

Case No. 42-19  
Date Filed: 12 November 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 Charles Holzwarth & Steve Blommer for a special permit under section 10.1 g of the bylaw to install a swimming pool and construct a pool-equipment shed on a preexisting, nonconforming lot located at 40 Knoll Drive, Assr. Pcl. 36-56 in the R-2 0 Residential District.

1. On 12 November 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 November 15<sup>th</sup> and November 22<sup>nd</sup> 2019.
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, 4 December 2019 at approximately 8:30 p.m. the public hearing was held in the Town Hall. The following board members were sitting for this hearing: Martin Tomassian- chairman, Nancy Whipple, Carol Grant, Richard Knight, and John Magnuson.

Sam Sherman of Sam Sherman Associates and David Hobaica from Easton Pools were present. Sherman noted that minor renovations and upgrades to the existing residence had already been approved by the board. The special permit is for the proposed pool and pool equipment shed. The pool will be 16-feet by 32-feet and will be located 14-feet from the rear property boundary and 31-feet from the side bound. The equipment shed will be 10-feet by 10-feet and approximately 13-feet high. The shed will be sunk 3-feet below grade to keep it as unobtrusive as possible. The shed will be sound-proofed. The location of the required pool fencing is shown on the plan. No flood lights are proposed.

There were no letters of objection from town boards or departments or from any abutters. There was no one present who wished to speak in opposition to the proposal. Mr. Tomassian then closed the public portion of the hearing for discussion among the board.

Grant asked why the pool shed was located so close to the corner of the lot, which is at the intersection of three lots. Sherman agreed, but noted that the location of the houses on those three lots is quite far from the equipment shed.

Grant asked the shed needed to be 10-feet by 10-feet. Sherman replied that the shed need to be accessible so that the equipment can be serviced. The size is determined by the amount of equipment needed. Sherman said that all the neighbors were notified by the owner and none had any concerns.

Knight asked if the pool equipment could be housed in an underground vault. Mr. Hobaica replied that if the equipment is completely underground there are issues with venting and access.

After some further discussion, Mr. Magnuson made a motion to grant the special permit saying that he found the project to be in harmony with the general purpose and intent of the bylaw. He said he found the site to be appropriate and believed that pool will fit in without crowding the lot. He said that the applicant has agreed to sound-proof the pool equipment shed in such a way that it will not create a nuisance for the abutters. He noted that there was no opposition to the project.

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

Ms. Grant, Mr. Tomassian, and Mr. Knight also voted to grant the special permit for the same reasons.

Unanimously approved.

Respectfully submitted,

Lisa C. Morrison, Assistant