

WEST TISBURY ZONING BOARD OF APPEALS

Thursday, September 24, 2026
Meeting Minutes

Approved October 8, 2026 (4-0)

Present: Larry Schubert, Deborah Wells, Pat Barrett, Sebastian Hiatt

Absent: Julius Lowe, Andy Zaikis, Casey Decker

Also Present: Kim Leaird (*Administrator*), Wes Nagy, Eric Medeiros, Karen Medeiros, George Sourati, Laina Dubin

**

5:00 pm – Minutes of September 10, 2026 meeting were approved 4-0. Larry appointed both associate members, Pat Barrett and Sebastian Hiatt, to serve as voting members for the evening due to the absence of three regular members.

**

5:15 pm – A public hearing on an APPEAL filed by **Wesley Nagy** of the July 31, 2026 determination made by the Building Inspector that the property located at **72 Rogers Path, Map 15, Lot 29.2**, in the RU District, is in violation of Conditions 1, 4, and 5 of the Planning Board's Special Permit dated December 26, 2024, and applicable provisions of the West Tisbury Zoning Bylaw concerning alterations to the Rogers Path Special Way and storage containers in the RU District. The appeal also challenges the corrective orders issued by the Building Inspector. The appeal is made pursuant to M.G.L. c. 40A, §§ 8 and 14.

At 5:15pm, the hearing was not opened and Larry read into the record a letter received that afternoon from Attorney Geoghan Coogan requesting a continuance in order to review the matter and advise the applicant. Before acting on the request, Larry clarified the scope of the Board's authority and explained that the appeal concerned only whether the Building and Zoning Inspector had correctly determined that the Planning Board's conditions had not been satisfied.

The Zoning Board could not modify or remove conditions imposed by the Planning Board; any request to amend those conditions would need to be directed to the Planning Board, while any challenge to those conditions after the appeal period would ultimately lie with the courts. Larry emphasized that even a successful appeal would not eliminate the underlying Planning Board conditions, which would remain enforceable in the future.

Wes Nagy acknowledged his understanding of the distinction and confirmed his request for a continuance to consult with counsel.

*A motion was made and seconded to continue the hearing until **October 22, 2026, at 5:45pm***

A roll call vote was taken with the following resulting votes. Motion passed 4-0.

L. Schubert-yes, D. Wells-yes, P. Barrett-yes, S. Hiatt-yes

**

5:45 pm – A public hearing on an application for a Special Permit from Sourati Engineering Group, LLC on behalf of **Alyssa M. Halisky** to allow the construction of a 12'x25' inground swimming pool requiring 26 ft. of side yard setback relief and to allow a 6'x8' pool shed to be located 5' from the south property line instead of 10' under Sections 8.5-4C and 4.2-2D4 of the West Tisbury Zoning Bylaw at **152 Vineyard Meadow Farms Rd., Map 37 Lot 33**, in the RU district.

Larry opened the hearing and read the hearing notice at 5:45pm. Present for the applicant was George Sourati who explained that the existing house was constructed under earlier zoning requirements with 40-foot setbacks and sits on a narrow portion of the lot, leaving only limited practical locations for a pool. The proposed location provides direct access from the home's primary living area, minimizes disturbance elsewhere on the property, and has been discussed with the adjoining abutter (Kalis), who reportedly expressed no objection, although no written correspondence was submitted.

George agreed that the pool shed could be relocated 10 feet in to eliminate the requested setback relief for that structure. Board discussion focused primarily on the extent of the requested side-yard setback relief. Pat expressed concern that reducing the required setback by more than half was inconsistent with the purpose of the bylaws and questioned whether the pool could be redesigned or relocated to reduce the amount of relief requested.

Other members observed that many lots within Vineyard Meadow Farms were created under earlier zoning standards and have similar constraints, resulting in prior special permits requiring setback relief. The Board also discussed whether narrowing the patio, shifting the pool closer to the house, or exploring other configurations could lessen the requested relief while preserving the applicant's objectives.

Deborah asked how the applicant planned to heat the pool and George said it had not been decided. The Board shared the Town's encouragement of non-fossil-fuel heating systems for swimming pools. The pool will be used seasonally and the applicant agreed to consider a heat pump rather than propane heating.

Recognizing that only four voting members were present and that approval would require a unanimous vote, Larry advised the applicant that a continuance would provide an opportunity to revise the proposal to explore reducing the setback relief and return with alternative layouts for the Board's consideration. Board members also discussed whether a substantially different location on the lot could raise additional notice considerations for abutters, such as if it were shifted to the front or the other side of the lot.

*A motion was made and seconded to continue the hearing until **October 8, 2026, at 5:30pm***

A roll call vote was taken with the following resulting votes. Motion passed 4-0.

L. Schubert-yes, D. Wells-yes, P. Barrett-yes, S. Hiatt-yes

**

The Meeting adjourned at 6:35 p.m.

Respectfully submitted,
Kim Leaird, Board Administrator