

Case No. 57-21

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 7 North Water Street EDG, LLC – James H. Shane & Brook Katzen, Mngrs. For a special permit under section 3.1 B 4 of the zoning bylaw to construct additions and alterations to an existing structure located at 7 North Water Street (Assr. Pcl. 20D-315) in the B-I Business 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 4:45 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.

Attorney Howard Miller was present for the applicants, who were also in attendance. Attorney Miller commented that his clients purchased the building in May and would like to make some alterations. Peter Gearhart, architect, was also present. Currently there is a two-bedroom apartment on the second floor. The applicants would like to close in an existing porch to make a third bedroom. The current second floor is 916 sq. ft; the proposal would add 203 sq. ft. for a total of 1119 s.f. There will be no change to the first floor square footage of 1220 sq. ft. The apartment is intended for year-round employee housing.

Attorney Miller said that the building will be brought up to code and a sprinkler system installed. Internal stair to the second floor will be removed, as they are no longer required because the building will have a sprinkler system. Entry to the second floor apartment will be from the existing second floor deck.

Chairman Tomassian asked if there were any letters from town boards or departments. The assistant reported that the Board of Health had given the project preliminary verbal approval. There were no letters from abutters and there was no one in the audience who wished to comment either for or against the proposal.

As there was nothing to rebut, Chairman Tomassian closed the public portion of the hearing for discussion by the board.

Ms. Dolby said she would like to applaud the applicants for providing employee housing. She said that she supports the proposal 100%.

The assistant asked if the permit should include a condition that the apartment be used for employee housing. Mr. Shane responded that he was hoping that the permit could be flexible and the apartment used for year-round housing, not necessarily limited to staff. He said that occupancy of the apartment will be capped at six. Mr. Shane said that they intend to make the rent affordable for islanders. He said that it will not turn into an AirB&B situation.

Ms. Dolby made a motion to grant the special permit saying that the project was in harmony with the general purpose and intent of the bylaw. She said that an affordable three-bedroom apartment will provide the town with much needed housing for the year-round population. She said she trusted the applicant to rent it at an affordable rate to responsible tenants. Ms. Dolby noted that the second floor addition is minor and the change in the façade will be reviewed by the Historic District Commission. She commented that there were no objections to the proposal from any town board or abutters.

Ms. Bray 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