



OAK BLUFFS PLANNING BOARD

Special Meeting - Zoning Reform

Meeting Minutes

MONDAY, October 16, 2023

7:00 p.m. | Hybrid Meeting

Members in Attendance: Ewell Hopkins

Members Absent: Erik Albert, Mark Crossland, Sean DeBettencourt, JoJo Lambert

Staff in Attendance: None

Attendees: Candace Nichols, Tene Shavers, Jessica Howard, Richard Toole, Sam Low, Pat Ingalls, Anne Beal, Andrew Moore, Dana Mylott, Vivian Beard, Dorothy vanLeeseten, Jill Cheatham, Ebony____, Lisa vanLeesten, Tashawna _____, David Hannon, Barbara Ronchetti, Diane Shavers, Ramon Elliott

Chair Hopkins opened the meeting at 7:01 p.m.

The cluster of subjects addressed is as follows:

- **Noise By-Law**
- **Reviewing Definitions/Coastal DCPC Change of Definition**

The Chair explained the zoning reform process and reiterated that there will be mandatory public hearings wherein draft language for the warrant articles will be presented. Prior to that point, the Planning Board will meet as a group, take all of the collected input, and draft the language that will be presented. The meetings taking place now, including the present meeting, are intended to gather public input.

The Chair further explained that working groups were assembled over the summer, Town departments were consulted, and the working drafts posted on the website were compiled to address those issues. The Board is now soliciting input on those drafts.

Candace Nichols inquired as to the deadline to submit information regarding a property she owns in the B1 District. The Chair stated that he would like to wrap things up by the end of November.

Tene Shavers asked for contact information for submissions. The Chair directed her to planningboard@oakbluffsma.gov and planningboardchair@oakbluffsma.gov.

NoiseBy-Law

Barbara Phillips expressed concern regarding amplified noise generated by Niantic Park. She cited the basketball courts and newer pickleball courts as noise generators, as well. She stated that the pickle ball courts were initially presented as clay tennis courts, and have been a significant source of noise since their construction.

Jessica Howard stated that she has been here since 1957, at which time Niantic Park had four tennis courts and a children's playground. The park is now used as a venue for children's parties all weekend, sometimes with a generator being used. She stated that there seem to be no hours for these activities. She respectfully asks that the Board consider doing something.

Richard Toole indicated that leaf blowers are a big concern, and he hopes the by-law will address it.

Sam Low seconded the leaf blowing concern, as well as landscape noise in general. He suggested that setting hours limiting operations might be an approach.

Tene Shavers stated that she lives next to landscaping trucks, which start at 6:30am, behind the Catholic Church.

Pat Ingalls stated that she has concerns about the constant beeping of machinery from Goodale's and now the Donaroma's area. She stated that she would love to be able to do something about the noise, perhaps with noise-reducing equipment.

Anne Beal expressed concern about industrial trucks and beeping noises in the area of Head of the Pond Road. She stated that the problem has grown worse in the last couple of years and that the noise is worse than the shooting sounds from police target practice.

Jessica Howard added that there need to be hours withing which this kind of activity can take place, especially in light of the increase in construction activity.

Andrew Moore inquired as to the regulations for businesses in terms of noise. Specifically, live music at restaurants, etc. The Chair stated that there are operating hours included in the business permit issued.

Dana Mylott stated that at his landscape business, they never start anything before 8 am. He indicated that it is possible to pull the wire off a truck to reduce beeping noise. He also stated that noise carries far on the island, with the Steamship as an example. He further stated that a lot of the people who park in the Town parking lot come from off island on the Patriot Boat. He owns vehicles that are parked in that lot, but does not start until 8 am. As far as leafblowers are concerned, they are necessary in some situations, due to the number of clients and the short period of time within which things need to be done. He explained that landscaping is a seasonal business and they try to keep the noise down if asked to do so. Mr. Mylott reminded the public that his business is a blue collar one, and stated that he wanted to offer that perspective. The Chair stated that there was language regarding leaf blowers in West Tisbury which did not pass at Town Meeting.

Vivian Beard expressed surprise that noise could take place before 8:00.

Kathleen McGee Anderson lives on Second Avenue near School Street and has stated that her community has gone through significant changes in recent years, with the construction of the library and Town Hall. There has been a huge transition in accommodating the government presence as well as a huge increase in traffic. One of the most annoying problems is the trucks that are parked behind the church off of School Street. They gear up and leave prior to 8 am. Ms. Anderson agreed that there is a need to get work done, but believes there is a balance to be struck between peace and quiet and accommodating the influx of commercial vehicles.

The Chair took a moment to remind the public of the ways in which they can stay informed about issues in the Town, via push notifications and the like.

Pat Ingalls stated that a few years ago, the ZBA acted on the 50 acres that Goodale owns along the Edgartown-Vineyard Haven Road, saying that beeping should only be allowed between 8:00 am and 6:00 pm. Additionally, Ms. Ingalls stated that people on the other end of Barnes Road can hear the beeping constantly, so it would be interesting to follow up on the sound.

Dana Mylott stated that the ZBA issue with Goodale's was in regard to Working Earth and their use of the property. He stated that the beeping sound is an OSHA standard and it is a safety issue to alert people in the vicinity that a truck or heavy machinery is backing up. He further stated that it might be possible with respect to the Town parking lot that the Town issue a handout to people who get a sticker with information about how to be respectful of the neighbors. Finally, there is a working group on the island including Doug Best, which might be able to help facilitate getting everyone in agreement.

Anne Beal agreed that some things are required by OSHA. However, there may be some room to move in terms of the levels of noise those beepers are making.

A member of the public stated that he is surprised the Town hasn't looked at the state benchmarks in terms of what is acceptable in terms of noise. The Chair stated that the town has looked at measurement options but just has not adopted any.

A member of the public stated that she understands Mr. Mylott is a landscaper who is very respectful of neighbors but is concerned that there are other less established landscapers not operating in the same way and wonders how those individuals and their practices can be captured in all of this. She further expressed concern about enforcement possibilities.

A member of the public stated that Niantic Park has become a favorite gathering place for young people in the summer after the bars close in town. Police have had to make a routine out of driving by the park to eliminate the screaming and the music. She stated that it would be appreciated if something could be done to address this. A discussion followed regarding police involvement and enforcement.

Reviewing Definitions/Coastal DCPC Change of Definition

In the absence of public comment, the Chair encouraged the public to determine whether they have any opinions about this topic, and submit comment in writing.

Tene Shavers raised concerns about the health issues possibly caused by the dust the landscape trucks kick up, and mentioned that the landscapers she has encountered are not as approachable as Mr. Mylott.

Adjourn

Minutes approved _____, 2023

Documents on File:

Agenda; Zoom Video

DRAFT