

Case No. 12-22
Application filed: 20 April 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 Coleman Hoyt & Amy Brauer for a special permit under section 10.1 G of the zoning bylaw to renovate and add to a main house and a preexisting nonconforming garage, and to install a lap pool on a preexisting, nonconforming lot located at 6 Dunham Road (Assr. Pcl. 29B-83) in the R-5 Residential District.

1. On 20 April 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 22 April and 29 April 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, 11 May 2022, the hearing was opened and held via Zoom. The following board members were in attendance: Martin Tomassian – Chair, Nancy Whipple, Pamela Dolby, Thomas Pierce, and Robin Bray – alternate. 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 Chuck Sullivan made the presentation for the applicants. In a letter to the Board, Mr. Hoyt explained that the property has been in his family since the late 40s. The house was originally a 19th century horse barn that was converted into a residence in the 1920s. A garage was added in the 50s. The applicant is proposing to move the house forward on the lot approximately 24-feet. The new front yard setback will be 41.2 feet, well over the required 20-feet in the R-5 district. The garage, which is currently just over 2-feet from the rear property line and just a few inches from the side property bound, will be relocated. It will remain nonconforming only on the side property bound, where it will be 3-feet from the bound.

A 5-foot by 26-foot lap pool will be located at the rear of the property and conform to setbacks. The driveway will remain the same, and the existing stone wall along the west side of the driveway will be rebuilt.

The house will be renovated and the garage will be attached to the main house. The project has been approved by the Historic District Commission. Mr. Sullivan submitted a rendering of the proposed renovated house and a photograph of the existing. He noted that the renovated dwelling looks pretty much the same as the existing when viewed from Dunham Road. The bulk of the addition will be at the rear of the property.

A second story containing a bedroom, bath, and office is proposed above the garage. The ridge height will be 4- to 5-feet lower than the main house.

The existing dwelling has approximately 1300 s.f. of finished space; the renovated dwelling will have approximately 2700 s.f., including the new second floor above the garage.

Mr. Tomassian asked if there were any letters from town boards or departments. There were none. Letters of support were received from Laura Sogor and Jane Zimmerman, abutters at 10 Dunham Road, and from Dr. James Wolff.

No one spoke in opposition to the project. As no rebuttal was necessary, Chairman Tomassian closed the public portion of the hearing for discussion by the board.

Mr. Pierce asked where the pool equipment would be stored. Mr. Sullivan explained that they are hoping to use an electric heat pump – similar to a mini-split – which needs to be stored outside. He said that they are planning put a fence around it, but it cannot be fully enclosed as it needs air circulation. Additional mechanicals will be stored in the garage or under the stairs. Mr. Sullivan said that the electric heat pump is both quiet and more energy efficient than older model pool heaters.

Mr. Tomassian said that the Board generally requires all pool equipment to be fully enclosed within a sound-proofed structure.

Ms. Bray said that she has an electric heat pump and confirmed that the unit is very quiet and doesn't require the use of fossil fuels, which is an environmental benefit. She said that there are benefits to the new technology.

Mr. Tomassian suggested that rather than mandate a propane heater, the board could waive its requirement that all pool equipment be stored in a fully enclosed sound-proofed structure, and approve this new system on a conditional basis. He suggested that a review be scheduled after the first season of use.

Ms. Bray and Ms. Whipple both thought this would be a good compromise.

Ms. Whipple said she thought the new design was much more attractive and efficient than the old design.

Ms. Whipple made a motion to grant the special permit, saying that she believed the proposal to be in harmony with the general purpose and intent of the bylaw. She noted that there were no opponents, and that two abutters had written in support of the project. She

said she thought the design of the renovated house was an improvement that fits in well with the neighborhood. She said she did not believe that the proposal would have a negative effect on the neighborhood. She proposed the condition that the project be reviewed in a year to ascertain whether or not the electric heat pump was causing any noise issues with neighbors.

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

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

Respectfully submitted,

Lisa C. Morrison, Assistant