

Case No. 39-21  
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 Nancie Park for a special permit under section 10.1 G of the bylaw to (1) construct a garage with an apartment above and (2) to construct a small addition to the living room of the main house and add a covered porch. The property is located on a 25,700 sq. ft. preexisting, nonconforming lot at 7 Forest Circle (Assr. Pcl. 11-1.34) 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 4:00 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.

Doug Dowling and builder Jaroslav Kral were present for the applicant. Mr. Kral is also Dr. Park's mother-in-law. Mr. Dowling explained that the application has two parts: the first is to build a 24-foot by 27-foot garage with 587 sq. ft. apartment above. The apartment will have two forms of egress, as required by the building code and as shown on the plans. The garage will be built on an existing foundation. The second part of the application is to construct a small addition to the living room of the existing main house and to add a covered front porch.

Mr. Dowling noted that all the proposed structures and additions met setbacks and height restrictions. The only nonconformity is the size of the lot, which is 25,700 sq. ft. The Board of Health has approved the application.

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.

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

Mr. Magnuson said that he had no questions or concerns. He said he believed the lot was large enough for the garage/apartment. Ms. Grant agreed and said that she did not think that the project would have a negative effect on the neighborhood.

Mr. Magnuson made a motion to grant the special permit, saying that he found the proposal to be in harmony with the general purpose and intent of the bylaw. He noted that there were no objections from any abutters or from any town boards. He said that the proposal meets all setbacks and that the project is modest in size and will not overburden the lot or the neighborhood.

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

Ms. Grant, 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