

Case No. 7-22

Application filed: 28 February 2022

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 Ayoung Cho for a special permit under section 10.1 G of the zoning bylaw to construct a 22 x 40 swimming pool and a pool equipment shed on a preexisting, nonconforming lot located at 61 Edgartown Meadows Road (Assr. Pcl. 22-40) in the R-60 Residential District.

1. On 28 February 2022 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 4 March and 11 March 2022.
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, 23 March 2022, the hearing was opened and held via Zoom. The following board members were in attendance: Martin Tomassian – Chair, Carol Grant, Nancy Whipple, Pamela Dolby, and Thomas 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.

Ms. Cho made the presentation. She said her lot is 1.1 acres and noted that the pool meets all the necessary R-60 setbacks: It is over 80-feet from the both Codman Spring Road and from Edgartown Meadows Road. It is 31-feet from the side setback to the north. She said she would like the pool for exercise.

Mr. Tomassian asked if there were any letters from town boards or departments. There were none.

The assistant noted that a petition had been received with the signatures of four direct abutters: Hank Smith of 39 Codmans, Eri Sequin of 66 Codmans, Holly Mercier of 53 Edgartown Meadows, and James Craig of 55 Whalers Walk. All were in support of the proposal.

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. Grant asked if there were any elevations showing the pool house. She said that 15 by 12 was on the large side for a pool equipment shed. She asked if anything else was proposed beside equipment storage. She also asked if the shed would be fully insulated and sound proofed.

Ms. Cho said that the 15 x 12 size was proposed as there is already a fenced in area of that size, which was used as a garden by the prior owners. She said that the shed could certainly be made smaller. She said that the shed would be fully insulated and sound-proofed.

Ms. Grant said she would like to see elevations of the proposed shed.

Ms. Grant then made a motion to approve the installation of the pool noting that it meets all setbacks and is in harmony with the general purpose and intent of the bylaw. She commented that the project was supported by four direct abutters and that there were no objections to the proposal by any abutters or town boards. She asked the applicant to supply to submit a dimensioned plan for the proposed pool shed,

Mr. Pierce seconded the motion and voted to grant the special permit for the same reasons.

Ms. Dolby, Ms. Whipple, and Mr. Tomassian also voted, by roll-call vote, to approve the project for the same reasons. Motion approved: 5 – 0.

Respectfully submitted,

Lisa C. Morrison, Assistant