

Aquinnah Planning Board Plan Review Committee Meeting – February 13, 2024

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

Not present: Isaac Taylor

Also present: Dave Zimmerman, Eunki Seonwoo, James Moreis, Kevin Devine

Meeting was held virtual via Zoom

Jim W called the meeting to order at 6:31pm.

Minutes: Jim W entertained a motion to approve the January 10, 2024 meeting minutes as presented; moved by Sarah and seconded by Heidi; PBPRC voted 7-0, motion passed.

Correspondence: Joint Affordable Housing Group meeting concerning Housing Production Plan (February 21st) – group has requested for a planning board representative to attend the meeting to share a list of top zoning needs/concerns/desires. Heidi offered to attend on behalf of the PB and noted that her top concerns are the conflicting bylaws on affordable housing and accessory apartments.

Next meetings: March 12, 2024, at 6:30pm and April 23, 2024 at 6:30pm.

Public Hearing: Aquinnah Wampanoag Tribal Housing Authority (AWTHA) – of Oonouhkoi Map 9 Lot 182 – Sophia presented the following information: after applicant submitted a special permit application for the siting of one duplex, it was determined that the original housing development project was approved as a Comprehensive Permit Chapter 40B given the lack of acreage to support the number of units proposed (zoning require 2 acre per dwelling); this process would have been through the Zoning Board of Appeals and not with the PBPRC as zoning does give the committee authority to vary use density.

Dave Zimmerman, AWTHA Director, noted that the original comprehensive permit included the development of 30 units on only 44 acres, of which only 27 have been constructed to date. Additionally, it was noted that the legal counsel for AWTHA determined that a 40B permit would not be required until the originally approved 30-unit total was reached and there is no deadline or expiration of the 40B. It is unknown what the time lapse is on the original Chapter 40B permit (issued in the early 1990's). Sarah noted that the Conservation Commission has signed off on the project. The committee expressed unanimous support for the project. Given that the committee has no ability to take any action on the application and, as the AWTHA legal counsel noted, AWTHA will be acting under the original 40B permit, Sophia suggested AWTHA should withdraw the special permit application. Dave Zimmerman, AWTHA Director, officially withdrew their application for planning board authorization. He invited the committee to come participate and review the progress of the project. Tom expressed sentiment on the AWTHA working alongside the town.

Public Hearing: Woods - 1 Sunset Lane Map 6 Lot 104 – At the request of the applicant, Sarah motioned to continue the hearing to March 12, 2024, at 6:40pm; Heidi seconded; PBPRC voted 7-0, motion passed.

Public Hearing: Friedman - off Tar Barrel Road Map 8 Lot 39 – Per the applicant’s request, Sarah motioned to continue the hearing to March 12, 2024, at 6:40pm; seconded by Jim M; **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 March 12, 2024, at 6:40pm; Jim M seconded; **PBPRC voted 7-0, motion passed.**

Other Business:

- Bylaw discussion: the committee agreed to continue discussion to a later date. After a brief conversation with town counsel about the proposed revisions to the abandonment bylaw, Sophia noted that municipal properties are not exempt from zoning unless the town approves a bylaw provision expressing so and the term “abandonment” can vary giving the PBPRC more flexibility in reviewing special permits. Jim M expressed interest in discussion further pre-existing non-conforming accessory structures and affordable housing zoning.

With no other business, the meeting adjourned at 7:03pm.

Respectfully submitted, Sophia Welch, Board Administrative Assistant