

Case: #11-2013

Date Filed: 6 March 2013

### 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 application of the Shiverick House LLC for a special permit under section 11.9 f of the zoning bylaw to install a swimming pool on a preexisting, nonconforming lot located at 5 Pease's Point Way, Assessor's Map 20D Lot 48 in the R-5 Residential District.

1. On 6 March 2013 the application, a true copy of which was 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 March 8<sup>th</sup> and March 15<sup>th</sup> 2013.
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, the 27<sup>th</sup> of March 2013 at 7:15 p.m. the public hearing was held in the Town Hall. The following board members were sitting for this hearing: John Magnuson – acting chairman, Nancy Whipple, Carol Grant, Nancy Kelly – alternate, Richard Colter – alternate.

The notice was read and Mr. Magnuson opened the hearing. Ted Rosbeck was present for the applicant. The proposal involves installing a 15' by 27' swimming pool, pool-compliant fencing, and related patio and shower. The pool equipment will be stored entirely inside the adjacent garage. The fencing will be 6-foot high stockade fencing along the western property boundary and 4-foot high white picket fencing along the Pent Lane and Pease's Point Way sides of the property. There will be self-locking gates to secure the pool area.

There were no letters and no one in the audience who wished to comment, either pro or

con.

Ms. Grant noted that the applicant is certainly utilizing every inch of space on the lot. There were no additional questions or concerns.

Ms. Grant made a motion to issue the special permit. She said she found the site appropriate, and believed the project was in harmony with the general purpose and intent of the bylaw. She noted that there was no opposition from any abutters and said she did not believe that the neighborhood would be unduly affected as the pool equipment will be stored in the adjacent garage.

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

Mr. Colter voted to approve the project for the same reasons.

Ms. Kelly voted to approve the project for the same reasons.

Mr. Magnuson also voted to approve the project for the same reasons.

Respectfully submitted,

Lisa C. Morrison, Assistant