

Case No. 44-21
Date Filed: 11 August 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 Joanne Gosser & Woody Filley for a special permit under section 2.1 B 9 of the zoning bylaw to construct a guesthouse larger than 900 sq. ft. on a 10+ acre parcel located at 70 North Neck Road (Assr. Pcl. 31-3.2) in the R-120 Residential District.

1. On 11 August 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 13 August and 20 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, 1 September 2021 at 4:00 p.m. the hearing was opened and held via Zoom. The following board members were in attendance: Martin Tomassian - Chairman, Julia Livingston - alternate, Nancy Whipple, Pamela Dolby, and Gerry Conover - alternate. Chairman Tomassian opened the meeting and read the necessary requirements for conducting remote meetings in compliance with both the Governor's order and the Open Meeting Law.

Applicants Woody Filley and Joanne Gosser were present. Mr Filley said that their son and his wife have decided to move back to Chappy and they would like to build a guesthouse to accommodate them, so they are not all living in one structure. They are asking for a special permit to build a 1500 sq. ft. structure. The lot is ten plus acres and is surrounded by several large lots. Mr. Filley said they do not want to subdivide the property.

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.

Ms. Dolby commented that there is precedent for the board to approve guesthouses larger than 900 sq. ft. She said she cannot think of a better reason to allow a larger guesthouse than to provide housing for family members.

The assistant noted that in prior approvals for guesthouses larger than 900 sq. ft. the board has included a condition that should the property be subdivided, the guesthouse would become the primary structure on the newly created lot.

Ms. Livingston said that she agreed with that condition. Mr. Conover stated that he was in favor of the proposal because of the size of the lot.

Ms. Dolby made a motion to grant the special permit with the above condition, saying that she believed the proposal was in harmony with the general purpose and intent of the bylaw. She commented that the lot was certainly large enough to accommodate a 1500 sq. ft. structure. She said that it was also in line with the town's goal of providing more affordable housing for young families. She also noted that there were no objections from any abutters.

Ms. Livingston seconded the motion and voted to grant the special permit for the same reasons and with the same condition.

Ms. Whipple, Mr. Conover, 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