

Case No. 17-23
Application filed: 6 June 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 Edmund Willoughby for a special permit under section 10.3 C of the zoning bylaw – Island Independent Living - to construct a three-bedroom residence on a conforming lot located at 30 Curtis Lane (Assr. Pcl. 20A-96) in the R-5 Residential District.

1. On 6 June 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 9th and 16th of June 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 and abutters to abutters 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, 28 June 2023, the hearing was opened and held via Zoom. The following board members were in attendance: Martin Tomassian – Chair, Pam Dolby, Thomas Pierce, Nancy Whipple 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.

Mr. Willoughby said that he is applying to construct a 3-bedroom modular home on his property. He said he plans to gut the existing 3-bedroom cottage and convert it into a one-bedroom Independent Living unit to be rented year-round to a qualifying family. The lot can accommodate a maximum of four bedrooms. The existing garage will be removed. The 3-bedroom house will be for him, his son, and granddaughter.

Mr. Tomassian asked if there were any letters from town boards or departments. There were none.

The assistant noted that three letters were received from abutters, two of whom were present. A letter of support from Kara Shemeth & Thomas Ignacio of 17 Curtis Lane was read.

Michelle Oldershaw said that she supports the applicant's proposal, but has some concerns as outlined in her letter dated 27 June 2023. Ms. Oldershaw said that she was concerned that the house is located sideways on the lot, unlike other properties on Curtis Lane. She was concerned that neither dwelling faced the street and said she hoped that the plan could be altered so that it matches the character, style, and charm of the neighborhood. She also requested that some additional screening be planted along the driveway side of the property to screen the new home.

Kate Foster of 29 Curtis Lane – directly across the street from 30 Curtis Lane - also had some concerns as noted in her letter of 27 June 2023. Ms. Foster asked that a green screen be planted to soften the right elevation of the modular structure, so that she and her family will not be looking directly at a wall. She also asked if it was possible to keep the front door of the existing house facing Curtis Lane.

Donald Dowling of 25 Curtis Lane said that he too was in favor of keeping the front door of the existing structure facing the street.

Mr. Willoughby responded by saying that in order to make the most of the interior space of the existing house, the front portion of the existing cottage will become a bedroom. The rest of the house will be opened up and become a combined kitchen, living room, and dining room. He said he could put a fake door facing the street, noting that people generally do not want a street-facing door in their bedroom.

Mr. Willoughby said that in order to fit the modular onto the site and meet setbacks, it needs to be placed sideways on the lot. If not, there would be no room for a driveway. He said he needs to extend the driveway in order to have adequate parking for his renters and for himself and his landscaping business.

Mr. Pierce said that he understands the neighbors wanting a traditional streetscape and thought that some creative solution could be worked out. He said he also understands the necessity of siting the new house sideways on the lot.

Ms. Dolby said she agreed with Mr. Pierce, and said that installing a fake front door - if Ed were willing - might answer some of the neighbors' concerns. She suggested that planting some arborvitae, which are quick-growing and reasonably inexpensive, might answer the neighbors' other concerns.

Mr. Willoughby said the he intends to plant some arborvitae between the houses to provide some privacy for the renters. He said he believed that the existing house will block most of the modular from view. He said that additional plantings along the driveway may be problematic as he needs the driveway to accommodate two cars side by side.

Ms. Whipple asked Mr. Willoughby if he knew any landscape architects who could come up with a plan.

Mr. Tomassian said that perhaps the board could consider approving the application subject to an appropriate landscape plan being submitted after the new building is constructed. Mr. Tomassian closed the public portion of the hearing for discussion by the board.

No one had any additional questions.

Mr. Pierce made a motion to approve the project subject to the conditions outlined in 10.3 C of the bylaw and subject to the submission of a landscape plan after the new structure is built. He suggested that Mr. Willoughby either leave the front door in the existing house or install a false door. [After the hearing, the board received an email from Kara Shemeth, a Captain on the Edgartown Fire Department, noting that 'false doors' were dangerous from an emergency standpoint as they could slow efforts to enter the home. She said she did not think they were allowed by the building code.]

Ms. Dolby seconded the motion and voted to approve the project with the same conditions. Mr. Tomassian and Ms. Bray also voted to grant the special permit with the same conditions. Ms. Whipple voted not to approve the permit.

Motion carries 4-1.

Respectfully submitted,

Lisa C. Morrison, Assistant