

Case No. 51-21
Date Filed: 15 September 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 Frederick H. Martin for a special permit under section 10.1 G of the zoning bylaw to construct a two-bedroom guest house with an attached one-car garage on a preexisting, nonconforming lot located at 12 Kent Harbor Road (Assr. Pcl. 36-314) in the R-60 Residential District.

1. On 15 September 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 17 September and 24 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, 6 October 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 Robin Bray – alternate. New member Thomas Pierce audited the meeting. 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.

Darran Reubens of Breese Architects made the presentation for the applicant. Erica Martin and her father, Fred Martin, were also present on the call. The lot is nonconforming, as it is just over an acre in an area where an acre-and-a-half is required for a conforming lot. The proposed new structure will meet all setbacks and height restrictions. The garage will be 364 s.f. and the guest house will have a total of 897 s.f.: 245 s.f. on the first floor and 652 s.f. on the second floor. The lot is quite wooded; the new structure will be barely visible from the road. A new driveway off Guernsey Lane is also proposed.

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.

Mr. Tomassian asked how long the Martins had owned the property. Fred Martin said that he has owned the property since 1978.

Ms. Grant had some questions about the design. She asked if the deck was over the garage. Mr. Reubens replied that it was and that there will be no living space under the deck. He clarified that the garage is one level, and the guest house is two levels. Mr. Reubens explained that the guest house was designed for Mr Martin, who will be living there. The main house will be used by his children and grandchildren

Mr. Grant asked if Guernsey Lane was a regular road. Mr. Reubens replied that Guernsey Lane is paved and provides access to many of the Down Harbor properties – all the lots adjacent to Guernsey Lane have deeded rights to use the road.

Mr. Tomassian asked if the project had been approved by the homeowner's association. Mr. Martin said that he submitted the plans to Leo Convery last month, but hasn't heard back.

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 was no objection to the proposal from any town boards or from any abutters. She said she found the lot large enough to support the garage/guest house and did not think that the proposal would be detrimental to the neighborhood.

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

Ms. Grant, Ms. Bray, 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