

Case No. 53-21  
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 Stanley & Patricia Ramsay for a special permit under section 10.1 G of the zoning bylaw to construct a pool and spa on a preexisting, nonconforming lot located at 16 Thaxter Lane (Assr. Pcl. 45-16.34) 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 4:45 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 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.

Architect Chuck Sullivan and Tracey Smith of Schofield, Barbini & Hoehn were present for the applicants. Ms. Smith said that the application is fairly straight forward: the proposed pool and spa will conform to setbacks - the only nonconformity is the size of the lot, which is 23,448 s.f. There are a number of pools in the neighborhood on similarly sized lots.

Chairman Tomassian asked if there were any letters from town boards or departments. There were none. Two abutters wrote in support of the proposal: Michael & Sabrina McCauley of 11 Plains Head Lane and Michelle Guerrero of 17 Thaxter Lane.

There was no one in the audience who wished to comment either for or against. As there was nothing to rebut, Chairman Tomassian closed the public portion of the hearing for discussion by the board.

Mr. Tomassian noted that according to the plan, the pool equipment will be located in a shed that is attached to the house. He said he assumed that the shed would be sound-proofed. Mr. Sullivan confirmed that the pool equipment will be fully enclosed and the shed sound-proofed.

Ms. Dolby said that she approves of the fact that the equipment shed is located adjacent to the house rather than next to any neighbors.

Ms. Bray 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 were no objections to the proposal from any town boards and that two abutters had written in support of the project. She said she believed that the project as presented would not have a negative effect on the neighborhood and that adequate and appropriate safeguards had been taken to ensure that noise from the pool equipment would not impact the abutters.

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

Ms. Grant, Ms. Dolby, 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