

Case No. 47-21
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 Robert & Eileen Moriarty for a special permit under section 10.1 G of the zoning bylaw to construct additions and renovate an existing residence on a preexisting, nonconforming lot located at 44 Old Purchase Road (Assr. Pcl. 21-134.15) in the R-60 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 4:15 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.

Doug Hoehn of Schofield, Barbini & Hoehn was present for the applicants. Mr. Hoehn explained that this is the last property on the right on Old Purchase, abutting open land. The lot became nonconforming when the neighborhood went from R-20 to R-60 back in the 90s. The existing house conforms to the R-60 setbacks, except for a small portion of deck, which will be removed. The new house will conform in its entirety.

The proposal involves adding 456 s.f. to the existing footprint. The current house has approximately 1250 s.f. of living space on two floors. Mr. Hoehn said that the house is occupied by Mr. & Mrs. Moriarty, their three children, and Mr. Moriarty's mother-in-law. The existing residence has three bedrooms, one of which is very small. The intent is to add a wing containing an additional 3 bedrooms, bringing the total number of bedrooms to six. Wastewater has approved the application. The total living space of the new dwelling would

be 2600 s.f., which is in the upper middle in size when compared to other houses in the neighborhood.

Chairman Tomassian asked if there were any letters from town boards or departments. There were none. There were letters of support from two abutters and one neighbor: Phyllis & Gerard Watson of 79 Old Purchase Road, Tilma Johnson of 41 Old Purchase Road. There was no one in the audience who wished to comment, either pro or con. As there was nothing to rebut, Chairman Tomassian closed the public portion of the hearing for discussion by the board.

No one had any questions or concerns.

Ms. Whipple 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 there was no objection to the proposal from any town boards and several abutters had written in favor of the proposal. She said she did not think that the addition would overburden the lot and that the facilities were adequate. She said she did not think the addition would have a negative impact on the neighborhood.

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

Mr. Magnuson, 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