

Case No. 56-21
Date Filed: 28 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 George Kaufman d.b.a. Washboards LLC for a special permit under section 10.1 G of the zoning bylaw to construct additions to an existing dwelling on a preexisting, nonconforming lot located at 8 Mullen Way (Assr. Pcl. 29A-43) in the R-20 Residential District.

1. On 28 September 2021 the application, a true copy of which is marked "A," was presented to the Town Clerk.
2. A legal notice, a true copy of which is marked "B," was published in the Vineyard Gazette on 1 October and 8 October 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, 20 October 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, Thomas Pierce, Pamela Dolby, and Robin Bray – alternate. 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.

Reid Silva of Vineyard Land Surveying was present for the applicants. Mr. & Mrs. Kaufman were also present. Mr. Silva explained that the project involved removing an existing 485 s.f. deck, constructing a new deck and covered porch - in substantially the same area - and constructing two small additions at the rear of the house. Mr. Silva said that the total footprint of the new construction will be 670 s.f., a net increase of 185 s.f.

Chairman Tomassian asked if there were any letters from town boards or departments. A letter from the Town Administrator, James Hagerty, was read. Mr. Hagerty requested that, in view of the recent paving of Mullen Way, the following conditions be added to the permit: (1.) Applicant shall compensate the town for any damage to Mullen Way associated with the proposed construction activities covered by special permits 21-21 and 56-21 and

(2) The Highway Superintendent will inspect the road prior to the issuance of a certificate of occupancy.

Letters of support from four abutters were read into the record: David Albert Young of 14 Mullen Way, Mike & Nellie Zedalis of 12 & 17 Mullen Way, Christopher Hall of 9 Mullen Way, and Dennis McAndrews of 102 Peases Point Way South.

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.

Ms. Grant had some questions about the pool equipment location. Mr. Silva said that the location of the pool equipment was the subject of an earlier special permit and had not changed. He apologized for the confusion and commented that the plan should have been changed from 'proposed' to 'approved.'

There were no additional questions or concerns.

Mr. Pierce made a motion to approve the project as presented with the conditions suggested by the town administrator. He noted that the proposed additions met all the setback and requirements and that several abutters had written in support of the project. He said he did not think the development would over burden the lot or be detrimental to the neighborhood.

Ms. Bray seconded the motion and voted to grant the special permit for the same reasons and with the same conditions.

Ms. Grant, Ms. Dolby, 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