

Case No. 2-21
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 Katherine A. Weymouth for a special permit under section 10.1 G of the bylaw to construct additions to a nonconforming structure,, to construct a detached garage, pool house, and swimming pool on a preexisting, nonconforming lot at 14 Thaxter Lane (Assr. Pcl. 45-16.35) 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 4:15 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.

Contractor Lawrence Leahy made the presentation for the applicant. Mr. Leahy said that these improvements are not being made in order to rent out the property. He commented that all the proposed additions conform to setback. The following additions are proposed: (1) an 8-ft. by 36 ft. covered porch at the front of the house, (2) a 12-ft x 36 ft. one-story sunroom addition at the rear of the house, (3) a 16-ft by 24-foot one-story garage, (4) a 9-ft. by 20-ft. swimming pool, and (5) a 12 ft. by 20 ft. pool house. There will be no change in the number of bedrooms, which will remain at three.

There were no letters from town boards or departments or from any abutters. Chairman Tomassian asked for comment from the audience.

An abutter Paul Lonergan of 15 Plains Head asked why all the trees had been removed from the site. Mr. Leahy responded that while some clearing has taken place on the lot in preparation for building, no vegetation in the setbacks had been removed. Mr. Leahy said that his client was looking to 'open up the backyard.'

Ms. Grant said that she visited the site and it did look like the entire backyard had been cleared.

In looking at the aerial photo on Google Earth, it appears that there is no buffer on the Lonergan side of the property boundary, and that his pool is only screened by vegetation on the Weymouth property. Ms. Grant commented that the proposed pool house will provide some separation between the two pools.

Ms. Whipple said that she found the plans for the additions to the main house to be an improvement.

Mr. Tomassian asked about the pool equipment. Mr. Leahy said that it will be housed in a sound-proofed and fully enclosed section of the pool house. There will also be a ½ bath in the pool house.

Mr. Leahy said that his client does plan to add some additional screening at the rear of the property, should it be necessary, after the construction projects are complete. Invisible fencing will be placed around the entire backyard for safety.

Ms. Bray made Dolby 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 noted that the applicant has proposed to add additional vegetation at the rear of the property, should it be necessary.

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

Ms. Dolby, Ms. Grant, and Mr. Tomassian also voted, by roll-call vote, to approve the project for the same reasons. . Motion carried: 5 - 0.

Respectfully submitted,

Lisa C. Morrison, Assistant