

**WEST TISBURY ZONING BOARD OF APPEALS
MINUTES THURSDAY DECEMBER 9, 2010
2ND FLOOR TOWN HALL AT 4:45 PM**

PRESENT: Tucker Hubbell (Chair), Eric Whitman, Nancy Cole, Toni Cohen, Tony Higgins

ABSENT: Bob Schwier, Larry Schubert

ALSO PRESENT for All or part of the Meeting: Peter Breese, Liane Thomas, John Powers, Linda Carrol, Richard Leonard, Greg from MacNellyCohen Architects

BUSINESS

- The minutes of November 23 and December 2 were approved.

HEARINGS

4:45 PM Continuation of an application by Breese Architects on behalf of Lawrence and Yvonne Keusch for a Special Permit to alter and extend a pre-existing, non-conforming (by setback) house: Add screen porch, new entry, master suite, garage and associated decks. The existing attached garage will be converted to habitable use. Setback relief is needed for the new attached garage on the east bound. Sects. 11.1-3, 11.2-2 and 4.2-2(4)D of Zoning Bylaws. Map 30 Lot 2.13; 94 Pond Rd; RU District. Correspondence so far: 1) *Copy of letter to Breese Architects from Deep Bottom Administrator Donna Bouchard, against;* 2) *Abutter Steve Chapman, against;* 3) *Abutters Mary Lu and Jeff Long, against;* *New Correspondence: 1) Stephen Chapman, in favor of new plan*

Eric Whitman recused himself from the table and did not take part in the hearing as he had not been in attendance at the first hearing.

The architects submitted an amended plan: The garage is no longer an attached one, but detached and to the front of the house. It makes the front and side yard setbacks. However, the new proposed garage has an upper floor to it. The bottom square floor area is 692 sq ft and the upper floor is 510 sq ft. According to Richard Leonard, DBP member, their architectural Review Committee, has not yet reviewed the new design. Abutter Steven Chapman had been emailed the plans and wrote to recommend that the ZBA approve it, “at least in so far as any of the concerns we as abutters raised to the original application.” In order to approve of the revised garage, the Board had to grant it a Special Permit under Section 11.2-2, i.e. for an accessory building of over 676 SQ FT on an under 3 acre lot. Which the Board did unanimously vote, but with a crucial condition: **The upstairs of the garage must remain unfinished and uninhabitable with no use other than storage until such a time as when an application to amend this special permit for a different use has been granted.**

As concerning the other additions and alterations to the house, the Board voted to unanimously approve them: The additions to the house applied for will not be substantially more detrimental to the neighborhood and Town, and the construction is in harmony with similar development in the neighborhood and town in scope, size, and design. Many properties in this development have garages with overhead spaces, or other accessory 2-story structures such as pool houses. The construction applied for will not increase the nonconformity of the setbacks.

OLD BUSINESS:

Continuation of review and approval of final landscaping/parking plan for MV Savings Bank: Richard Leonard and Greg from the MacNelly Cohen architectural firm presented the final plan. They had met with the neighbors and walked the property with them. Richard described the different fencing and planting to be put up as buffers between the abutting properties. Cypress, Rhododendrons, cedars are among the plantings. The Russian Olive will be gotten rid of. It has been realized that a fence in the swale would not be effective in blocking locking and car lights. A berm has been built up and will be the site of fencing. The neighbors have signed off on the plan, with the exception of John Powers and Linda Carroll. John and Linda said they (the Bank, and the architects are making progress and thanked them for their meetings and work in this regard. John said they changed the lighting, but it's still too intense. The Bank will put shields on the back of the lights. John said the berm is a work in progress; he's afraid it will wash out in heavy rain, it will take time to do it properly.

Richard Leonard said we'll need screening round the generators; the temporary spotlights will come down. He said working with the neighbors was productive and as it should have been done earlier. John powers asked if there were going to be night events? Richard answered there might be a few night events, but mostly any night activity would be people working in their offices. John Powers said that the plan is still a work in progress and declined to sign off on it at this time. The Board voted unanimously in favor of the plan. Richard Leonard thanked the Board or their patience

NEW BUSINESS

Budget: The Board worked on and approved the FY 12 budget, which included reductions.

The meeting was adjourned at 6:05 PM.

Respectfully submitted, Julie Keefe, Board Admin.