

Aquinnah Planning Board Plan Review Committee Meeting July 27th, 2020

Members Present: Sarah Thulin, Jim Mahoney, Jim Wallen, Tom Murphy, Berta Welch, Jo Ann Eccher*, Jim Newman*
Not Present: Isaac Taylor

Also Present: Sargent Manning, Reid Silva, Kathy and Patrick Sherbrooke, Rebecca Goldberg, Andrew McAfee, George Sourati, Jeffrey Dike, Maryann Thompson, Chris Alley, Jay Mcleod, Greg Ehrman*, Greg Whiting*, Alex Sherman*, Marsha Shufrin*, Nancy Haller*, Charles Fitzgerald*, Kathryn Cerick*

**via videoconference - Zoom*

Meeting opened at 6:36pm

The Committee reviewed the 6/15/20 meeting minutes. Sarah motioned to accept the 6/15/20 minutes as presented. Motion was seconded by Jim M. **The PBPRC voted 5-0, the motion passed.**

Berta joined the meeting.

Public Hearing: Lukas R Kolm TR of 494 Lighthouse Road Map 5 Lot 107 - Special permit request under sections 3.2-1, 3.9-1, 13.4-1 and 13.4-7 of the Aquinnah Zoning Bylaw for the siting and construction of a 180sf shed within the Roadside District where total footprint on the lot will exceed 2,000sf. Chris Alley presented the project: construction of a 190sf shed 12.5ft above grade and sited between two trees. Shed will be placed on sonotubes and will not require any digging. The Committee found that the shed will not be visible from any public way and requested that the two trees on either side of the shed be saved and limbed to accommodate the positioning of the structure. Applicant assured the Committee that the shed will be similar in materials to the existing dwelling (cedar shingles, asphalt roof, and dark green trim). Sarah motioned to approve a special permit for the shed and a special permit for total footprint on the lot to exceed 2,000sf because the shed will not be visible, conditioned upon the following: if possible trees should be limbed and saved, footprint of the shed should not exceed 180sf, any ground disturbance be done by hand, materials should be natural and/or neutral in color and exterior lighting must comply with the Town's Exterior Lighting Bylaw. Jim M seconded. **The PBPRC voted 6-0, the motion passed.**

Jim N joined the meeting via Zoom.

Public Hearing: Jestina A Held (Jeffrey Madison – Applicant) of 11 Old Man Mingo Lane Map 5 Lot 61 – Special permit request under sections 3.9 and 13.4 for the siting and construction of a single-family dwelling and associated utilities and site work. Chris Alley presented the plans: siting of an approx. 1,010sf dwelling 23ft above mean average grade with crawl space. Chris informed the Committee that a special permit for a smaller dwelling had been approved, however, it has expired, and the new applicant is changing the footprint. Well was installed by the owner years prior but a 3-bedroom septic will need to be installed (septic has been approved by the Board of Health). The Committee found that an intensive survey had been recommended by MHC for the smaller dwelling previously approved. Applicant informed the Committee that they had spoken with the Tribe who was willing to observe any ground disturbance. With written consent from the Tribe, the Committee agreed that with a Qualified Archaeological Observe present during digging, there would be no negative impact to resources. Sarah motioned to approve a special permit for Held/Madison of 11 Old Man Mingo Lane for the siting of a structure with a

crawl space where total footprint will be approx. 1,010sf conditioned upon the following: subject to Conservation Commission, white trim permitted but if the applicant is willing then natural materials and neutral color trim, height not to exceed 23ft above grade, written approval from the Tribe for a Qualified Archeological Observer to be present during any ground disturbance, all exterior lighting must comply with the Town's Exterior Lighting Bylaw, and any changes to the plan must come back to the PBPRC for review. Jim M seconded. The PBPRC voted 7-0, the motion passed.

Public Hearing: Continued from 6/15/20 - Kathryn Cerick & Charles Fitzgerald of 3 Driftwood Lane Map 4 Lot 46 – special permit request for the relocation of a preexisting nonconforming structure and removal of a revetment and portions of an existing tennis court where total footprint of all structures on the lot will exceed 2,000sf in the Flood Plain Zone, the Coastal District and Marine Commercial District. Jim W recused himself and Berta stepped in as Acting Chair. Reid Silva re-presented the proposed project: relocate the pre-existing non-conforming structure approx. 50ft inland on the property; foundation to be removed; structure to be placed on piles and will meet Flood Plain and Velocity Zone requirements, which will subsequently lower the existing ridge height by 4in given the topography of the lot; restoring the revetment to a natural dune; and reconstructing the existing tennis court into a pickle ball court. Structure is being move because it is in a precarious location (right on the beach). Per Town Counsel, relocation of the structure is not cause to lose its pre-existing non-conformity status, however, the Committee needs to determine whether the proposed project is substantially more detrimental to the neighborhood than the pre-existing non-conforming structure and whether it would exacerbate the present non-conformity of the property (Zoning Bylaw section 13.4-11A). The following concerns were expressed by the Committee: visibility of proposed location (currently highly visible), abutting neighbor views, clustering of development and the effect on the character of the neighborhood, and recreating the tennis court into a pickleball court where tennis courts are not permitted within 500ft of the mean high water mark of the ocean or any major pond. Abutters voiced concern with the proximity of the structure to their residence, screening of the structure and pickleball court and footprint of the deck.

After much discussion, the Committee requested that the applicant submit vantage photos of the structure in the proposed relocation from public points (Lobsterville) and plans reflecting the following: removal or decrease of decking on the South side of the structure, removal of tennis court and landscape plans to aid in screening the structure. The Committee scheduled the next meeting for September 15th, 2020. With the applicant's agreement, Sarah motioned to continue hearing to September 15th, 2020 at 6:30pm. Jim M seconded. The PBPRC voted 6-0-1, the motion passed.

Public Meeting: 61 Moshup Trail Map 10 Lot 29.3 – Preliminary Discussion for Renovations and Additions. Jo Ann and Tom, abutters to 61 Moshup Trail, recused themselves from the discussion. Reid Silva presented the proposed plans: renovate the existing structure to comply with current design guidelines (neutral colors and natural materials), and the siting of approx. 184sf of addition to existing dwelling (calculation includes removal of existing conditioned space and decking). The following concerns were discussed: location of the lot within the Coastal DCPC (within 200ft of wetlands, waterbodies, beaches, dunes, or the crest of bluffs over

15ft high) and restrictions, visibility of the existing and proposed structure, length of the proposed structure along Moshup Trail and proposed glazing along the Moshup Trail side of the structure. Being that this was a preliminary discussion, no action was taken by the PBPRC. The Committee did request that the applicant reduce the amount of proposed glass and reconsider location of additions should they continue with submission of a special permit application.

Public Hearing: Continued from 6/15/20 - Town of Aquinnah of 17 Aquinnah Circle Map 6 Lot 20 – Special Permit request for the siting and construction of a rain structure in the improved picnic area and bus shelter on an open and highly visible lot located within the Cliffs DCPC. Berta was recused. Per the applicant's request to continue, Sarah motioned to continue the hearing to September 15th, 2020. Jim M seconded. **The PBPRC voted 6-0-1, the motion passed.**

Public Hearing: Andrew McAfee of 7 Maple Hill Drive Map 9 Lot 202 – Special permit under sections 3.2-1, 3.9, 11.3, 13.4 and 13.4-7 for the siting and construction of 195sf addition and exterior renovation in the Moshup Trail Cultural and Historic DCPC where total footprint on the lot will exceed 2,000sf. Maryann Thompson presented the proposed project: renovate the existing dwelling making it more conforming to the Moshup Trail DCPC design guidelines (replacing white trim with natural material / neutral colors), addition of 195sf of new footprint (portion of existing deck and patio footprint to be converted into enclosed living space), replacement of existing skylights and installation of new skylights, removal of South facing second story "eyebrows", addition of second story decks (South facing) and installation of roof mounted solar panels. In reviewing the elevations, the Committee found that the South facing proposed windows (most visible side of the structure) exceeded the "50% wall of glass" policy and requested that the applicant revise and amend the plans so that no given story and section would exceed 50% of glass (applicant had calculated the total face of the structure instead of each section). The Committee also requested that the applicant eliminate new skylights. The Committee found that MHC did not recommend an archeological survey because the proposed project is within disturbed area (in close proximity to existing structure). Based on the applicant's agreement to revisions, Jim W motioned to approve the amended plan with the following conditions: solar panels will be all black matte, no new skylights, subject to the submission of revised elevations confirming that the glazing does not exceed 50% on any given section or separate plane of wall, subject to Con Comm conditions, all trim must be of natural materials and/or of neutral colors (no white paint), and all exterior lighting must comply with the Town's Exterior Lighting Bylaw. Motion was seconded by Tom. **The PBPRC voted 7-0, the motion passed.**

Under correspondence, the Committee discussed the following: Dibenedetto of 12 Ridge Road is planning a basement renovation, the Committee agreed that since the footprint is not changing no action is required from the PBPRC; Steinberg of 264 Lighthouse Road project is returning to the original location for the roof top deck (a special permit amendment had been recently approved for the relocation of roof top deck), the Committee agreed that since they are returning to the original plans no action is required from the PBPRC (plan is reverting back to what had already been permitted). With no other business, the meeting adjourned at 8:56pm.

*Respectfully submitted,
Sophia Welch, Board Administrative Assistant*