

Aquinnah Planning Board Plan Review Committee Meeting September 11th, 2018

Members Present: Peter Temple, Chairman, Sarah Thulin, Jim Wallen, Berta Welch, Jo Ann Echer, Jim Mahoney

Members Not Present: Isaac Taylor, Jim Newman

Also Present: Len Butler, Todd Vanderhoop, Phil Regan, Jim Vercruysse, Lane Bazzy, Sibel & Barney Suman, Kristina Hook, Adriana Ignacio, Paul Manning, Darren Leport, Renee & Jamie Pianka, Andrew Flake, Jim Decoulos (via phone)

Meeting opened at 6:42pm

Jim M made a motion to approve the 9/5 minutes as presented. Motion was seconded by Sarah. The PBPRC voted 5-0, the motion passed.

Jo Ann entered the meeting.

The Committee reviewed multiple new business and correspondence items:

Verdick – Sea Mist Lane: Peter informed the Committee that on the Verdick property (Moshup Trail) it appears a wide swath of trees have been removed and a potential tree cutting violation needs to be enforced. Steve Yaffee, Tree Warden, estimated that approximately 50 trees had been removed and was not permitted. Sarah, after visiting the site, did not agree with Steve's estimate (no evidence of remaining tree stumps) and from a Con Comm standpoint, there wasn't enough evidence to warrant a tree cutting violation. Regardless, there is no permitted cutting without special permit in the Moshup Trail DCPC. The Committee agreed to start the violation process.

Loccisano – East Pasture Road: Approximately 4 trees 1ft in diameter each have been removed on the property. The reason has yet to be determined but it doesn't appear that the trees were removed for a view channel. The Committee agreed to start the tree cutting violation process.

Mcdonald – East Pasture: The Committee discussed the post completion landscape review. The Committee found that the permitted selective tree trimming was done effectively so that views looking out were increased without increasing visibility of the structure. In addition, the Committee determined that the trees planted will be effective in screening the main house. The Committee also found that a large grouping of Beetlebung trees on a neighboring property have also aided in screening the structure. The shed above the garage is still visible and due to the location of the septic system, vegetation cannot be planted to screen the shed. The applicant has planted a Privet on the second-floor balcony of the garage and if maintained and nurtured should provide adequate screening of the shed. (Note: after the meeting, it was confirmed that what was actually planted was an Arborvitae tree that will still achieve the same screening if maintained and nurtured) Based on these findings, Peter entertained a motion to approve the post completion landscape plan and review. Motion was moved by Berta and seconded by Jim M. The PBPRC voted 5-0-1 (Sarah abstained), the motion passed.

Green – Evergreen Way: After review of an MHC letter dated 8/20/18 (special permit condition for archeological determination), the Committee found that MHC requested additional information to determine whether a survey was required. Len Butler informed the Committee that he had spoken with a Tribal Cultural Resource Monitor who agreed that the proposed area seemed to be disturbed ground and felt that it would be sufficient enough to have an archeological observer present during digging of the 10 sonotubes. Peter entertained a motion to amend the special permit conditions as follows: sonotubes need to be dug in the presence of a qualified archeological observer and approval is conditioned on the receipt of an approval letter from the Tribe and copied to MHC. Motion was moved by Jim W and seconded by Jim M. **The PBPRC voted 6-0, the motion passed.**

There was brief discussion concerning the clearing/cutting on the Belain property at 849 State Road.

PBPRC opened a meeting to conduct a post summer season review for Staples of 17 Aquinnah Circle Map 6 Lot 20. Berta was recused. On behalf of Jennifer Staples, the Committee met with Kristina Hook. The Committee found that one side of the structure still needs to be shingled. There was discussion concerning the woodchips covering the lot and possible remedies for ground coverage. The applicant proposed crushed scallop shells instead of the woodchips. The Committee and abutters agreed that clean shells would be a better option, given that grass is difficult to maintain, and the wind carries the woodchips. There was discussion on the applicant constructing an exterior display (to be brought back to the PBPRC to review when a plan is completed). Peter entertained a motion to amend the Special Permit as follows: replacing the woodchips with chopped and clean scallop shells, any changes to the exterior of the structure need to come back to the Committee for review, remaining un-shingled side of the structure needs to be shingled by next season. Motion was moved by Jim W and seconded by Sarah. **The PBPRC voted 5-0-1, the motion passed.**

Jim W, acting Chair, opened a hearing to act upon a request from South Shore Holdings LTD of 9 Lighthouse Rd Map 6 Lot 31 for Special Permits to reconstruct a pre-existing non-conforming well house. Berta was recused. In reviewing the plans, the Committee found that the existing well house is subterranean (causing the water tanks to flood every year) and the new structure will be raised to ground level and sited on an 8'x10' block foundation (existing foundation). The Committee requested that the applicant angle an access path to the well house and maintain vegetation to screen the structure. The Committee found that the new structure will be a salt-box style structure constructed of all-natural materials with a ridge height that will not exceed 10'. At the site visit, the Committee found that there were older tanks on the lot and requested that they be removed, and the lot cleaned up. While the proposed shed is more non-conforming (proposed structure is higher than existing) and could be argued as more detrimental to the neighborhood, the Committee found it will be screened and will protect the health and safety of the owners. Based on these findings, Jim W entertained a motion to approve the proposed plans conditioned upon the following: subject to a post completion landscape review to ensure there is sufficient vegetation to screen the structure, all trim must be of natural materials and/or of neutral colors, no white paint. Peter amended the motion to include the condition that all other tanks on the lot must be removed. Amendment and motion were moved by Sarah and seconded by Jim W. **The PBPRC voted 5-0-1 to approve the amendment and motion.**

Jim M, acting Chair, opened a hearing to act upon a request from Lois Wecker/Sarah David Kessler Trust of 3 Oxcart Road Map 4 Lot 34 for Special Permits to reconstruct an existing gable dormer and to alter a roof line in the Coastal District. The Committee found that they had already approved the proposed project, however, the applicant did not apply for a building permit within the 1-year time limitation for a Special Permit. The Committee reviewed the proposed plans and found that there were no changes to original plans. In addition, the Committee confirmed that there were no changes in total footprint on the lot, only swapping of footprint on the South side of the structure as shown on the elevations presented. Based on these findings, Jim M entertained a motion to approve the plans as presented. Motion was moved by Sarah and seconded by Jim W. **The PBPRC voted 6-0, the motion passed.**

Jim M, acting Chairman, opened a hearing to act upon a request from Aquinnah Bluffs LLC C/O Marc Meyer of 3 Ridge Road Map 4 Lot 87 for Special Permits to replace an existing shed with a 216sf shed. Jim W was recused. Todd Vanderhoop presented the plans to replace the existing shed with a 216sf shed sited on cement blocks and move the shed closer to the existing building (SW shed corner to be approximately 27ft off the existing foundation). While the existing shed is within the 30ft setback to the property line, the Committee determined that the proposed siting of the new shed will be less non-conforming because it is moving further from the lot line and will not be visible, therefore is no more detrimental to the neighborhood than the existing shed. In addition, the Committee found that the proposed shed will be constructed of natural materials and will be neutral in color. Based on these findings, Jim M entertained a motion to approve the plans as presented to replace an existing shed with a 216sf shed conditioned upon the following: ridge height is not to exceed 13'. Motion was moved by Sarah and seconded by Peter. **The PBPRC voted 5-0-1, the motion passed.**

Jim W, acting Chair, opened a hearing to act upon a request from Barnaby & Sibel Suman of 3 Attaquin Way Map 6 Lot 81 for Special Permits to site and construct a 216sf shed on a pre-existing non-conforming lot. In reviewing the site plan, the Committee found that the applicant reduced the original proposed size of the shed from 12'x18' to 12'x16'. The Committee determined that the 192sf shed meets all setback restrictions and is sited at least 30' from all property lines. The Committee determined that the shed is no more detrimental to the neighborhood because it is not visible from any public way. In addition, the Committee found that the proposed shed will be sited on cement blocks and constructed of natural materials and neutral in color. Based on these findings, Jim W entertained a motion to approve the plans as presented. Motion was moved by Berta and seconded by Sarah. **The PBPRC voted 6-0, the motion passed.**

PBPRC opened a meeting to review the request for Special Permit amendments for Niessan of 65 Moshup Trail Map 10 Lot 51 to alter the roof line by moving a chimney above the roof ridge line, change the rough opening of windows and change the sitting of accessory structures where total footprint on the lot will exceed 2,000sf in the Moshup Trail DCPC. Jo Ann was recused. This meeting was subsequent to the applicant already installing the proposed changes. Phil Regan presented the following proposed amendments (already installed): change the approved North side chimney (within ridge line) and replace it with a woodstove and flue piping through the center of the roof ridge line, remove 4 windows and replace with cedar siding (below tree line), relocate outdoor shower and condenser units from East side to North side (now sub-

terrain), install French doors where the outdoor shower was originally sited on the East side of the structure.

There was a lengthy discussion concerning the wood stove flue pipe that breaks the tree line and can be seen from multiple public ways. Phil presented multiple solutions to maintain the woodstove: decreasing the height of the chimney down to 2' (exact height for meeting code), encasing the chimney in a natural material such as cedar or stone, bending the flue pipe to position the pipe elsewhere on the roof, changing the cap on the flue pipe, potentially retro fitting the stove with gas (this may not change the piping at all).

Abutters Jim Vercruysse and Lane Bazzy voiced their concerns with the chimney: pipe breaks the tree line (submitted a photo from their home of the stove pipe) and greatly impacts their view, was not permitted, and concern that the structure does not comply with the Moshup Trail DCPC guidelines. Peter read a letter into the minutes from Anne Tagge who wrote that "the chimney above roof line is very visible and objectionable".

After further discussion, the Committee agreed and requested that the applicant research options (not only to reduce the pipe but options to move it as well) with the goal to keep the profile of the roof as close to what was originally approved but still accommodate owners desire to have a wood stove. Peter entertained a motion to continue the meeting to October 16th, 2018 at 6:30pm where the applicant will present options and vantage point photos of the roof from public areas (Cliffs and along Moshup Trail). Motion was moved by Jim W and seconded by Berta. The PBPRC voted 5-0-1, the motion passed.

Sarah left the meeting.

Planning Board opened a meeting to act upon a review of the Form C Subdivision Covenant and Special Permit requirements for Gorda Realty Trust and Gossamer Wing Realty Trust of Moshup Trail Map 12 Lot 38 & 140. Per the Covenant and Special Permit conditions, the applicant has shown proof of a perpetual maintenance plan for the road and has presented a road agreement signed by all participants, therefore the Board determined that these conditions have been met. The second part of the Covenant and Special Permit was the review and approval of a post completion landscape plan. The Board reviewed the submitted plan and noted the following changes that the Board and applicant made during the site visit: vegetation is coming back on its own and the number of plants that were originally required will no longer need to be planted; applicant will plant, in addition to grass, Bayberry and Heather along the sand banks where the road cuts through sand dunes to stabilize the area. The Board found that the Form C plan required the road to be hardened and finished to the standard required by the Subdivision Control Bylaw, all the way to the adjoining lot because development was expected on that lot and access would be provided by this road. Recently, however, a major interest in the lot was acquired by the MV Land bank so now the prospects of its development are quite unlikely. The Board found the last section of the road has been laid out but not hardened and determined that it should be left natural as it is and only completed and hardened if and when any development on the adjoining lot requires it. The Board asked the applicant to amend the landscaping plan accordingly and to relocate the emergency vehicle turnout to the spot where the hardener currently ends. Based on these amendments, Peter entertained a motion to approve the post completion landscaping plan as presented and determine that the requirements of the guarantee and the bond have been met and can be released. Motion was moved by Berta and seconded by

Jim M. **The Planning Board voted 5-0, the motion passed.** Applicant will forward the amended plan.

Jim W left the meeting.

The Committee reviewed the course list for the Fall Citizen Planner Workshops. Sophia will send in a selection request for the Committee.

Meeting adjourned at 9:30pm.

Respectfully submitted, Sophia Welch, Board Administrative Assistant