

Case No. 42-21
Date Filed: 27 July 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 by Matthew & Kathryn Battistella for a special permit under section 10.1 G of the bylaw to demolish an existing single-family residence and construct a new single-family dwelling on a preexisting, nonconforming lot at 10 Proprietors Road (Assr. Pcl. 45-1) in the R-60 Residential District.

1. On 27 July 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 30 July and 6 August 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, 18 August 2021 at 4:45 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 John Magnuson. 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.

Mark Nicoterra of Trademark Services LLC was present for the applicants Matthew & Kathryn Battistella, who were also in attendance. The proposal involves removing the existing dwelling, which is in bad repair and has only six windows. Mr. Nicoterra said that the existing structure will not be missed. It will be replaced by a more traditional structure that will fit in with the neighborhood. The proposed dwelling will have 2800 sq. ft. - including an attached two-car garage. The proposal meets all setbacks and height restrictions.

Chairman Tomassian asked if there were any letters from town boards or departments. A letter of support from abutters Martha & Michael Klein of 2 Young Street was read. There was no one in the audience who wished to comment either for or against.

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

Ms. Grant said that she thought it was a good plan and that the proposed house will be much nicer than the one that currently exists on the site.

Ms. Whipple agreed and said the existing house was the 'ugly duckling' of the neighborhood.

Ms. Dolby agreed and said that it will be an improvement.

Ms. Grant made 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 or from any town boards, and commented that one abutter had written in favor of the project. She also noted that the project meets all setbacks and height restrictions and commented that the new dwelling will definitely be an improvement.

Mr. Magnuson seconded the motion and voted to grant the special permit for the same reasons.

Ms. Dolby, Ms. Whipple, 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