

Aquinnah Planning Board Plan Review Committee Meeting November 18th, 2019

Members Present: Sarah Thulin, Jim Mahoney, Jim Wallen, Tom Murphy, Berta Welch, Jo Ann Eccher, Jim Newman

Not Present: Isaac Taylor

Also Present: Bill Lake, Anna Cotton, Lil Provance, Reid Silva, Wendy Swolinzky, Ryan Malonson, Bettina Washington, Randy Jarden, Josh Gothard, Steven Tahan, Kathleen Flaherty, Jed Smith

Meeting opened at 7:04pm

The Committee reviewed the 10/21/19 meeting minutes. Tom motioned to accept the 10/21 minutes as presented. Motion was seconded by Berta. The PBPRC voted 7-0, the motion passed.

Under correspondence, Sophia informed the Committee that Larry Martin of East Pasture has requested to alter a stonewall on his property. The Committee confirmed that he would need to apply for a special permit before beginning the project.

PBPRC met with Bill Lake, Chair of the Aquinnah Energy and Climate Committee. There was discussion regarding the success and outcome of the recent Municipal Vulnerability Preparedness workshop (attended by several PBPRC members).

PBPRC opened a meeting to review a final survey recommendation from MHC for Herskovits of 10 Deer Path Map 6 Lot 106 (letter dated 10/21/19). Jo Ann informed the Committee that work seems to have begun on the lot and she questioned whether the MHC conditions have been followed. Sophia will check with the engineer and architects. Tom motioned to accept the MHC letter. Motion was seconded by Jim N. The PBPRC voted 6-0-1, the motion passed. Berta abstained.

PBPRC opened a hearing to act upon a request from Nancy S Cotton Trustee of 5 Attaquin Way Map 6 Lot 83 for Special Permits under sections 3.2, 3.3-5, 3.9-1, 13.4-1, 13.4-7 of the Aquinnah Zoning Bylaws for the siting and construction of a 600sf accessory apartment, 674sf addition of living space and 240sf deck addition on an existing dwelling where total footprint on the lot will exceed 2,000sf. Reid Silva presented the proposed plans: 692sf addition to the main dwelling (addition includes inclosing existing deck footprint), 232sf addition to the guest house, increasing the existing second floor connecting deck by 178sf, roof line change of the North-East structure (no change in height) and the siting of a 600sf accessory apartment (plans not submitted). The Committee determined that the structure is visible from public ways (Aquinnah Circle). The Committee reviewed the proposed elevations and requested the following from the applicant: percentage of glass to wall ratio; alter the proposed footprint that is within the 30ft setback; potentially remove the skylights; and change the exterior lighting. MHC has recommended an intensive survey for the proposed project. There was discussion concerning the accessory apartment, bylaw regulations and removal of one of the two existing kitchens should the applicant

proceed with the accessory apartment. The Committee scheduled the January meeting for January 13th, 2020. With the applicant's agreement, Jim W entertained a motion to continue the hearing to January 13th, 2020 at 7:20pm. Motion was moved by Jim M and seconded by Jo Ann. The PBPRC voted 7-0, the motion passed.

PBPRC re-opened a continued hearing to act upon a request from Wendy Swolinzky, Town of Aquinnah Menemsha Lot B Lessee, of 22 Boathouse Road Map 3 Lot 34 for Special Permits under section 2.3-B and 2.3-2 for storage of seven boats located in the Marine Commercial District. Jim N and Berta were recused. Sophia informed the Committee that Legal Counsel determined that the Committee should not withhold hearing the application even though the applicant is in litigation with the Town on the neighboring lot. Applicant stated that she needed to increase the number of boats on the lot to showcase her inventory. A letter from the Chilmark Board of Selectmen was read into the minutes: Chilmark took issue with parking along Boathouse Rd and issue with Aquinnah's use of Menemsha lease lots. The Committee discussed the sensitivity of the environment and some members expressed hesitancy of increasing the number of boats on the inside of the tide and applicant's floating dock due to erosion of the roadway. Applicant withdrew the application given that there would not be a unanimous vote in favor of the permit (permit required super majority vote and there were only 5 members able to vote).

PBPRC re-opened a continued hearing to act upon a request from Ryan Malonson and Bettina Washington of 21 Lobsterville Road Map 4 Lot 53 for Special Permits under sections 2.4-1, 3.4, 3.7-1, 10.1-4, 10.2-4, 13.4-10 and 13.4-11A of the Aquinnah Zoning Bylaws for the restoration and expansion of a pre-existing non-conforming dwelling located in the Coastal DCPC. Josh Gothard presented revised plans: building to be raised on pilings to meet the 100yr flood requirement, 44sf addition on the rear side of structure (to be cantilevered) and cantilevered open porch on the West side (sited further from lot lines). Existing structure is 269sf and proposed expansion would bring total footprint to 313sf, meeting the perspective buyer's bank loan 300sf requirement. The structure is listed in the Mass Historic State Inventory of Historical Places and therefore the building can be restored and reconstructed (bylaw 10.2-4-A3). The following was discussed: Coastal DCPC regulation regarding expansion of buildings within 100ft of features, Mass building code regarding required footprint for a residence, use of the building, and conditions of a special permit if project were to be approved. The Committee requested opinion from Counsel regarding expansion of footprint in the Coastal DCPC prior to making a decision. With the applicant's agreement, Jim M motioned to continue the hearing to December 9th, 2019. Motion was moved by Tom. The PBPRC voted 7-0, the motion passed.

PBPRC re-opened a continued hearing to act upon a request from Hugh C Taylor TR Etal and Brian M Hurley TR of 18 Lighthouse Road Map 6 Lot 32 for Special Permits under sections 10.1-3-B, 12.3-A-1, 13.4-3-1, 13.4-4, 13.4-7 and 13.4-8 of the Aquinnah Zoning Bylaws to site and construct a 3,136sf event pavilion for commercial use with drive in basement and roof top deck on an open and highly visible location, and a registered Development of Reginal Impact lot where total footprint of structures on the lot will exceed 2,000sf within the Gay Head Cliff DCPC and Coastal DCPC. Berta was recused. Applicant had expressed to Committee members that he would like to continue the hearing. Without the applicant present to agree on a continuation date, Jim M motioned to continue the hearing to December 9th. Motion was seconded by Tom. The

PBPRC voted 6-0-1, the motion passed. Berta abstained. Sophia will contact applicant for a continuation date and a letter requesting to stop the clock.

PBPRC opened a hearing to act upon a request from Domini Amy L TR and Stanley LIM TR of 42 Lighthouse Road Map 6 Lot 43 for amendments to Special Permits dated December 24, 2018 under sections 3.8-4, 3.9-1-3 and 12.3-3 of the Aquinnah Zoning Bylaws to site and construct a curb cut and driveway within the Gay Head Cliff DCPC. Berta was recused. Reid Silva presented a site plan for the requested curb cut. The Committee determined the following: there will be a bend in the intersection perpendicular to Lighthouse Road giving vehicles maximum visibility in both directions; the curb cut will be wide enough so that two cars can enter and exit at the same time; the natural bank on the lot will be cut so that vehicles traveling on the road will be level; and the road will be 12ft wide (appropriate width for a service road). There was lengthy discussion regarding an existing easement across the Outermost Inn Road and relocation of easement to this new road. The Committee determined that the easement issue was not of their concern. After further review of the proposed road, the Committee requested that the applicant address runoff onto Lighthouse Road either by installing catch basins along the new driveway or by installing an alternative drainage solution and address landscaping of the road after construction. Tom motioned to accept the curb cut as proposed and approve a variance for the 1000ft curb cut requirement conditioned upon the following: applicant will address drainage along the road and permit is subject to landscape review after construction of the road. Motion was seconded by Jim N. **The PBPRC voted 5-1-1, the motion passed.** Sarah opposed and Berta abstained.

Under other business, Jed Smith, representing the Town of Aquinnah, requested to amend the Special Permit for the Cliff overlook dated 9/23/19. Berta recused herself. Sarah noted that Con Comm had no issue with the request. Sarah left the meeting. Jed informed the Committee that the Building Inspector requested that the upper deck be made ADA compliant by removing the side access steps and installing a ramp (steps to be relocated to the center of the deck). In reviewing the proposed amendments, the Committee determined that the request did not significantly increase the originally approved footprint (if at all), was not significant and no more detrimental to the neighborhood than the previously approved plans and therefore no public hearing was required to amend the permit. Jim W entertained a motion to amend the plan as presented making the deck ADA compliant. Motion was moved by Jim N and seconded by Tom. **The PBPRC voted 5-0-1, the motion passed.** Berta abstained.

Jim W informed the Committee that Peter Temple is resigning as the Zoning Administrator and has nominated Sophia as Zoning Administrator. Jim W appointed Sophia as the Zoning Administrator. Peter will continue to serve as the PB appointed representative to the Land Bank Town Advisory Committee.

With no other business, the meeting adjourned at 9:05pm.

Respectfully submitted,

Sophia Welch

Board Administrative Assistant