

Case No. 12-21
Date Filed: 10 March 2021

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 Pasquale & Jessemyn Libero for a special permit under section 10.1 G of the bylaw to construct a 20' x 20' kitchen and living room addition to a preexisting, nonconforming dwelling on a preexisting, nonconforming lot located at 15 Meadow Avenue (Assr. Pcl. 34-241) in the R-120 Residential District.

1. On 10 March 2021 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 12 March and 19 March 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, 31 March 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, Julia Livingston - alternate, Nancy Whipple, and Robin Bray - alternate. Chairman Tomassian opened the hearing and read the necessary requirements for conducting remote meetings in compliance with both the Governor's order and the Open Meeting Law. The assistant read the legal notice. The applicants, Mr. & Mrs. Libero, were present. Contractor Stephan Pond was also present.

Mr. Libero said that he bought the cottage last December from a family member. He has been coming to the island for 25 years. The proposed 20-foot by 20-foot addition will house additional living space for his family of five - including a proper kitchen, full bath, and laundry. There will be no expansion in the number of bedrooms, which will remain at three. There is currently just a half-bath in the cottage.

The existing cottage, built in the 1940s, does not meet any of the required setbacks, and seems to be located partially in a paper road. Access to the lot is from Meadow Avenue. Mr.

Libero said that he did his best to locate the addition as far from the property line as possible.

Mr. Tomassian asked if there were any letters from town boards or departments. There were none. A letter of support from Matt Chronister of Ocean Avenue, a direct abutter, was included in the application.

There was no one in the audience who wished to speak either for or against the proposal. As there was nothing to rebut, Mr. Tomassian closed the public portion of the hearing for discussion by the board.

Ms. Livingston said she found the addition to be very modest and sensible, and provides the applicants with a real kitchen and bath.

Ms. Grant noted that the existing cottage does not conform to any setbacks, and the applicant has attempted to locate the addition as far from the property lines as possible. She said that no new nonconformity will result from the addition. She also noted that there are really only two abutters, Sheriff's Meadow and Matt Chronister, who wrote in favor of the project.

Ms. Bray said she would like to commend the applicants for working with the 1940s cottage, rather than tearing it down.

Ms. Whipple made a motion to grant the special permit saying she found the proposal to be in harmony with the general purpose and intent of the bylaw. She said the site is appropriate and the addition will not negatively affect the neighbors or the neighborhood.

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

Ms. Grant, Ms. Bray, and Mr. Tomassian also voted to grant the special permit for the same reasons.

Motion carries 5-0 by roll-call vote.

Respectfully submitted,

Lisa C. Morrison, Assistant