

Case # 25-2022

Application Filed: 23 August 2022

DECISION OF THE ZONING BOARD OF APPEALS
ON THE REQUEST FOR A VARIANCE

Applicant: The Waterhaven Nominee Trust, Joseph Seidman, Trustee (96 Beach Road, Assr. Pcl. 12B-136.

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Owner: The Sheriff's Meadow Foundation (Caroline Tuthill Preserve, Assr. Pcl. 12-6)

At a meeting held remotely via Zoom on Wednesday, 14 September 2022, the Edgartown Zoning Board of Appeals voted unanimously (5-0) to grant a variance to section 11.6 A, which permits only one sign per lot.

FACTS & FINDINGS:

1. The applicant is requesting a variance in order to allow an additional sign to be placed on the 150+ acre property that abuts the residence at 96 Beach Road.
2. The residence is located over 2000 feet from Beach Road, down a 15-foot way. Without signage, emergency services – as well as guests – have difficulty locating the property.
3. A letter from the property owner, the Sheriff's Meadow Foundation, dated 7 September 2022 confirmed that the foundation supports the applicant's request for a variance.
4. After review of the testimony and documents, the Board found the proposal to be in harmony with the general purpose and intent of the bylaw for the following reasons:
 - (A). There are circumstances relating to the location of the trust's property – more than 2000 feet from the public way – which do not generally affect other properties in the zoning district.
 - (B). That due to these circumstances, literal enforcement of the provisions of the bylaw would involve substantial hardship as police or fire departments may have difficulty locating the property in the event of an emergency.
 - (C). Desirable relief may be granted without nullifying or substantially derogating from the intent or purpose of the bylaw: The bylaw was created, in part, in order to ensure

that signage does not proliferate unchecked, especially in residential districts. In this case the property where the sign will be located is over 150 acres. The board also found that the sign itself is inoffensive and conforms to the guidelines outlined in the bylaw. In addition, the sign will be reviewed for compliance by the Sign Committee.

(D). The board found that relief may be granted without substantial detriment to the public good. No abutters, members of the public, or abutters objected to the additional sign.

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: 24-2022.

Zoning Board of Appeals,

Lisa C. Morrison, Assistant

Note: This decision was filed in the office of the Town Clerk on 19 September 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: _____