

Case No. 23-22

Application filed: 2 August 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 Christian & Caitlin Cann for a special permit under section 10.1 G of the zoning bylaw to (1) remove a one-story 125 s.f. addition at the rear of a preexisting, nonconforming dwelling and construct a new two-story 268 s.f. conforming addition and to (2) install a 10 x 16 plunge pool and to reconfigure the interior of a preexisting, nonconforming detached bedroom to include pool equipment storage. The property is located on a preexisting, nonconforming lot at 7 Peases Point Way South (Assr. Pcl. 20D-47) in the R-5 Residential District.

1. On 2 August 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 5 August and 12 August 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, 24 August 2022, the hearing was opened and held via Zoom. The following board members were in attendance: Carol Grant – acting Chair, Nancy Whipple, Thomas Pierce, Robin Bray – alternate and Julia Livingston – alternate. Ms Grant opened the hearing and read the necessary requirements for conducting remote meetings in compliance with both the Governor's order and the Open Meeting Law.

Architects Patrick Ahearn and Mark Jagodzinski were present, as was applicant Max Cann. Mr. Ahearn noted that the project has received unanimous approval from the Historic District Commission. The work on the main house includes removing the vinyl siding adding new windows, and rebuilding the rear addition for a net gain of 143 s.f.

Mr. Ahearn said that the proposed plunge pool is tucked in between the main house and the detached bedroom. It will be approximately 3-feet deep – more of a large hot tub, said Mr. Ahearn. Mr. Ahearn also provided the board with a map showing the location of several pools in the immediate neighborhood. Neither the pool nor the addition will be visible from

the public way. The pool equipment will be stored in a portion of the reconfigured detached bedroom. The footprint of the existing detached bedroom will not change.

Letters of support were received from the following abutters: C. Michael Kojaian of 73 Davis Lane, Betsy & Patrick Flanagan of 14 Peases Point Way South, and from Ed & Joan Doherty of 26 School Street.

There was no one in the audience who wished to comment either pro or con.

Ms. Milne, Building and Zoning Inspector, asked the board to acknowledge that the preexisting, nonconforming detached bedroom has an entry foyer, which does not meet the definition of detached bedroom. Under the bylaw, a detached bedroom is supposed to consist only of a bedroom and bath. The board acknowledged this anomaly and had no concerns with allowing a small entryway to remain in the reconfigured detached bedroom.

Ms. Grant then closed the hearing for discussion by the board.

Mr. Pierce said he thought the plan was well thought out and note that there were quite a few pools in the neighborhood. He also noted that there was no opposition to the project.

Ms. Livingston agreed and said she thought the plans were fine.

Ms. Bray agreed and thought the small size of the pool was an asset.

Ms. Whipple also agreed, and thought the removal of the vinyl siding would be an improvement.

Ms. Livingston made a motion to grant the special permit saying that she believed the proposal to be in harmony with the general purpose of the bylaw. She said she did not believe that the small addition to the rear or the plunge pool would be detrimental to the neighborhood. She said she believed the project was consistent with other developments in the neighborhood. She noted that there was no change in the footprint of the preexisting, nonconforming detached bedroom and that all the alterations were in the interior of the structure.

Ms. Whipple seconded the motion and voted grant the special permit for the same reasons. Mr. Pierce, Ms. Bray, and Ms. Grant also voted to grant the special permit for the same reasons.

Motion approved: 5 - 0.

Respectfully submitted,

Lisa C. Morrison, Assistant