



## OAK BLUFFS PLANNING BOARD

### Meeting Minutes

THURSDAY, AUGUST 12, 2021

5:00 p.m. | Virtual Zoom Meeting

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

**Members Absent:**

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

**Attendees:** Gail Barmakian, Terry Donahue

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*Chair Hopkins opened the meeting at 5:02 p.m.*

### **CWMP Update**

Gail Barmakian gave an update on the Comprehensive Wastewater Management Plan (CWMP). They are waiting for a report from Mass. Estuary that will help move guidance on where the better places for sewerage may be. Once they have that information, the Planning Board and Shellfish Committee will be asked to further participate. The last two meetings have been on engineering and financing so they have not involved Planning Board representative (Erik Albert).

There is a CWMP draft on the town web site. It is lengthy but will help establish what we can expand to 250,000 gallons today, which is about 75% [more?] than where we are now. It will also look at how many parcels are in each watershed because that is the driving force behind how much nitrogen needs to be removed from the watershed and how much needs to be prevented going in.

The CWMP is a fluid document. Sewerage may need to be used for the Lagoon Pond watershed. We can't fix problems solely with I/A systems. There's a percentage of flow designated for existing users (campground, business district). There's a 20% amount that is for flexibility. The engineers went to each board to ask them what they project for next 5-10 years.

She said as far as zoning, there needs to be some sort of zoning restriction in the bylaws. There is only so much nitrogen that can go in the ponds. If the town orders thru BoH I/A systems, then there should be zoning restrictions for both new and existing users because the town will only have so much flow.

Chair Hopkins asked if they expected to send anything to the Capital Program Committee for the fall session and she said yes, absolutely. This is probably the biggest, most expensive project for this island. Wastewater expansion and improvements are tremendously expensive. They are scheduled to meet with the town administrator with financing soon. Gail asked that Member Albert get direction from the rest of the board on representing all issues.

Member Albert said it all comes down to unallocated flow and how it's distributed. About a third is unallocated. Gail said that it's about much more than that. This is only part of the CWMP and this decision is not made when the CWMP is finished and submitted. Whatever the town's needs are what boards deem relevant. So the input for the Planning Board is to understand how connections might affect growth, etc. The focus should be on types of control on growth in the watershed and in the business district too.

Member Lambert said that as part of the zoning review committee they should work with Gail. Chair Hopkins said Member Albert is the representative for Planning Board. Gail said she hoped Member Albert communicated with them on a regular basis. For example, will there be efforts to restrict the number of bedrooms? There are a lot of technical questions that he should resolve around these questions with Members Lambert and Crossland and then bring that to CWMP meetings.

Member Cleary asked if all the properties on the watershed would be part of the new sewerage setup or will some have the opportunity to be an I/A system and how would that work. Gail said that is still unknown but will be helped by the study. They need to identify which parcels are contributing to the top of the pond. Some will definitely be part of an extension of the sewer line hookup. It will be more strict. Some people who add a bedroom may need to then add an I/A system, but this is a Board of Health issue as well.

Gail said that the CWMP meetings are working group meetings and not open to the public. If anyone wants to observe or participate they should reach out to the committee chair with a request to attend.

### **Approval of Minutes**

Member Cleary made a motion to approve the July 22, 2021, meeting minutes. Member Albert seconded. A roll call vote was taken and motion passed 4-0-1 (Member Crossland abstained).

### **Green Community / Energy Committee update**

Member Cleary presented to the Select Board on Tuesday. He had three asks — two went through without issue (the energy reduction plan and vehicle policy has been adopted). But there were questions on the expedited permitting process and what would happen if the Commission got involved, so he is working on resolving these questions. Then he will meet with school committee(s).

### **2021 Planning Board Appointments to boards and committees**

The following Planning Board appointments were made:

- Affordable Housing: Mark Crossland
- Capital Program Committee (CPC): Ewell Hopkins (Bill Cleary expressed interest in being appointed to an empty seat in addition)
- Community Preservation Committee: Ewell Hopkins
- Copeland: Mark Crossland
- Cottage City: JoJo Lambert\* (Note that this appointment must be made by Select Board, scheduled for August 24, 2021)
- Land Bank Advisory Board: Erik Albert
- Roads & Byways: Erik Albert
- Sign Review Committee: JoJo Lambert

### **Lagoon Ridge Update**

Rob Brennan from CapeBuilt said they had taken title to the Lagoon Ridge property and that all approvals and permits have transferred to them. They have engaged their local team including Danny Rogers who is doing road clearing. First they staked out the center line and the edge of road on the access going up Double Ox as requested by neighbors.

They are working with Marilyn Miller and Alan Schweikert at Ocean Park Realty and they are bringing lots in Cluster C to market exclusive of the affordable (units). Thirteen of the lots have been brought to market on a pre-construction basis. He said they are committed to adhering to steps and conditions of the

special permit — they are task-based, not tied to a calendar. He said he wanted to acknowledge that looking at site plan and existing paths, there are instances where there are crossings in the development between paths and ways and he reaffirmed that they will protect those ways incorporated into the special permit. Any disturbance is being repaired. They are going to walk the site with Chair Hopkins tomorrow and come up with best practices for moving forward.

Chair Hopkins thanked him and asked board members if anyone had direct comments they'd like to make.

Member Cleary congratulated him and asked if there had been any movement on the affordable units. Rob said they have been meeting with Philippe Jordi at IHT as they are partnering with them on Kuehn's Way. It looks like they will be partnering with IHT [for the affordable units]

Member Crossland also congratulated him and wished him the best.

Member Lambert had no questions. Member Albert had no questions.

Chair Hopkins said the Lagoon Pond Association was having a meeting on Saturday. He will present an update from the Planning Board unless Rob is there to do so. Gail Barmakian also presenting on CWMP.

*Member Albert left the meeting at 5:57pm and Member Lambert had technical issues and dropped off zoom. However, a quorum was maintained.*

## **Board Updates**

### **Mark Crossland:**

- Deadline for the RFP submittals is Oct. 1 (Southern Tier Housing Site)
- Taking lead on Lampost follow-up on the violation of conditions regarding the housing component (which are being advertised on Airbnb instead of being used for workforce housing).

### **JoJo Lambert:**

- Planning to attend the Lagoon Pond Association meeting re Lagoon Ridge

### **Ewell Hopkins:** Went through correspondence in board packet

- Emails re coordination of Streetscape
- Met with applicants at 112 Dukes County Ave. to discuss process, not evaluating the merits or lace thereof but to walk them through the process which they appreciated. Expects to work with Tom Perry on applicability of the bylaws. Also a letter from Donald Muckerheide
- Capacity planning grant by MVC and Army Corps of Engineers, we will probably be involved heavily going forward
- MVC, Alex spoke on AT&T wireless
- Letter to Meegan Lancaster and superintendent and then-chair of high school committee. Also includes letter from Michael Goldsmith
- Also a series of letters from members of the public concerning the high school application and the Chair's role
- All Island Planning Group is issuing a letter to the Commission with a proposal or recommendation how we can improve work together. Invited board members to give input.

Chair Hopkins also reported that the Planning Board had spent \$3,699 in legal fees since July 1<sup>st</sup>. Member Cleary asked if Chair Hopkins had attended the August 10 Board of Health meeting.

Chair Hopkins said he did. The applicant made a presentation on their application (currently still at the Commission). The Board of Health had a series of questions back and forth. He confirmed their willingness and commitment to assist the Planning Board in our due diligence once the application is returned.

Member Cleary asked when the written decision might be completed, this is unknown. He also asked when or how would an appeal might happen. There is a 25-day appeal period in which to appeal an MVC decision.

#### Public Comment

Terry Donahue said he followed the Board of Health meeting and did not hear that any of the board members wanted to get involved with the special permit. All he heard was that they listened to the evidence.

Chair Hopkins said he verified with the entire board and board chair that they agreed and that was their intent.

#### Adjourn

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

Meeting was adjourned at 6:10 p.m.

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*Minutes approved August 26, 2021*

Documents on File: Agenda; Board packet; zoom video