

# PLANNING BOARD MINUTES/ *Special Meeting*

Wednesday, January 25, 2023 – 4:00 PM

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 (*Zoom*)<sup>\*</sup>, Casey Hayward<sup>\*</sup>, Elaine Miller

**STAFF/MVC:** Jonathan Silverstein – Planning Board Counsel for Special Permits,  
Amy Upton – Tisbury Planning Board Administrator

Martha's Vineyard Commission (MVC):

Dan Doyle – Special Projects Planner, Laura Silber – Island Housing Planner & Bill Veno – Senior Planner

**OTHERS:** Frederick Rundlet – Innkeeper (33 years) The Look Inn

<sup>\*</sup> Casey Hayward arrived at 4:24 PM.

<sup>\*</sup> Connie Alexander left at 6:45 PM.

**Chair Benjamin Robinson** called the January 25, 2023 Tisbury Planning Board (TPB) meeting to order at 4:05 PM at the Tisbury Hall Annex located at 66 Highpoint Lane. (*Recorder's Note: Discussions are summarized and grouped for clarity and brevity*).

**MINUTES:** November 30, 2022, December 14, 2022, December 16, 2022

*CHERYL DOBLE, AT 7:00 PM, MOVED TO APPROVE THE MINUTES FOR NOVEMBER 30, 2022, DECEMBER 14, 2022 AND DECEMBER 16, 2022 AS WRITTEN. SAID MOTION WAS SECONDED BY ELAINE MILLER. THE BOARD VOTED UNANIMOUSLY IN FAVOR OF THE MOTION.*

## **APPOINTMENTS:**

### **BOARD DISCUSSIONS:**

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

**Frederick Rundlet** at 4:07 PM, said he was on the Short Term Rental Task Force that started in 2019 and continued for 2 years. He said a lot of time had been put into the effort and an actionable list had been created, however a meeting never took place with the Select Board. He reviewed some of the items on that list and expressed frustration that the work was done but never acknowledged or acted upon.

**F. Rundlet** expressed interest and said he would like to participate in the current Short Term Rental/Affordable Housing efforts; he was interested in doing what was best for Tisbury and hoped things could move forward in a good way, as there were pro's and con's to this.

**E. Miller** suggested he join the Tisbury Affordable Housing Committee; **Chair Robinson** recommended working with the MVC - **F. Rundlet** said he had a meeting scheduled with **L. Silber** next week; **C. Doble** encouraged his involvement in the future.

#### **a. Master Plan (MP) updates**

##### **i. Dan's renewed contract final draft to sign**

Members would sign the draft contract [of the continuation of services] which began on February 1, 2023 and ended on January 31, 2024 in the amount of \$15,600 or monthly reimbursements of \$1300.

## ii. Budget and Contract Services-up to date Munis report

Members discussed anticipated expenses and how those related to the budget. They determined a tracking system was needed to keep things organized for what had been encumbered; amended and/or new contract amounts needed to be included.

**A. Upton** reviewed the TPB FY24 Budget recommendations from the Town. She said the TPB Budget needed to keep Payroll separate from the Planning Board Budget - there should never be crossover between these two. Members were in agreement to do the following:

- ❖ Move \$3000.00 from the *Equipment New* budget line [zero out] and assign it to
  - *Professional Services*: revised number \$50,000
  - *Purchased Services*: revised number \$15,000.

*CHERYL DOBLE, AT 7:14 PM, MOVED TO APPROVE PROFESSIONAL SERVICES, \$50,000; PURCHASED SERVICES, \$15,000; EQUIPMENT NEW, \$0.0. SAID MOTION WAS SECONDED BY ELAINE MILLER. THE BOARD VOTED UNANIMOUSLY IN FAVOR OF THE MOTION.*

## iii. Financial Services addition to master plan

**Chair Robinson** said, fiscally the budget was okay to support the additional Master Plan (MP) services as recommended by Judi Barrett (Barrett Planning Group LLC, the Master Plan consulting team) for the services of Francis (Frank) X. Mahady, Principal – FXM Associates of \$20,000 in total, with payments split over two years. Members discussed the benefits of working with FXM; the Wareham example was referenced. **C. Hayward** asked how home offices/workers were being taxed and how that could be integrated into the Town plans. *(Please see document on file for details: APPROVED Minutes TPB January 18, 2023.pdf, BOARD DISCUSSIONS: A. NEW BUSINESS; a. Master Plan (MP) updates; i. steering committee (SC) mtg. & next steps; pgs 6 & 7)*

Members discussed the budget line items, including the Professional Services line in the amount of \$50,000 (of which had not been spent at this time); **E. Miller** wanted to be certain that the Select Board and Town Accountant were on the same page of understanding on how the TPB budget spending occurred. **A. Upton** would follow-up with Town Accountant Suzanne E. Kennedy to ensure these changes were made.

*CONNIE ALEXANDER, AT 4:31 PM, MOVED TO AMEND THE CONTRACT WITH JUDI BARRETT TO ADD THE EXPENSES OF \$10,000 THIS FISCAL YEAR (2023) AND THE EXPENSES OF \$10,000 TO FY 2024, TO INCLUDE FXM SERVICES FOR THE MASTER PLAN. 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. Planning Board operations, procedures, and goals

Members recommended being intentional with expansion of the Department; there was a need to stay flexible based on demands; the scope of work had increased and professional outside minute takers were needed as this provided consistency and timely delivery; they cited the advantages of working with **D. Doyle**. We needed to be clear defining these needs; continuing to have Professional Services in the budget was a great advantage.

**Pam Bennet**, Human Resource Coordinator was working on the job description for the position of Planning Board Administrator, a warrant article, which would be reviewed by the Finance Committee and voted on at Town Meeting.

Members had a lengthy discussion around operations, procedures, and goals; these are highlights:

1. To have one board member responsible to work with **A. Upton** for monitoring and tracking of projects using Open.gov
2. **A. Upton** to manage the paperwork and the Administration. Establish an internal process to ensure it is efficient and organized for access to updated files etc.; a creation of a good management system.
3. **C. Doble** expressed the value of using the template with people leaving and changing, and to coordinate a better process with **A. Upton**.
4. To have all documentation on the website, to have them centrally located for easy access for the Board and public.
5. **E. Miller** recommended giving **A. Upton** the opportunity to share the process that would be best suited for her workflow.
6. Establish deadlines for receiving documents before meeting day. Documentation received ahead of time helped all parties involved as there were benefits for preparation and efficiency of meeting time.
7. Set up a tutorial and training session on Open.gov for the Board.
8. Development guidelines should be on Open.gov
9. The Board was so involved in so much, perhaps the TPB was sitting on too many committees; **E. Miller** said overloading the agenda was another version of taking on more and overextending.
10. **C. Hayward** said the Inventory Analysis Report evaluated Town Government and indicated there were too many committees in general and that it was decentralized; **Chair Robinson** said some of these committees were statutory.

#### **c. Discussion of bylaw amendments and Warrant Articles for 2023 Town Meetings**

Members reviewed the marked-up version from **J. Silverstein**:

- **Article one**: no change
- **Article two**: 040208 **Chair Robinson** read into the record the two comments to consider.

Members worked through the language and made edits for clarification.

#### Discussion:

- a. The intention and the language; we don't want someone to set up their business in the driveway and work there all day. The intention was to limit the comings and goings on the property; limit continuous work throughout the day outside; to limit vehicles and noise.
  - b. Concerns were expressed that if this was too restrictive, Town meeting would strike down the total change.
  - c. Trade business: what was in this category?
  - d. **C. Hayward** recommended parking stickers to manage the parking issues.
  - e. Having a storage building versus screening, what was best to allow.
- **Article three**: Members discussed the addition to the bylaw; it was asked to have wording to address overburdening the road.

Discussion:

- a. **C. Alexander** wanted modifications or to be noted she was not in favor of this addition.
  - b. This would be Planning Board discretion, case by case decisions. This was in the context of a Special Permit with conditioning ability; impacts to the area would drive the decisions and conditions.
  - c. Members discussed scenarios for conditioning to protect the condition of the road including the formation of road associations and limitations to parking.
  - d. This should move forward to a public discussion, as the vast majority of the roads in Tisbury were private ways.
  - e. **L. Silber** suggested an affordable project could trigger the Town taking over the road maintenance.
- **Article four:** **C. Doble** read the letter received from the **Zoning Board** into the record, Section 040313 Accessory Apartments, asking to strike Condition B.

**Chair Robinson** and **J. Silverstein** reviewed the posting requirements and processes that would lead up to the Public Hearings scheduled to be held on February 22, 2023 at 5:00 PM by Zoom.

**L. Silber** reviewed the fractional ownership platform and said it was not regulated by timeshare bylaws throughout the Country. **L. Silber** said Tisbury did not have a timeshare bylaw and recommended putting one in place; process and timing was discussed for efficiency to get this through for Town Meeting. To get ahead of the issue, Members would work on this for the February 1, 2023 TPB meeting; they thanked **L. Silber** for bringing this issue to their attention. **J. Silverstein** said he would assist in putting this together in a timely manner; he reviewed options if hitting the deadline for Town Meeting proved challenging.

**d. Kurt Fraser letter**

Tabled.

- e. **Bills Payable: Town Counsel; \$2030.00, payroll:\$2748.19, Barrett Group; \$10,495.00, Dan Doyle; \$1300.00 TOTAL - \$16,573.19**

**Chair Robinson** said there were some questions around paying bills for legal counsel that were not attached to 53-G accounts, there was miscommunication that needed to be resolved for these services. He would discuss this with John W. Grande, Town Administrator/Personnel Director, as it should be taken care of by the Select Board budget.

**Chair Robinson** said the amended Bills Payable amount without the Town Counsel was \$14,543.19.

*DISCUSSION ENSUED THEREON, THE BILLS PAYABLE AMENDED AMOUNT WAS UNANIMOUSLY APPROVED AT 7:03 PM.*

**B. OLD BUSINESS**

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

- *Public Hearing on the proposed bylaw amendments to receive public comment:*
  - *Wednesday, February 22, 2023 from 5:00 pm to 5:30 pm*

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)
  - F. Sewer Advisory Committee
  - G. Site Plan Review Board ; upcoming applications
    - Kate Salop; The Toy Box AP 19-B-19.4,.5,.6,.7
    - Alexia Ebanks; Ackee Tree AP 09-B-13 and 14
  - H. Open Space and Recreation Committee (OSRC)
  - I. All Island Planning Board
  - J. Climate Committee
  - K. Tisbury Waterways Committee

**CORRESPONDENCE RECEIVED:** N/A

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

**Chair Robinson** would write a letter first thing in the morning and circulate it to the Board before sending it to the MVC. (Please see document on file: *APPROVED Minutes TPB January 18, 2023.pdf*; *APPOINTMENTS; 6:00 PM: Public Hearing (Cont.) – Special Permit Application for Patrick Lyons, 16 Union Street, AP 07D10; pgs 1 - 3*)

Members discussed the process of choosing new Steering Committee (SC) Members; they were all in agreement the SC would identify the needs and would reach out as needed - they would set the process. **D. Doyle** said he would contact Rebekah ElDeiry, who sent a letter of interest to join the SC and update her of the process.

**C. Hayward** said the Climate Committee was not getting all the MP information; there needed to be better communication; **D. Doyle** said he would follow up. Members discussed the best ways for communicating and determined the MP/SC distribution list would include all the Town chairs.

**ADJOURNMENT:**

*DISCUSSION ENSUED THEREON, UPON A MOTION DULY MADE BY CASEY HAYWARD AND SECONDED ELAINE MILLER, THE MEETING UNANIMOUSLY ADJOURNED AT 7:16 PM.*

**Documents on file:** 2023.1.25 PB AGENDA- in person.pdf

Respectfully submitted;



Teresa Kruszewski, Recorder

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

\_\_\_\_\_  
Date

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

**APPROVED APRIL 5, 2023**