



OAK BLUFFS PLANNING BOARD

Meeting Minutes

THURSDAY, MAY 13, 2021

5:00 p.m. | Virtual Zoom Meeting

Members in Attendance: Ewell Hopkins, Erik Albert, Bill Cleary, JoJo Lambert

Members Absent: Mark Crossland

Staff in Attendance: Kim Leaird (*Administrator*)

Attendees: Maura McGroarty, Jill Cheatham

Chairperson Hopkins opened the meeting at 5:01 p.m. Approval of April 22 meeting minutes tabled to next meeting.

In preparation for May 15 Annual Town Meeting

Chair Hopkins: The town manager and attorney and moderator have asked each of the departments to be prepared to present and speak to applicable warrant articles, as well as any other warrant articles that the board feels their authority would add input or value.

Two articles sponsored by Planning Board:

1) Article 21: is to vote to transfer from free cash, the sum of \$20,000 to the comprehensive zoning bylaw review account to fund consulting costs and any other costs indicate and related to the completion of a comprehensive zoning review and overhaul for the town or take any other action relative there to.

Discussion followed about the different ways to approach a comprehensive zoning review: applying for the Community One Stop for Growth grant (next agenda item), and reconvening a zoning review committee.

Member Crossland has said he can't commit to presenting it. Member Lambert said she thought Chair Hopkins should present the concept and the Article at Town Meeting.

2) Article 40: to see if the town will vote to amend Section 12 of the Oak Bluffs zoning bylaw governing solar-by-right by adopting new language and inserting it as Section 12.7 or take any other action related thereto.

Member Cleary said he is prepared to present Article 40 to Town Meeting with a prepared statement and powerpoint.

Chair Hopkins said where it says Capital Program Committee, he serves as a Planning Board representative and will speak to those (there are seven).

Community One Stop For Growth grant application

Status and ownership of task

Chair Hopkins: This grant would do a wonderful job and complement our efforts with comprehensive zoning reform. As you might remember, our initial recommendation for the zoning reform work was \$85,000 based on our best estimates. Working with Bob we cut that in half to \$40,000, knowing that it would not allow us to do a complete job, but it was enough to get started.

However, after going in front of FinCom it as cut in half again. \$20,000 is not enough to do anything responsibly and he plans to make that clear at town meeting. However, it is an incremental move in the right direction. The vote is to put it in trust, not that we will immediately be able to start our work.

If we do file for the grant and secure additional funding then we would have town funds to contribute.

Re the grant: Member Crossland said he's not in a position to apply for it at this time. Chair Hopkins said he'd take a stab at it. He said that the Select Board would have to approve/apply for the grant. The Planning Board does not have that ability.

At this point, the Planning Board does not have funds to pay for a grant writer.

Maura McGroarty said her recollection was when the Finance Committee was reviewing the warrant articles, she recalled that they were informed to cut it because the Planning Board had funds to cover it.

Chair Hopkins said that was not the case.

Receding Wetlands, Oak Bluffs Wetlands Bylaw Regulations

Update on Oak Bluffs Salt Water Marsh DCPC: Chair Hopkins said he's very concerned that this initiative is gaining strength without any sponsorship or advocacy at the town level.

He said the process of introducing a new District of Critical Planning Concern (DCPC) and affording the authority and rights of such an action is something that it is initiated at the town level, with a formal request made to the Martha's Vineyard Commission (MVC).

The MVC first reviews and determines if they'll accept the application. And then they review as they would a DRI and make a determination. The beauty of a DCPC is then the authority comes back to the town to administer. Basically the Commission is lending its legislative scope and might to the town in very specific districts of critical planning concern.

This effort [around receding wetlands] that he is reading about in the local press and now on our website has no town sponsorship. Conservation says they are not currently sponsoring it and the Planning Board is not sponsoring it. He asked if it is the intent of this board to possibly sponsor a DCPC? and if it turns out that it is not the intent of this board, then he said he wants to make it clear publicly that this does not have sponsorship from the Planning Board.

Bill Cleary asked for clarification on how it's gaining strength?

Chair Hopkins said the MV Times published a story with a link to a 105-page piece with online interactive maps etc. He had Kim publish it on our website because it's fascinating work but at the end of the day, it's anonymous work. We're in a situation where the Community is going to be confused. DCPCs are initiated at the municipal level, the fact that Commission, staffers the land bank, the Vineyard Conservation Society and others think this is a great idea is all well and good, but it doesn't mean anything in my book, if there is not a municipal sponsor and there is none coming out of the ConCom and

the Planning Board has yet to take any action. We've had a subcommittee that's looked at this, but we have taken no action and I don't want this to just continue to take on legitimacy on its own, because when it gets down to the short strokes and decisions have to be made, there has to be ownership all the way through and there's no ownership at this point. I've been asked about this and I've made it clear, so far, that the planning board is not behind the sponsorship. While we are not in disagreement, we have taken no formal action to go forward with sponsoring a District of Critical Planning Concern in the town. Plus it's very controversial.

He asked again, is it accurate that we are not sponsoring this effort, and that is the board Chair can represent that is our position.

Bill Cleary: Nothing has happened with that committee since except that we were told that there was a study about to be done. My thoughts were we wait to see how that what comes back from that study and then we can make a more informed decision with recommendations for what needs to happen on that committee. Personally we don't have a position at this point.

Erik Albert: Yes, no position has really come before us, we are not saying good or bad, but it's just we're not in a position to that.

Chair Hopkins: Okay, so I am hearing very clearly that there would be no objection to me formally letting it be known that this is not a sponsored application from the town at this particular time.

MAPC webinar on the new Housing Choice laws

Discussion about the MAPC webinar and the new Housing Choice laws. There's a ton of good information in [the board packet] about what people are doing to collaborate with abutting municipalities and what people are doing to improve accessory structures by right, not through a special permit etc. Chair Hopkins said he thought that this could help inform our modification of our zoning if we were to take on zoning reform.

Bill Cleary: It seems to me that might be a great template as we, as we do look it up comprehensive zoning changes with such a need here for all types of housing. Biggest concern is the septic and how it affects the ponds.

Board Updates

Bill Cleary: Last final zoom meeting for public outreach on the stretch code was held, well publicized but a sparse showing from the public. It helped clarify questions and prepare them for town meeting.

Erik Albert: Had no updates. Chair Hopkins asked if he could report back about CWMP process in next few meetings.

JoJo Lambert: No updates, but had attended the Housing Choice webinar.

Ewell Hopkins: Summarized correspondence in board packet:

- 1) Correspondence in board packet around a request from Chris Alley for premature appearance in front of the Planning Board. We are not in a position to give legal advice around a potential application or modify/design an application.
- 2) Correspondence around 54 Pontiac Ave. initiated by Board of Health. He had worked with them and building dept. about what is going on there.

- 3) If you drive by the high school and MV Skate Park you can see our \$200,000 grant is taking shape where you can traverse more safely to the bus stop. Have worked with MV Skate Park to add benches and other amenities, etc. Thanked Member Albert, Angie Gompert and Richie Combra. Extensive work has been done.
- 4) Most of us attended the AIPB retreat, we have since reconvened twice (just the PB chairs) and committed to meeting once per month. Any board member is able to attend, we just need to avoid a quorum. Working on improving relationship with the Commission, working with island conservation committees, etc.
- 5) May 19 is the final Community Meeting on the Southern Tier housing site RFP. He was interviewed on camera for it (and it is posted on our web site). The chair informed notified the public that this project has the potential to be anywhere from 15 to 200 units of housing, depending on the level of commitment that the island puts behind this effort. This is the final opportunity to give public input before the RFP goes to the Select Board to be released. The draft RFP can be read on the Planning Board web page.

Adjourn

Member Cleary made a motion to adjourn. Member Albert seconded. All were in favor.

Meeting was adjourned at 5:45 p.m.

Minutes approved May 27, 2021

Documents on File: *Agenda; Board packet; zoom video*