

Aquinnah Planning Board Plan Review Committee Meeting May 30th, 2018

Members Present: Peter Temple, Chairman, Sarah Thulin, Jim Wallen, Berta Welch, Jo Ann Eccher, Jim Mahoney, Jim Newman and Isaac Taylor

Meeting opened at 6:43pm.

The PBPRC opened a meeting to review a request from DiPietro of 5 Sunset Lane to amend a Special Permit to include minor window and door alterations. The Committee reviewed the proposed window and door revisions and found that the changes were minimal. many of which were alteration in window locations (moving windows lower) or decreasing window size. The most significant change was the replacement of a window unit with a door/window combination (providing a second means of egress) located on the East side of the structure, but the Committee determined it was not visible to the public or abutters. The changes on the West side of the structure (most visible side from the Cliffs) resulted in little to no net increase in glass. The Committee determined that overall the proposed changes were no more detrimental to the neighborhood than the permitted plan and not significant and therefore did not require a public hearing. Peter entertained a motion to approve the proposed amendments and determined that the changes in the windows are minimal overall and can be approved without a public hearing. Motion was moved by Jim W and seconded by Jim N. **The PBPRC voted 6-0-2, the motion passed.**

PBPRC reviewed a request from Cournoyer off Church Street for a Zoning Determination to conduct perc tests. The Committee found that the perc tests will have no negative impact on the resources protected by the Aquinnah DCPC and will not be detrimental to the interest of abutters. Peter entertained a motion to approve a Zoning Determination to conduct perc tests conditioned upon the following: a qualified observer is present, and no trees are to be removed. Motion was moved by Jim W and seconded by Jim N. **The PBPRC voted 8-0, the motion passed unanimously.**

PBPRC reviewed a request from Julianne Vanderhoop of 682 State Road for a Zoning Determination for roof mounted solar panels. The Committee found that the panels have already been installed but are not visible to the public or abutters as they are South-West facing (on the backside of the structure), flush mounted to the roof and do not break the roof ridge height. Peter entertained a motion to approve the solar panels. Motion was moved by Sarah and seconded by Jim M. **The PBPRC voted 8-0, the motion passed unanimously.**

Next the Committee reviewed the 5/17/18 minutes. Peter entertained a motion to approve the 5/17/18 minutes as presented and amended. Motion was moved by Jim N and seconded by Sarah. **The PBPRC voted 7-0-1, the motion passed.**

The Committee continued their review of the Zoning Bylaws. The Committee reviewed the following bylaw sections and discussed potential revisions to bring to the Town for further discussion:

Section 6.8: Penalties - Peter informed the Committee that this section is basically 40A law and in the state you cannot fine more than \$300.00/day for a zoning violation. The Town has the right to set the violation fee but cannot exceed the \$300.00 State maximum.

Section 6.9: Building Permit Limitations— This section is its own DCPC and was implemented in the late 1980's as a result of the building boom and limits building permits per year with certain criteria. This limitation was supposed to be reviewed regularly, however, it has lapsed. The Committee noted that this is something to discuss further (whether it is something to be renewed). Currently, the Committee felt that there isn't an urgent need to limit development. Sophia was instructed to work on an analysis of how many permits have been issued each year. Peter will check on the process of reinstituting section 6.9. Peter will also get the buildout maps from MVC.

Section 7: Definitions – The Committee read through the definitions and made the following notes on certain definitions:

Accessory Apartment: The Committee asked to schedule a joint meeting with the Aquinnah Housing Committee to discuss the bylaws that support affordable housing and potential changes to bylaw section 3.3-5. Sophia will inform the AHC that the PBPRC would appreciate their input. There was brief discussion on the Housing Production Plan (has not been adopted yet). Peter plans to ask the MVC to draft a Town Center Bylaw for the Town.

Base Flood Elevation Level: The Committee made note to discuss with the Town the potential change of the base flood elevation level in the Coastal District (currently 10ft) considering Global Warming and rising sea levels. Another issue the Committee noted for future Town discussion was the possibility of excluding West Basin from the Coastal District for an area of business development (eliminate need to elevate buildings).

Bluff: The Committee felt this is something to further discuss considering the accretion at Dogfish Bar.

Electrical Generator: The Committee felt this is where roof mounted solar panels could be addressed and modified if they were to be allowable as of right.

Family and Immediate Family: The Committee discussed this definition at great length but felt that they shouldn't suggest any changes. The Committee questioned why Towns would define family in zoning and made note to see where the word appears in the bylaws.

Floor Area: The Committee noted that the bylaws regulate more by footprint than by total floor area and the two are not interchangeable. Peter informed the Committee that according to Mass Building Code zoning bylaws cannot limit the floor area of a single-family residence. There was discussion on the possibility of adding a policy for cantilevers as it relates to footprint and/or size.

Indigenous and Invasive Species: The Committee agreed that the lists should be further reviewed for potential revisions (adding certain types of bamboo and grasses to invasive species) and discussed whether the list of protected species should be called something different than “indigenous”.

Lot: Sophia to re-look at the definition to see if there is anything missing for grammatical purposes. The Committee made note to review the definition for “parcel”.

Mean Sea Level: There was brief discussion on whether this needs to be updated.

Natural Grade: The Committee discussed the idea of adding “pre-natural grade” to the definition. Jim M agreed to review the definition further for potential revisions.

Neutral: The Committee felt that this definition needs revision (potentially adding “no white”) and specification on suitable colors.

Siting: The Committee discussed making grammatical revisions to the definition.

Structure: The Committee discussed the idea of adding to the definition of when a retaining wall becomes a structure for purposes of special permitting separate from engineering.

The Committee discussed having the approved road list completed. The idea of adding “open and highly visible” to the definitions was briefly discussed. The idea of scheduling a “Town Tour” was discussed to look at certain examples of great permits the Committee approved and not so great permits. The Committee agreed to meet again on June 14th at 6:30 to continue reviewing the bylaws.

Meeting adjourned at 8:49pm.

Respectfully submitted,
Sophia Welch, Board Administrative Assistant