



## OAK BLUFFS PLANNING BOARD Zoning Reform Subcommittee

FRIDAY, OCTOBER 11, 2019

9:00 a.m. at Oak Bluffs Town Hall, Downstairs Meeting Room

### MEETING MINUTES

---

**Subcommittee Members:** Mark Crossland, JoJo Lambert, Llewellyn Rogers, Andrea Rogers

**Members Absent:** Joe Forns

**Staff in Attendance:** Kim Leaird (*Administrator*)

**Attendees:**

---

#### **Bylaw 3.4.1**

Discussion around Purpose and limiting size. There are homes downtown that allow splitting bedrooms between main/guest. Some is nonconforming pre-existing, can't change it. Discussion about whether limiting to one bedroom or allowing 2 bedrooms? Guest apartment or 2-family apartment? Feeling was that it should not be allowed. Consensus was 3.4.1 was okay as written

#### **Bylaw 3.4.2**

Discussion about deleting "Seasonal occupation by the owner shall not disqualify the applicant." Then decided that it should stay because it allows wiggle room. More interested in initial application not being a problem. If they do own a home, they are not disqualified. There are retirees who do not live here but want to leave to their children. How would you handle...? If they sell, then it reverts back to 3.4.1 Should this be spelled out?

Lou said the ZBA can waiver all the conditions on 3.4.2. Lou recommend it say instead of 5 year occupancy, should say 2 year occupancy. They can waive it but decided that changing to two years makes sense. Then it's in the purposes of 3.4.1 so it's a must instead of something that can be waived.

All guest apartments should come to the ZBA... detached bedrooms now go to ZBA. Thinks all should go to ZBA. It will give zoning department more work but think it's necessary. Former building inspector Mark Barbadoro would come to ZBA meetings which was helpful.

Discussion followed about gross square footage – Andrea said you can't take outside measure, they want to only measure interior. Measuring outdoor gross is not fair. Some garages are way bigger than the 750sq ft. To say they have to measure the gross amount you're not getting that in interior.

JoJo brought up staircases on outside. Add deduction for inside stairways.

Discussion about HOA's including a letter to address applied permit because applicants try to circumvent their requirements.

Points 5 and 6 do not apply to 3.4. Right now there's no limit on the above ... Lou suggests if you're only limited to one bedroom then you should have to make a smaller house than is allowed right now. Like 850sq ft.

Discussion followed about lofts... and 6' Garage, thoughts about a way to write a bylaw. Anything bigger than standard 7'6" = then it's commercial. There's no limit to a garage. The only thing that will prevent is that they can't out-build the property, need to have a certain number of open space.

This affects those who only allowed one bedroom.

You can't increase the non-conformity [size]. Applicants come up with a lot of reasons why they can't. Jojo said an uncovered staircase and a deck with 20' setbacks, still encroaching on neighbors.

JoJo asked about adding trees/landscaping part of special permit.

Mark asked what the committee wanted to work on next – 5.4.5 or 1929 ordinances or look at 1948 ordinances. Mark will send to Kim who will distribute.

Next meeting 10/18 at 9am.

Meeting adjourned at 10:15 am.

DRAFT