

Case No. 9-22

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 Robert C. Green III & Sally E. McNagny for a special permit under section 10.1 G of the zoning bylaw to renovate and construct additions to a preexisting, nonconforming dwelling on a preexisting nonconforming 6350 s.f. lot located at 22 Cottage Street (Assr. Pcl. 20D-259) in the R-5 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.

Architect Aaron Schiller made the presentation. The property has been owned by the family since the 60s; this is the second generation. The project involves renovating/rebuilding the primary dwelling, which is located at the rear of the property. No work is currently planned on the front dwelling.

The existing dwelling is 1257 s.f. The renovated dwelling would have an additional 700 s.f. of living space. The existing dwelling does not conform to setbacks on three sides. The proposal will bring the dwelling into conformity of two of those three sides, i.e., on the eastern and southern sides. The applicants are asking to keep the structure nonconforming on the north side in order to retain the 90-year-old chimney, which was rebuilt in the 2000s.

The ridge height of the renovated dwelling will be 23-feet, substantially lower than what is allowed and lower than the adjacent structures on three sides.

Mr. Schiller said that the applicants intend to preserve as much of the green space as possible. In addition, there will be no change in the number of bedrooms on the property, which will remain at five.

Mr. Schiller submitted a number of photographs and renderings, which indicated that the public view will be substantially unchanged. He said that they hope to begin the project in October.

Mr. Tomassian asked if there were any letters from town boards or departments. There were none. A letter from abutter Ned Southworth, whose property is directly across the street at 21 Cottage Street, was read. Mr. Southworth had no objection to the project, he was concerned about construction vehicles parking on Cottage Street, where there is no on-street parking.

Mr. Tomassian asked if anyone present wished to comment on the proposal. Applicant Sally McNagny apologized for her husband's absence, who said that he had a speaking engagement. Ms. McNagny said that both she and her husband are doctors, who are hoping to retire to the Vineyard. She said that the much loved cottage has been in the family since 1963.

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

Ms. Grant asked how the parking of construction vehicles will be handled. Mr. Schiller said that the building will be taken down in sections and noted that there is ample parking between the two houses. He said that the applicants are proposing a net-zero house and he is hoping to utilize prefabricated wall systems that will cut down on construction time.

Ms. Dolby noted that there are construction projects going on all over the downtown. She said she did not think the Zoning Board should condition parking *per se*. Illegal parking is a police matter.

Mr. Tomassian commented that no exterior construction is permitted during June, July, and August – the most congested months.

Ms. Whipple said she thought it was a beautiful renovation that preserves both the scale of the existing building and the amount of green space on the lot. Ms. Whipple made a motion to grant the special permit, saying that she found the project to be in harmony with the general purpose and intent of the bylaw. She said the proposal will make the structure more conforming and noted that it will not substantially alter the public view. She said she finds the site appropriate and believes there will be no negative impact on the neighborhood.

Ms. Dolby seconded the motion and voted to grant the special permit for the same reasons.

Mr. Pierce, Ms. Grant, 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