

Follow Up - OB Zoning Reform Meeting on 1.13

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Thu 1/13/2022 5:32 PM

To: Oak Bluffs Planning Board <planningboard@oakbluffsma.gov>

Dear Committee,

Thank you for the time and efforts you have put into this work thus far. I have included my thoughts below on the draft bylaw that I found on your website, ahead of today's meeting. I look forward to discussing/participating further.

- Purpose – As written, there are a number of items that define the “purpose” of 3.4 (listed as “a, b and c”). I am not opposed to adding new ideas/intensions, but I do not think it would be appropriate to remove or change (and in so doing fundamentally change) the existing 3 examples.
- Term #1 is unnecessary since there are already zoning requirements to convert to a duplex and otherwise there is no legal way to for 2 people to own 1 property. You can't subdivide...you can break a title or a deed in two and you can't subdivide or divide land, unless you meet the requirements under zoning.
- Term #2 should be a condition, not a term. There may well be a reason the board wishes to grant the ability to build right away. We have a housing crisis on MV. We should not be putting up road blocks or otherwise preventing people from doing good things with their property. If the board doesn't like the project, the board can still vote “no”, since modifying a “condition” requires a special permit.
- Term #3 and #4 - Again, why are you limiting "housing opportunities" within OB? What is one to do when they choose to retire and/or relocate? One must leave the unit empty? If people want to rent their property, they should be allowed to, unless restricted by and existing HOA or other deed restriction. If someone wants to rent their home for 1K/month or 5K/month, it should be up to them. It is often the ability to collect rent that makes the ownership possible.
- Term #5 – if an accessory apartment is a dwelling unit, it will require 2 means of egress...it might be safer and more aesthetically pleasing for the second egress path to be via the basement within which is resides...rather than have a basement egress right next to (2) apartment egresses.
- Term #8 - The current bylaw allows an accessory apartment by right, if the conditions can all be met. Why are you attempting to make housing more difficult here?
- Term #9 – the current bylaw states (as a “condition”): Not more than one accessory apartment may be established on a lot. The accessory apartment shall not exceed 750 sq. ft. in floor space and shall be located in the principal residential structure on the premises or in an accessory structure. This is a significant change and deeply limits a homeowners potential (or perhaps interest) in creating this housing. Changing this language and making it a “requirement/term” is again making housing more difficult on MV and in OB specifically. I strong disagree with this revision.
- Condition #3 - I won't go thru my math on why this doesn't work...given I was told today that this revision was removed from the list of proposed changes.
- Condition #4 – Just seems unnecessary. There may well be a reason to put a door on the left side or the right side.
- Condition #6 – same material and color? This is zoning, not an architectural review committee. If the intent is for the buildings to “compliment” one another, then say that...but there are many examples of buildings not “matching” that are much preferable and are far more in keeping with the local vernacular. There is a great book by Thomas Hubka called “Big House, Little House, Back House, Barn” that explores this concept and how it ties to our history and the evolution of a property over time.
- Condition #7 – In some cases, one might rather have a primary parking area for the main house and a smaller/secondary parking area for the accessory apartment...rather than having a huge parking area for both buildings. I find the former far more appealing.
- Condition #9 – Why do you care how someone uses the 750sf? Why 1 bathroom? What if someone wanted an on-suite bathroom and a powder room? What if someone wanted a LR and a library?

Thank you,
Greg

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