

Case No. 41-21
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 William J. Wolf & Allison Wheeler for a special permit under section 10.1 G of the bylaw to demolish an existing one-story garage and build a new one-car garage with a detached bedroom above. The property is located on a preexisting, nonconforming lot at 96 Main Street (Assr. Pcl. 20D-59) in the R-5 Zoning 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 4:30 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.

Josh Gothard of Music Street Architects LLC was present for the applicants, who were also in attendance. The proposal involves relocating the existing one-story garage and building a new one-car garage with a 400 sq. ft. detached bedroom above. Mr. Gothard noted that the North elevation will face Main Street. The project is being reviewed by the HDC at a public hearing scheduled for tomorrow. Mr. Gothard noted he HDC had a preliminary meeting on the project, which raised no specific concerns.

Chairman Tomassian asked if there were any letters from town boards or departments. A letter of support from abutter John Tankard of 16 School Street was read.

As there was nothing to rebut, Mr. Tomassian then closed the public portion of the hearing for discussion among the board members.

Ms. Dolby asked what was proposed for the relocated garage. Mr. Gothard replied that it will be used as a workshop and garden shed. There will be electricity, but no plumbing is proposed.

Mr. Tomassian said he walks by the property almost daily. He said he was concerned that the new structure might be too large for the lot and asked if Mr. Gothard had a rendering of the new structure as viewed from Main Street.

Ms. Grant had some concerns about the shed attached to the new building. Mr. Gothard said that the shed was attached to break up the façade of the structure. He said that it will be used for additional storage and accessed only from the outside. Mr. Gothard noted that there is a much larger accessory structure across the street. He said that his clients attempted to keep the structure as small as possible as they are very aware of the aesthetic on Pent Lane.

Mr. Magnuson said he didn't have a problem with the size of the structure, but he wasn't sure that about the shed bump out on the north elevation. Mr. Tomassian suggest that perhaps a double hung window would be more appropriate.

Ms. Grant commented that the relocated garage looks like it is right up against the fence. Mr. Gothard said that it meets all setbacks. Mr. Gothard said that it was his impression from the preliminary HDC meeting that the committee would like the old garage to be retained on site. He also commented that most modern cars would not fit in the structure.

After some further discussion, Ms. Dolby made a motion to continue the hearing until after the HDC has held its public hearing. Ms. Whipple seconded the motion and voted to continue the hearing. Mr. Tomassian, Ms. Grant, and Mr. Magnuson also voted to continue the hearing until Monday, August 23rd at 4:00 p.m. Motion unanimously approved by roll-call vote.

Mr. Tomassian asked the assistant to relay the board's concerns to the HDC administrator.

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On Monday, 23 August 2020 at 4:00 p.m. the same board members reconvened for the continuation.

The assistant reported that the HDC had unanimously approved the project as presented, and was in favor of relocating the former garage on the site.

Mr. Magnuson said that he went by the property again today and said that he has no issues with the size of the proposed new structure. He noted that there are some much larger accessory structures recently built on Pent Lane.

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, and commented that one abutter had written in favor of the project. He noted that the proposal had been approved by the HDC and that it meets all setbacks and height restrictions. He said he did not think that the new structure would negatively impact the neighborhood.

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

Ms. Dolby and Ms. Grant also voted, by roll-call vote, to approve the project for the same reasons. Mr. Tomassian voted to deny the project. Motion carried: 4 – 1.

Respectfully submitted,

Lisa C. Morrison, Assistant