

PLANNING BOARD MINUTES
Wednesday, August 3, 2022 – 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, Cheryl Doble – Clerk, Connie Alexander, Casey Hayward, Elaine Miller

Chair Benjamin Robinson called the August 3, 2022 Tisbury Planning Board (TPB) meeting to order at 5:01 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/84087200358> Meeting ID: 840 8720 0358

-One tap mobile +16468769923,,84087200358# US (New York)

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

MINUTES: None.

APPOINTMENTS:

5:00 PM:

Board Discussions, see below new/old business

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

Others: Amy Upton – Planning Board Administrator, Dan Doyle – Special Projects Planner Martha's Vineyard Commission (MVC), Ross Seavey – Tisbury Building Commissioner, Superintendent of Schools – Richie Smith, Jennifer Cutrer, Amy Houghton, Rita Jeffers, Michael Watts

Chair Robinson said the Planning Board would recess the regularly scheduled meeting on August 3, 2022 in order to hold the following Public Hearing. At the conclusion or continuation of the Hearing, the Planning Board would resume the regular meeting to conclude all unfinished business.

5:45 PM:

Public Hearing (Cont.) – Special Permit Application for Geoff Rose (Patient Centric), Mechanics Way, AP 22A19.2 Tisbury Bylaw Section 05.23

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

Others: Geoff Rose – Applicant, Amy Upton – Planning Board Administrator, Ross Seavey – Tisbury Building Commissioner, Jennifer Cutrer, Michael Watts, Xerxes Agassi

THE CONTINUATION OF THE HEARING COMMENCED IN DUE FORM AT 5:45 PM.
Documents on file as referred to during the meeting: None.

Chair Robinson gave a status update for the new State legislation and how it impacted the Host Community Agreement (HCA). He said once there was resolution with the Selectboard for the HCA, things could move forward; this application could not be closed until that was completed.

G. Rose said the Cannabis Control Commission did not have an issue with his operating outside of the special permit.

ELAINE MILLER, AT 5:51 PM, MOVED TO CONTINUE THE HEARING ON SEPTEMBER 7, 2022 AT 6:00 PM. 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

Chair Robinson said the Planning Board would recess the regularly scheduled meeting on August 3, 2022 in order to hold the following Deliberation. At the conclusion or continuation of the Deliberation, the Planning Board would resume the regular meeting to conclude all unfinished business.

6:00 PM:

Deliberations – Special Permit Application for Vilson Pires De Faria (Golden Bull MV Inc.), 13 Beach St Ext., AP 9C1 Tisbury Bylaw Section 06.06.08

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

Others: Amy Upton – Planning Board Administrator, Ross Seavey – Tisbury Building Commissioner, Jennifer Cutrer, Michael Watts, Sandro Silvio

THE DELIBERATIONS COMMENCED IN DUE FORM AT 6:00 PM.

Documents on file as referred to during the meeting: Draft of Golden Bull Special Permit Decision.pdf

Chair Robinson screen shared the draft decision; the Board requested the following conditions/edits:

- ❖ One consistent color for the umbrellas in the outdoor seating area.
- ❖ Amplified music would be added to section #7.
(prohibited in the courtyard without necessary licenses.)
- ❖ Lighting should be downward facing/dark sky compliant.
- ❖ Re-write #1 to include 'use'. (e.g. sewer flow increase)

CHERYL DOBLE, AT 6:17 PM, MOVED TO APPROVE THIS WRITTEN DECISION AS WRITTEN WITH THE AMENDMENTS AS OUTLINED IN THIS MEETING. 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

CONNIE ALEXANDER, AT 6:17 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

Chair Robinson said the Planning Board would recess the regularly scheduled meeting on August 3, 2022 in order to hold the following Public Hearing. At the conclusion or continuation of the Hearing, the Planning Board would resume the regular meeting to conclude all unfinished business.

6:30 PM:

Informal discussion with Xerxes Agassipour- 4 State Road LLC, AP 09A06

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

Others: Xerxes Agassi – Applicant, Amy Upton – Planning Board Administrator, Ross Seavey – Tisbury Building Commissioner, Jennifer Cutrer, Michael Watts

Chair Robinson, at 5:51 PM, said a hearing was originally scheduled for this application at 6:00 PM, but removed from the agenda due to the decision from the MVC. He asked **X. Agassi** how he would like to move forward, as an informal discussion could not happen until the current application was withdrawn; **X. Agassi** said he would like to table this until more information was available.

CONNIE ALEXANDER, AT 6:00 PM, MOVED TO CONTINUE THE HEARING ON SEPTEMBER 21, 2022 AT 6:00 PM. 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

Chair Robinson said the Planning Board would recess the regularly scheduled meeting on August 3, 2022 in order to hold the following Deliberation. At the conclusion or continuation of the Deliberation, the Planning Board would resume the regular meeting to conclude all unfinished business.

7:00 PM:

Deliberations – Special Permit Application for Carlos Teles (Nina’a Dine- n-Dash), 61 Beach Rd., AP 9B18 Tisbury Bylaw Section 06.06.08

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

Others: Carlos Teles – Applicant, Sandro Silvio (Yuliya) – Applicant, Amy Upton – Planning Board Administrator, Ross Seavey – Tisbury Building Commissioner, Jennifer Cutrer

THE DELIBERATIONS COMMENCED IN DUE FORM AT 7:00 PM.

Documents on file as referred to during the meeting:

Nina Dine and Dash 07.22.2022 revised-Layout 2.pdf

09B18 (2022) Carlos Teles Nina’s Dine- n-Dash

Chair Robinson screen shared the updated drawing that included additional screen plantings, identified the customer parking area, designated the trash and porta potty areas and the slope percentage grading of the ramps.

Chair Robinson screen shared the Special Permit Draft Decision and in a working session, made edits with Board input as each section was reviewed

R. Seavey said there was a 20 day appeal period; the clerk would release the permit after that time.

CONNIE ALEXANDER, AT 7:34 PM, MOVED TO ACCEPT THIS SPECIAL PERMIT AND THE DECISION AS EDITED. 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

CONNIE ALEXANDER, AT 7:35 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

★ The Planning Board resumed their regularly scheduled session at 7:36 PM to address all unfinished business.

BOARD DISCUSSIONS:

A. NEW BUSINESS

a. Master Plan (MP) updates

i. Steering Committee (SC) meeting & next steps

D. Doyle said the consultants were out last week; this was three times in all; they met with department heads and Town Administrator Jay Grande on this last visit.

A SC working group created a Logo and designed a website; the full SC was currently reviewing both before publishing.

Community engagement events were underway for August 10, 2022, three sessions during the day as an effort to reach out to the seasonal community including the West Chop residents; Members were invited to participate.

Progress was slow due to the Co-Chair styles being very different; they were finding their working style and methods; they would like more from the consultants.

C. Doble was concerned the consultants were running through budgeted funds too quickly. She regretted the time that was lost in getting the contract signed over the winter months; things were now moving fast to make up for that time.

Chair Robinson suggested getting a tighter schedule from Judi Barrett (Barrett Planning Group LLC, the Master Plan consulting team) for the Board; to include next activities and how many per month.

b. Tisbury School Project

Members debated if the TPB should have a role in this process; all were in agreement not to weigh in as a Board. **A. Houghton** said it would be helpful to communicate the same, factual information; she invited Members to join the School Committee meeting on August 9, 2022 at 4:00 PM.

c. Housing Bank Legislation - Planning Board member for "Sounding panel"

CONNIE ALEXANDER, AT 5:42 PM, MOVED TO APPOINT CASEY HAYWARD AS THE TISBURY PLANNING BOARD REPRESENTATIVE TO THE SOUNDING PANEL FOR THE HOUSING BANK LEGISLATION. 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

d. Select Board joint meeting - Agenda items

Members recommended the following:

- Open Space and Recreation Committee letter
- Stop and Shop
- Attorney involvement with the MP
- Street parking and traffic issues at intersections
- Stormwater

The meeting date was yet to be determined.

B. OLD BUSINESS

I. Safe Harbors MVC hearing, Planning Board Opinions

Members discussed at length their concerns and recommendations for the expansion; this was an opportunity to provide public access and address environmental concerns.

Chair Robinson said he would put together a letter from the TPB and submit it to the MVC for the hearing the following night. It would include the following:

- The bike path [easement] must extend through 9-B-3 to Lagoon Pond Road; the constructability decision was needed from the Conservation Commission before issuance of a building permit; at least 50% would be contributed toward design and construction of the [pedestrian] walking/bike path.
- Condition requiring a water quality study that prescribed methods of mitigation
- Traffic increase and related impacts
- Hours of operation and lighting

CHERYL DOBLE, AT 6:57 PM, MOVED TO APPROVE THE LETTER TO THE MARTHA'S VINEYARD COMMISSION OUTLINING THE POINTS DISCUSSED. 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

II. Vineyard Wind facility development 61 Beach Rd, MVC review Planning Board

None.

III. West Tisbury Special Ways discussion with Cynthia Aguilar

A. Upton invited Members to the West Tisbury Planning Board meeting on Monday August 8, 2022 at 5:30 PM, where this would be discussed.

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

The next TPB meeting would be held on August 17, 2022 with the following agenda items:

- Main Street Medicinals 6:00 PM
- Island Housing Trust (IHT) Proposal 6:30 PM
- Bransford 484 Main Street 6:30 PM (Double booking would be sorted out at the meeting)

The following TPB meeting would be held on September 7, 2022.

1. Committee Reports (Updates only)

A. Vision Forum

B. Land Bank Advisory Committee

E. Miller said they were changing the participation amount per town; each of the six towns were being approached for approval.

C. Tisbury Housing Committee

D. Community Preservation Committee

E. Water Resource Committee

F. Sewer Advisory Committee

G. Site Plan Review Board

H. Open Space and Recreation Committee

I. All Island Planning Board

J. Climate Committee

K. Tisbury Waterways Committee

CORRESPONDENCE:

1. Martha's Vineyard Commission

A. Extended Meeting Schedule

B. Land Use Planning Commission (LUPC) Meeting

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 ELAINE MILLER, THE MEETING UNANIMOUSLY ADJOURNED AT 7:50 PM.*

Respectfully submitted;



Teresa Kruszewski, Recorder

APPROVAL: Approved and accepted as official minutes;

Date

Benjamin Robinson, Chair

APPROVED OCTOBER 19, 2022