

Case # 8-18  
Date Filed: 27 February 2018

## DECISION AND FINDINGS OF THE ZONING BOARD OF APPEALS

**Re: Request for a special permit under sections 11.9 e and 4.2 c of the Edgartown Zoning Bylaw**  
**Owner/Applicant: LSV Realty Trust, Sean E. Murphy - Trustee**  
**Assessor's Parcel: 22-57.2 & 57.3**  
**Book: 803 Page: 890 & 896**  
**815 345**

### PROCEDURAL HISTORY

1. Application is for a special permit under sections 11.9 e and 4.2 c of the bylaw to construct a 1300 sq. ft. teaching shed and a 49 sq. ft. on-course bathroom.
2. The property is located at 100 & 145 Clubhouse Lane, in the R-60 Residential District.
3. A public hearing - after proper notice was given to abutters, town departments, and placed in the *Vineyard Gazette* - was held on Wednesday, 21 March 2018 in the Town Hall.
4. The application was accompanied by a site plan dated 23 January 2018 by Vineyard Land Surveying, as well as photographs and elevations from Synergy MV dated 6 November 2017.
5. The Board reviewed the application, the plans, and all other materials and information submitted prior to the close of the public hearing. [See Record of Proceedings].

### FACTS

1. The property consists of approximately 194 acres and is being used as a private golf club – a specially permitted use in the R-60 Residential District. The current project has been reviewed and approved by the Martha's Vineyard Commission and by Sheriff's Meadow Foundation, which holds a conservation restriction on the property.
2. The applicant is proposing to construct a 52-foot by 25-foot teaching shed and a 7-foot by 7-foot on-course bathroom with separate septic system. All proposed structures conform to set back requirements and height restrictions.
3. There were no letters of objection from either town boards or abutters and no one in the audience at the public hearing who had any concerns.

FINDINGS:

The Board finds that the proposal complies with the provisions of 11.9 e and 4.2 c necessary for the granting of the special permit for the following reasons:

1. It is in harmony with the general purpose and intent of the bylaw, which allows by special permit private, not-for-profit clubs for members only, in the R-60 Residential District. The bylaw permits such nonconforming uses to be expanded if – in the opinion of the board and after a public hearing – those uses will not adversely affect municipal or public services or be more detrimental to the neighborhood than the original nonconforming use.
2. The teaching shed is located in a preapproved “limited building envelope” far from any residential neighborhood.
3. Neither the teaching shed nor the addition bathroom will have any effect on public or municipal services.
4. There were no objections to the project from any town boards or departments, or from any abutters or other members of the community.

Based on the above findings and reasons, the Board voted in favor of granting the special permit 5-0.

CONDITIONS

No additional conditions were placed on the permit.

This decision of the Board of Appeals and a record of proceedings are on file in the Zoning Board office and in the office of the Town Clerk, Town Hall under Case No: 8-2018.

Board of Appeals,

Lisa C. Morrison, Assistant

Note: This decision was filed in the office of the Town Clerk on 26 March 2018. Appeals, if any, should be made pursuant to Section 17 of Chapter 40A of the Massachusetts General Laws and should be filed within 20 days of the filing of this decision in the office of the Town Clerk.

\_\_\_\_\_2018  
I hereby certify that no appeal has been filed in the twenty-day period following the date of filing this decision.

Attest: \_\_\_\_\_