

Case No. 41-20
Date Filed: 21 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 by Rita Perkins to modify a special permit issued in 2019 (32-19) to convert storage space over a garage into a detached bedroom. The property is located at 31 Old Dunhams Corner Way, Assr. Map 37-157.36 – a preexisting, nonconforming lot in the R-60 Residential District. .

1. On 21 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 18 December 2020 and 25 December 2020.
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.

The hearing originally scheduled for Wednesday, 6 January 2021 at 4:30 p.m. did not take place as no representative was present. The hearing was postponed to the next meeting, 20 January 2021. On 20 January 2021 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.

Builder Jefferson Mercier was present for the applicant. Mr. Mercier said that his client wished to decommission a bedroom in the main house and convert the second floor of the garage into a kids bedroom and playroom with a half-bath. The overall number of bedrooms on the property will remain four.

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.

The assistant noted that the application to connect to the garage to the existing septic had been signed by the health agent with the stipulation that a bedroom in the main house be decommissioned.

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

Ms. Dolby was concerned that the size of the detached bedroom, which is listed on the plan as 23-feet by 18-feet or 414 sq. ft. exceeds what is allowed for a detached bedroom. Mr. Mercier explained that a portion of that space, about a foot out from what is labeled as 'storage' is under 5-feet and is not considered living space by the Zoning Inspector. The actual living space is 352 sq. ft. Ms. Dolby asked that a revised plan be submitted to reflect the actual living space.

Ms. Grant made a motion to grant the modification, 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 or from any town boards. She noted that the overall number of bedrooms was not changing. She said she did not think the proposal would result in a significant intensification of use on the property

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

Ms. Dolby, Ms. Bray, 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