

Aquinnah Planning Board Plan Review Committee Meeting December 13th, 2017

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

Members Not Present: Jim Wallen

Others Present: James Carr, Chris Alley, Alan Slatas, Matthew Born, Josh Montoya, Keith McGuier, Jaimee Pianka and Bruce Levkoff*

*via phone

Meeting opened at 6:33pm.

First on the agenda was the review of the November 8th and 14th minutes. Peter pointed out a substance change in the November 8th minutes. With very little time to discuss the minutes, the Committee decided to hold off on reviewing the minutes till the next meeting.

PBPRC opened a hearing to act upon a request from Alan Slatas of 7 Rose Meadow Way Map 5 Lot 16 and 20.5 for Special Permits to convert an existing detached bedroom into an accessory apartment where total footprint on a lot will exceed 2000sf. The Chairman gave background concerning the lot. When the lot was originally developed, the applicant chose to build a smaller residence. More recently, the applicant was permitted to build a larger residence conditioned upon the removal of the kitchen in the smaller structure making it a detached bedroom. Subsequently, in 2016 the Bylaws changed allowing for a second residence on lots under 4 acres with special conditions (section 3.3-5). The Committee found that, per section 3.3-5-B-3 of the bylaws, although the detached bedroom is larger than the allowable 600sf maximum for accessory apartments, the structure was built prior the bylaw and is allowable as of right. The Committee discussed the accessory bylaw and its' intent and found that the non-owner-occupied structure, if converted to an accessory apartment, would have to either be rented year-round with an affordable restriction or occupied by immediate family members or a Caregiver and could not be rented seasonally (section 3.3-5-B-4). Alan Slatas stated that he doesn't intend to rent but that if he does he would rent the entire property. In addition, he noted that there is a possibility for his daughter to move here and live in one of the houses. There was further discussion on the intent of the bylaw. The Committee found that if a permit was granted for an accessory apartment, the applicant would not be able to rent the entire property, nor would he be able to rent either homes unless one was owner-occupied, and the other was rented year-round with an affordable restriction or occupied by a family member or Caregiver. If the Committee were to deny the request the applicant would not be able to resubmit an application for two years. Based on that fact, the Chair recommended that Slatas withdraw his application. If in the future his daughter is ready to move into the house the applicant should return to the Committee with the request for an accessory apartment. Alan Slatas, applicant, withdrew his application. There was brief discussion on Slatas' landscape plan and what needs to be completed for the post completion landscape review.

PBPRC opened a hearing to act upon a request from Bruce Levkoff and Berta

Welch of 9 Lighthouse Road Map 6 Lot 31 to reconstruct a pre-existing non-conforming well house. Berta and Isaac were recused. The applicant requested to postpone the hearing and agreed to stop the clock and waive the tolling period. Peter entertained a motion to continue the hearing to Tuesday, February 6th, 2018 at 7:00pm with a site visit at 2:30. Motion was moved by Sarah and seconded by Jim M. The PBPRC voted 5-0-2, the motion passed.

The Planning Board opened a meeting to review a Form A subdivision of Red Gate Farm and 414 State Road. Peter reminded the Committee that this matter was for the Planning Board only and that there had been a site visit earlier this year. Chris Alley presented the plans which included four changes and informed the Board that the plans will need to go to land court after Planning Board approves and signs the plans. Chris walked the Board through the plans one by one pointing out the slight changes that were subsequently made to meet the 200ft frontage minimum as defined in the bylaws. In reviewing the plans, the Board found that the changes made increased frontage for the divided lots and allowed for potentially viable sites away from conservation areas and not highly visible. Based on these findings, Peter entertained a motion determining that all four lots as presented have 200ft of frontage and are of sufficient width and grade and thus are approved under the current subdivision bylaws. Motion was moved by Isaac and seconded by Jo Ann. The Planning Board voted 4-0-0 on the first and second plan and voted 3-0-1 of the third plan. Berta abstained from the 3rd plan as she is a potential abutter. The Planning Board signed the 3 plans as presented by Schofield, Barbini and Hoehn and dated December 12, 2017. Berta recused from signing plan number 3 as she is a potential abutter. It was noted that only 3 signatures were required on each plan.

PBPRC opened a hearing to act upon a request from Matthew Born of 6 Clay Pit Road Map 4 Lot 104 to construct a garage where total footprint of structures on the lot will exceed 2,000 sf. Peter noted that Jim Wallen, whose family owns an abutting lot, had expressed concern at the site visit with the proposed garage height potentially blocking views from their property and requested, if possible, for the height of the structure to be lowered. Sarah informed the Committee that Con Com had approved the location of the garage and noted that the siting of the garage was slightly restricted due to the wetlands located SE on the lot. The Committee discussed the visibility of the garage and its proximity to the private road but again, noted that where the garage is sited is partly due to the existing wetlands on the lot. Chris Alley presented the plans to construct a 20'x24' garage with a second story for storage. He informed the Committee that in saving two cedar trees, as conditioned by Con Com, the plans have been adjusted from 24'x24' to 20'x24' with a total footprint of 480sf. The Committee found that the garage is sited at least 31ft on each side from the property lines. In discussing the visibility of the structure, Chris informed the Committee that only one of the 24ft poles constructed was slightly visible from Lobsterville Road but did not break the skyline. The Committee determined that the proposed 24ft height is not highly visible from any public way per the bylaws and that the second story will only be accessible from an internal stairway. There was discussion on the neighbors' concern with the

structure's height. The Committee determined that abutter's concerns do not sway the Committee's decisions. However, in the spirit of being neighborly, the applicant requested to amend the plan and decrease the height of the structure to 22ft so that the structure still functions as intended but is less obstructive to the neighborhood. The Committee found that all materials used will be the same materials used for the existing structure on the lot and are compliant with the bylaws. Based on these findings, Peter entertained a motion to approve the plan as amended conditioned upon the following: height of the structure not to exceed 22ft above mean average grade, review of amended plans showing the height of the structure at 22ft, all trim must be of natural materials and neutral colors, no white, no further archeological survey is required, and all exterior lighting will comply with the Town's Exterior Lighting Bylaw. Motion was moved by Jim M and seconded by Jim N. **The PBPRC voted 7-0, the motion passed.** A Special Permit was granted for the siting of the garage where all structures on the lot to will exceed 2,000sf.

PBPRC opened a hearing to act upon a request from Joseph and Susan Walkush of 515 State Road Map 8 Lot 133.1 to enlarge windows, convert interior space to a screened-in-porch and add 430 sf of deck where total footprint of structures on the lot will exceed 2,000 sf within the Roadside District. The PBPRC reviewed the plans as presented by the project's architect James Carr. Peter informed the Committee that he had previously spoken with James concerning the enlargement of the windows and they had agreed on the adjusted window size as presented on the plans where the replacement windows do not exceed 50% of the wall area on any given side of the structure or wall planes and thus meet the Committee's "wall of glass" policy. The Committee found that there is no change to the existing footprint excluding the addition of a deck, which the Committee determined was sited on disturbed grounds and no further archeological survey would be required. There was discussion concerning the proposed screened-in-porch and its visibility during the off-season from the public road. In addition, the Committee found that the applicant does not plan on winterizing the porch and plans to have it remain as such and not fitted with panels to make it a 3-season porch. The Committee found that while the screened-in-porch is proposed to be all screen, the proposed deck would be made of natural materials and the railing would be heavily slatted and help screen a good portion of the screened-in-porch. James informed the Committee that all the windows, which are currently vinyl clad, will be replaced with solid mahogany windows which comply with the design guidelines in the bylaw. The Committee discussed the size and location of the glass slider but found that, along with the screened-in-porch, the railings of the deck will aid in screening the overall visibility of the south facing glass door. Due to the proximity to the public road way and the fact that the screened-in-porch is proposed to be all screen, the Committee discussed the porch lighting and referenced the exterior lighting bylaw where the hotspot of a bulb cannot be visible from a property line. Given the height of the structure and topography of the public road way, Peter stated that the applicant would need to make sure that, even with recessed lights in the ceiling of the porch, the hotspot of the bulb is not visible. The Committee discussed options to mitigate the visibility of the lights including lowering the opening of the screens

by a little bit or constructing a trellis or decorative wood element/feature. James stated that he would stress this to the designers and owners and felt that they would work on ways to mitigate light visibility and comply with the bylaw. Based on these findings, Peter entertained a motion to approve the plans as presented with a special permit for the square footage of all structures on the lot to exceed 2,000sf because the addition of the deck is not visible to the public and the heavily slatted railing aids in breaking up the visibility of the screened-in-porch, windows and sliding glass door, conditioned upon the following: exterior lighting will comply with the Town's Exterior Lighting Bylaw, owner will design lighting in the screen porch (an exterior area) so that the hotspot of the bulbs will not be visible from the road or property line per the Bylaw, all trim must be of natural materials and/or neutral colors, no white paint, and the screen porch must remain as such and is not to be permitted to be fitted with panels to become a three-season porch without PBPRC review and approval, no further archeological survey is required because the footings for the deck will be in disturbed soils and close to the existing structure. Motion was moved by Sarah and seconded by Jim M. The PBPRC voted 7-0, the motion passed.

PBPRC opened a meeting to review a request from Carlos Montoya of 55 Moshup trail to amend a special permit dated November 4, 2015 to change the roof design of the structure from a gable to a shed roof, replace two East facing windows with a sliding glass door and enlarge the second-floor windows on the East side of the structure. Peter was recused. The PBPRC reviewed the plans as presented by Josh Montoya. The PBPRC found that the proposed changes were not significant and no more detrimental to the Moshup Trail DCPC area than the design previously approved. Based on this finding, the Committee determined that no public hearing was required to amend the permit. In reviewing the proposed roof design, the Committee found that the requested shed roof with a pitch of 3 inches in 12 inches would slightly increase the height of the structure to 23'6 1/4. There was discussion regarding section 3.6-1 of the bylaws where a shed roof with a slope of 3" in 12" or greater cannot exceed a height of 24' as of right in areas that are not open and highly visible (those with lesser slope are limited to a height of 19') and therefore the applicant's request could be permitted. The Committee found that the applicant's request to replace the East facing windows with a sliding glass door and request to enlarge the second-floor windows on the East side still fit within the Committee's "wall of glass" policy and design guidelines. Given that the structure is not in an open and highly visible area, the Committee also found that the requested changes were no more detrimental to the neighborhood. Based on these findings, Sarah entertained a motion to approve the proposed changes as presented (change the roof design of the structure from a gable to a shed roof, replace two East facing windows with a sliding glass door and enlarge the second-floor windows on the East side of the structure) conditioned upon the following: height of the structure is not permitted to exceed 24ft. Motion was moved by Isaac and seconded by Berta. The PBPRC voted 6-0-1, the motion passed.

The PBPRC re-opened the postponed hearing to conduct a post completion landscape review for the Lighthouse area and parts of the circle and a post

completion/operation review of a temporary plan for pedestrian and vehicular traffic and signage at the Lighthouse and circle as required in the Special Permits for the Town of Aquinnah dated February 4th, 2015 and March 27th, 2015. Berta and Isaac were recused. Peter informed the Committee that the work on burying the powerlines has been delayed and that the Martha's Vineyard Commission has not finished the proposed plans for the pedestrian path. In addition, the Committee has not gotten a firm answer on whether the existing path can be made ADA. The applicant has asked for the hearing to be continued to February. Jo Ann announced that there will be a groundbreaking ceremony for the 801 State Road Affordable Housing Lots on December 21st at noon and all is welcome to come. Peter entertained a motion to continue the hearing for the review of landscaping, pedestrian paths, vehicular traffic and signage to the February 6th, 2018 meeting at 8:00pm with a site visit at 2:45pm. Motion was moved by Jim W and seconded by Jim N. **The PBPRC voted 5-0-2, the motion passed.**

PBPRC opened a meeting to review a request from Gardener and Victoria Brown of 9A E Pasture Way to conduct a perc test to design a Title V septic system. Sarah was recused. Reid Silva presented the proposed plans to the Committee. The Committee found that if the perc test is done with a backhoe then the proposed plan will not be significant and have no negative impact on the resources protected by the Aquinnah DCPC, is consistent with the goals and guidelines of the DCPC and is not detrimental to the interest of abutters. Peter entertained a motion to approve the plans as presented conditioned upon the following: a qualified archeological observer is present, and no trees are to be removed. Motion was moved by Jim M and seconded by Jo Ann. **The PBPRC voted 6-0-1, the motion passed.**

PBPRC opened a meeting to review a request from Dan Levitt and Michael Lanauer TR of 61 Moshup Trail to conduct a perc test to design a Title V septic system upgrade. Jo Ann was recused. Reid Silva presented the proposed plans to the Committee. The Committee found that if the perc test is done with a backhoe then the proposed plan will not be significant and have no negative impact on the resources protected by the Aquinnah DCPC, is consistent with the goals and guidelines of the DCPC and is not detrimental to the interest of abutters. Peter entertained a motion to approve the perc test to be conducted with a backhoe conditioned upon the following: a qualified archeological observer is present, and no trees are to be removed. Motion was moved by Jim M and seconded by Jim N. **The PBPRC voted 6-0-1, the motion passed.**

PBPRC opened a meeting to review the proposed garage elevations for Eric Litt of 11 Harpoon Hollow. Reid Silva presented the plans to the Committee. In reviewing the plans, the Committee found that the applicant is requesting to switch the gable end of the structure to face the road to accommodate a larger tilt-lift door. In addition, the Committee found that the structure is still to be constructed with a board and batten façade. After further review and discussion of the plans, the Committee asked the applicant to revise the plans to switch back the gable direction to what was originally designed with one door with a façade of two

doors. Reid will redesign and submit revised plans to the Committee for review and approval.

Meeting adjourned at 8:46pm.

Respectfully submitted,
Sophia Welch
Board Administrative Assistant