

Case # 38-2021
Date Filed: 14 July 2021

DECISION OF THE ZONING BOARD OF APPEALS
ON THE REQUEST FOR A SPECIAL PERMIT

Owners/Applicants: 79PPW, LLC – Richard & Claire O’Hare
Book: 1496 Page: 587

At a meeting held remotely via Zoom on Wednesday, 4 August 2021, the Edgartown Zoning Board of Appeals voted (4-1) to grant a special permit under section 10.1 G of the zoning bylaw to permit the construction of a replacement dwelling, in-ground swimming pool, pool equipment shed, and associated site work on a preexisting, nonconforming lot as shown on the site plan (SBH - 22 June 2021) elevations and floor plans (Brooks & Falotico Associates – 22 July 2021). The property is located at 55 Cottage Street (Assr. Pcl. 20B-86.1) in the R-5 Residential District.

FINDINGS:

1. The only nonconformity is the size of the lot, which is 8520 sq. ft. where 10,000 sq. ft. is required for a conforming lot in R-5. The new structures will conform to all setbacks and height restrictions.
2. There were no objections to the project from any town boards or departments. No abutters objected to the proposal either in writing or by attending the hearing and voicing any concerns.
3. The board found the proposed construction to be site appropriate and in harmony with the general purpose and intent of the bylaw and determined that the project would not have a negative effect on the neighborhood.
4. Pool equipment is to be fully enclosed in a sound-proofed shed located at described on the site plan.
5. The property is located in an area where many preexisting, nonconforming lots have been similarly developed.

This decision of the Board of Appeals and a record of proceedings are on file in the Zoning Board office and in the office of the Town Clerk, Town Hall under Case No: 38-2021.

Zoning Board of Appeals,

Lisa C. Morrison, Assistant

Note: This decision was filed in the office of the Town Clerk on 13 August 2021. Appeals, if any, should be made pursuant to Section 17 of Chapter 40A of the Massachusetts General Laws and should be filed within 20 days of the filing of this decision in the office of the Town Clerk.

_____2021

I hereby certify that no appeal has been filed in the twenty-day period following the date of filing this decision.

Attest: _____