

Case # 23-2023

Application Filed: 18 July 2023

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

Owners/Applicants: Joseph Monteiro & Emily Frazer Weedon

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At a meeting held remotely via Zoom on Wednesday, 9 August 2023, the Edgartown Zoning Board of Appeals voted unanimously (5-0) to grant a special permit under section 10.1 G of the zoning bylaw to allow the construction of a 15 x 30 swimming pool and an 8 x 10 pool equipment shed. The property is located on a preexisting, nonconforming lot at 26 Codman Spring Road (Assr. Pcl. 22-6) in the R-60 Residential District.

The application was accompanied by a site plan dated 8 June 2023 by Vineyard Land Surveying. 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 consists of a one-acre nonconforming lot in a neighborhood with similarly sized nonconforming lots. A conforming lot in the R-60 Residential District requires an area of not less than an acre and a half.
2. There are pools located on nonconforming lots in the immediate neighborhood
3. There were no objections to the proposal from any town boards, departments, abutters or members of the public. One immediate abutter wrote in support of the project.
4. The proposed pool meets all the necessary setback requirements for the R-60 Residential District.
5. Pool equipment shed will be sound-proofed and fully enclosed.

FINDINGS:

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

1. As there are several pools in the neighborhood on nonconforming lots, the project will not be out of character with the neighborhood.
2. As the pool equipment will be fully enclosed in a sound-proofed shed, noise from the equipment is likely to be minimal and will not disturb the abutters.
3. The applicant has proposed to plant six trees along the west side of the property to screen the pool from the immediate abutter.
4. The board found that the site was appropriate and the proposed project will not overburden the lot.

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: 23-2023.

Zoning Board of Appeals,

Lisa C. Morrison, Assistant

Note: This decision was filed in the office of the Town Clerk on 10 August 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: _____