

Case # 15-2023

Application Filed: 4 May 2023

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

Owners/Applicants: 23 Kelley Street LLC

Book/Page: 81/211

At a meeting held remotely via Zoom on Wednesday, 7 June 2023, the Edgartown Zoning Board of Appeals voted unanimously (5-0) to grant a special permit under sections 3.1B.3 and 10.2 E of the zoning bylaw to allow the operation of a restaurant and bar to be known as the Pelican Club. The property is located on at 6 Kelley Street and 51 North Water Street (Assr. Pcls. 20D-301 & 302) in the B-I Business District.

The application was accompanied by a site plan dated 17 April 2023 by Sourati Engineering Group and elevations and floor plans dated 20 April 2023 and captioned A-910.09 and A-911.09. [For details concerning the hearing please see the Record of Proceedings filed with this Decision on-line and in the office of the Town Clerk.]

FACTS:

1. The property on which the Pelican Club is located straddles two lots in the B-I Business District – Map 20D Parcels 301 and 302. Kelley Street LLC is in the process of obtaining approval from the Planning Board to merge the smaller lot 302 into lot 301.
2. The club will function in the same general capacity as the former Wave Bar, which operated for well over a decade with no permits from the Zoning Board of Appeals. The Building/Zoning Inspector requested that Kelley Street LLC apply to the board for a special permit.
3. As all the 79 seats are outdoors, the club will operate on a seasonal basis.
4. There were no objections to the proposal from any town boards or departments. Three letters of support were submitted by members of the community.
5. The project has been reviewed and approved by both the Conservation Commission and the Historic District Commission.

FINDINGS:

The board found the proposal to be appropriate and in harmony with the general purpose and intent of the bylaw for the following reasons:

1. The proposal will contribute to the diversity of services available to both residents and visitors.
2. The proposal will provide employment for island residents.
3. The proposal will not add significantly to summer traffic congestion.
4. The proposal will not overburden town or emergency services.
5. The proposal will provide additional employee housing both on and off site.
6. The renovation will enhance the neighborhood and make the area more pedestrian friendly.

CONDITIONS:

No additional conditions were placed on the permit.

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: 15-2023.

Zoning Board of Appeals,

Lisa C. Morrison, Assistant

Note: This decision was filed in the office of the Town Clerk on 12 June 2023. 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.

\_\_\_\_\_2023

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

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