



OAK BLUFFS PLANNING BOARD

Meeting Minutes

THURSDAY, September 14, 2023

5:00 p.m. | Virtual Zoom Meeting

Members in Attendance: Ewell Hopkins, Mark Crossland

Members Absent: Erik Albert, JoJo Lambert, Sean DeBettencourt

Staff in Attendance: Jessica Downey

Attendees: Kris Chvatal

*Chair Hopkins opened the meeting at 5:02 p.m. A quorum was **not** present.*

Approval of Minutes

Minutes for the August 24, 2023 meeting will be approved at the next meeting, as not enough members were present for approval.

Zoning Reform Process

The draft work completed by the zoning reform working groups has been submitted and clustered for discussion at a series of October meetings. Those clusters are as follows:

October 2, 2023 at 7:00 pm

- Minimum Lot Sizes for R3 and R4/Permitted Use Under R1, R2, R3
- Mixed Use Zoning
- Affordable Housing Waiver Criteria
- Short Term Rentals and Fractional Ownership By-Laws

October 7, 2023 at 9:30

- Increasing Commercial Zoned Areas/Commercial Activity in Residential Zones/Mixed Use Zoning
- Commercial Zoning in the Copeland and Cottage City Districts
- Dukes County Ave. Re-Zoning

October 14, 2023 at 9:30 am

- Accessory or Guest Apartments as of Right/Clean Up Language Re: Home Businesses
- Shed Language

- Subdivisions that Shouldn't be in R#/Minimum Lot Sizes for R3 and R4/Permitted Use Under R1, R2, R3

October 16, 2023at 7:00 pm

- Noise By-Law
- Reviewing Definitions/Coastal DCPC Change of Definition

The Chair sought Board input regarding the organization of topics for the public meetings, the purpose of which would be to solicit public input with an eye toward determining whether the meeting cycle would repeat in November. He announced that at the end of November, the Board will write up draft warrant language, and schedule the mandatory public hearings. Language will then be submitted to the Select Board for inclusion in Town Meeting. During this process, topics will be eliminated as needed. Planning Board Members will not be required to be present at the October Meetings, but they will be encouraged to attend. These meetings are an opportunity for the public to be heard.

A discussion followed regarding the organization of meetings and the clustering of topics. The Chair stated that he will encourage members of the public who attend the October meetings to first review the submitted drafts, at the outset of each meeting, so they will have a good grasp on the topics. Member Crossland offered to pass out flyers at the Post Office in order to get the word out about the meetings.

Board Updates

Member Crossland reported that the Housing Trust voted to give another \$100,000.00 to Island Housing Trust for investment in the Southern Tier project, which will help them secure everything with the state permitting that needs to be completed by the end of the month.

Chair Updates

Four Sisters

The Chair offered an update on the status of the Four Sisters litigation: the Amended Complaint filed by the Plaintiffs appears to remove an allegation of incomplete approval on the part of the Planning Board and seeks an out of court settlement with the other party (the Marshalls) who own the property in question.

68 Holmes Hole Rd./0 Down Island Farms Rd.

The Board received two incomplete applications, resulting in the Chair asking for clarification and drafting a letter to the Applicants' attorney (Geoghan Coogan) outlining the expectations for the project. The Planning Board Administrator pulled together all of the emails and electronic correspondence, and sent them to Attorney Coogan. The IT

Department further combed the town server for all emails requested. The Board has not yet received application(s). Member Crossland inquired as to whether a bill can be sent to compensate for the time invested in responding to the record request. The Chair indicated he would look into the possibility.

MVRHS

The Land Court has made a preliminary ruling as it pertains to the Martha's Vineyard Regional High School versus the Town of Oak Bluffs Planning Board defendants. The Judge has charged all parties to come together and meet in light of his preliminary findings and report back to him by October fifth. The Board's position on whether and how we can come to an agreement will be reported to the Judge, and the Judge will then decide when he wants to formally rule on the matter. Once the Judge has ruled, either party can then appeal that ruling, if they choose to do so.

The Chair reported that he is now working very closely with the Town attorney and appropriate Town departments to understand what positions will be set before October fifth. The Chair further indicated that he would continue to head down that road unless Board Members indicated that they did not want the parties to collaborate toward a resolution and move directly to an appeal. Having heard no objection, the Chair stated that he would continue to work toward a resolution, report back to the Board, and assemble a more detailed discussion and possible vote as needed.

Chair Hopkins also reported plans to meet with the Water Department and the Select Board on the current state of the water infrastructure. This week's meeting has been postponed until next week.

There was no comment from the public.

Adjourn

Member Crossland made a motion to adjourn. Chair Hopkins accepted the motion, in the absence of other members.

Minutes approved October 12, 2023

Documents on File:

Agenda; Board Packet; Zoom Video