

Case No. 9-23
Application filed: 21 March 2023

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 relating to the request by Charles C. Duncan & Laura R. Ment under section 10.1 G of the zoning bylaw to construct a one-story 192 s.f. detached studio with half-bath on a preexisting, nonconforming lot located at 18 Mattakesett Bay Road (Assr. Pcl. 51A-8) in the R-60 Residential District.

1. On 21 March 2023 the hearing notice, 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 the 24 March and 31 March 2023.
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, 12 April 2023, the hearing was opened and held via Zoom. The following board members were in attendance: Martin Tomassian – Chair, Nancy Whipple, Pam Dolby, Thomas Pierce, and Julia Livingston – 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 Ken MacLean made the presentation for Mr. Duncan, who was also in attendance. Mr. MacLean explained that Mr. Duncan is proposing to build a 12 x 16 foot studio in order to have some privacy from his grandchildren, who visit regularly in the summer.

Mr. MacLean noted that the structure meets all setbacks and height restrictions.

Mr. Tomassian asked if there were any letters from town boards or departments. There were none. A letter of support from Stephen Kahn was read. Mr. Kahn and his family live in the other unit of the condominium. Susan Newton, an abutter living at 16 Mattakesett Bay Road, asked if the roof height would be the same as the existing shed. Mr. Duncan replied that it would be the same height as the shed roof. Ms. Newton thanked Mr. Duncan for being ever gracious and considerate of her water views. There was no one in the audience who wished to comment either pro or con.

Mr. Tomassian then closed the public portion of the hearing for discussion by the board.

None of the members had any questions or concerns. Ms. Livingston made a motion to approve the project as presented. She said he believed that the project is in harmony with the general purpose and intent of the bylaw. She said he did not believe that the studio would have a negative effect on the neighborhood and noted that two abutters were in favor of the project. She said she believed that the lot had adequate area to support the development.

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

Mr. Tomassian, Mr. Pierce, and Ms. Dolby also voted to approve the project for the same reasons.

Motion unanimously approved: 5-0.

Respectfully submitted,

Lisa C. Morrison, Assistant