

Aquinnah Planning Board Plan Review Committee Meeting – January 10, 2024

Present: Sarah Thulin, Heidi Vanderhoop, Jim Mahoney, Jim Newman, Tom Murphy, Isaac Taylor, Amera Ignacio, Jim Wallen

Also present: Nelson Giannakopoulos, Carla Cuch, Giles Welch, Mike Hebert, Paul Manning, Reid Silva, Chris Alley, Keith Oberg, Derrill Bazy*, Chuck Sullivan*, Catlyn Van de Meulbrooke*, Brendan Hannley*, Dan Doyle*, Gisele Gauthier*, Jay Bodnar*, Adriana Ignacio*, Naomi Cottrell*, Username*, Jim Pickman*, Richard Wagner*, Ruth Folchman*, Michael Kim*

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

Jim W called the meeting to order at 6:32pm.

Minutes: Sarah moved to approve the December 6, 2023, meeting minutes as presented; Tom seconded; PBPRC voted 5-0-2, motion passed; Amera and Jim W abstained.

Correspondence:

Community Preservation Committee (CPC) – Planning Board needs to appoint one representative to CPC. Jim M has been the representative. The committee held off on appointment until Jim M confirmed that he would or would not continue.

Jim M joined the meeting.

Bylaw – Derrill Bazy and Mike Hebert, Housing Committee chair, presented a proposed bylaw revision to Non-Conforming Uses and Pre-existing Lots (bylaw section 3.4-2-C and 13.4-11) to include language giving the PBPRC the ability to override the abandonment provision by special permit for “qualified resident homesite properties, homestead lot properties, affordable housing properties deed restricted in perpetuity, and/or municipal properties” on pre-existing non-conforming uses and structures that would have otherwise been prohibited. After a brief discussion, the committee requested that the language be sent to town counsel for review. The committee agreed to continue the discussion at a later meeting. Sarah motioned to refer the language to counsel and continue the discussion to a later date; Jim M seconded; PBPRC voted 7-0, motion passed.

CPC – Jim M agreed to continue as the PB representative on CPC. Sarah motioned to re-appoint Jim M to CPC as the PB representative; Jim N seconded; PBPRC voted 6-0-1, motion passed; Jim M abstained.

Cliffs Stairway Project (informal discussion) – Gisele Gauthier and Naomi Cottrell, project representatives, gave a brief presentation: project includes making the stairway area leading to the shops ADA compliant by way of adding a ramp and reconfiguring the space. The committee made the following comments: project materials should align with the character of the area; requested to put the presentation on the town’s website and hold an additional town resident presentation session. The committee confirmed that the project will require the submission of a special permit application.

MV Commission (MVC) – Dan Doyle, MVC, informed the committee that the current online GIS mapping system does not coincide with the bylaw North Shore DCPC boundary description and proposed a revision to the map (North Shore DCPC boundary shall extend along the shore and end perpendicular to

the lighthouse parcel). The committee took no issue with the recommended change. MVC will make the changes in the GIS system.

CCS Sanctuary of Moshup Trail Special Permit Amendment Request - Applicants presented the following: architecture firm has changed since the previously approved special permit (granted 11/8/22); elimination of second story overhang (previously added in footprint total); reduction of glazing on the north and south facades; mixed roofing materials: zinc coated copper and shingles (cedar or asphalt). By eliminating the second story overhang (wall will be flush), overall footprint will decrease by 78sf. The committee determined that the mixed roof materials will aid in minimizing visibility of the structure. The PBPRC requested submission of a final roofing schedule (submitted to the PBPRC assistant). PBPRC determined that the proposed changes were not substantial enough to warrant an advertised/noticed hearing. Isaac motioned to approve the project as presented conditioned upon the following: submission of final roofing schedule; Tom seconded; PBPRC vote 6-0-1, motion passed; Jim M abstained.

Next meeting: February 13, 2024 at 6:30pm.

Public Hearing: Woods - 1 Sunset Lane Map 6 Lot 104 – At the request of the applicant, Sarah motioned to continue the hearing to February 13, 2024, at 6:40pm; Tom seconded; PBPRC voted 7-0, motion passed.

Public Hearing: Friedman - off Tar Barrel Road Map 8 Lot 39 – Per the applicant’s request, Sarah entertained a motion to continue the hearing to February 13, 2024, at 6:40pm; moved by Jim M and seconded by Isaac; PBPRC voted 6-0-1, motion passed; Jim W abstained.

Public Hearing: Elghanayan – 5 Mariners View Lane Map 6 Lot 63 – Resolution has not been reached. Sarah motioned to continue the hearing to February 13, 2024, at 6:40pm; Jim M seconded; PBPRC voted 7-0, motion passed.

Public Hearing: Oberg – 4 Towhee Lane Map 12 Lot 63 – Applicant presented the following: development on the lot is pre-existing non-conforming (primary house and “guest house”) and the lot is approximately 2.15-acres which per zoning, the second dwelling would not be permitted today; additionally, development is within the 150ft required setback to Moshup Trail; the proposed project includes a 543sf addition to the eastern side of the “guest house” increasing the total footprint on the lot to 3,888sf and would require a tie into the main dwelling septic; proposed addition pushes the structure 19ft further into the Moshup Trail DCPC; addition will mirror the existing western side of the “guest house”. The committee discussed at length the conflicting pre-existing non-conforming bylaw and the accessory apartment bylaw which restricts use and size of second dwellings for lots that are under 4-acres. The Mass Historical Commission did not recommend a survey for the proposed project (letter dated 12/28/23). The PBPRC found that per zoning bylaw section 13.4-11, they have the ability to approve the extension. The committee determined that the extension bears a reasonable relationship to the original size and nature of the nonconforming structure and use, and that the extension is not substantially more detrimental than the existing nonconforming structure and use to the neighborhood. Lastly, the committee found that the addition/extension will not be highly visible to public viewpoints, if at all. Tom motioned to approve the project as presented conditioned upon the following: subject to any conditions set by the Conservation Commission; exterior materials will be natural materials and/or neutral in color; no white; Sarah seconded; PBPRC voted 6-1-0, motion passed; Heidi opposed.

Public Hearing: Cuch – 12 Raymonds Hill Map 6 Lot 102.2 – Applicant presented the following: siting of a 24ftx24ft garage with second story office (with bathroom); sited to the west of existing dwelling and

along the driveway; garage will be on a cement slab and extended above grade on the downhill side; project will require tie in to septic for the bathroom facility; garage meets setback requirements but applicant will need to file a Request for Determination of Applicability with the Conservation Commission given proximity to wetlands; total footprint on the lot including proposed garage is under the 2,000sf threshold for an additional special permit. Sarah motioned to approve the project as presented conditioned upon the following: submission of a Project Notification Form to Mass Historical Commission; subject to conditions set by the Conservation Commission; and all exterior materials will be natural or neutral in color; no white; Tom seconded; PBPRC voted 7-0, motion passed.

Correspondence:

Request of Submission of Testimony for Gov. Healy's Housing Bill and Affordable Housing – The committee agreed that the request was in line with letters of support and testimony that they have submitted in the past. Tom motioned to authorize Jim W to sign the letter of support on behalf of the PBPRC; Isaac seconded; PBPRC voted 7-0, motion passed.

Public Meeting of the Planning Board: Form A – 461 State Road Map 8 Lot 130 – Chris Alley, on behalf of the applicant, presented a Form A subdivision sectioning off 1-acre from a 15 +/- parcel. The 1-acre lot would be unbuildable; however, the applicant owns a neighboring parcel that meets zoning but has a limited building site. The added 1-acre would potentially allow for the relocation of a building site to a more desirable location (further from roadway and less visible). The Planning Board endorsed the Form A as presented and signed a mylar.

Other Business:

Preliminary Discussion – Schiller off Duck Pond Lane and Old Field Road - Potential to develop the two 2-acre lots; lots would be combined allowing for two dwellings to be built on the 4-acre lot and closer to Old Field Road (house and guest house); although the lot would be 4-acre, the special permit application would need an additional request to exceed the 2,000sf of footprint threshold; existing “cabin” in wetland area would remain as a “painting cabin” with an external water spigot; initial access to the cabin would be from Duck Pond Lane for renovations; after completion, the Duck Pond Lane access to the cabin would be revegetated and access would be via a footpath from main dwelling.

Preliminary Discussion – Theise of Locust Lane - Form C – Creation of a 40ft way layout along existing driveway per zoning requirements, dividing lot into an additional house site and the creation of 1-acre homesite lot. The committee briefly discussed the permitting of a homesite lot.

With no other business, the meeting adjourned at 8:22pm.

Respectfully submitted, Sophia Welch, Board Administrative Assistant