

Case No. 59-21
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 Anthony & Susanna Giordano for a special permit under section 10.1 G of the zoning bylaw to construct a one-story addition and a plunge pool on a preexisting, nonconforming lot located at 62 South Summer Street (Assr. Pcl. 20D-147) in the R-5 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.

Mr. Giordano made the presentation. The architect, Kurt Larson, was also present. Mr. Giordano began by saying that their primary objective has been to construct a fourth bedroom, which is permitted as the property is on both town sewer and town water. Mr. Giordano said that the house dates from 1838 and he and his wife have owned it since 2007. The house currently has 2189 s.f. of living space and three bedrooms. However, Mr. Giordano said, it lacks a true master bedroom.

Mr. Giordano said that his family has rethought the project since receiving a special permit to construct a two-story carriage house at the rear of the property back in 2019. They have come to believe that the 678 s.f. carriage house would be out of scale and cast a shadow over their yard. What they would now like to propose is a single-story addition comprised of a master bedroom, bath, interior staircase to a basement, and a garage/storage area. Mr.

Giordano said that he and his wife are hoping to get a little privacy. The proposed addition will have a total of 678 s.f. of interior space and will match the existing 13'2" roof line. An existing 195 s.f. nonconforming garage will be removed, as will a 36 s.f. exterior basement stairwell.

The proposed 8-foot by 14-foot plunge pool will be 5 to 6 feet deep and sized for the lot. It will be surrounded by the house on all but one side. The pool equipment will be fully enclosed and sound-proofed. Mr. Giordano said that there will be no construction during July and August. Mr. Giordano concluded his presentation noting that the proposal meets all the required setbacks and brings the total square footage of the house to 2867 s.f. – including the garage. He said that he thinks the project will work well for his family for many years to come.

Chairman Tomassian asked if there were any letters from town boards or departments. There were none. Letters of support from three abutters were read: Bud & Chari Polley of 63 School Street, Sarah Jane Hughes of 65 South Summer Street, and Tom Applegate of 61 South Summer Street.

Direct abutter Bret Furio of 59 School Street spoke in favor of proposal as well.

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 has no problem with the addition but is not convinced that the pool is a good idea. She said she recalled that the original application, which was denied by the board, had a pool.

Ms. Dolby said she thinks the redesign works better on the lot than the two-story carriage house. She said that she has no problem with the pool as it is surrounded on three sides by the house. She noted that there were no abutter complaints.

Ms. Whipple agreed and said she believed the one-story addition and small pool would be less intrusive than the two-story carriage house.

Mr. Pierce asked about the location of the pool equipment and stressed the importance in this type of neighborhood of the equipment being fully enclosed and sound proofed.

Mr. Pierce made a motion to approve the project as presented with the condition that the final location of the pool equipment be reviewed and approved by the board prior to the issuance of a building permit. He said he found the proposal to be substantially in harmony with the general purpose and intent of the bylaw. He noted that there was abutter support for the project and he did not think that the proposal would be detrimental to the neighborhood. He noted that there were several pools on similarly sized lots in the downtown area.

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

Ms. Dolby and Mr. Tomassian also voted, by roll-call vote, to approve the project for the same reasons and with the same condition. Ms. Grant said that while she was in favor of the addition, she was not in favor of the pool. Motion carried: 4 – 1.

Respectfully submitted,

Lisa C. Morrison, Assistant