

Case No. 48-21
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 Bud & Chari Polley for a special permit under section 10.1 G of the zoning bylaw to construct additions and renovate an existing residence, to construct a replacement garage, swimming pool and pool cabana on a preexisting, nonconforming lot located at 63 School Street (Assr. Pcl. 20D-150) 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 4:30 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 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 was present for the applicants and made the presentation. The property is located next to the old museum building. The intent of the project is to preserve the oldest part of the building. The applicants are proposing to relocate the entrance, and remove both the nonconforming shed and the nonconforming garage. On one side of the main house will be a new garage, which will be attached to the main house by a mudroom. On the opposite side there will be a small addition containing a portion of the new master bedroom and bath. All the proposed additions conform to setbacks and there will be no increase in the total number of bedrooms, which will remain at four. The rear of the structure will be rebuilt in a more traditional style, but the overall footprint will not be expanded except on the sides by narrow additions.

Chairman Tomassian asked if there were any letters from town boards or departments. There were none.

Several abutters wrote in favor of the project, including: Anthony Giordano of 62 South Summer Street, who requested that no exterior construction take place during the months of July and August; Peter Malone of 65 School Street, who requested that the boundaries of the two properties be planted with 15-foot high arbor vitae; Nancy & Alan Brenner of 56 School Street; Kathi-Ann & Edward Griggs of 46 Cooke Street; Sheila & Steve Schlageter of 55 School Street; Bret & Dawn Furio of 59 School Street; and Virginia Mortara of 64 School Street.

Jane Bradbury of 85 & 88 South Water Street (not an abutter) was concerned about noise from pool equipment and the possibility of the pool being a source of pollution. Sara Jane Hughes asked that if the pool is allowed, the pool equipment be fully enclosed in a sound proof structure. [Ms. Hughes submitted an additional letter dated 14 September 2021 in which she wrote of her concerns regarding lot coverage and the loss of natural vegetation and the effect of pools and pool equipment on the environment.] Charlotte Hall of 66 South Summer Street said that she had no problem with the plans for the addition and renovation to the house, but was concerned about noise from the pool equipment. Lonna Wais & Jack Mettler of 68 School Street objected to the project on the grounds that it would eliminate most of the open space and natural vegetation on the lot.

Ms. Hughes said that since writing her initial letter she is very pleased with the manner in which both the Polleys and Mr. Robinson-White have addressed the issue of pool noise. She said she would like to encourage the Polleys to leave as much of the lot as possible free of hardscape in order not to exacerbate run-off issues.

Charlotte Hall said that after speaking with the Polleys she is also now in favor of the project as she believes that the Polleys will do a good job of landscaping the property. She acknowledged also that the house is in need of some renovation.

Mr. Robinson-White said that he believed the concerns about noise from the pool equipment have been addressed and noted that the terracing on the property will be dry-laid and pervious.

Chairman Tomassian then closed the public portion of the hearing for discussion by the board.

Mr. Tomassian asked if Mr. Robinson-White had any calculations as to the lot coverage and the increase in square footage of the renovated dwelling. Mr. Robinson-White said that the total lot coverage including the pool and cabana was 43%. The existing house has about 2146 s.f. of living space; the new dwelling will have approximately 3400 s.f. – an increase of about 1300 s.f.

Ms. Dolby 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 significant neighborhood support and that several abutters who were initially opposed to the project were now in favor. She said she did not believe that the additions would overburden the lot and noted that the property was on both town water and town sewer.

She said she did not think the addition would have a negative impact on the neighborhood. The following conditions were proposed: (1) pool equipment will be fully enclosed in a sound-proofed structure; (2) there will be no exterior construction during the months of July and August; (3) a row of 15-foot arbor vitae will be planted along the common boundary with the Malone property at 65 School Street; (4) pool water will not be drained within 48 hours of any chemical treatment.

Mr. Magnuson seconded the motion and voted to grant the special permit for the same reasons and with the same conditions.

Ms. Whipple, Ms. Grant, and Mr. Tomassian also voted, by roll-call vote, to approve the project for the same reasons and with the same conditions. Motion carried: 5 - 0.

Respectfully submitted,

Lisa C. Morrison, Assistant