

Case No. 44-19
Date Filed: 20 December 2019

RECORD OF PROCEEDINGS

I, Lisa C. Morrison, assistant to the Zoning Board of Appeals of the town of Edgartown, hereby certify that the following is a detailed record of proceedings pertaining to the request of Keith & Judy Soules for a special permit under section 10.1 G of the bylaw to (1) install a swimming pool and construct a pool house/pool equipment shed; (2) construct a two-story addition to existing main house and relocate an existing outside shower; (3) construct an outdoor kitchen pavilion; and (4) expand and enclose with screens two decks on an existing detached bedroom and add an outdoor shower. The property is located at 62 Eighteenth Street South, Assr. Pcl. 11B-68, a nonconforming lot in the R-20 Residential District.

1. On 20 December 2019 the application, a true copy of which is marked "A," was presented to the Town Clerk.
2. In addition, an advertisement, a true copy of which is marked "B," was published in the Vineyard Gazette on December 27th 2019 and January 3rd 2020.
3. Notice of the hearing, a copy of which is marked "C," was mailed, postage prepaid, to the petitioners; the abutters - owners of land adjacent to the subject property within 300 feet of the property lines - all as they appear on the most recent, applicable, certified tax list; and to all the proper town boards and departments.

On Wednesday, 15 January 2020 at 7:00 p.m. the public hearing was held in the Town Hall. The following board members were sitting for this hearing: Martin Tomassian- chairman, Richard Knight, Carol Grant, Nancy Whipple, and Robin Bray- alternate.

Mr. Soule began the presentation saying that he and his wife need more space when his grandchildren visit. He said that the family ends up sleeping on the kitchen floor. Their current house has just two bedrooms and one bath and is a little over 1000 sq. ft., not including the basement. He said that he has removed two dump truck loads of debris from the property and many of the trees in preparation for the installation of a solar array. He said that he estimates that the project will take about three years to complete.

Mr. Tomassian if there were any letters from town boards or departments. There were none.

Mr. Souls submitted a letter of support from Mark Bergeron and notes of approval from Krista & Matthew Ryan, Leanne & Lori Fisher, Gilmer Barossa, Michael Brown, Thomas Cardelo, Robert & Teri Brown, Jr. [See file]

A letter of concern from Frank Foltz & Helayne Cohen was read. They were concerned that the proposed development seemed excessive for such a small lot and believed that it would result in increased noise and loss of privacy.

Mr. Tomassian asked if there was any one in the audience who wished to comment. Celeste Stickney of 65 Twentieth Street South read a letter dated 29 January 2020 [see file]. Ms. Stickney and her husband have lived in the neighborhood for 22 years. Ms. Stickney objected to the scope of the proposed project and believed it would lead to excessive noise, a loss of privacy and her ability to enjoy her own property. She said that the proposed outdoor kitchen, cocktail station, and pool are not compatible with the quiet residential neighborhood. Ms. Stickney said that the Soules' have cut just about every tree on the property a few evergreens. She said that work on the property has gone on since July. Prior to July, the Soule property was screened from her own, but now she looks directly into the Soules' yard, which is currently full of trucks, bobcats, and backhoes.

Mr. Soules said that neither he nor his wife are party-people. He said that the pool equipment will be enclosed in a sound-proof shed and that the pool equipment is quieter than a household refrigerator. Mr. Tomassian said that Mr. Soules is asking for a lot on a small property. He urged the applicant to scale back the proposal so that it would be more appropriate for the neighborhood. Mr. Soules agreed to withdraw the proposal.

Mr. Knight made a motion to allow the applicant to withdraw their proposal. Ms. Grant seconded the motion and voted to allow the withdrawal. Ms. Bray, Ms. Whipple, and Mr. Tomassian also voted to allow the applicant to withdraw.

Respectfully submitted,

Lisa C. Morrison, Assistant