
- Adam Petkus was recognized and gave encouragement to embark on a review of zoning bylaws.
- Hugh Weisman asked Jennifer Christy to share his report with the other Board members.
- Deborah Hancock also requested that a copy be provided to her.

Discussion Section 1.03 of Rules & Regulations Governing Subdivisions:

- Adam Petkus was recognized and requested that the Board address this issue by amending the zoning bylaw to include a statement that notifies the reader that it is their responsibility to conform to all other rules and regulations in Chilmark.

Master Plan:

- The subcommittee summarized the results of the meeting today.

Correspondence:

- Peter Bruce re Pickle Ball, 10/20/2023: The letter was read by Board members.
- AIPB meeting notice, Oct. 25th was reviewed.

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

Next Meeting(s):

- Monday, Nov. 13, 2023, 4:30PM

Documents:

Report from Hugh Weisman on zoning bylaws

Documents for the Pickle Ball Zoning Bylaw proposal: Letter to the Select Board for their October 17, 2023 meeting.

Correspondence from Peter Bruce re pickle ball

Meeting adjourned at 5:40PM. Minutes respectfully submitted by Jennifer L. Christy