

PLANNING BOARD MINUTES
Wednesday, December 20, 2023 – 5:00 PM
ZOOM MEETING

TOWN OF TISBURY
P.O. BOX 602
TOWN HALL ANNEX
VINEYARD HAVEN, MASSACHUSETTS 02568
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IN ATTENDANCE:

Benjamin Robinson – Chair, Connie Alexander – Clerk, Cheryl Doble, Casey Hayward, Elaine Miller
Lora Ksieniewicz – Associate Member*

STAFF/MVC:

Dan Doyle – Special Projects Planner/Martha’s Vineyard Commission (MVC),
Jonathan Silverstein – Planning Board Counsel for Special Permits,
Amy Upton – Tisbury Planning Board Administrator

**Members that arrived later or left early: Lora Ksieniewicz arrived at 5:06 PM.*

Chair Benjamin Robinson called the December 20, 2023 Tisbury Planning Board (TPB) meeting to order at 5:02 PM. Due to ongoing efforts to prevent spread of Covid-19 this meeting was held remotely via Zoom platform. The Public could attend and participate in the meeting by the following method:

- <https://us06web.zoom.us/j/86243856085> Meeting ID: 862 4385 6085
- One tap mobile +16469313860,,86243856085# US
 +13017158592,,86243856085# US (Washington DC)

(Recorder’s Note: Discussions are summarized and grouped for clarity and brevity).

MINUTES: (tbd)

APPOINTMENTS: *Please note that start times indicated for particular agenda items are estimates only and should not be relied upon. The Board reserves the right to take up specific agenda items at any time during the meeting.*

5:00 PM:

Board Discussions, see below new/old business

****C. Alexander left the meeting at 6:01 PM**

Chair Robinson said the Planning Board would recess the regularly scheduled meeting on December 20, 2023 in order to hold the following Public Hearing. At the conclusion or continuation of the Public Hearing, the Planning Board would resume the regular meeting to conclude all unfinished business.

6:00 PM:

Continued Public Hearing Re: Tashmoo Woods- Ross Seavey Agent to consider an application to modify a definitive plan subdivision special permit under the Tisbury Zoning By-Law, Sections (edited) 2.29, 08.01 and 10.03 at the Locus; Tashmoo Wood Association; Cove Rd, Sandpiper Lane, Bayberry Lane in Vineyard Haven, Ma., 02568.

Members Present by roll call: Chair Robinson, C. Doble, C. Hayward, E. Miller & Lora Ksieniewicz

****C. Alexander recused herself**

Others: Ross P. Seavey, Esq. – Owner Representative, Bob Barry, Richard Brew, Batya/Ricky Diamond, Bob Gilchrist, Fran Gilchrist, Ted Gilchrist, Steven Goldfarb, Tammy Jones, Marc Leib, Susan Levine, Pamela Mckoin, Jonathan Silverstein, Gretchen Snyder, Amy Upton, Ronald Walker, (Derek Fairchild Coppoletti?)

THE PUBLIC HEARING COMMENCED IN DUE FORM AT 6:02 PM.

Documents on file as referred to during the meeting: Tashmoo Wood Restrictions.

Chair Robinson recapped the steps taken to date. **Ross P. Seavey** said more refined language was developed to limit potential for new development through the Tashmoo Wood Association (TWA) guidelines.

Mr. Seavey screen shared and reviewed the updated restriction/regulations document - yellow highlights indicated the new sections; he said language was added for clarification.

Members were in agreement to have **Mr. Seavey** complete his presentation before asking questions.

E. Miller listed her questions as follows:

1. (G) Corner Boards recommended or required.
2. Square footage/footprint 3,000 square feet (sf) - this would allow a two story 6,000 sf building; there is currently a 3,400 sf limit. It is recommended that the TWA Board consider restrictions *“not to exceed x square footage”*.
3. The language that future additions *shall be attached* in a letter dated 12/6/23 was not included - **Mr. Seavey** said he would add that language for clarity.
4. Clause for *no construction time* (high season) - she recommended adding.
5. (P) Anyone that becomes derelict, was it worth imposing a fine? **Mr. Seavey** said there were other regulations within the condominium association - he would check to ensure this was in the rules.

C. Hayward listed her questions as follows:

1. (E) Proportional or smaller, change it to *proportional AND smaller* to be clearer.
2. (J) She challenged why the footprint *shall not include decks or porches* and cited examples why this should be included in the overall dwelling square footage. **Mr. Seavey**, at great length, explained how this was calculated, why it should not be treated differently from all other properties within Tisbury and that setbacks were the ‘key’ to any issue. A deck versus patio was discussed and how pervious versus impervious surfaces could impact the area.

C. Doble listed her questions as follows:

1. (F) Nothing was clear for an explanation of why demolition would be permitted - she asked to have something more clearly stated, as demolitions were happening throughout the Island (and it was a problem) as older homes were being replaced by larger structures.

2. She asked for the average size of each lot - **Mr. Seavey** said an average sized lot was about one acre; typically larger than R25/R50. Allowing use of R10 setbacks didn't make sense to her as this was for smaller lots; she expressed concern about houses coming to the road with vegetation clearing.
3. She underscored the importance of doing more to recognize the importance and uniqueness of this landscape, protecting what was unique within this neighborhood. More [language] detail was needed to recognize and preserve the landscape and topography, it wasn't adequate as written.
4. She restated the concern of **C. Hayward** (*above*) with the size of decks and so forth.

Mr. Seavey said he would take these concerns/questions to the TWA Board to be included in the requirements document; a final draft would be provided to the TPB once revisions were completed.

(Please see documents on file for other discussion details: Minutes TPB November 1, 2023.pdf, pgs 3 & 4, Minutes TPB November 15, 2023.pdf, pgs 3 & 4 AND Minutes TPB December 6, 2023.pdf, pgs 2 & 3; 6:30 PM: Continued Public Hearing Re; Tashmoo Woods- Ross Seavey Agent to consider an application to modify a definitive plan subdivision special permit under the Tisbury Zoning By-Law, Sections (edited) 2.29, 08.01 and 10.03 at the Locus; Tashmoo Wood Association; Cove Rd, Sandpiper Lane, Bayberry Lane in Vineyard Haven, Ma., 02568.)

Public Comment:

Steven Goldfarb, at 6:48 PM, questioned why this was being asked for now. He indicated other Phases within the development were not advised of this discussion and didn't want this to be subject to lawsuits. He expressed his concerns as a member of the community and agreed with the TPB concerns of setbacks and square footage; he said he needed transparency and certainty for the future of the community. *(Please see document on file for additional comments: Minutes TPB November 15, 2023.pdf; 6:30 PM: Continued Public Hearing Re; Tashmoo Woods- Ross Seavey Agent to consider an application to modify a definitive plan subdivision special permit under the Tisbury Zoning By-Law, Sections (edited) 2.29, 08.01 and 10.03 at the Locus; Tashmoo Wood Association; Cove Rd, Sandpiper Lane, Bayberry Lane in Vineyard Haven, Ma., 02568; Public Comment; pg 4)*

Bob Gilchrist, at 6:57 PM, explained how the organization and phases were controlled by the Tashmoo Wood Property Owners Association (TWPOA) Board, which was composed of members of all five Phases. He said the language for the proposed changes discussed tonight, had been reviewed and approved by the TWPOA prior to this Public Hearing. He said the community had standards and restrictions in place - any decisions that were made, were made completely with input from all of the residents.

ELAINE MILLER, AT 7:09 PM, MOVED TO CONTINUE THE PUBLIC HEARING TO JANUARY 17, 2024 AT 6:00 PM, WITH ANTICIPATION OF DELIBERATION, DEPENDENT ON DOCUMENTATION FROM ROSS P. SEAVEY. SAID MOTION WAS SECONDED BY CASEY HAYWARD. THE BOARD VOTED UNANIMOUSLY IN FAVOR OF THE MOTION: 5 AYES, 0 NAYS, 0 ABSTENTIONS. MS. DOBLE—AYE, MS. HAYWARD—AYE, MS. MILLER—AYE, MS. KSIENIEWICZ—AYE & MR. ROBINSON—AYE.

★ *The Planning Board resumed their regularly scheduled session at 7:10 PM to address all unfinished business.*

****C. Alexander rejoined the meeting at 7:11 PM**

BOARD DISCUSSIONS:

A. NEW BUSINESS

a. Master Plan (MP) updates w Dan Doyle;

C. Doble said that **D. Doyle** was putting together an Annual Report for the MP Steering Committee (MPSC) for submission on January 6, 2024; a review would be scheduled once it was finalized by **Judi Barrett / Barrett Planning Group LLC (BPG / the Consultants)**.

C. Doble said **D. Doyle** wanted to stay involved and that his time would be less and therefore billing would be less; **A. Upton** said his contract went through January 2024.

C. Doble asked the TPB to begin thinking about how to present the final results to the public and the timing of the presentation. The **Consultants** would deliver the full report by mid January, 2024.

Members discussed the timing of when to share the [public] draft document, including publication in the MV Times. They acknowledged this was a public document, but Members advised not to share before the TPB had time to review and make any necessary edits. **Chair Robinson** said the ‘meat’ of the document had already been seen; **D. Doyle** said February 2024 could be the public presentation.

D. Doyle reviewed options for continued access to the MP website; he said the cost per year of the existing website would be under \$300.00; the next payment would be due in February 2024.

Chair Robinson said the current website should remain active at least through Town Meeting - he indicated it would not need to continue after a certain point.

Members discussed maintaining a separate website and the associated challenges; the Town’s responsibility of website migration and having the IT department involved now; how the annual maintenance fee should be funded and whether to include this expense in the **FY24** TPB budget.

b. Pre application discussion with Granite City Electric presented by Agent Chris Alley;

**i. Application under TZBL 04.04.02 Multiple Family Dwelling at locus;
165 Weaver Lane, AP 13-A-2**

Correction to the Agenda: AP 13-A-3

Chris Alley, Scofield Barbini and Hoehn Surveyors (Owner Representative), at 5:06 PM, screen shared the site plan and reviewed the proposed addition to convert the single-family dwelling into two units; this housing would be for staff. He said the proposed addition would not meet setbacks.

Mr. Alley said the Board of Health gave approval for a three bedroom [existing] septic; the proposed changes would net out to three bedrooms. He said a bedroom is considered two people and therefore the septic was set for six people - septic would not be an issue for this plan.

Mr. Alley explained why the owners would not deed restrict a unit for affordable housing, as it could limit the employee’s ability to get raises while keeping their housing.

Members discussed items to consider for the Public Hearing:

- Impact on the neighborhood: workforce housing in a residential neighborhood/year round versus seasonal.
- Landscaping and tree removal
- Utility set up: would each unit be separate
- Discreet yard use
- Changes to the heating/cooling systems

E. Miller suggested a site visit; **Chair Robinson** suggested the week of January 17, 2024 prior to the Public Hearing date and asked **A. Upton** to schedule.

ii. **Application for a Fence installation referred by Building Department at locus; 145 Beach Rd.-refer back to Building Department and/or ZBA under TZBL's 07.14**

Members said it was unclear what the applicant wanted to do and therefore difficult to advise - the applicant was not present; this was a Building Department decision; **A. Upton** would work with the applicant.

c. **Department Budget Review for FY 2025-Discuss addition of part time administrative assistant to payroll-report from HR on process**

After deciding the best document to work with, **Chair Robinson** said the important step was to fill in the FY2025 column. He said all columns had actual numbers except for FY2024 which reflected the budgeted amounts.

A lengthy discussion ensued over the direction for staffing within the TPB office, including the creation of a Town Planner position (the need as identified in the MP process) and/or an Administrative Assistant (AA).

A. Upton described the benefits and need for adding an AA to the department; she outlined the shifts in line items to support the salary of \$30,000.00; this would be a 20 hour per week, benefitted position. The ability to hire into this position would prepare the department for minute taking in the future, as well as to assist the Administrator with the growing workload.

Chair Robinson said he would talk with **Pam Bennet**/Human Resource Coordinator, to understand paying overtime, as **A. Upton** needed to work above 40 hours per week to manage the TPB [increased] workload. **Chair Robinson** said more research was needed to move forward. A lengthy conversation occurred, discussing the use of the existing budget for payroll, overtime and the [ongoing] challenges of working with **Suzanne E. Kennedy**/Town Accountant.

At 8:07 PM, **C. Hayward** asked to be more mindful of how long these conversations were taking and to be more respectful of Member's time as they were all volunteers. She encouraged the use of email prior to meetings, and to be better prepared and more efficient at meeting conversations.

d. **Discuss increase in Fee Schedule for FY 2025**

e. **Annual Report-Review and Edit**

Chair Robinson asked Members to review the document **E. Miller** had put together and to be ready to vote at the January 3, 2024 meeting. Members discussed content and how much detail should be included. **Chair Robinson** said all comments should be sent to **A. Upton**, who would compile all of them into one document.

f. **Discussion Re: Oak Bluffs Zoning Amendments**

Chair Robinson this was to introduce the Board to what was going on. He screen shared the *Light Industrial Overlay Districts* and suggested this was an area for the Board to focus, as it was specific to Town wells. He would put together a package tonight and share it with Members, as it was important that Tisbury respond before the public hearing process in January.

g. **Bills Payable: Payroll; \$3207.12, ~~51Art-MVMinutes; \$800.00~~ Total: (tbd)**

ELAINE MILLER, AT 8:11 PM, MOVED TO PAY THE PAYROLL OF \$3207.12. SAID MOTION WAS SECONDED BY CASEY HAYWARD. THE BOARD VOTED UNANIMOUSLY IN FAVOR OF THE MOTION: 5 AYES, 0 NAYS, 0 ABSTENTIONS. MS. ALEXANDER—AYE, MS. DOBLE—AYE, MS. HAYWARD—AYE, MS. MILLER—AYE & MR. ROBINSON—AYE.

B. ONGOING BUSINESS

I. Upcoming TPB Calendar: Public Hearings, Appointments & Discussions

Chair Robinson screen shared calendar with the upcoming dates. He said anything with financial implications had to be submitted by January 12, 2024 to be part of the review process - this included the budget.

- **Department Updates; Planning Board Office closed from December 21st, 2023 to Jan 1st, 2024, next regularly scheduled meetings on January 3rd, and January 17th, 2024**
- **Review Special Town Meeting (STM)/Annual Town Meeting (ATM) Calendar for PB deadlines**
- **5th Wednesday in January(1/31/2024)-off schedule meeting as needed-tbd**
- **Review and Approve Contract with Judi Barrett for Recodification Work per Warrant Article-Sign and Submit**

Members were ok, as the dates were the only changes.

II. Appointed Boards and Committees (reports as time permits)

- ◆ **Climate Committee – Casey Hayward**
- ◆ **Community Preservation Committee (CPC) – Cheryl Doble**
- ◆ **Land Bank Advisory Committee – Elaine Miller**
- ◆ **Open Space and Recreation Committee (OSRC) – Cheryl Doble**
- ◆ **Sewer Advisory Committee – Connie Alexander**
- ◆ **Site Plan Review Board – Lora Ksieniewicz**
- ◆ **Tisbury Affordable Housing Committee (AHC) – Elaine Miller**

E. Miller recapped a zoning bylaw that was being created for TPB review.

- ◆ **Tisbury Water Resource Committee (WRC) – Benjamin Robinson**

III. Assigned Working Groups (reports as time permits)

- **All Island Planning Board – All TPB Members**
- **Byways & Complete Streets – Lora Ksieniewicz**
- **Tisbury Waterways – Benjamin Robinson**

CORRESPONDENCE:

- 1. Martha's Vineyard Commission Meeting Schedule**
- 2. Written Memo regarding 11/29/23 meeting**
- 3. Contract(s)**
- 4. FY 24 Budget/FY 25 Draft Budget, and associated documents**
- 5. Fee Schedule**

Other business not reasonably anticipated 48 hours in advance of meeting:

E. Miller said she observed signage that looked terrible at Martha’s Vineyard Community Services, Thrift Store expansion, 34 Lagoon Pond Rd. (*AP 9-B-9.1 recent Special Hearing approval*). She said she would reach out to learn whether it was temporary and report back.

ADJOURNMENT:

DISCUSSION ENSUED THEREON, UPON A MOTION DULY MADE BY CONNIE ALEXANDER AND SECONDED BY CHERYL DOBLE, THE MEETING UNANIMOUSLY ADJOURNED AT 8:14 PM.

Respectfully submitted;



Teresa Kruszewski, Recorder

APPROVAL: Approved and accepted as official minutes;

Date

Benjamin Robinson, Chair

APPROVED JANUARY 3, 2024