

Case: 5-18
Date Filed: 5 February 2018

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 Jamie & Emily Weston for a special permit under section 11.9 f of the zoning bylaw to construct additions to an existing residence and install a swimming pool on a preexisting, nonconforming lot located at 14 Katama Farm North, Assr. Pcl. 45-419 in the R-60 Residential District.

1. On 5 February 2018 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 February 9th and February 16th 2018.
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, 28 February 2018 at 7:15 p.m. the public hearing was held in the Town Hall. The following board members were sitting for this hearing: Martin Tomassian – Chairman, Carol Grant, Nancy Whipple, Richard Knight, and Robin Bray – alternate.

Keith Musinski, designer, was present for the applicants. Mr. Musinski explained that the Westons have three daughters and are hoping to redesign the house to make it more workable for their family. He said that the house is a bit of an 'odd duck.' In some places you need to go down the stairs in order to go up.

Mr. Musinski submitted a 3D model of the house. The proposed additions amount to an increase of approximately 750 sq. ft. and consist of a small two-story addition to the existing living room and second floor bedroom, a one-story sitting room, and a stairway enclosure.

The applicant is also proposing a swimming pool, which would be located just off a deck. All the proposed additions conform to the necessary setbacks.

A portion of the existing deck that is located in the sideyard setback will be removed.

Mr. Musinski noted that the Westons reached out to their closest neighbors, who were in support of the project, but did not ask them to write letters.

Mr. Tomassian asked if there were any letters from town boards or departments. There were none. There were no letters from any abutters.

Abutters Steve Imbriglia and Nancy Robinson Imbriglia said they were not in favor of the pool. They said that four pools have been built in the area in the last few years. Ms. Imbriglia said that their neighborhood is starting to look like South Florida. She said that pools are a hang-out space, especially for renters, and it gets very noisy once the music starts at about 3 p.m.

Mr. Imbriglia said that the pool will be visible from their property. Ms. Grant asked if the Imbriglias were year-round residents. Mr. Imbriglia said that they were not currently, but hoped to retire here.

Mr. Musinski said that he respects the neighbors concerns but noted that the pool is essentially located in a 'knuckle' formed by the house and the garage. He said that he was sure his clients would be willing to augment the landscaping to help with sound-proofing. He also said that the Westons have no intention of renting their property.

Mr. Tomassian asked if planting additional vegetative screening would satisfy the Imbriglias' concern. Mr. Imbriglia replied that he did not think that it would.

After some further discussion, Mr. Musinski agreed to withdraw the pool from the special permit request, with the understanding that he would reapply after attempting to work out a solution with the Imbriglias.

Ms. Whipple made a motion to grant the special permit saying that she found the project to be in harmony with the general purpose and intent of section 11.9 (f) of the bylaw. She said that the proposed additions are minor and will not have a negative effect on the neighborhood. She noted that there were no objections from any neighbors to the additions, which meet all the required setbacks. She said she found the site to be appropriate. Ms. Whipple reiterated that the pool was withdrawn from the application and is not part of this special permit.

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

Ms. Bray, Mr. Knights, and Mr. Tomassian also voted grant the special permit for the same reasons.

Respectfully submitted,

Lisa C. Morrison, Assistant