

Aquinnah Planning Board Plan Review Committee Meeting – November 14, 2023

Present: Jim Wallen, Sarah Thulin, Heidi Vanderhoop\*, Jim Mahoney, Jim Newman, Tom Murphy

Not Present: Amera Ignacio, Isaac Taylor

Also present: Greg Weiss, Mike Parker, Reid Silva, Skipp Tomassian, Keelan Parker\*, George Sourati\*, Hammond\*, Laura Jordan\*, Jeff Elghanayan

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

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

Minutes: Tom moved to approve the October 17, 2023, meeting minutes as presented; Jim M seconded; PBPRC voted 5-0, motion passed.

*Public Hearing: Parker - 2 Harpoon Hollow Map 9 Lot 140 (part of) – Applicant presented the proposed project: ANR subdivision plan of the 5.7-acre lot had been endorsed by the Planning Board; lot is buildable per zoning bylaws; proposed project includes the siting of a 3-bedroom dwelling and built into the hill allowing for a walk out basement; the two-story dwelling is approximately 36ftx24ft (1,700sf) and ridge height is below 26ft above mean grade; project meets all setback requirements; Conservation Commission and Board of Health have approved the project; a project notification form has been submitted to Mass Historical Commission (MHC), but a recommendation has not been returned. PBPRC determined that approval of the project would be conditional on a no survey recommendation from MHC. Should MHC recommend a survey, applicant must return to PBPRC for a determination on either a required survey or qualified Archeological Observer present. Jim M motioned to approve the project as presented conditioned upon the following: subject to conditions set by the Conservation Commission; subject to conditions set by the Board of Health; and approval is conditional on a no survey required recommendation from MHC; should MHC recommend a survey, applicant must return to PBPRC for review and determination of either a required survey or qualified Archeological Observer present; Tom seconded; PBPRC voted 5-0, motion passed.*

*Public Hearing: Woods - 1 Sunset Lane Map 6 Lot 104 – At the request of the applicant, Jim M motioned to continue the hearing to December 6<sup>th</sup>, 2023, at 6:40pm; Tom seconded; PBPRC voted 5-0, motion passed.*

*Public Hearing: Friedman - off Tar Barrel Road Map 8 Lot 39 – At the request of the applicant, Jim M motioned to continue the hearing to December 6<sup>th</sup>, 2023, at 6:45pm; Tom seconded; PBPRC voted 5-0, motion passed.*

*Jim N joined the meeting.*

*Public Hearing: Elghanayan – 5 Mariners View Lane Map 6 Lot 63 – Applicant presented background to the application and proposed plan: special permit application was result to the town determining that the owner had constructed multiple structures without any permits; two of the three unpermitted buildings are over 10 years old and are protected pursuant to the language in MGL Chapter 40A Section 7; one building is sited on the lot line and applicant proposed moving it approximately 7ft off the line; application included the proposal to remove the unpermitted structure built in 2022; lastly, applicant proposed constructing an addition on the backside of existing dwelling. The project lies entirely within the Coastal DCPC and is within 100ft of Coastal DCPC features. The Conservation Commission has denied the entire project, and the issue is in litigation. The committee expressed serious concern with the application and*

buildings, complete disregard for proper town building procedures and the cost of litigation for the town. PBPRC has not heard anything from the immediate neighbor and as of now, the shifting of building off the lot line, while would be favorable in terms of becoming less non-conforming, is not an issue the committee can address as the building is over 10 years old and is more of a neighborly issue now. The owner noted that the most recent structure was constructed hastily after a tragic family incident and that all of the contractors/builders and building supplies were brought in. Given the above reasons, the committee was hesitant to make any decision or continue any discussion until a universal resolution for the litigation matter was met. The applicant asked whether the town would have a need for the unpermitted building built in 2022. The committee did not want to discuss the proposal and noted that the optics of the request were terrible.

With the applicant's agreement, Tom motioned to continue the hearing until a resolution is reached; Sarah seconded; PBPRC voted 6-0, motion passed.

With no other business, the meeting adjourned at 7:25pm.

*Respectfully submitted, Sophia Welch, Board Administrative Assistant*