

Aquinnah Planning Board Plan Review Committee Meeting – May 16, 2023

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

Not Present: Amara Ignacio, Tom Murphy

Also present: Kathryn and Ken Robinson, Adrian and Meg Higgins, Eileen Sullivan, Chris Alley, Chana Haouzi, Nathan Friedman, Reid Silva, Stig Leshley\*, Jane\*, Darren Friedman\*, Mark\*, Ruth Folchman\*, Dr Phil Feldberg\*, Ariana Feldberg\*, Phil Regan\*

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

Jim W called the meeting to order at 6:40pm.

*Minutes:* Sarah motioned to accept the 4/11 & 4/24/23 minutes; Jim N seconded; PBPRC voted 5-0, motion passed.

*Correspondence:*

- MV Commission: request for letter of support from PB for short term rental study. PBPRC agreed to send a letter of support (Jim W signed a support letter).
- Mass Historical Commission Lumb Project Recommendation: MHC did not recommend a survey for the proposed project at 4 East Pasture Lane (MHC letter dated 4/20/23). Jim N motioned that no further survey is required and to accept MHC's recommendation; Isaac seconded; PBPRC voted 5-0, motion passed.

*Public Meeting: Leshley of 23 Oxcart Road Map 2 Lot 16 – Request to extend special permit dated July 6, 2021 –* Representative informed the committee that due to the impact of the pandemic, the owner has been unable to line up contractors to begin the project before the special permit expiration date (July 6, 2023) and is requesting a 1 year extension per good cause. Sarah motioned to approve the extension of special permit dated July 6, 2021 for 1 year; Isaac seconded; PBPRC voted 5-0, motion passed.

*Public Meeting of Planning Board: Dintenfass/Moshup Beach LLC Form A –* Similar division of land had previously been before the Planning Board and owner is now seeking additional division/separation of a 20ft strip of land from a 60ft strip of land/beach. Isaac motioned to endorse the Form A as presented; Jim N seconded; Planning Board voted 4-0, motion passed.

*Public Hearing: Woods of 1 Sunset Lane Map 6 Lot 104 –* Applicant had requested to continue the hearing to the next available meeting. Sarah motioned to continue the hearing to June 13<sup>th</sup> at 6:40pm; Isaac seconded; PBPRC voted 5-0, motion passed.

*Public Meeting: Neely of 4 & 6 Windy Hill Drive Map 10 Lots 64.1 & 64.2 –* Request to determine whether potential location for garage is open and/or highly visible (Zoning Determination) – Property is not in the Coastal or Roadside DCPC; there is a 50ft stretch along Moshup Trail where the site is visible at the height of 24ft above average grade but project is at 20.5ft which hits the top of the tree line with some taller vegetation behind; the committee discussed existing vegetation which provides screening and the potential shifting of site to save a large tree; Isaac motioned determining that the proposed site is not in an open and/or highly visible area; Jim N seconded; PBPRC voted 5-0, motion passed.

*Public Hearing: Stevenson of 1 Seahorse Lane Map 5 Lot 71 –* Proposed plan includes the replacement of existing decking and siting of 12ftx12ft screen porch over decking. Committee found that, while the existing structure is open and/or highly visible to public views, the proposed project would not increase visibility as it is well below the dwelling ridge height. Footings for the project will be within disturbed areas. Application was presented as a special permit request, however, the PBPRC determined that the project falls within the parameters of a zoning determination and any additional footprint was negligible.

Sarah motioned to approve the project as a zoning determination as the project is not increasing the non-conformity and/or open visibility nature of the property and not increasing footprint; Jim N seconded; PBPRC voted 5-0-1, motion passed; Jim M abstained as he entered the meeting midway through the hearing.

*Public Hearing: Darren Friedman - off Tar Barrel Road - Map 8 Lot 39 (continued from 1.3.23, 2.7.23, 3.14.23 & 4.11.23)* – Jim W recused himself. Applicant presented revisions to the plan: reduction on the mass of the house (pulled in); reduction in height; building footprint is now 75% smaller: footprint is now 2,200sf for house, 630sf garage, and 400sf deck (total reduction of 500sf from first proposal); dwelling is 51ft from eastern neighbor, 130ft to north neighbor and garage is 30ft from lot line. The Conservation Commission recommended that the hardscape and house maintain a 100ft setback to the western wetlands/buffer area and suggested exploratory hydrology test pits (there is no active application before Con Com). The applicant noted that there is no doubt water there but that is not irregular or overly concerning. Committee discussed at length the change in distance from wetlands from original 2021 application (100ft to wetlands) to current application (70ft to wetlands). It was suggested that the applicant look at rotating the master wing 90° to shorten the overall 90ft length of the structure. Committee expressed concern with the north elevation which gives the appearance of a 32ft high structure (isolated portion of structure), overall impact of project on the neighborhood (including conflicting character of the structure, height and size) and proximity to wetlands.

Abutters made the following comments: letter from abutter Barbara Wallen was read (attached to minutes); concern with character of the structure and looming presence on neighborhood; concern with percentage of glass; questioning of total living space of dwelling; relocation of building site to a potentially drier area on the lot; proposed structure is unprecedented in the town; potential drainage from project onto neighboring parcels; existing well and concern with water demand of the proposed structure (well tested in 2020 and pumped the minimum requirement); reflection on zoning siting guidelines; significance of Aquinnah wetlands and concern with the requested exception to wetland setbacks; reduction of footprint appeared to be mostly the garage; request to relocate the garage to the other side of the lot increasing distance to immediate neighbors.

Applicant noted that the location for the dwelling was chosen so that the structure nestled into the slope and would not be stark against the tree line; project is not visible from public spaces; applicant worked with the constraints of the site and concerns from neighbors. After further discussion, applicant requested a continuation. Jim M motioned to continue to June 13<sup>th</sup> at 6:45pm; Jim N seconded; PBPRC voted 5-0-1, motion passed; Jim W abstained.

*Public Hearing: Staples (applicant/lessee) of 29 Aquinnah Circle Map 6 Lot 20.2* - Applicant presented the proposed plan: siting and construction of decking along front side of existing shop and side (along access road) inclusive of a ramp to make the shop ADA compliant. Original special permit for the structure included the condition to cover the shop/lot's surrounding ground with wood chips. After a few years it was evident that, given the weather elements, it was difficult to maintain ground coverage and the proposed plan would solve this issue. Committee requested exact dimensions of the decking and an additional site visit with a couple members of the PBPRC confirming project location; PBPRC designated Heidi, Isaac and Sophia. Isaac motioned to approve the plan as submitted contingent on detailed drawings with accurate dimensions and flagging of project for a site review with two PBPRC members and the assistant verifying the location; Jim M seconded; PBPRC voted 6-0, motion passed.

*Isaac left the meeting*

*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 & 4.24.23)* – Martha's Vineyard Commission (MVC) voted on a final decision May 4, 2023, closing their hearing process. The committee discussed potential conditions for approval and Board of Health septic regulations regarding restaurants. Jim M motioned to approve the project

conditioned upon the following: subject to the MVC decision and conditions and subject to the submission of final drawings with dimensions; Jim N seconded; PBPRC voted 5-0, motion passed.

With no other business, the meeting adjourned at 8:50pm.

*Respectfully submitted, Sophia Welch, Board Administrative Assistant*

It will loom over our house as  
well as our neighbors! Not only  
will it be an eyesore, but it is  
out of character with the houses  
in this area—indeed, all of Aquinnah.  
We hope you will take this into  
consideration, and ask the parties to  
greatly modify their plans.

Thank you very much—

Barbara Wallen  
+

Gary Paraboschi

To the planning board -

We are sorry we are unable to attend tonight's meeting, but we have a few comments we would like to share with you:

We understand that there is <sup>a</sup> proposed building on the site slightly above our house. We can see the cleared space very clearly.

We feel very fortunate to have our home here in Aquinnah, and we don't begrudge anyone else that privilege. But from what we understand the proposed building is going to be very large - larger than anything else in this area. And due to its location,