

Case No. 49-21
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 Jason & Desiree Kicza for a special permit under section 10.1 G of the zoning bylaw to construct additions and renovations to an existing structure - including a second story - on a preexisting, nonconforming lot located at 106 Peases Point Way North (Assr. Pcl. 29A-41) in the R-20 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 4:45 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 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.

Architect Sasha Robinson-White explained the proposal: currently there is a very small 856 s.f. two-bedroom dwelling on the lot. The owners would like to expand the house by going up a story. They are also proposing to connect the existing 288 s.f. garage to the dwelling by adding a mudroom/half-bath connector. The first floor would expand from 856 s.f. to 1595 s.f. , an increase of 639 s.f. The second floor would have 925 s.f. of living space. The total number of bedrooms would increase from two to four. The house would be in keeping with the Edgartown style and have white trim and a navy door.

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 and there was no one in the audience who wished to comment.

As there was nothing to rebut, Chairman Tomassian closed the public portion of the hearing for discussion by the board.

Ms. Dolby asked if the pool, which is shown on the plan, was intended to be part of the application. She noted that it was not mentioned in the application or in the legal notice sent to abutters. Mr. Robinson-White agreed to pull the pool from this application and reapply for a separate special permit.

Ms. Grant asked why the garage was not made to conform to setbacks. Mr. Robinson-White said that they are not tearing down the garage, only connecting it to the house and adding new shingles and trim. He said he thought it would create more disturbance to the property to move it.

Mr. Magnuson said he had no problem with the applicants leaving the garage where it is; it would be a different story if they were proposing to tear it down and rebuilt. Mr. Magnuson said that he was familiar with the house, which is very tiny and with very small rooms.

Ms. Grant made a motion to grant the special permit saying that she believed the proposal was in harmony with the general purpose and intent of the bylaw. She noted that was no objection to the proposal from any town boards or from any abutters. She said that although the applicant is adding approximately 1565 s.f. of living space, she finds the lot to be adequate for the addition. She said she did not think that the proposal would have a negative impact on the neighborhood. Ms. Grant also noted that the pool was not part of the special permit.

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

Ms. Dolby, Mr. Magnuson, 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