



OAK BLUFFS PLANNING BOARD

Meeting Minutes

THURSDAY, MAY 26, 2022

5:00 p.m. / Virtual Zoom Meeting

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

Members Absent: Mark Crossland

Staff in Attendance: Kim Leaird

Attendees: Dawn McKenna, Ashley Khattach, Bryan Collins, Fred Rick Huss, Joanne and Alan Sgroi, Sally Dagnall, Maureen McDonald, Audrey Grossberg, Amanda Sawyer, Gail Barmakian, Judy Goff, Sarah Leaman, Jamie Schiff, Stephen Cofer-Shabica, Scott Slarsky, Lynn Jacobsen, Andrew Patch, Richard Michelson, Ron Lenovoxy

Chair Hopkins opened the meeting at 5:02 p.m. A quorum was present.

Chair Hopkins began by informing the board that yesterday, the planning board received an Open Meeting Law complaint that the Administrator just emailed to each of them. The attorney general's office requires a formal response within 14 business days (or by June 15). The board is unable to discuss the substance or the merits of the complaint in this meeting. However, the board must vote to direct Kim to prepare a response and request a consult with town counsel. We will schedule another meeting to review the written response.

Member Cleary made the motion to direct Kim to do so. Member Lambert seconded the motion. A roll call vote was taken and motion passed 3-0.

Member Erik Albert arrived late, at 5:08pm.

Approval of Minutes: April 21, April 28, May 4, May 12, 2022

Member Cleary made a motion to accept the April 21, 2022, meeting minutes. Member Lambert seconded. A roll call vote was taken, and motion passed 4-0.

Member Cleary made a motion to accept the April 28, 2022, meeting minutes. Member Lambert seconded. A roll call vote was taken, and motion passed 4-0.

Member Cleary made a motion to accept the May 4, 2022, meeting minutes. Member Lambert seconded. A roll call vote was taken, and motion passed 4-0.

Member Cleary made a motion to accept the May 12, 2022, meeting minutes. Member Lambert seconded. A roll call vote was taken, and motion passed 4-0.

Site Plan Review: Tabernacle

Phase V of Restoration Project: includes a proposed new addition / accessory structure, approximately 1,300 sq. ft. in area, containing permanent gender-neutral toilet rooms intended to serve occupants, staff, and other island visitors, and provides an alternate accessible route to the stage.

Revised plans have been received and are posted on the planning board web page. This is phase five of the restoration project, which includes a proposed new addition slash accessory structure, approximately 1,300 square feet in the area, containing permanent gender-neutral toilet rooms intended to serve occupants, staff, and other island visitors and provide an alternative accessible route to the stage.

Tabernacle representative Ashley Khattach gave an applicant presentation which can be viewed here: <https://www.oakbluffsma.gov/DocumentCenter/View/8539/Applicant-Presentation-to-Planning-Board---May-26-2022>

She said 20 years ago, the board of directors for the MVCMA embarked on a multi-phase restoration project taking into consideration all the things that we expected would be needed in the tabernacle to make it a viable building on an ongoing basis into the future. Now we are at the fifth and final stage which primarily consists of replacement of roof and addition of accessory structure at the back of the tabernacle.

Back in 1901 there was a similar accessory structure and we've tried to reflect some of the characteristics of that building. They've done reviews with the National Park Service as well as Mass. Historical Commission to ensure it would not be detrimental to the historic structure.

She gave details on how they are providing regrading behind the tabernacle by providing compensatory flood storage on site and how they are addressing bioretention, hydrant and a pump that can eventually connect to wastewater, as well as a condenser unit to provide the climate-controlled nature they need for the donated Steinway piano.

The interior – there will be a backstage area with access to stage and handicap area. There is multipurpose room that can be used for storage and then the bathrooms that will be set up to be plumb ready.

Tabernacle Restoration Phase 5 Lighting



REJUVENATION



Fixture Type SL4

Specification	Detail
Item #	A1943
Fixture Width with Shade	4.58"
Length / Height with Shade	11.18"
Adjustable Height	No
Projection with Shade	3.58"
Canopy/Base Diameter	4.58"
Fixture Height	23.84"
Socket Type	Integrated LED
Dimmable	No
Voltage	120V
Power Source	Hardwired
Recommended Bulb	LED A15
Articulating	No
UL Listing	Yes
Max. Wattage Per Socket	12W
Lumen	800
Runtime	3000h
Lifespan	25,000 hours

The Tabernacle is a really important place for the Oak Bluffs community as well as the island community as evidenced by the fact that all six island towns gave donations from their CPA funds towards the roof reconstruction.

Chair Hopkins thanked Ashley for the presentation and the hearing moved on to comment first from other **boards and committees.**

Wastewater Commission chair, Gail Barmakian, said the applicant came to them to be hooked up for 10 bathrooms and ultimately the application was withdrawn, and they allowed it. They made it clear to the applicant that there was no guarantee they could be hooked up. There is talk that it's just a matter of time, and that is not necessarily the case. It's considered a new hookup and an enormous amount of flow and it's not in the current CWMP plan.

Gail said the priority is existing users as well as extension of the hookups for environmental reasons, and concentrated affordable housing so far. While they do not have jurisdiction over what they choose to build, they do so at their own risk because they may not be hooked up to sewer when Oak Bluffs does its expansion. She also said that this applicant came before them 3-4 years ago for just two bathrooms and was denied.

Public comment in support

There were no attendees present in support of the application.

Public comment in opposition

Joanne and Alan Sgroi were concerned that the approvals already received from US Department of the Interior on July 9, 2016. Approval from Mass. Historical Commission was given on September 3, 2021. In November 2021 the Mass. Division of Occupational licensure granted a variance from the ten bathrooms. Question was the approval of Dept of the Interior and Mass Historical Commission given knowing that they are 10 bathrooms and that they will not be functional for years if ever. Second question is approval from Mass Hist Command Dept of Interior necessary for this project to proceed. And if so should there be new apps with current info showing the current plan?

The photograph shown from 1901 shown of a structure. At leaseholder 40x9. I don't know exact dimensions of what's proposed, but as leaseholders we can't add more than 5% of our footprint and how does this translate to what's being proposed.

Stephen Cofer-Shabica thanked board for continuing these dialogues. He said he is very much opposed to using \$2 million of leaseholder funds to build 10 bathrooms that might become a white elephant seems a very irresponsible use of public funds. He said porta-potties have worked for years. He also said in his experience that the Mass Historic Commission doesn't have authority to deny any structural changes to this building.

Fred Rick Huss thanked board as well. He said his house has been in his family for 76 years. The thought of putting this on the back of the Tabernacle appalls him. Does not air conditioning unit out on the grass, dig a pit to take care of runoff when not necessary, the \$2 million cost. The Dagnalls did an amazing job putting together a plan that ends with this stage 5 and the roof, but this accessory building was added on more recently. He is opposed to this accessory building and said we do not need it on the back.

He also said the board had received a lot of letters opposed.

Ron Lenovo said he is a former board member who has set in a letter with questions. His objection is why would we build a \$2 million building for which we might not have full use of for the foreseeable future. Why would you do this.

Gail Barmakian said it is true that they may never be hooked up by the town for wastewater. What they are asking for would be serving a lot of people. It could serve 1,000 people if a big event and 1,000

people is 10,000 gallons a day. That is the challenge of this new hookup, or new request. She said again that they build at their own risk.

Maureen McDonald asked if there's no sewer tie-in for the toilets for five years, does that weigh in as a factor in the planning board's decision. Yes.

Scott Slarsky wanted to know what sort of planned capacity for growth was for the storage facility regarding unforeseen projects that would appear in the timeline. Chair Hopkins said there is a section for unforeseen growth.

Fred Rick Huss asked about the bioretention pond they want to put in and mentioned two others in town that have been failures and wondered how it would be different here in a few years.

Applicant response

Dawn McKenna said she is physically the closest cottage to this proposed structure. She's been involved with this project since the beginning. She wanted to assure the planning board that the bathrooms have been part of the project since the beginning. The problem is that back then we were under an order from DEP just as the town was to deal with the waste. She said she is supportive of the project and Gail was very clear about wastewater [prospects], but the board has elected to move forward.

She also pointed out that there are 315 cottages in the campground and the board has heard from 16 cottages that are opposed to the project. Eleven of them are not [even] in sight of the project.

She spoke in support of this project, pointing out the accessibility challenges of those who might be in a wheelchair saying there is no way other than pulling a ramp to the front middle of the stage. Climatized storage is also important to preserve the piano and to protect the restored original chairs from the Tabernacle.

Ashley Khattach addressed the earlier questions about historic district approvals – it does not require any. They went to them to ensure it was being reviewed in the broadest way possible. The 2016 plan was more of a rough structure of the size and scale of the building. The one that went in 2021 was before the bathrooms expanded.

The original proposal was to have a men's and women's bathroom – but each bathroom had multiple stalls of each. Then it evolved to the current 10 gender neutral stalls. Porta potties are not what you want when you're in your cap and gown on your way to your graduation (for example) and there are other events where one would not want that either. Porta potties are okay in certain circumstances, but it's not the right message or feeling of what the MVCMA wants to evoke.

She said they think it's important to plan the building based on what they need in the long term. They have been working on this for 20 years and understand some activities require long-term planning and accept that but continue to plan.

Re: the bioretention question. The community association has extensive buildings and grounds team that takes care of the campground and will maintain this area on an ongoing basis.

Chair Hopkins closed the public testimony portion of the review. Members Albert and Cleary said a site visit would help before they deliberate and vote. Chair Hopkins asked if some markers could be on the ground so we could see where the bio field and air conditioning will be.

Member Albert made a motion to continue the hearing to Wednesday, June 8 at 5pm so they could have a quorum. Member Cleary seconded. A roll call visit was taken, and motion passed 3-0. Chair Hopkins asked that Kim work with applicant to schedule a site visit beforehand.

Board Updates

Erik Albert: First busy weekend and he has heard a lot of positive comments about the changes.

Bill Cleary: Climate Action Week concluded and was a big success. There was an electric car parade. The climate action plan will be written and it's in the final stages.

Ewell Hopkins: Anticipates having the high school decision ready before the weekend for board members to review. Has requested that Bill and Erik submit input to reflect their vote should they wish. Decision would then need to be signed early next week.

Adjourn

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

Meeting was adjourned at 6:07 p.m.

Minutes approved June 23, 2022

Documents on File: Agenda; zoom video