

Case: 51-17
Date Filed: 26 December 2017

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 Claire & Dick O'Hare for a special permit under section 11.9 f of the zoning bylaw to (1) demolish an existing single-family dwelling with attached garage, (2) construct a new dwelling with attached garage – on substantially the same footprint, and (3) install a 12-foot by 30-foot swimming pool – all on a preexisting, nonconforming lot located at 55 Cottage Street in the R-5 Residential District.

1. On 26 December 2017 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 December 29th 2017 and January 5th 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, 17 January 2018 at 7:30 p.m. the public hearing was held in the Town Hall. The following board members were sitting for this hearing: Martin Tomassian – Chairman, Richard Knight, Carol Grant, Ted Rosbeck – alternate, and Robin Bray – alternate.

Architect Sacha Robinson-White was present for the applicants and made the presentation. The owners have been coming to the island for 30 years and have three children. They currently own a home on Pease Point Way North, which they have outgrown. They are hoping to build a larger house on this parcel that will better accommodate their family.

Mr. Robinson-White said that the proposal is to use as much of the existing foundation as possible. The footprint of the proposed new structure will be just slightly larger than the existing residence.

Mr. Tomassian asked for a comparison of the square footage between the existing house and the proposed. Mr. Robinson-White said that the existing house has about 2458 square

feet of living space and a 258 square foot garage. The proposed will have approximately 3700 square feet of living space, about 1200 square feet more than the existing house, and a slightly larger garage.

Mr. Robinson-White said that because the O'Hares have three children, they need a minimum of four bedrooms, hence the third floor bunkroom. Mr. Tomassian asked how many houses in the vicinity have third floors. Mr. Robinson-White showed the board a map that indicated the 2 ½ story houses in the neighborhood. He said that there are several large houses in the vicinity. He said that the convention is to call a house that utilizes a portion of the roof in the additional story - i.e. when dormers are used - as a half-story. Hence this would be called a two-and-a-half story home, not a three-story home.

Mr. Knight quoted from the bylaw saying that it was the job of the board to determine whether or not the proposed change will be "more objectionable or substantially more detrimental to the character of the neighborhood than the original structure." He said that the house looks very large to him, and out of character with Cottage Street. The façade on Cottage Street is certainly much more massive than that of the existing structure, and could therefore be seen as detrimental to the neighborhood.

Mr. Tomassian asked if there were any letters from town boards or departments. There were not. A letter of support from abutters Tom & Sylvia Courtney was read, as well as one from Tom LeClair. Both letters stated that they had reviewed and approved of the plans for the new residence.

A letter from abutter Christopher Celeste was also read. Mr. Celeste was concerned about the massing and scale of the proposal. He said he believed the new structure would be substantially taller and larger than any other house on the north side of Cottage Street. He said that because the lot is undersized it could appear to "crowd the street, with a two-story balcony over-hanging a currently quiet corner at Pease Point Way."

Mr. Tomassian commented that he believed Mr. Celeste had "hit the nail on the head." Mr. Tomassian suggested to Mr. Robinson-White that it appears that at least two members of the board are not in favor of the proposal. He said that it is therefore unlikely that the proposal would be granted a special permit. He said that if the proposal is denied, the applicant may not reapply for two years, unless the proposal is radically changed and a repetitive petition filed with both the Planning Board and the Zoning Board. He suggested that withdrawing the application would give Mr. Robinson-White and his clients an opportunity to redesign the project and address the issues of mass and scale.

Mr. Robinson-White asked to withdraw the proposal.

Mr. Knight voted to approve the request to withdraw. Ms. Grant seconded the motion. Mr. Rosbeck, Ms. Bray, and Mr. Tomassian also voted to grant the request to withdraw.

Respectfully submitted,

Lisa C. Morrison, Assistant