

# PLANNING BOARD MINUTES

Wednesday, May 17, 2023 – 5:00 PM

## ZOOM MEETING

TOWN OF TISBURY  
P.O. BOX 602  
TOWN HALL ANNEX  
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### IN ATTENDANCE:

Benjamin Robinson – Chair, Cheryl Doble – Clerk, Connie Alexander, Casey Hayward\*, Elaine Miller

### SELECT BOARD:

Roy Cutrer – Chair, John Cahill, Christina Colarusso,  
John W. Grande – Town Administrator (TA) /Personnel Director

### 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

### OTHERS/PRESS:

Lora Ksieniewicz, Melinda Loberg, Louisa Hufstader – Vineyard Gazette, MVTV

*\*Members that arrived later: Casey Hayward arrived at 5:05 PM.*

**Chair Benjamin Robinson** called the May 17, 2023 Tisbury Planning Board (TPB) meeting to order at 5:03 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:

-Join Zoom Meeting <https://us06web.zoom.us/j/88394197007> Meeting ID: 883 9419 7007

-One tap mobile +13052241968,,88394197007# US

+13092053325,,88394197007# US

**Chair Roy Cutrer** called the Tisbury Select Board (SB) Meeting to order at 5:03 PM.

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

### **MINUTES: April 24, May 3rd.**

*ELAINE MILLER, AT 5:52 PM, MOVED TO APPROVE THE MINUTES FOR APRIL 24, 2023\* AND MAY 3, 2023 WITH EDITS AS DISCUSSED. SAID MOTION WAS SECONDED BY CHERYL DOBLE. THE BOARD VOTED IN FAVOR OF THE MOTION: 4/5 AYES, 0 NAYS, 1/0 ABSTENTIONS. MS. ALEXANDER—AYE, MS. DOBLE—AYE, MS. HAYWARD—AYE, MS. MILLER—AYE & MR. ROBINSON—AYE.*

*\*MS. ALEXANDER—ABSTAINED FROM APRIL 24, 2023 AS SHE WAS ABSENT.*

### **APPOINTMENTS:**

**5:00 PM:**

**Board Discussions, see below new/old business**

**Chair Robinson** said the Planning Board would recess the regularly scheduled meeting on May 17, 2023 in order to hold the following Deliberations. At the conclusion or continuation of the Deliberations, the Planning Board would resume the regular meeting to conclude all unfinished business.

**6:00 PM:**

**Deliberations (cont.) for Sam Dunn/Patrick Lyons -Stone Bank Taqueria; Special Permit Application to operate a food service establishment in the B1 District. AP 07-D-10, 16 Union Street, Tisbury, Ma.**

Members Present by roll call: Chair Robinson, C. Alexander, C. Doble, C. Hayward, E. Miller

Others: Sam Dunn – Developer and Owner Representative, Sam Berlow, Douglas Hoehn, Andrew McElhinney, Louisa Hufstader, Lora Ksieniewicz, Jonathan Silverstein, Amy Upton

THE DELIBERATIONS COMMENCED IN DUE FORM AT 6:01 PM.

Documents on file as referred to during the meeting:

TAQUERIA.pages

**Chair Robinson** screen shared TAQUERIA, the Draft Decision/working document that was compiled from all documents. This was a Special Permit connected to the use of the restaurant only. Members reviewed the document in detail, making the appropriate edits; **J. Silverstein** offered clarifications to issues and questions that Members identified throughout.

Highlights of the discussion points:

- ❖ This Special Permit had modifications from the original permit.
  - ❖ The number of bathrooms and fulfilling Americans with Disabilities Act (ADA) requirements.
  - ❖ The *full service bar* language [was challenged] as accurate terminology for the application.
  - ❖ Language in the findings section pertaining to alcohol - how broad or detailed.  
(Making detailed/specific statements could have issues/regulations forgotten unintentionally.)
    - It was suggested the TPB put into writing how this project had inconsistencies with current Town regulations; putting the inconsistencies into the findings would show the TPB had done research and thoroughly vetted the project.
  - ❖ A full landscaping plan and public access through the property.
    - Landscaping used for separation, the relationship between public and semi-public space was important and the treatment of those areas, the way the planting was used to separate spaces; the use of fertilizers, pesticides and so forth.
      - **Chair Robinson** said the landscaping plan would be reviewed at another meeting.
  - ❖ Drainage/storm water plan to include ground water table changes (high water levels) and who was responsible.
  - ❖ Parking impacts.
  - ❖ Sound/amplification of music.
  - ❖ Hours of operation.
  - ❖ Umbrella and awning colors with no advertising.
  - ❖ Trash and waste management system.
  - ❖ The definition of *fast food*, as there was not a clear definition.
- ★ **Chair Robinson** said the Planning Board would recess this Deliberation at 6:47 PM to hold the 6:30 PM Approval Not Required (ANR) Review; the Deliberation resumed at 6:57 PM

Members were in agreement to review the area/operation and how it was managed after the first season and to include (but not limited to) the following:

- Alcohol issues including open bottles taken out of the restaurant area.
- Trash and waste management.
- Feedback from abutters and the Board of Health.

**C. Doble** suggested that a waste management plan needed to be in place prior to opening, and to look at and review (timeframe TBD) while it was fresh in everyone's mind. A review at the point of change for the next season (October/off season) after the first three months of operation was recommended.

*CHERYL DOBLE, AT 8:19 PM, MOVED TO APPROVE THE WRITTEN DECISION AS WRITTEN PENDING THE ADDITION OF PLANS AND DOCUMENTS AND THE FINAL REVIEW OF PLANNING BOARD LEGAL COUNSEL. SAID MOTION WAS SECONDED BY ELAINE MILLER. 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.*

*CHERYL DOBLE, AT 8:23 PM, MOVED TO CLOSE DELIBERATIONS. SAID MOTION WAS SECONDED BY ELAINE MILLER. 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.*

**S. Dunn** at 8:25 PM, challenged the two week waiting time for the certificate of occupancy, he didn't feel it was right that the shops could not open. **Chair Robinson** said he would talk with the building department tomorrow; **S. Dunn** said the final occupancy inspection was tomorrow; easement remained an issue.

**Chair Robinson** said the Planning Board would recess the regularly scheduled meeting on May 17, 2023 in order to hold the following Approval Not Required (ANR) Review. At the conclusion or continuation of the Review, the Planning Board would resume the regular meeting to conclude all unfinished business.

**6:30 PM:**

**ANR for Barlow 35 Mt Aldworth AP 8Q11.1**

Members Present by roll call: Chair Robinson, C. Alexander, C. Doble, C. Hayward, E. Miller

Others: Sam Berlow - Applicant, Douglas Hoehn/Schofield, Barbini & Hoehn Inc. – Applicant's Representative, Andrew McElhinney - Potential Buyer, Sam Dunn, Louisa Hufstader, Lora Ksieniewicz, Jonathan Silverstein, Amy Upton

*THE REVIEW COMMENCED IN DUE FORM AT 6:47 PM.*  
*Documents on file as referred to during the meeting:*  
*Belsdy-Barr plan revised.pdf*  
*Belsky-Barr Form A application.pdf*

**Douglas Hoehn** screen shared the plans and described the request of dividing one lot into two.

**C. Alexander** asked if it was a concern that one lot did not have a curb cut; **Chair Robinson** said

it didn't make a difference for the Approval Not Required (ANR) approval, frontage was the only requirement.

**C. Doble** said there was an elevated stone wall that could present issues with a curb cut, with impacts to the [historical] character of the wall; **Chair Robinson** said the Building Inspector and Department of Public Works should be contacted; he asked **A. Upton** to send a note to both.

**Mr. Hoehn** said the buyers were on the call and would acknowledge this as a consideration when putting together their plans.

**C. Hayward** suggested plans to indicate parking for both lots as street parking was not permitted.

*CONNIE ALEXANDER, AT 6:57 PM, MOVED TO APPROVE THE APPROVAL NOT REQUIRED FOR THE DEBORAH BELSDY-BARR PROPERTY ON MT. ALDWORTH ROAD. 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.*

★ *The 6:30 PM ANR closed at 6:57 PM; the 6:00 PM Deliberations resumed at 6:57 PM.*

★ *The Planning Board resumed their regularly scheduled session at 8:23 PM to address all unfinished business.*

### **BOARD DISCUSSIONS:**

#### **A. NEW BUSINESS**

##### **a. Master Plan (MP) updates w Dan Doyle-Discussion regarding Leadership meeting and presentation of Master Plan to Town Staff, status of Barrett Contract**

**Chair Robinson** said the Consultant Contract had been approved; all funding would be pulled from FY23 in the total amount of \$20,000.

**D. Doyle** recapped his presentation at the monthly department head meeting; his goal was to make clear the MP process, the timeline and to explain his role; **A. Upton** said his presentation was succinct and thorough.

**A. Upton** said other topics of discussion at the meeting included repurposing the former EduComp building as the new Town Hall location; **Chair Robinson** said there were many options under discussion including test - fits to understand the needed space; Members discussed items to consider including the MP and TPB involvement with this decision.

**C. Doble** said the next MP Steering Committee meeting was on June 6, 2023, where summer outreach would be discussed; TPB help would be needed as this was the critical time.

**C. Hayward** asked if the updates for the survey and quick response (QR) code had been reviewed;

**D. Doyle** said he added everything he could but thought it best to keep it shorter; he would circulate the final version to be in time for the Memorial Day Picnic; Members discussed logistics for staffing and table set up.

**b. Joint appointment of Planning Board Associate Position with Selectboard**

**Chair Robinson** read the requirements and language for the appointment for the five year term.

**Lora Ksieniewicz** introduced herself; she explained her qualifications and experience and the reasons why it was important for her to be involved with the TPB. *(Please see document on file for details: letter of interest from Lora Ksieniewicz.docx)*

**Chair Cutrer** thanked her for the interest and for stepping up; **Chair Robinson** said this position was a stepping stone toward a full member position (if interested) when ready.

**C. Hayward** asked for her perspective about shifts of people working remotely as it was not discussed very much and was important; **Ms. Ksieniewicz** said owning an Island business kept her really involved with the community.

**E. Miller** said **Ms. Ksieniewicz** had her foot in both doors, working at home in the ‘big world’ remotely and participating here on Island; as a parent she had no choice but to get involved in the community; **E. Miller** said **Ms. Ksieniewicz** was offering great diversity and was excited to have her join the TPB.

*CHERYL DOBLE, AT 5:13 PM, MOVED TO APPOINT LORA KSINIIEWICZ TO THE ASSOCIATE POSITION ON THE PLANNING BOARD. SAID MOTION WAS SECONDED BY CONNIE ALEXANDER. 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.*

*JOHN CAHILL, AT 5:14 PM, MOVED TO APPOINT LORA KSINIIEWICZ TO THE ASSOCIATE POSITION ON THE PLANNING BOARD. SAID MOTION WAS SECONDED BY CHRISTINA COLARUSSO. THE SELECT BOARD VOTED UNANIMOUSLY IN FAVOR OF THE MOTION: 3 AYES, 0 NAYS, 0 ABSTENTIONS. MR. CAHILL—AYE, MS. COLARUSSO—AYE & MR. CUTRER—AYE.*

**c. Re-schedule Joint in person meeting at KCT-confirm date and time and set topics for discussion.**

After months of trying to set up a joint meeting with the SB, it was agreed the meeting would take place on May 22, 2023 at 4:30 PM, in person at the The Katharine Cornell Theatre (KCT). Members expressed their frustration of not meeting with the SB, and that setting up a regular meeting was important; **TA John Grande** said there was value to meet on a regular basis as this was a critical period of time with the MP.

*JOHN CAHILL, AT 5:29 PM, MOVED TO ADJOURN THE TISBURY SELECT BOARD MEETING. SAID MOTION WAS SECONDED BY CHRISTINA COLARUSSO. THE SELECT BOARD VOTED UNANIMOUSLY IN FAVOR OF THE MOTION: 3 AYES, 0 NAYS, 0 ABSTENTIONS. MR. CAHILL—AYE, MS. COLARUSSO—AYE & MR. CUTRER—AYE.*

**d. Payroll;\$2430.56, 51Art-MVMinutes; \$1000.00**

**A. Upton** recapped the adjusted total:

MVMinutes was \$1163.25; the revised total was: \$3593.81

*ELAINE MILLER, AT 5:54 PM, MOVED TO APPROVE THE BILLS PAYABLE [REVISED TOTAL OF \$3593.81]. SAID MOTION WAS SECONDED BY CHERYL DOBLE. 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. OLD BUSINESS**

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

- **Year end review, Planning Board operating Budget, Administrator Job Description and Application Process**

Tabled until the June 7, 2023 meeting.

- **Board meeting protocols; remote, hybrid, and in person**

Tabled until the June 7, 2023 meeting.

- **Next Year's Committee Assignments**

Tabled until the June 7, 2023 meeting.

**1. Committee Reports (Updates only)**

- A. Vision Forum**
- B. Land Bank Advisory Committee**
- C. Tisbury Housing Committee**
- D. Community Preservation Committee**
- E. Water Resource Committee (WRC)**

**Chair Robinson** said a public meeting for the Comprehensive Wastewater Management Plan (CWMP) would be held tomorrow at 6:30 PM at the Emergency Services Building. This meeting will include review of sewerage, Innovative/Alternative (I/A) Systems, Enhanced I/A Systems and other types of solutions, and to discuss if the right priorities were set in the right proportions.

- F. Sewer Advisory Committee**
- G. Site Plan Review Board**
- H. Open Space and Recreation Committee (OSRC)**
- I. All Island Planning Board**
- J. Climate Committee**
- K. Tisbury Waterways Committee**

**CORRESPONDENCE:**

1. Martha's Vineyard Commission Meeting Schedule
2. List of Topics to discuss with Select Board
3. Budget/Munis Report
4. Job Descriptions
5. Year End Review
6. Plans for Municipal campus from Town Administrator

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

None.

**ADJOURNMENT:**

*DISCUSSION ENSUED THEREON, UPON A MOTION DULY MADE BY CONNIE ALEXANDER AND SECONDED BY CHERYL DOBLE, THE MEETING UNANIMOUSLY ADJOURNED AT 8:31 PM.*

Respectfully submitted;



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Teresa Kruszewski, Recorder

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Benjamin Robinson, Chair

***APPROVED AUGUST 16, 2023***