

Aquinnah Planning Board Plan Review Committee Meeting – June 22nd, 2021

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

Members Not Present: Isaac Taylor

Also Present: Mary Ellen Carey, Joseph Dick, Lane Heard, Gary Foster, Kevin Shea, Laura Jordan & Max Decker, Karen Salvatore, Stig Leschly, Baker, Reid Silva, Gerry & Beth Green, Chris Alley, Jay Bodnar, Diana Gilmar, Leslie Knowles, Kristen Reimann, Kathy & Patrick Sherbrooke, Kiki & Vin Locasano, Phil Regan, Leslie, Mike, Jim Salzer, Barbara Hempstead, Darran Reubens, Peter Breese, Adriana Ignacio, Richard Kazis, William Wing, Doug Dowling

Meeting was held via videoconference on Zoom.

Meeting opened at 6:33pm

Committee appointed Tom to continue as acting chair for the meeting.

Jim W motioned to accept the 5/18/21 minutes. Motion was seconded by Jim N. The PBPRC voted 5-0, the motion passed.

Karasik of Tar Barrel Road Map 8 Lot 39 – Archaeological Determination – Jim W was recused. PAL completed an intensive survey as conditioned by the PBPRC. MHC determined no findings and did not recommend any further survey for the proposed project. Jim N motioned to approve an Archaeological Determination that no further survey is required unless the location of the project changes. Jim M seconded. The PBPRC voted 4-0-1, the motion passed. Applicant will still need to return to PBPRC and Con Comm for review and approval of building elevations.

Sarah and Jo Ann joined the meeting.

Public Hearing: Harold Wolozin of 122 Lighthouse Road Map 6 Lot 57 Special Permit request for 100sf addition on an identified historical structure on a lot located within the Roadside DCPC (continued from 4/13 & 5/18/21). Property has changed ownership. House is a historical structure and over 100 years old and any exterior alteration requires MVC review and approval. Proposed project was approved by the MVC on June 17th but a final decision has not yet been filed with the Clerk (to be filed around July 8th). Sophia noted that Town Boards cannot approve any permits until the MVC decision has been filed. PBPRC decisions need to be filed with the Clerk within 14 days of the hearing. Given the complexity of timing, PBPRC decision would be filed before the MVC decision was filed which is not permissible. Applicants reviewed minor modification to the plans with the Committee: replacement of a window with a door and the addition of a small deck and stairs (approved by MVC). Sarah motioned to continue the hearing to July 27th. Jim W seconded. The PBPRC voted 7-0, the motion passed.

Public Hearing: James Wallen TR and Kathleen Smith TR of 7 East Pasture Shore Road Map 4 Lot 88 Special Permit request to site and construct a 1,000sqft single family dwelling and septic system where total footprint on the lot will exceed 2,000sf (cont. from 12/1/20, 2/2, 3/16, 4/13 & 5/18/21). Jim W was recused. Building plans are not finalized and applicant requested to continue the hearing. The Tribe has agreed to observe any ground disturbance. If the siting of the building changes, applicant will need to inform the Tribe. Sarah motioned to continue the hearing to July 27th at 6:30pm. Jim M second. The PBPRC voted 6-0-1, the motion passed.

Committee discussed building timeline for the Karasik property on Tar Barrel Road with Reid Silva. Building plans have not been finalized and will return to the Committee for review and approval in the Fall. Applicant wants to install the septic first.

The Committee scheduled a meeting for September 14th, 2021. The Committee discussed the upcoming town elections and potential rearranging of the Committee.

Public Hearing: Beth M Green Trustee of 1 Evergreen Way Map 5 Lots 208.2 & 208.3 Special Permit request for the siting of a 676sf addition and garage where total footprint on the lot will exceed 2,000sf in the Roadside District. Applicants reviewed the proposed project: construct a single-story 676sf addition (garage for storage with adjoining bathroom). The Committee determined that the proposed project meets setback requirements and will be under the 18ft height restriction for structures within 200ft of a public road or way (State Road) and will not be open and/or highly visible as the addition is within the mass of the existing dwelling. Project will require Con Comm review (no negative impact to wetlands) but not BOH. MHC did not recommend a survey. Sarah motioned to approve the project as presented. Jim W seconded. The PBPRC voted 7-0, the motion passed.

Public Meeting: UMB Bank NA Trustee & Jessie Benton of 315 State Road Map 11 Lot 47 Special Permit Amendment Request (Special Permit dated 4/29/19) for the siting of a 44sf addition built on slab where total footprint on the lot will exceed 2,000sf in the Coastal DCPC. Chris Alley presented the proposed project: front portion of approved project was not built due to the finding of a feature; also, side decking as approved is not being built; amendment includes siting a 44sf addition/entry way on poured slab over the found feature. Chris informed the Committee that the Tribe is agreeable to the change and wants to be on site during the pouring of slab and is requesting a one-week notice. Approved project footprint was 5,079sf but now is at 4,683sf (including 44sf addition). Project is fine from Con Comm perspective. Jim W motioned to approve a special permit amendment for the addition of a 44sf on a previously approved structure with the condition that the Tribe Historic Office be present during this portion of the project and that they are given one (1) weeks' notice before any work is done. Jim N seconded. The PBPRC voted 7-0, the motion passed.

Public Hearing: Sarah & Dennis Thulin of 2 East Pasture Way Map 8 Lot 112.1 Special Permit request for the installation of septic system upgrade in the Coastal DCPC. Sarah was recused. Reid Silva presented the project: septic system upgrade and repair to existing 25-year-old system; project is sited in the location of the existing leaching fields and will not expand outside; MHC did not recommend a survey (area is disturbed). Berta motioned to approve the upgrade. Jim W seconded. Discussion: Jay Bodnar questioned how the town handles a failed septic system this close to the pond and/or wetlands, what the repercussions of failed systems are on the ecosystem and the potential use of advance systems in coastal areas; Berta noted that PBPRC relies on BOH to review this concern; Reid commented that every town is different and there is no town that has a blanket provision on proximity to ponds or oceans but that variances are managed by BOH; Reid didn't believe that Menemsha pond is nitrogen impaired and noted that, given the elevation of this site, there isn't immediate concern with this project and the pond; Sarah requested that Reid design a safe and good system maximizing the land so that is it not contaminating the pond; repair will be completed in the fall. **The PBPRC voted 6-0-1, the motion passed.**

Public Hearing: Kurt Knowles (Kevin Shea, Applicant) off East Pasture Road Map 8 Lot 63 Special Permit request for a variance on frontage and the siting of a new dwelling, garage, well, septic system, driveway and associated utilities where total footprint on the lot will exceed 2,000sf. Reid Silva presented the proposed project: since last meeting, application was readvertised to include a request for a variance on frontage for a pre-existing lot; access to the lot will utilize existing 20ft wide easement off neighboring driveway; proposed dwelling is 2,138sf (including decks and stairs); propose height is 23 ½ft and below

the 24ft restriction for lots not open and/or highly visible or within 200ft of a public road (previously presented at 26ft); dwelling site was relocated 30ft to the northeast from previous design; parking area will require retaining walls; the garage originally requested was removed from the plans; septic system location was shifted to accommodate new location of dwelling; well sited on southwest side of dwelling; glazing is under the 50% wall to glass ratio; MHC recommended a survey and applicant is coordinating with PAL. Plan did not include hardscaping or landscape plan other than what had been presented for the parking area. Abutters made the following comments: revised project is more feasible; concerned with glazing and basement grading towards the road. Reid noted that there will be an area of 2-3ft of exposed foundation and there is not a full basement (some crawl space). Committee discussed the frontage variance: application needs a special permit variance; existing lot has 75ft of frontage but is pre-existing and meets the bylaw provision because the lot is undeveloped and has at least 50ft of frontage on a private way prior to May 10, 2011. Committee felt that the project was an improvement to the first presentation and determined that the project is not in an open and/or highly visible area.

Jo Ann motioned to approve a special permit to exceed 2,000sf (not open and highly visible and sited off of the ridge), grant a variance for the minimum frontage requirement under section 13.4-10-F as determined that the lot does not have conforming frontage, however, lot was created prior to May 10, 2011 with at least 50ft of conforming frontage and therefore is eligible for a variance; permit is conditioned to an intensive survey and archaeological determination made by PBPRC with a recommendation from MHC, subject to any orders or conditions set by the Conservation Commission and subject to any orders or conditions set by the BOH. Jim M seconded. The PBPRC voted 7-0, the motion passed.

PBPRC Hearing: Stig Leschly of 23 Oxcart Road Map 2 Lot 16 Special Permit request for the replacement, relocation, and expansion of existing dwelling where total footprint on the lot will exceed 2,000sf within the Coastal DCPC (continued from 3/16, 4/13 & 5/18/21). Phil Regan and Chris Alley presented revised plans: reduction in weather wall footprint from original 1,462sf proposal to 1,342sf (just under a 40% overall increase); reduction of overall footprint is now below 2,000sf; in comparing other dwellings on Oxcart Road, Phil noted that the proposed project doesn't appear to be larger than other dwellings; there was no lack in effort trying to make this a dwelling to be utilized as a year-round home for a family of 5 while at the same time minimizing the imprint on the ground; overall proposed development has not been moved any closer to dunes or beach than what exists now; increased separation of building from wetlands (13ft). Sarah noted that from a Con Comm's perspective, everything has been done to protect the environment and will improve what is existing and felt that the ridge line and look of the house will be an improvement. A lengthy discussion ensued regarding hardscape and the parking area: concern with defining the parking area and not increasing the area in the future; applicant informed the Committee that there are no plans for hardscape given that the deck will constitute as the yard, area for parking will be sand (DEP prefers pervious materials) and footpath existing on the west will remain; parking is a larger issue for all of Oxcart Road.

Committee agreed that the project as presented was a compromised plan and improvement but should be compared to what it was and is and not compared to other dwellings on Oxcart Rd. Committee reviewed elevations: applicant will need to submit glazing calculations confirming that they do not exceed the 50% wall to glass ratio policy; roofing will be grey copper roof; ridge height varies with highest ridge at 17ft (structure to be seated at the flood plain level). Sarah motioned to approve the current iteration of the project and grant a flood plain permit based on the work that was done to make the home smaller, applicant decreased weather wall, project adheres to the desires of Con Comm and DEP and is not expanding the house into the dunes, distance between wetlands and house is increasing, there is less than 50% of glass to wall ratio on each surface, dwelling height will be under 18ft, project allows for removal of parking from wetlands, dwelling will use natural materials, and approve a total interior weather wall space of 1,242sf. Jim M seconded. The PBPRC voted 7-0, the motion passed.

Public Hearing: Patrick & Katherine Sherbrooke of 1 Driftwood Lane Map 4 Lot 47 Special Permit request for the siting of 438sf single story addition and enclosing 97sf of an existing deck for interior living space on pre-existing non-conforming structure and lot located in the Coastal DCPC (cont. from 5/18/21). Sarah noted that the proposed project will not impact wetlands (Cooper has flagged neighboring wetlands). Applicant is still waiting on a certified site plan delimitating proximity to wetlands and lot lines (proposed addition is approx. 86ft from wetlands and proposed bump out is approx. 86ft from dunes). Project will need to be reviewed by Con Comm. Sarah motioned to approve the plan conditioned upon approval by Con Comm, submission of final certified plot plan showing all dimensions to lot lines and wetlands and determining that the additions are not more detrimental or more non-conforming than existing dwelling, skylights and associated roof line will be removed. Jim N seconded. **The PBPRC voted 7-0, the motion passed.**

Public Hearing: James Salzer and Barbara Hempstead of 10 Windy Hill Drive Map 10 Lot 61 Special Permit request for the demolition, relocation and expansion of a single-family dwelling and garage and associated utilities on a lot located in the Moshup Trail DCPC and where total footprint on the lot will exceed 2,000sf (cont. from 5/18/21). Jo-Ann and Berta were recused. Darran Rubens presented the revised plans: dwelling has been relocated 26ft9in from the view easement line (previously 3ft), guest wing was reduced by 4ft, dwelling layout was flipped, proposed ridge height will be 18ft above mean average grade (existing dwelling ridge height), all facades meet the 50% wall to glass ratio policy, and roof deck relocated to northwestern side of dwelling. Owner and abutter noted that they were pleased with the revised plans. Jim W motioned to approve the project as presented and the footprint to exceed 2,000sf, subject to an intensive survey and archeological determination made by the PBPRC with a recommendation from MHC, subject to orders and conditions set by the Conservation Commission and subject to orders and conditions set by the BOH, and any changes to the plan would need to return to the PBPRC for review. Sarah seconded. **The PBPRC voted 5-0-2, the motion passed.**

Public Hearing: Jill Medvedow TR and Richard Kazis TR of 1 Tar Barrel Road Map 8 Lot 41 Special Permit request for siting of a 1,035sf addition, relocation of septic tank and minor stone wall alteration. Jim M was recused. William Wing of Worth and Wing, presented the proposed project: Siting of bump out/entry way to the east and addition sited on the west side of existing structure; additions will avoid any encroachment on wetlands; relocation of septic tank across the stone wall; south wall has the highest glass to wall ratio of 34% (downhill with 2-story effect); existing ridge height of dwelling is 22ft and the tallest ridge of the proposed additions is 16ft above mean grade; project notification form has been submitted to MHC.

The Committee discussed the following: project and dwelling is not open and/or highly visible; permit would need to be conditioned upon MHC letter with the condition that if MHC does not recommend a survey, applicant would not need to return, but if survey is recommended then applicant would need to return to PBPRC for an archeological recommendation; applicant filed application with BOH to relocate septic; permit would be subjected to any Conservation Commission conditions; digging of waste line will require stone wall alteration and any part being disturbed will be restored; committee requested that before and after photos be submitted of the stone wall. Jim W motioned to approve the plan as presented subject to a ruling from MHC concerning archeological and complying with that ruling, subject to any conditions from Con Comm and BOH. Jo Ann seconded. **The PBPRC voted 6-0-1, the motion passed.**

Public Hearing: Douglas Dowling TR of 759,761 & 765 State Road Map 9 Lots 148, 149, 150 Special Permit request for siting of a curbcut and temporary parking area located in the Roadside District. Jim M was recused. Doug Dowling presented the proposed plans: siting of a curb cut along State Road for access to a less than 8-acre lot (not requesting a subdivision road); proposed curb cut would be an 40ft asphalt apron at 16ft wide decreasing to 12ft then to 8ft to a house site (not included in plan) and include the siting of a culvert; brush cutting for a temporary parking area which in turn would establish a permanent access off State Road (to be restored into a vegetated buffer zone between lots); location of

curb cut is at the pinnacle point along State Road that will give ample visibility for vehicles; site includes protected habitat and wetlands; the site is ideal for a family compound or compact siting.

The following concerns were discussed at length: acreage of potential development (seeing a scheme for the lot); whether a curb cut is necessary for marketing a lot and lack of past approval for curb cuts only with no development plan; compliance with curb cut bylaw section 3.8-4; flagging of wetland areas and location of priority habitat; impact on wetlands; State highway curb cut requirements; potentially mowing the area instead of creating a curb cut to market lot; history of development along State Road in regard to curb cuts without a development plan (i.e. Smalley's Knoll); concern with 40ft asphalt apron and not knowing how far it is going up.

PBPRC agreed that they were not familiar with how to proceed at both the State and zoning level for curb cuts, requested more information and felt that the best course of action was to continue the hearing.

Committee requested to consult town Counsel and get more information on the curb cut bylaw and what is required. Jo Ann and Sarah noted that they will do some research on how Smalley's knoll approached a curb cut with State. Jim M noted that the State does require an asphalt apron to some extent. Sarah motioned to continue the hearing to July 27th, 2021 at 6:40. Berta seconded. The PBPRC voted 6-0-1, the motion passed.

Doug will mark the proposed 40ft for the next meeting.

With no other business, the meeting adjourned at 10:05pm.

Respectfully submitted, Sophia Welch, Board Administrative Assistant