

Case No. 58-21
Date Filed: 19 October 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 Stephen & Hilary S. Schultz for a special permit under section 10.1 G of the zoning bylaw to construct a 20 s.f. by 26 s.f. exercise studio and relocate an existing shed on a preexisting, nonconforming lot located at 28 Crocker Drive (Assr. Pcl. 36-129.1) in the R-60 Residential District.

1. On 19 October 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 22 October and 29 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, 10 November 2021 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 Tom Pierce. 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.

Harold Chapdelaine made the presentation. He noted that the Schultzes, who were also present for the Zoom call, are year-round residents. They would like to construct an accessory structure to hold an endless pool and work-out area. There would be no bathroom and no cooking facilities. The pool equipment will be located inside the structure and insulated for sound.

The exercise studio will be sited at the location of an existing shed, which will be moved closer to Crocker Drive. The proposed new structure and the relocated shed will conform to all setbacks and height requirements. Mr. Chapdelaine said the lot has adequate area to support the exercise studio.

Chairman Tomassian asked if there were any letters from town boards or departments. There were none. A letter of support from Lauren & Lenny Stern of 28 Hillman Drive - direct abutters to the South - was read.

As there was nothing to rebut, Mr. Tomassian closed the public portion of the hearing for discussion by the board. Ms. Grant said that she had been out to the site and believed there was adequate area to support the proposal. She said the proposed building is modest and well designed. She noted that there was no neighborhood concern and two direct abutters were supportive.

Ms. Whipple said that she too had visited the site and agreed with Ms. Grant's statements.

There were no additional questions or concerns.

Ms. Grant mad a motion to grant the special permit saying that she believed the project was in harmony with the general purpose and intent of the bylaw. She said that the proposal will not be detrimental to the neighborhood and noted that there were no objections to the proposal from any town boards or from any abutters. She proposed the following condition: Studio will not be converted to living space without prior approval from the Zoning Board.

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

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

Respectfully submitted,

Lisa C. Morrison, Assistant