

Case: #23-2013

Date Filed: 14 May 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 Wardwell for a special permit under sections 11.9 f, 11.3, and 7.5 of the zoning bylaw to construct and addition to an existing residence on a nonconforming lot located at 7 Armstrong Lane, Assessor's Pcl. 30-14 in the R-120 Residential District.

1. On the 14 May 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 17th and May 24th 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 5th of June 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, Carol Grant, Nancy Kelly – alternate, and Gerret Conover – alternate.

The notice was read and Mr. Wardwell began the presentation. Mr. Wardwell's attorney, Daniel Hill, was also present. Mr. Wardwell explained that he has owned the property since 1979 and that the current house is too small now that he has two grown daughters who would like to visit with their families. The current 4-bedroom house is about 1400 s.f., including the finished basement. Mr. Wardwell said that the house is smaller than many in the immediate neighborhood. [See 'Assessor's Data' in file] The addition

would bring the total square footage up to 2953 s.f., including the basement, consistent with other homes in the area.

The existing 2 ½-story house is built on a hill, and in order to construct the addition and keep a coherent roof line, the addition will come in slightly higher than the allowed 26-feet on Chappy. Mr. Wardwell emphasized that although the roof line of the addition will not be any higher than that of the original house, the land slopes away and the average grade drops by approximately 9-inches. Therefore the 'defined height' of the addition will increase relative to the change in grade.

Mr. Wardwell submitted a number of photographs showing his house from the water in order to indicate that the roofline lies below the surrounding vegetation.

Mr. Wardwell said that they are not proposing to add any bedrooms, but will be moving one of the bedrooms out of the basement and turning that room into a laundry. They are working with the board of health and will be installing a new 1500 gallon septic tank.

Mr. Tomassian asked if there were any letters from town boards or departments. There were none. A letter of support from an abutter, Thomas O'Connell of 20 Manaca Hill Road, was read. There was no one in the audience who wished to comment, either pro or con.

Mr. Tomassian then closed the public portion of the hearing for discussion among the board. Ms. Grant noted that although it was a large addition, it was in keeping with most of the other houses in the area. Ms. Grant proposed that a condition be placed on the permit so that no additional garages could be constructed on the property.

Mr. Conover said he did not believe that the addition would have any impact on the view from the water and that the addition was in keeping with the neighborhood.

Ms. Kelly proposed that the house be limited to four-bedrooms.

Ms. Whipple made a motion to approve the project saying she found the proposal to be in harmony with the general purpose and intent of the bylaw. She said she found that the applicant has demonstrated that the proposed addition will not extend above the vegetation and will not be prominently visible from the harbor. She noted that there were no objections from abutters, and believed that the addition will not be more objectionable or substantially more detrimental to the character of the neighborhood than the original structure. She said the site was appropriate and that there were similar-sized structures on comparable lots in the immediate neighborhood. The following conditions were proposed: (1) No additional garages to be constructed on the property, (2) house is limited to four-bedrooms.

Ms. Grant seconded the motion and voted to grant the special permit for the same reasons and with the same conditions.

Ms. Kelly voted to grant the special permit for the same reasons and with the same conditions.

Mr. Conover voted to grant the special permit for the same reasons and with the same conditions.

Mr. Tomassian also voted to grant the special permit for the same reasons and with the same conditions.

Respectfully submitted,

Lisa C. Morrison, Assistant