

Case: #19-2013

Date Filed: 29 April 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 Stephen Church for a special permit under section 11.9 f of the bylaw to construct and addition to an existing residence, to install a swimming pool, and to construct a guest house on a preexisting, nonconforming lot located at 10 Case Road, Assr. Pcl. 36-345 in the R-60 Residential District.

1. On the 29 April 2013 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 May 3rd and May 10th 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 22nd of May 2013 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, Nancy Whipple, John Magnuson, Nancy Kelly – alternate, and Robin Bray – alternate.

The notice was read and Mr. Church began the presentation. Mr. Church explained that he is in the process of purchasing the property, pending the outcome of this hearing. Currently there is a 3-bedroom 1472 s.f. home on a .87-acre lot. Mr. Church would like to expand the house to a 5-bedroom 2700 s.f. structure, build a 1-bedroom 900 s.f. guest house, and install a swimming pool. The lot is quite a bit larger than many in the neighborhood. Case Road, where the home is located, is a paper road, and 10 Case Road

is the only house on the road, which currently dead-ends at their property. He noted that it is a very secluded, heavily treed lot.

Mr. Church submitted a copy of an email from the health agent indicating that the lot could accommodate 6 bedrooms provided the applicant connect to town water and install an enhanced septic system.

Mr. Church then explained the changes to the site plan. He commented that all the structures will conform to R-60 zoning. The proposed pool will be 38-feet by 15-feet and enclosed by fencing, as mandated by code.

Mr. Church submitted a density comparison of lots in the neighborhood. He noted that his proposal is within the norm – even on the low side of the norm.

Mr. Church said that he reached out to the majority of his neighbors, who were very supportive. He offered to beef up screening between his lot and the Gill lot, but was told it was not necessary. One neighbor was concerned about increased traffic on Case Road. Mr. Church said he was able to address those concerns: there will be no increase in traffic. Again, he offered to spruce up the road if necessary. Mr. Church said that he never heard directly from Mr. Houlahan - who owns the large lot to the south – but heard indirectly that he would like extensive landscaping to screen the existing house.

Mr. Church submitted copies of emails he received from his neighbors: Tad Thompson, Nicholas Gill, Hugh McGraw, William Glover, Josie Keefe, Debbie Motley, Sheri Carroll, Nancy Schwartz, and Jeff Bartkowski.

Jeff Bartkowski was present for the hearing and confirmed his approval of the project and the fact that it is a well screened lot. He said he doubted if any of the improvements would be visible.

There were no additional letters from abutters or town boards, and no one in the audience with any objections.

Mr. Tomassian then closed the public portion of the hearing for discussion by the board. Mr. Magnuson said he had been by the property many times. He said that he found the density chart prepared by Mr. Church to be very interesting. Without the comparisons, his initial thought was that the lot was being overbuilt. Because the neighborhood is full of small lots, and this one is among the largest, he does not see it as a problem.

Ms. Kelly had some questions about the addition on the second floor. Mr. Church explained that all they were doing was bumping out the roof line in order to add approximately 148 s.f.

Mr. Tomassian asked if Mr. Church owned additional property in Edgartown. Mr. Church said he also owns 87 Slough Cove Road, but that it is just not big enough for his family. He said that he and his wife are planning to retire to the Vineyard when his

children are out of college. He said that he does not plan on flipping this property. He said that he may rent it out for portions of the year, until they move in full-time. He said he is not a developer - he is just looking for more room for his family to visit.

Ms. Whipple had some questions about the pool fencing. She said she also was helped by the density chart.

Ms. Kelly asked about the height of the guest house. Mr. Church said that it would be one story. He said he was not sure of the exact height, but that it would be between 15 and 20 feet high. He said that he did not have the architect elevations, only concept plans at this stage.

Mr. Magnuson made a motion to grant the special permit. He said he believed the project met the purpose and intent of bylaw. He said he believed the site is appropriate and because the lot is five or six times larger than many in area, it will not be out of scale. He said he did not think that the additions would be objectionable to the neighborhood, and cited the fact that the abutters are fundamentally in favor of the project.

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

There were no letters from town boards or departments and no letters from abutters. There was no one in the audience who wished to comment either pro or con.

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

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

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

Respectfully submitted,

Lisa C. Morrison, Assistant