

Case No. 1-21
Date Filed: 28 December 2020

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 John & Elaine Ventola for a special permit under section 10.1 G of the bylaw to construct a replacement dwelling, a two-bay garage, and a swimming pool on a preexisting, nonconforming lot at 11 Katama Drive 32 (Assr. Pcl. 45-51) in the R-60 Residential District.

1. On 28 December 2020 the application, a true copy of which is marked "A," was presented to the Town Clerk.
2. An advertisement, a true copy of which is marked "B," was published in the Vineyard Gazette on 1 January and 8 January 2021.
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, 20 January 2021 at 4:00 p.m. the hearing was opened and held via Zoom. The following board members were in attendance: Martin Tomassian - Chairman, Carol Grant, Nancy Whipple, Pamela Dolby, and Robin Bray - alternate. Chairman Tomassian introduced the board members and read the necessary requirements for conducting remote meetings in compliance with both the Governor's order and the Open Meeting Law.

Architect Chuck Sullivan was present for the applicants Elaine & John Ventola, who were also in attendance. Mr. Sullivan said that the lot is 60,000 sq. ft. - 4000 sq. ft. shy of the 64,000 sq. ft. needed to be a conforming lot in the R-60 District.

Sullivan explained that the existing one-story residence needs foundation work, and is in general disrepair. The proposal involves building a new, two-bedroom main house and a detached 28 ft. x 28 ft. one-story garage. An existing two-bedroom guest house will remain. With the exception of the bedroom wing, the proposed house is essentially one-story.

The main house will be slid slightly to the east of the existing house, but will be 74-feet from the eastern property boundary at its closest. It will be 52-feet from the front property boundary.

Matt Poole, Health Agent, said that the applicants attended a recent Board of Health meeting and agreed to file a deed restriction that prohibits the basement, first floor den, and second floor tv room from being used as 'sleeping spaces.'

Chairman Tomassian asked if there were any letters from town boards or departments. There were none. There were no letters from abutters or members of the public. There was no one in the audience who wished to comment either for or against the proposal.

Mr. Tomassian then closed the public portion of the hearing for discussion among the board members.

Ms. Grant confirmed that the garage would have no second floor and no living space. She asked where the pool equipment would be located. She commented that the board requires pool equipment to be fully enclosed in a sound-proofed structure.

Mr. Sullivan said that he will submit plans showing a small sound-proofed structure to the east of the pool, which will be well screened by existing vegetation and conforming to setbacks.

Ms. Bray asked about the size of the proposed structure relative to the existing. Mr. Sullivan replied that the proposed house will have 3185 sq. ft. of finished space; the existing house has 1984 sq. ft. of finished space - an increase of about 1000 sq. ft. Mr. Sullivan said that the houses in the neighborhood vary considerably in size, but allowed that the proposed residence would be on the larger side. Mr. Tomassian commented that it is also one of the larger lots in the area.

The proposed structure will be approximately 6-feet taller than the existing one-story structure, but only in that portion that is two-story.

Ms. Dolby asked about screening. Mr. Sullivan said that the Ventolas wish to retain as much privacy as possible between themselves and their neighbors. Sullivan said that the majority of vegetation will remain, and may be added to in some areas.

Ms. Dolby asked why the house was being slid to the east. Mr. Sullivan replied that the new structure seemed to fit better on the lot in that location, while at the same time accommodating the existing septic and the pool - and providing privacy for the master bedroom.

Sullivan noted that the pool is 100-feet from the nearest property line. There are pools on the abutting properties as well, which are used primarily as rental properties.

Ms. Dolby made a motion to grant the special permit, saying that she found the proposal to be in harmony with the general purpose and intent of the bylaw. She noted that there were no objections from any abutters and said she believed the project was compatible with the neighborhood and that the lot had adequate area to support the development. She added the following conditions: Prior to the issuance of any building permits: (1) an executed

deed restriction, as required by the Board of Health, is to be filed in the Registry of Deeds along with this decision, and (2) a plan showing a fully-enclosed and sound-proofed structure to house the pool equipment must be presented to the board for approval.

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

Mr. Tomassian, Ms. Whipple, and Ms. Bray also voted, by roll-call vote, to approve the project for the same reasons and with the same conditions. Motion carried: 5 – 0.

Respectfully submitted,

Lisa C. Morrison, Assistant