

# PLANNING BOARD

TOWN OF TISBURY  
P.O. BOX 602  
TOWN HALL ANNEX  
VINEYARD HAVEN, MASSACHUSETTS 02568  
(508) 696-4270  
Fax (508) 696-7341  
www.tisburyma.gov

## MEETING MINUTES

**DATE:** December 7, 2016

**TIME:** 7:22 PM

**PLACE:** American Legion Post, 34 William Street, Vineyard Haven, MA

**ATTENDANCE:** Doble, Robinson, Seidman, Stephenson

**BILLS:** P. Harris (Reimbursement).....\$356.00  
Educomp.....\$ 17.35

### BOARD DISCUSSIONS:

1. Planning Board FY 2018 Budget
  - A. New position – Planning Board Secretary

Board members were advised that the Chairman submitted the Planning Board's Budget for FY 2018. The total dollar amount of \$13,975.00 did not include the \$300.00 line item for refreshments, because the town accountant had removed it without the Board's consent. The administrative also reported that the Board of Selectmen did not adopt a policy to address the provision of refreshments. C. Doble questioned whether the Planning Board should develop the policy and submit their proposal as a warrant article for a town vote, if the Board of Selectmen fails to adopt a policy.

H. Stephenson noted that the budget included a line item for supplies and a separate line item for office supplies. She inquired about the difference. The board's assistant indicated that the line item for supplies was not part of the original submittal. She was aware of the error and planned to speak with the town accountant about combining the dollar amounts under office supplies. There being no further discussion, D. Seidman entertained a motion to carry the same budget in FY 2017 for next year (FY 2018) with an additional line item for refreshments. C. Doble so moved. H. Stephenson seconded the motion, and the motion carried. 4/0/0

B. Robinson inquired about the warrant article for an administrative secretary and the upgrade of the existing position to management. The draft language was a place holder because the deadline for the budget expired a week ago, and the deadline for money articles was due within a week's time. The draft gave the board the opportunity to discuss the needs for the department and the expectations for the new hire. Board members inquired about the hours, and benefits.

Board members were advised that the warrant article listed the need for a full time executive secretary which would elevate the administrative position to management. D.

## MEETING MINUTES CONT.

DECEMBER 7, 2016

Seidman questioned the need for an administrative secretary as opposed to a board secretary. P. Harris explained that the town did not have a job description for the position because it did not exist. The Board had to create the job description for the town and obtain union approval. D. Seidman inquired about the hours and asked if the department could function with a part time employee, because he wanted to avoid having to pay for benefits. P. Harris spoke with K. Lucas, Human Resource and S. Kennedy, Town Accountant regard salary and benefits and understood that a full time employee and part time (20 Hrs) employee were entitled to full benefits. She did not inquire if benefits were available on a pro rated basis for new hires less than 20 hours.

B. Robinson inquired if it would eliminate the need for a temp and overtime. P. Harris replied in the affirmative. He inquired if the additional staff would impact P. Harris' hours. P. Harris replied in the negative, explaining that the current workload exceeded the department's 40 hours.

D. Seidman expressed a concern about the costs for providing benefits, because he felt it automatically doubled the pay. He preferred starting out with a part time position. B. Robinson inquired if this addressed the administrative assistant's needs. P. Harris replied in the negative, because the volume of the day to day functions in the office had increased as did the time spent on managing the subcommittees. The unanticipated number of referrals were interfering with some of the department's other time sensitive obligations, minutes, etc. The assistant's plans for the new hire was to start her with the clerical work the help her catch up on minutes and other time sensitive reports, then train her. She wanted the new hire to understand the basics in subdivision law and to familiarize him/her with the bylaws because he/she had to understand the permitting processes.

C. Doble inquired if they could eliminate the position once it was determined that they no longer needed the additional staff. D. Seidman did not believe they would be able to terminate the employee. It was the purpose for recommending the part-time position. He asked the Board's assistant to ask the town accountant and treasurer if the part time position was union, if the benefits were prorated, and if the position could be terminated, if they no longer needed the additional staff.

B. Robinson inquired if the existing office space could accommodate the additional person. H. Stephenson thought they could expand the Planning Board's office or notch out another office in the conference space. P. Harris believed they could accommodate an additional person within the existing office space. B. Robinson thought they should consider going for a full time position. D. Seidman asked the board secretary to provide the board with the job descriptions for both a board secretary and administrative secretary, along with their pay rates and benefit packages.

## 2. Proposed Zoning Bylaw Revisions

- A. Site Plan Review Board
- B. Waterfront Commercial District
- C. Housing
- D. Special Ways
- E. Accessory Apartments

D) Board members were given a draft regulation for special ways for their review and consideration. They were advised that the regulation required a description of the road they wanted to designate as a special way.

## MEETING MINUTES CONT.

DECEMBER 7, 2016

The Board Secretary noted that Jo-Ann Taylor recommended walking the road so that they can all agree on the section(s) they wanted to protect under the proposed regulation. She was concerned that time was working against them because it was uncertain whether the Board would be able to meet the public review process required by the MV Commission's DCPC regulations. D. Seidman understood, but felt that they should continue moving forward on the process. If they were not prepared to submit a bylaw amendment in time for Special Town Meeting this year, he wanted to make sure that they'd have language for next year.

E) Board members were informed that M. Lipke had scheduled an appointment on December 21, 2017 for the purpose of discussing an amendment to the accessory apartment regulation that would revise the sq. footage or percentage requirement that was prohibiting her from having an accessory apartment. M. Lipke created language that would restrict the use of the apartment (e.g. affordable or a caregiver) for the special consideration.

B. Robinson would not object to the proposal if the unit was restricted as an affordable unit in perpetuity and available while the applicant resides on the premises. He wanted to prevent any loopholes that would allow applicants the ability to circumvent the regulation to create a rental unit for Airbnb that does not address their need for affordable rentals.

H. Stephenson recalled a program in New York where homeowners that accepted subsidies for the construction of an accessory unit did so with the understanding that the unit would be affordable. She did not think it was necessary to tie an affordable restriction to all accessory units, when the current regulation allows them by special permit under certain criteria.

### 3. Vineyard Land Surveying & Engineering

Re: John Linehan, et al Trustees - Form A Revision (Land Court Plan), AP 02F02+

Board members were advised that the plan before them was previously endorsed on 12/3/16 as an ANR. The applicant in the original plan adjusted the property line between the two abutting parcels. The adjustment allowed him to transfer land area to the house lot, so that the existing pool met the setback requirements for the R25 District.

The proposal had to go before Land Court because a portion of the area was registered property. Modifications to registered land required the submittal of a much more detailed plan to the Land Court's for an approval. The Land Court approved plan had to be endorsed by the Planning Board before it could be recorded.

The Planning Board compared the submitted and previously endorsed plans, and after some discussion with regards to the sq. footage, access and setbacks, D. Seidman entertained a motion to approve the plan as an ANR. C. Doble so moved. B. Robinson seconded the motion, which motion carried. 4/0/0

### 2. Jonathan Snyder, Tax Collector

The Board asked to invite Mr. Snyder to a Planning Board meeting on January 11, 2017 to discuss the tax rates, real estate values of properties by district, and their contributions to the tax base.

### **CORRESPONDENCE RECEIVED:**

MEETING MINUTES CONT.

DECEMBER 7, 2016

1. Paul Adler, Amelia's Crossing Subdivision

RE: Easement

Board members were advised that town counsel was sent a copy of Mr. Adler's decision, the homeowner's association, and access easement with their complaint. Mr. Adler's last email implied that he had already assigned and recorded the access easement to Mr. Corbo.

D. Seidman concurred noting that Mr.. Adler had sold Mr. Corbo the access easement on the 25<sup>th</sup> of February 2016. He questioned whether they had any recourse. The Board Assistant reported that she tried contacting town counsel on several occasions without success and was concerned about the timeframe, which could be interpreted as a failure to respond.

Other business not reasonably anticipated 48 hours in advance of meeting

**PRO FORM** Meeting opened, conducted and closed in due form at 8:04P.M.  
(m/s/c 4/0/0)  
Respectfully submitted;

---

Patricia V. Harris, Secretary

**APPROVAL:** Approved and accepted as official minutes;

---

Date

---

Daniel Seidman  
Chairman