

Aquinnah Planning Board Plan Review Committee Meeting – April 11, 2023

Present: Jim Wallen, Sarah Thulin, Tom Murphy, Heidi Vanderhoop, Jim Mahoney, Isaac Taylor, Jim Newman

Not Present: Amera Ignacio

Also present: Laura Jorden\*, Mark Fortier\*, Kris Horiuchi, Peter Temple, Barbara Lampson, Isabelle Lumb\*, Jessica Shaffer\*, Dan Larkosh\*, James\*, Emily\*, Seth Woods\*, Jacob Lilley\*, Reid Silva, Brianne McGowan\*, Steve Moskowitz\*, Chris Arner

*Meeting was both virtual via Zoom (\*attended via zoom) and in person.*

The meeting opened at 6:39pm.

Minutes: Jim W entertained a motion to accept the 3/14 & 3/21/23 minutes; Sarah motioned, Jim N seconded; PBPRC voted 7-0, motion passed.

*Special Town Meeting Warrant Articles:* Proposed warrant articles regarding zoning changes will remain on warrant as it has already been posted; PBPRC members expressed concerns with the broad language of the warrant article exempting town owned properties from zoning and the implication of it; Tom noted that the article was to address the Circle North property (also referred to as the Manning property); members also expressed concern that the committee was never consulted and procedure was circumvented; one member noted that this is beyond the procedural issues and brings up the need to address the bylaws again; committee discussed municipal and commercial zoning; the committee discussed the warrant article concerning ADU by right and how it implies changing the density requirement by decreasing it from 2 acres; it was noted that changes could perhaps be made to make the accessory apartment bylaw less restrictive; suggestion was made for the PBPRC and other town committees and administration come to the table to discuss where the town is heading and issues concerning tax base growth; after a lengthy discussion, the committee agreed to schedule a meeting to review bylaws specifically.

*Hydeman 371 State Road Potential Tree Cutting Violation:* After a site visit, committee agreed that a tree cutting violation occurred; Tree Warden had issued a tree cutting permit, but trees had been cut beyond the permissible scope; Isaac felt that the cutting was beyond remediation; owner has taken full responsibility; committee discussed bylaw and fining process. Isaac made a motion confirming that a violation occurred and recommended that PB assistant with the Zoning Officer and Tree Wardens work with Town Counsel on the violation; Sarah motioned; Jim N seconded; PBPRC vote 7-0, motion passed.

*Public Hearing: Darren Friedman - off Tar Barrel Road - Map 8 Lot 39 (continued from 1.3.23, 2.7 & 3.14.23) – Jim W recused himself. Applicant requested to continue the hearing next available meeting. Isaac motioned to continue the hearing to May 16<sup>th</sup> at 6:40pm; Sarah seconded; PBPRC voted 6-0-1, motion passed. Jim W abstained.*

*Public Hearing: Hugh and Jeanne Taylor of 18 Lighthouse Road Map 6 Lot 32 (continued from 10.18.22, 11.22.22, 1.3.23, 2.7.23, 3.14.23 & 3.21.23) – Isaac recused himself. MVC has not voted on a final decision. Jim W motioned to continue the hearing to April 18<sup>th</sup> at 6:30pm via Zoom (special meeting); Jim M seconded; PBPRC voted 6-0-1, motion passed. Isaac abstained.*

*Public Hearing: Gould & Gassner (applicants) of 1 Mariners View Lane Map 6 Lot 67 – Applicant presented the proposed project: adjustment and increase in parking spaces (Conservation Commission has approved 2 temporary parking spots and will review again at a later date); steppingstone walkways on grade from parking area to dwelling and possible walkway to vegetable garden; locust post fenced in vegetable garden with raised beds (no plans at this time for irrigation system); resurfacing of swimming pool; existing pool hardscape to be redone and expanded with bluestone (dry laid); pool retaining wall is degrading and will be redone and*

expanded; minor alterations to existing decking with a total of 40sf of new footprint. Some elements of the project will require a notice of intent filed with Con Comm. Jim M motioned to approve the project as presented; Jim N seconded; PBPRC voted 7-0, motion passed.

Public Hearing: Woods of 1 Sunset Lane Map 6 Lot 104 – Applicant presented the proposed project: siting of a detached garage with second story office; changes to driveway; walkway between garage and dwelling; existing deck to be expanded; utility coral behind proposed garage (air conditioning equipment and generator); existing dwelling second story dormer expansion (existing dwelling footprint will not change); existing habitable space footprint is 2125sf, decks 458sf (720sf proposed), outdoor shower 72sf (relocation and decrease to 48sf), proposed 455sf garage; 2,655sf existing footprint and 3,348sf total proposed footprint; proposed garage is sited 12ft from lot line; height of garage measures 19.6ft and is above the 18ft height without a special permit in the roadside district; project has not gone before Board of Health (grey area on use of space above garage and whether it constitutes as a bedroom); plans include landscaping with a goal to create outdoor space for the owner and removal of stonewall. The committee discussed at length whether they have the authority to approve the garage given that it doesn't fall within the setback requirements. Applicant noted that the lot and use is pre-existing non-conforming, and application is under the expansion of pre-existing non-conforming zoning bylaw (section 13.4-11). The test before the committee is whether the proposed application bears a reasonable relationship to existing development and is no more detrimental to the neighborhood the existing dwelling. The committee generally agreed that the project was not egregious and requested town counsel opinion on the matter. Furthermore, the committee asked that the applicant consider additional screening of the garage, decrease garage height to 18ft and reconsider plans for the stonewall. Isaac motioned to continue the hearing to the May 16<sup>th</sup> at 6:50pm; Jim N seconded; PBPRC voted 6-1-0, motion passed; Jim M opposed.

Public Hearing: Lumb (applicant) of 4 East Pasture Lane Map 8 Lots 75 & 83 - Applicant presented the proposed project: siting of pool, fencing and equipment (principal improvement), extension of decking and porch, bathroom addition under existing second story deck (inclusive of minor deck extension), and dormer alterations (no change in roof ridge height); all project elements meet setback requirements (30ft from lot lines and 100ft setback for the pool); existing footprint is 4,630sf and total proposed new footprint is 5,798sf (1,168sf difference of which 610sf is pool footprint and 255sf is deck footprint); glazing does not exceed 50% wall to glass policy; owner is removing existing skylights; roofing will be asphalt. Committee discussed the following conditions: archeological determination with a recommendation from Mass Historical Commission (MHC); installation of fire hydrant (applicant to consult with the Fire Department on requirements); revised site plan ensuring that the pool equipment meets the 30ft setback requirement; and screening of pool retaining wall. Isaac motioned to approve the plan subject to an archeological determination made by the PBPRC with a recommendation from MHC; Jim M seconded; PBPRC voted 7-0, motion passed.

With no other business, the meeting adjourned at 8:44pm.

*Respectfully submitted, Sophia Welch, Board Administrative Assistant*