



OAK BLUFFS PLANNING BOARD

Meeting Minutes

THURSDAY, August 24, 2023

5:00 p.m. | Virtual Zoom Meeting

Members in Attendance: Ewell Hopkins, JoJo Lambert, Sean DeBettencourt

Members Absent: Mark Crossland, Erik Albert

Staff in Attendance: Jessica Downey

Attendees: Susan Desmarais, Ted Fink, Peter Palches, Mark Leonard, Maura McGroarty

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

Approval of Minutes – Planning Board Meetings

Member Lambert made a motion to approve the minutes from the July 13, 2023 Planning Board meeting. Member Debettencourt seconded the motion. A roll call vote was taken and the motion passed 3-0.

Member Lambert made a motion to approve the minutes from the July 27, 2023 Planning Board meeting. Member Debettencourt seconded the motion. A roll call vote was taken and the motion passed 3-0.

Approval of Minutes – Zoning Reform Subcommittee Meetings

Member Lambert made a motion to approve the minutes from the June 7, 2023 Zoning Reform Subcommittee meeting. Member Debettencourt seconded the motion. A roll call vote was taken and the motion passed 3-0.

Member Lambert made a motion to approve the minutes from the July 12, 2023 Zoning Reform Subcommittee meeting. Member Debettencourt seconded the motion. A roll call vote was taken and the motion passed 3-0.

Member Lambert made a motion to approve the minutes from the August 2, 2023 Zoning Reform Subcommittee meeting. Member Debettencourt seconded the motion. A roll call vote was taken and the motion passed 3-0.

Zoning Reform Topics

The Chair explained that there are fifteen topics for which working groups have been developing drafts over the summer. On those topics for which drafts had been submitted, the Chair indicated that the Board would decide whether to move forward with that topic and expend resources with the Town Attorney. Where no draft information was submitted, the Board would decide as to whether to remove that topic from this year's list.

The results are noted in the table below:

Topic(s)	Number(s)	Draft Information Submitted	Proceed	Remove
Increasing Commercial Zoned Areas/Commercial Activity in Residential Zones & Mixed Use Zoning	1 & 9	Y	X	
Accessory or Guest Apartments as of Right/Clean Up Language re: Home Businesses	2	Y	X	
Shed Language	3	Y	X	
Subdivisions that Shouldn't be in R3 & Minimum Lot Sizes for R3 & R4/Permitted Use Under R1, R2, R3	4 & 8	Y	X	
Sign Committee – Possibly Eliminate	5	N		X
Noise By-Law	6	Y	X	
Reviewing Definitions (Coastal DCPC Definition)	7	Y	X	
Impediments to Non-Vehicular Transportation Options due to Zoning	10	N ¹		X
Affordable Housing Waiver Criteria	11	Y	X	
Short Term Rentals and Fractional Ownership By-Laws	12	Y	X	
Environmental Impact Controls of Development Guidelines	13	N		X
Commercial Zoning in the Copeland and Cottage City Districts	14	Y	X	
Dukes County Ave. Re-Zoning	15	Y	X	

Following the discussion regarding drafts submitted for each topic, the Chair announced that there would be public meetings beginning in October for the public to attend as well as voice opinions and concerns, with hopes of having a strong handle on what would be submitted to Town Meeting by the end of December. The Chair further stated that the topics as they currently exist have been mulled over by the working groups and by the public, and the Board has some degree of confidence

¹ The working group addressing this topic determined that there were no existing impediments to non-vehicular transportation within existing zoning by-laws and therefore no need to proceed with a draft or revision.

in their relevance. What remains is to earn the respect and trust of the public, so that there will be a high degree of confidence of the items passing in April.

Public Comment

Peter Palches questioned whether “moving forward” meant submitting drafts to the Town Attorney and incurring fees at this stage, or whether there would be some review by the Planning Board prior to submission to the Town Attorney. The Chair acknowledged Mr. Palches’s concerns, but explained that it would be preferable to know whether what the individual drafts were attempting to accomplish would be legally feasible before pursuing them any further. He further indicated that the Board has allocated funds explicitly for this purpose, which will not affect the general fund. Mr. Palches further inquired as to whether the drafts were available to the public. The Chair responded that they would be available later in the week, once compiled and organized. Member Lambert added that the drafts in their current state are just rough drafts.

Chair Updates

The Chair stated that the Board has not advanced the proceedings with the High School since the last update that was made. The Commission did have a meeting and discussion of their DRI, electing to freeze timing on the DRI until the legal proceedings have concluded. They would then give the Applicant sixty days until they would have to re-submit their DRI. He explained that DRI’s typically expire after two years, and the end of that period would be approaching at the end of the month, hence the need for an extension. The Chair further explained that the Court has before it a Motion for Partial Summary Judgment.

Adjourn

Member Lambert made a motion to adjourn. Member DeBettencourt seconded the motion. A roll call vote was taken and the motion passed 3-0.

Minutes approved September 28, 2023

Documents on File:

Agenda; Board Packet; Zoom Video