

Case No. 46-21  
Date Filed: 25 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 Adam Barnum & Jamie Hoyt-Vitale for a special permit under section 10.1 G of the zoning bylaw to construct a garage with a detached bedroom above on a preexisting, nonconforming lot located at 54 Pine Street (Assr. Pcl. 20A-122) in the R-5 Residential District.

1. On 25 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 27 August and 14 September 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, 15 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, Carol Grant, Nancy Whipple, Pamela Dolby, and John Magnuson. 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.

Designer Nick Waldman was present for the applicant. Mr. Waldman explained that the existing structure is a two-family dwelling owned by the applicants: there is a one-bedroom unit where the applicants live, and a two-bedroom unit that they rent out. The lot is 8746 s.f. The applicants are hoping to build a detached bedroom above the garage to house visiting family and friends. The garage/detached bedroom will meet all setbacks and height restrictions and will be just under 400 s. f. The applicants are not intending to rent the detached bedroom.

Chairman Tomassian asked if there were any letters from town boards or departments. There were none. There were no letters from abutters, either pro or con. Abutter Tim Wolff of 2 East Jenney Way said he had no problem with the proposal.

Ms. Dolby confirmed that the detached bedroom would be for the owners' use and would not be part of the rental.

Ms. Grant asked if the owners lived in the house year-round. Mr. Barnum replied that they visit year-round, but do not live permanently on the island.

Mr. Magnuson said he had no problem with the proposal. He said that the applicants are entitled to a fourth bedroom and noted that the lot is just a few 100 feet shy of being a conforming lot. Mr. Magnuson made a motion to grant the special permit, saying that he believed the proposal was in harmony with the general purpose and intent of the bylaw. He noted that there was no objection to the proposal from any town boards or from any abutters. He said he did not think that the detached bedroom would have a negative impact on the neighborhood and that he believed the site was appropriate.

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

Ms. Whipple, Ms. Grant, 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