

Case # 10-2022

Application Filed: 21 March 2022

DECISION OF THE ZONING BOARD OF APPEALS  
ON THE REQUEST FOR A SPECIAL PERMIT

Owner/Applicant: 30 Mill Hill Road SPE LLC, Christopher Castanon, Mngr.  
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At a meeting held remotely via Zoom on Wednesday, 20 April 2022, the Edgartown Zoning Board of Appeals voted unanimously (5-0) to grant a special permit under section 2.2 B 12 of the zoning bylaw to allow a guest house larger than 900 s.f. on a 14-acre parcel. An illustrative site plan and elevations of the proposed new main house (Patrick Ahearn) were submitted with the application. The property is located at 30 Mill Hill Road (Assr. Pcl. 29-50.11) in the R-20 Residential District.

FACTS

1. The 14-acre parcel currently consists of a 2800 s.f. main house, a two-car garage, a 12 x 12 meat locker, an 8 x 6 smokehouse, a chicken coop, 6 x 6 pump house, and a derelict guest house (no kitchen). The applicant stated in a letter dated 13 April 2022 that other than the main house and the garage, the structures are in disrepair and have not been used in over 20-years.
2. The property is subject to a restrictive covenant dated 17 April 2006 that prohibits any further subdivision of the 14-acre property in perpetuity.
3. The applicant is asking to preserve the historic 2800 s.f. main house and have it designated as a guest house. The applicant is then proposing to build a new 6800 main house on the opposite side of the property.
4. During the course of the hearing, the board listened testimony from the applicant's agent as well as from several the abutters. The board reviewed several letters from abutters prior to the hearing, and all other materials and information submitted prior to the close of the public hearing. [See Record of Proceedings].

FINDINGS:

1. The board found the proposal to be appropriate and in harmony with the general purpose and intent of the bylaw: the board has allowed a number of guesthouses larger than 900 s.f. when there is adequate area (at least twice the amount needed to be a conforming lot). In the R-20 Residential District, a half-acre is required for a lot to be conforming. In this instance, the subject property is nearly 28 times the necessary area for a conforming lot, and the property cannot be subdivided.
2. The board was sensitive to the historic nature and integrity of the existing main house, and did not want to see it reduced to 900 s.f. or added to in order to provide the new owner with a more substantial main house.
3. The board found that the proposal will not result in a significant change in the intensity of use on the property: In the past, the property contained a single-family dwelling and a guest house. The new proposal also contains one single-family dwelling and a guest house.
4. There were no objections to the project from town boards or departments. Several direct abutters wrote in favor of the proposal and the project received a unanimous endorsement from the Mill Hill Homeowners Association.
5. Other abutters and neighbors objected to the project, primarily on the grounds that Mill Hill Road was not adequate to support the additional development. However, the board determined that the addition of one new dwelling would not significantly contribute to overburdening the roadway or be unduly detrimental to the neighborhood.

This decision of the Board of Appeals and a record of proceedings are on file in the Zoning Board office and in the office of the Town Clerk, Town Hall under Case No: 10-2022.

Zoning Board of Appeals,

Lisa C. Morrison, Assistant

Note: This decision was filed in the office of the Town Clerk on 26 April 2022. Appeals, if any, should be made pursuant to Section 17 of Chapter 40A of the Massachusetts General Laws and should be filed within 20 days of the filing of this decision in the office of the Town Clerk.

\_\_\_\_\_2022

I hereby certify that no appeal has been filed in the twenty-day period following the date of filing this decision.

Attest: \_\_\_\_\_