

## **WEST TISBURY PLANNING BOARD MINUTES MAY 9, 2011**

**PRESENT:** Ginny Jones, Susan Silva, Jim Powell, Bea Phear, Leah Smith

**OTHERS:** Ernie Mendenhall, Jonathan Revere, Michael Colaneri, Joanne Scott, Eoug Hoehn, Kristian Strom, Vicki Thurber, Rob McCarron, Glenn Hearn, Samantha Look, Jonathan Hartzband, Richard Andre, Sarah McKay, Allen Healy, Simone DeSorcy

### **CORRESPONDENCE**

**In:** Prudy Burt re. Strom/Look Affordable Housing;  
Rez Williams re. Brandybrow.

### **MINUTES**

Minutes of the 4/25/11 meeting were approved as amended

### **OLD BUSINESS**

**Strom/Look Affordable Housing Requirement:** Ginny read a letter from Prudy Burt opposing the off-site affordable lots. Rob McCarron said this is irrelevant as the Board has already acted. Ginny said that she agreed with Prudy overall. Rob McCarron said he did not agree with the opinion provided by the State that the permit is not valid. The only difference here is that Strom/Look are not building the houses, and that they are changing the order of the market rate lot.

Jim said he wanted to withdraw the request in the AHC's February 25, 2011 letter that separate lots be divided, as this is not allowed under current zoning. Jonathan Revere said he was curious how the condominiumization would work, as 250 State Road was not set up this way. He wondered what the implications were for the future and for taxes. Rob McCarron said the condominiums would be declared, then a condo plan filed. There would be phased construction, limited common area, the houses would have their own yards, all subject to an AHC covenant. There would be a ground lease. Condos are taxed as separate units.

Jonathan Revere asked if it could be expanded in the future. Rob McCarron said the number of bedrooms on the lot is limited by septic capacity. Glenn Hearn said that the attorney needs to prepare all the documents for the AHC to review, and they should remove any confusion re. the shared property. Rob McCarron said he is preparing the master plan, the master deed, and the trust document that runs the condo. Ginny agreed that it is up to the applicant to provide the documents.

There was a discussion about the construction phasing. Ginny said she was concerned that the affordable houses become available as soon as possible

Michael Colaneri said that this is a complex proposal, and that the devil is in the details. He said the AHC needs to closely study the documents. He said the Town has had 20+ years dealing with this family. All details and documents should be worked out before approving anything. The previous project proposed for this lot was clear, this is not. Under this project the developers will get money; the lots should come to the Town free

and clear. Recipients usually pay the Town, not the developer. This is too complex. He said the AHC needs to see the final documents and prepare a response.

Rob McCarron read from a 2008 letter from the AHC in support of the Jampel project at this site. Ernie Mendenhall said this is a different project – we were going to get 3 turn-key houses. He said he would again support a turn-key project.

Jim asked whether the condo documents could all be ready for the May 24 AHC meeting. Rob McCarron said yes. The only difference in this project is who is building the houses, which is not a major change. Ginny disagreed, noting that the design of the houses were part of the original permit and were submitted and reviewed by abutters.

Vicki Thurber said she supports the project, but wants to make sure everything is done correctly. Glenn Hearn asked whether the affordable lots would be free to the Town. Rob McCarron said that the developers would receive \$50,000. Ginny said this is a way for them to get back more than their \$40,000 that they already gave the Town. Michael Colaneri said affordable lots for other subdivisions come at no cost to the community; this project should be no different.

Rob McCarron said he wants a decision tonight so the project can move forward. He committed to getting the documents to the AHC for review before recording anything. Ginny said the Jampel project included an easement for a future bike path.

Ernie asked whether the money was coming from the Town or the recipients; Rob McCarron said from the recipients, to be reimbursed by the Town. He said he will set it up in a way that will be as easy as possible. Ginny said the money should stay in Town coffers.

Kristian Strom said their closing was set for Friday. Rob McCarron said he didn't need any more approvals and needs the Board to vote tonight. Michael Colaneri did not feel the developers' closing needed to be accommodated, especially given the 20 year history.

Leah said she felt the special permit is still good. Bea said she felt the two projects are similar enough.

Leah made a motion that the two projects are similar, the permit goes with the land, so the special permit is still good; Ginny seconded the motion. Jim proposed an amendment that the developer be required to have all written documents to the AHC for its next meeting. Jim voted in favor, Susan and Leah against, Ginny abstained so the motion to amend fails. Jim said he wouldn't want to buy a car unless he could see what was in it.

Susan said the AHC can work out the details. She said she was voting to move this project forward tonight. Bea said she felt the attorney could get the condo language to the AHC in time, and asked him to guarantee to work as hard as possible with the

committee. Rob McCarron said the answer was a whole-hearted yes, with the caveat that one member of the AHC has had it in for the applicants since the beginning and he couldn't guarantee working closely with him.

The original motion passed, with Ginny, Bea, Susan and Leah voting in favor, and Jim voting to oppose. Leah said Jim's concerns were valid but could be dealt with in a different venue. Ernie Mendenhall said he respectfully disagrees with the Board's decision.

**Richmond Form A, Old County Road, M26 L7, 26, 27, 28, 29, 30:** Doug Hoehn presented a plan that would consolidate 6 lots into 4 lots. The division would result in no new curb cuts. Leah noted the site visit the Board had made, and made a motion to endorse and sign the plan; all in favor.

#### **NEW BUSINESS**

**Slaughterhouse:** The Board listened to a presentation by a group of people interested in building a slaughterhouse on the Island, perhaps at the Agricultural Society. Ginny noted for the record that she is the mother-in-law of one of the supporters, and that several Board members were lifetime Ag Society members.

Richard Andre said the Island Grown Initiative had received a grant from USDA. There is now a mobile poultry unit, and now they'd like a facility for the 4-legged animals. Right now the closest USDA facility is 4.5 hours away in Athol, MA. That drive stresses the animals. If located on the Ag Society property it would be on the 5-acre piece that does not have the conservation restriction. He said that they've worked the numbers and with the amount of animals on the island the project works economically. As many as 5 people could be employed there. The ultimate goal is to lower the cost of locally-produced food. A local vet could be trained to be a USDA inspector.

Permitting was discussed. Richard Andre said they would prefer to go through the Town, but they could go through the State as an agricultural exemption. He asked whether a slaughterhouse was considered an agricultural use. If not, under Bylaw Section 3.1-1, the ZBA needs to make a determination. Ginny asked whether it could be considered educational/non-profit; Richard Andre said yes, as butchering and other classes will be taught.

Bea said the zoning bylaw could be amended to accommodate this. Ginny agreed, noting it could become contentious. She thought a plus was that the lot selected is not near a residence.

Leah said that in general the Board is supportive of local agriculture. She suggested a discussion with the MVC.

The meeting was adjourned at 6:45 p.m.