



OAK BLUFFS PLANNING BOARD

Meeting Minutes

JANUARY 10, 2019

5:00 p.m. at Oak Bluffs Fire Station, 6 Firehouse Lane, First Floor Kitchen

Members in Attendance: Ewell Hopkins, Mark Crossland, Erik Albert, JoJo Lambert

Members Absent:

Staff in Attendance: Kim Leaird (*Administrator*)

Attendees: Bill Cleary, Joe Mikos, Geoghan Coogan, Brian Mackey, Christine Flynn (MVC)

Chairperson Hopkins opened the meeting at 5:00 p.m. and declared a quorum for a meeting but not for voting.

Approval of Minutes

Member Albert made a motion to approve minutes from October 25 and December 13. Member Lambert seconded. Motion passed 4-0 for the October 25 minutes. Motion passed 3-0-1 with one abstention for the December 13 minutes (Member Crossland who was absent).

Martha's Vineyard Arena Modification

Geoghan Coogan representing. Chairperson Hopkins gave a brief history of the site plan review. Back in the Spring of 2017 the Planning Board went through an exhaustive site plan review and had addressed all the knowns but it was the unknowns that were hard to rule on.

The decision incorporated a list of conditions based on those unknowns, and the applicant was here because of the fourth condition of their special permit decision:

" 4. As offered by the Applicant, the concessions/vending area shall contain vending machines only. If at a later date the Arena wants to operate a concession stand or provide kitchen facilities, they will return to Planning Board to modify their special permit."

Member Albert disclosed for the record that he is president of the Skate Park which abuts but claims no bias.

Geoghan Coogan said when they designed the ice rink, they priced out to be full kitchen because not sure what they would do with space. He stated: *"The proposal is for a simple concession area with limited equipment. There will be no range, no oven, no ansul system or hood venting. This is a simple concession area with prepared foods heated and served."* He said it's very simple and meant to support their user groups, youth hockey is up there every night of the week, there are games and tournaments with the high school but it's not going to be a facility that could cater a wedding or have mass food for any other purpose.

He pointed out that the application was from MV Arena but it has since officially merged with the YMCA and the CFO, Brian Mackey, was present. They have also approved the design.

Chairperson Hopkins confirmed that we had notified the Board of Health about this proposal and they had no objections or concerns.

Member Crossland said he had met with Fire Chief about needing to maintain the machines daily, especially the AutoFry. He said he had also met with Board of Health and was told this is standard for restaurants. He assumed that they would manage cleaning them. Geoghan said the YMCA will be leasing it to Youth Hockey, a separate entity, and that they would be pulling permits of their own.

Member Crossland made a motion to conditionally approve and send back to Commission for approval because they also conditioned their DRI. All were in favor. Motion passed 4-0.

Preliminary Discussion Re: Bylaw Amendments

Discussion followed about how to prioritize and review the zoning bylaws and whether anything could be realistically addressed in time for Town Meeting.

Member Crossland said re: Parking Mitigation (5.1.5) under Special Permit in the B-1 District should be altered to make the responsibility be in perpetuity or as long as the property is owned. The Planning Board is not an enforcer, and the bylaw does not specify who enforces.

Chairperson Hopkins said enforcement is a big issue with all of the bylaws. Further, when MVC makes a decision they put the enforcement back on the Planning Board.

Member Lambert brought up Use Regulations: Principal Uses (3.1) for single family dwellings to accessory apartment buildings. She would like to see a neighborhood notification requirement that outlines changes an owner is proposing if they encroach on abutting properties. She would like to see the R1 district changed. Chairperson Hopkins said if neighborhood notification were added it would not limit what the Building Inspector does, it would just require another step of notification. He said if we want to constrain their discretion that is a whole other discussion that we may want to consider, but there is not enough time to do so by this April's Town meeting. He said that the Master Plan does not address R1 modifications at this point and that he would make a note of this for the Master Plan.

Member Crossland also brought up the exemption paragraph under Site Plan Review (10.4.2) that allowed Community Services to go straight to the Commission and bypass Planning Board because it is located within 200 feet off of Edgartown Vineyard Haven Road in the Island Road Districts (Section 9.0). He said we should strike this paragraph:

10.4.2 Exemptions

- 1. This Section 10.4 shall not apply with regard to any project governed by Section 9.0, herein.***

Chairperson Hopkins said he wanted to request funds from the Town to hire a dedicated attorney to work on reform of the Town's zoning bylaws and ordinances and was throwing this idea out to the board. There are many topics that if changed affect other bylaws and it is a complicated process.

Discussion about timeline -- consensus was that the one to tackle for this year was the exemption clause. This requires, however, public hearings and a warrant article submitted to Selectmen's office by February 15. He anticipates reforming the bylaws will cost \$65,000 to \$70,000.

Subcommittee Appointments

Planning Board appointees to subcommittees – there are 9-10 that the Planning Board has responsibility for sitting on. Chairperson Hopkins asked if board members were open to recruiting non-board members to be on subcommittees. Member Crossland said he preferred not to and we need a 5th member. Discussion followed on who could step up to sit on some of the subcommittees so that each member had 3-4 responsibility.

Historic Commission is open, CPA is open. Kim will get a list of appointees together and put on the agenda for the next meeting on January 24.

Board Updates

JoJo Lambert – Attended CPC meeting in place of Ewell. Some of the people looking to get grants: affordable units off of Wing, Island Elderly Housing, lighthouse; one to keep elderly in their homes.

Ewell Hopkins –

- Planning Board vacancy –Bill Cleary was present and is interested in an appointment. He has lived on the island for 30 years. He owns MV Appraisal and is serving on the Master Plan Update committee.
- Green Community status / solar bylaw –Updated board on discussion around achieving Green Community status; our existing solar bylaw is not sufficient and needs to be updated/amended.
- Orabi (property owner adjacent to Lagoon Ridge) called Planning Board office to inquire about informally talking to the Planning Board about his 32-acre parcel of land. Chairperson Hopkins feels that he shouldn't do that unless we formally notice it on the agenda. Member Crossland mentioned that his son bought land from Orabi and isn't sure if he could be impartial if anything came to a vote.
- Master Plan subcommittee is going in to public hearings and will bring to Town Meeting. Encouraged all board members to attend all public hearings. Discussion on whether or not to combine Planning Board with Master Plan meetings through this process. Consensus to keep separate.

Member Lambert made a motion to adjourn, Member Crossland seconded. Meeting was adjourned at 6:05 p.m.

Minutes approved February 14, 2019

Documents on File

- Agenda
- Draft minutes from 10/25/18 and 12/13/18 --PB meeting
- Board packet
- Sign In Sheet