



OAK BLUFFS PLANNING BOARD ZONING REFORM SUBCOMMITTEE MEETING MINUTES

Wednesday, July 12, 2023
5:00 p.m. | Hybrid Meeting

Members in Attendance: Ewell Hopkins, Sean DeBettencourt

Members Absent: Mark Crossland, Erik Albert, JoJo Lambert

Staff in Attendance: None

Attendees: Llewellyn Rogers, Peter Goodale, Kris Chvatal, Bill Cleary, Patricia Ingalls, Susan Desmarais

Chair Hopkins opened the meeting at 5:03 p.m. A quorum was present.

Updates by Topic

The Chairperson announced that this meeting is a status check on the topics addressed at the last meeting, and to determine if any of the groups need assistance or legal advice.

- Noise By-Law

At the suggestion of the Building Department, there is something to be removed and it is to be replaced by new by-laws including leaf blower use. There will also be a recommendation for a code enforcement officer with a four day work week. The Chairperson suggested consulting the draft West Tisbury leaf blower by-law and the author to determine why it didn't pass.

Lou Rogers suggested white noise back-up beepers for commercial vehicles.

- Increased Commercial Activity in Residential Zones

Kris Chvatal indicated that the subgroup has met three times. They refer to it as a light industrial/mixed use overlay district. They chose an overlay district as opposed to re-zoning in order to preserve the underlying residential area. It seems that this might also avoid spot zoning issues. The group has drafted a section on purpose, which addresses the considerations that the working group and the Town are recognizing. They have called it the "LIMOD". They have also drafted a section on applicability and have handled special permit considerations. There are sections on hours of operation, materials storage, signage, and shipping containers. They have also redone the table of use regulations (Appendix A). They have

recommended adding 6 commercial uses, 2 residential uses, and 5 edits to the table of use. Mr. Chvatal stated that the goal was to distinguish between what was available in B1 one and B 2, and what will be available on the line. The group looked at uses that are not served or underserved in B1, B2 and residential accessory uses. He then read the purpose of the by-law into the record: the purpose is to enable the Town to support the development of light industrial operations, light commercial operations, and higher density housing by expanding permanent uses on existing residentially zoned sites. A discussion followed regarding the potential issues that have arisen in the efforts to draft provisions about housing density, including the supply issues discussed at the recent Water Department meeting. Mr. Chvatal indicated that the working group is at the point where they could probably submit something to the Town Attorney within a couple of weeks. The Chairperson suggested a meeting with Laura Silber at the Commission in terms of getting some expertise on affordable housing as it relates to housing density issues. He also suggested speaking to Vice Chair Crossland, the Planning Board's housing liaison.

- Accessory/Guest Apartments As of Right

Llewellyn Rogers stated that the plan is to no longer refer to these structures as accessory guest apartments. Instead, they will be called ADU's (accessory Dwelling Units). The titles and would be changed in section 3.4 and in the definitions. There are also new terms and conditions that are ready for Town Counsel to look at. The group is also recommending language that instead of having just an accessory unit provision (such as a garage, shed, or barn), they would also include a provision for free standing structures, given the housing concerns on the island.

The Chairperson suggested that if the subgroups intended to go beyond the scope of agreed topics, that they make a note to the Planning Board Administrator outlining their intent.

- Home Businesses

Mr. Rogers noted that the current by-law includes the language "resident owner", and that the group has determined that removing the "owner" portion of the language would eliminate confusion.

- Sheds

Mr. Rogers stated that the group placed a shed definition and a garage definition in the definitions section and changed the setbacks.

- Subdivisions that Shouldn't be in R3

Mr. Rogers reported that the group made a change to the table where it says R3 needs to have 50 foot setbacks. They intend to change it to: any lot in R3 that has less than 60,000 square feet will use the setbacks for R2 (which would be 20/20/20 instead of 50/50/50).

- Eliminating the Sign Committee

Mr. Rogers stated that the Building Commissioner feels that if they eliminate the sign committee, he could handle enforcement. As such, the group is working on eliminating the sign committee.

- Reviewing Definitions

Mr. Rogers stated that they are focusing on revising definitions that relate to sheds, garages, and ADUs. Mr. Chvatal raised the issue of shipping containers being considered temporary structures. Mr. Rogers stated that that is an additional point the group is considering.

- R3 and R4 Zoning – Minimum Lot Sizes/Permitted Uses in R1, R2, R3

Member DeBettencourt stated that they are still in the process of working on the table and the language relating to these topics.

- Mixed Use Zoning and Non- Vehicular Transportation

Member DeBettencourt stated that he has not made much progress on these two matters, in part because of the departure of the other group member.

- Affordable Housing and Short Term Rentals

Mr. Leonard was not present at the meeting, so no update was available.

- Environmental Impact Controls of Development Guidelines

The Chairperson stated that this point may need some attention.

- Commercial Zoning in the Copeland District

The Chairperson stated that Member Lambert gave him an update: the group has been engaged in doing a lot of forensics to determine how we got where we are. The group is re-writing the language and will provide an update at the next meeting.

- Dukes County Ave. Re-Zoning

Mr. Rogers stated that Vice Chair Crossland will provide an update at a later time.

- Additional Items

Mr. Rogers stated that there is some language that needs revisions regarding the Overnight Parking of Commercial Vehicles, and their weight limits. A discussion followed regarding the registration requirements and practices of large commercial vehicles. He also indicated that the group is attempting to tackle the shipping container/temporary structure issue. A discussion ensued regarding the changing of a street name in the by-law language and it was determined that it is not related to zoning, and should therefore not be part of the group's work.

Mr. Rogers further stated that they are working on the language relating to the conversion of duplexes.

Bill Cleary offered his assistance to whomever may need it relating to zoning reform.

Adjourn

The meeting was adjourned at 5:47 pm.

Minutes approved August 24, 2023

Documents on File:

Agenda; Zoom Video