

Case: 17-18
Date Filed: 5 April 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 Melissa DeOliveira for a special permit under sections 11.9 f and 11.18 of the zoning bylaw to: (1) relocate an existing one-story 387-sq. ft. dwelling to be used as an 'Island Independent Living' unit and (2) construct a new single-family dwelling on a preexisting, nonconforming .20-acre lot located at 34 Pinehurst Road, Assr. Pcl. 20C-87 in the R-5 Residential District.

1. On 5 April 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 April 6th and April 13th 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, 25 April 2018 at 7:45 p.m. the public hearing was held in the Town Hall. The following board members were sitting for this hearing: Richard Knight- acting Chairman, Carol Grant, Nancy Whipple, John Magnuson, and Ted Rosbeck - alternate.

Ms. DeOliveira made the presentation. She explained that she has been living with and caring for her father since he had a stroke. She said it is very difficult as she has a husband and two kids. The 50-year old cottage is too small to accommodate her family. Her father does not want to move from the property, and she is missing time with her children.

Her proposal involves relocating the existing dwelling to the back portion of the lot and building a house for her and her family. Both dwellings will meet setbacks. She said she is proposing a four-bedroom house so that there would be room for her aunt, her father's sister, when she comes to visit him. She said a three-bedroom house would work as well. The existing driveway will remain.

Ms. DeOliveira noted that there are several two-family dwellings in the neighborhood on similarly sized lots.

Mr. Knight asked if Ms. DeOliveira had read and understood section 11.18 of the bylaw and if she was willing to abide by its restrictions. Ms. DeOliveira said that she was aware of the restrictions and willing to abide by them.

Mr. Knight asked if there were no letters from town boards, departments, or from any abutters. There was no one in the audience who wished to comment. Mr. Knight then closed the public portion of the hearing for discussion by the board.

Mr. Magnuson said he had no issue with the proposal. He noted that the board had granted a similar proposal for Mr. Clough on Cottage Street. He said that several members of the Townes family had received variances from the board to build on substandard lots in the neighborhood. He said the applicant is aware that the cottage needs to be occupied by a year-round resident for a period of at least ten years and that this residency requirement must be registered on the property deed.

Mr. Knight said that he was totally in favor of the proposal. Ms. Whipple agreed.

Ms. Whipple made a motion to grant the special permit for both the single-family dwelling and the independent living unit saying that she believed the request complies with the provisions of the bylaw, that the site is appropriate, and that the project will not adversely affect the neighborhood. She noted that there were no objections or concerns from anyone in the town or in the neighborhood.

Mr. Magnuson seconded the motion and voted to grant the special permit for the same reasons.

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

Respectfully submitted,

Lisa C. Morrison, Assistant