

Case # 42-2021  
Date Filed: 27 July 2021

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

Owners/Applicants: Matthew & Kathryn Battistella  
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At a meeting held remotely via Zoom on Wednesday, 18 August 2021, the Edgartown Zoning Board of Appeals voted unanimously (5-0) to grant a special permit under section 10.1 G of the zoning bylaw to permit the demolition of an existing dwelling and the construction of a new single-family residence with attached two-bay garage as shown on the site plan (SBH - 4 July 2021) elevations and floor plans (Trademark Services). The property is located on a preexisting, nonconforming lot at 10 Proprietors Road Forest (Assr. Pcl. 44-1) in the R-60 Residential District.

FINDINGS:

1. The only nonconformity is the size of the lot, which is located in a neighborhood of similarly sized, preexisting nonconforming lots.
2. The proposed replacement dwelling meets all setbacks and height restrictions of the R-60 District.
3. There were no objections to the project from any town boards or departments or from any abutters. One abutter wrote in support of the proposal.
4. The board found the proposed new construction is appropriate for the size of the lot and in harmony with the general purpose and intent of the bylaw.
5. The board has determined that the project will not have a negative effect on the neighborhood.

*No additional conditions were placed on the permit*

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: 42-2021.

Zoning Board of Appeals,

Lisa C. Morrison, Assistant

Note: This decision was filed in the office of the Town Clerk on 31 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: \_\_\_\_\_