

Case No. 16-20
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 Mark & Rachel Zides for a special permit under section 10.1 G of the bylaw to construct additions to an existing residence and install a swimming pool on a preexisting, nonconforming lot at 21 Metell's Way (Assr. Pcl. 36-21) in the R-20 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 4:15 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. Ted Rosbeck of Island Pools was also in attendance.

Mr. Sherman began the presentation by saying that the Zides family is growing out of their existing house and would like to add a master suite on the first floor. They are hoping to eventually retire to the Vineyard. The additional proposed square footage totals 385 sq. ft. The addition meets all setbacks and height requirements. The Zides are not planning on adding a bedroom to make the master suite, they are expanding an existing bedroom.

The proposed pool is on the small side, 15-feet by 30-feet. Mr. Sherman noted that the Zides received a special permit a few years back for the pool, but it has since expired.

Tomassian asked if there were any letters from town boards or departments. There were none. A letter from the immediate abutter to the east, C.R. Sullivan, was read. Mr. Sullivan wrote that he was "100% ok" with the project and said that the Zides were good neighbors. It was noted that the rear of the property abuts Land Bank property. 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.

Ms. Grant asked about the location of the pool equipment shed. Mr. Sherman said that the location was determined at the earlier hearing as the request of an abutter. Mr. Sherman noted that the shed is under six-feet tall, so it is not technically a structure as defined by the bylaw. It will be approximately 5-feet by 8-feet and will have sound attenuating materials as well as a roof. It is located adjacent to the existing outside shower.

Ms. Whipple asked about the total number of bedrooms. Mr. Sherman stated that it is the same as what currently exists, two on the first floor and two on the second floor.

Ms. Grant 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 noted that one direct abutter wrote in favor of the project. Ms. Grant noted that the addition was modest in both size and scale and said she believed that the project would be compatible with the neighborhood. She commented that the pool had been approved several years ago.

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