

Case No. 15-20
Date Filed: 5 August 2020

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 Edwin Brooks for a special permit under section 10.1 G of the bylaw to expand/rebuild an existing deck, construct a new covered porch, and construct a playroom and exercise room on the basement level below the new porch and deck. The project is located on a preexisting, nonconforming lot at 40 Fuller Street (Assr. Pcl. 20B-47) in the R-5 Residential District.

1. On 5 August 2020 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 7 August and 14 August 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, 26 August 2020 at 4:00 p.m. the hearing was opened and held via Zoom. The following board members were in attendance: Martin Tomassian – Chairman, Carol Grant, Nancy Whipple, Julia Livingston – alternate, and Robin Bray – alternate. Chairman Tomassian introduced the board members and read the necessary requirements for conducting remote meetings in compliance with both the Governor’s order and the Open Meeting Law.

Ned and Louise Brooks were also present for the hearing via Zoom. Ms. Brooks explained that their lot is about 147 sq. ft. shy of the 10,000 sq. ft. needed to be a conforming lot in R-5. The existing deck is rotting and needs to be replaced. Currently there is little or no access to the basement. Ms. Brooks said that the intent of the project is to rebuild the deck, construct a covered porch, and enclose the space beneath the porch to be used as a exercise room and playroom. The property slopes at the rear, and the existing deck is at almost a second story elevation with lattice below. This area is where the new playroom and exercise room will be located.

Tomassian asked if there were any letters from town boards or departments. The assistant noted that a certificate of appropriateness from the Historic District Commission was received earlier this week. There were no letters from any abutters. There was no one in the audience who wished to comment either pro or con.

As no rebuttal was necessary, Mr. Tomassian closed the public portion of the hearing for discussion by the board. No one had any questions or concerns.

Ms. Bray made a motion to approve the project as presented. She said she found the project to be in harmony with the general purpose and intent of the bylaw. She said she did not find the project to be detrimental to the neighborhood and believed that the project was compatible with other properties in the neighborhood in both scale and size.

Ms. Whipple seconded the motion and voted to grant the special permit for the same reasons.

A roll-call vote was taken. Unanimously approved by all members present: 5 – 0.

Respectfully submitted,

Lisa C. Morrison, Assistant