

Case # 20-2023
Application Filed: 18 July 2023

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

Owners/Applicants: Martha's Vineyard Savings Bank
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At a meeting held remotely via Zoom on Wednesday, 9 August 2023, the Edgartown Zoning Board of Appeals voted (4-1) to grant a special permit under sections 3.1 B 4, 10.1 C & 10.3 F 10.1 G of the zoning bylaw for the conversion of existing third floor attic space into three 1-bedroom apartments for workforce housing. The proposal involves raising the existing roof height from 30-feet to 34-feet and the construction of a new egress stairway. The property is located at 7 School Street, Assessor's Parcel 20D-128 in the B-I Business District. .

The application was accompanied by a site plan dated 27 January 2014 by Vineyard Land Surveying and by photographs, detailed floor plans, and elevations dated 13 June 2023 by Synergy MV. 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 3400 s.f. lot on the corner of Main Street and School Streets in the B-I Business District.
2. The applicant is requesting to raise the existing roof of the Flynn Building by 4-feet to a height of 34-feet. A special permit under section 10.1 C is required for structures over 32-feet.
3. The applicant is proposing to convert the attic space into three 350 s.f. apartments for employees, which requires special permits under sections 3.1. B 4 and 10.3 F.
4. The existing bank facility has a square footage of 6013 s.f. The attic conversion will add an additional 1290 s.f. of usable space, which would bring the facility to 7351 s.f.
5. Other than the conversion of interior space from storage to apartments, the only addition to the footprint will be a 48 s.f. egress stair on the southwest side of the structure.
6. There were no objections to the proposal from any town boards or departments. The town's Master Plan Steering Committee and Affordable Housing Committee all wrote in favor of the proposal as did the Island Housing Trust, Habitat for Humanity, the Edgartown Board of Trade, the Vineyard Conservation Society, the Dukes County Regional Housing Authority, and others [See Record of Proceedings].
7. Owners of 11 School Street, direct abutters to the property, wrote in support of the proposal.

8. Three abutters wrote in opposition to the proposal: Ed & Joan Doherty, owners of 26 School Street, 20 School Street, and 10 Pent Lane; Dan & Betsy Pfau of 25 School Street, and John Tankard of 16 School Street. All objected to the raising of the roof height to 34-feet.
9. In the immediate vicinity of the bank, there are several structures that exceed the 32-foot height limit: the Dukes County Court House (36.8'), the Town Hall (39'), St. Elizabeth's Church (35.1'), the Old Whaling Church (55'), and 20 School Street (37.7').
10. There are also several smaller residences in the neighborhood, such as 11 School Street (22.54').
11. There is an island-wide acute shortage of workforce housing.

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 bank in an area of town where several structures that exceed the 32-foot height limit are located. The board believes that the extension of the ridge two feet above the height limit will not have a significant negative effect on the neighborhood and will not cause overshadowing or loss of privacy for neighbors (10.1 C)
2. The bank has done significant design work in an attempt to minimize the massing of the structure. The dormers have been set back from the edge of the roof as well as from the School Street façade, so as not to loom over adjacent houses.
3. The bank will lease an additional two parking spaces for employee parking. The project itself will have a minimal effect on traffic and congestion.
4. None of the trees existing on the property, which provide extensive screening, will be removed.
5. The addition of three workforce housing apartments will help to alleviate a serious housing shortage.
6. The location of the three apartments in an existing structure complies with 'smart growth' principles by conserving resources and locating housing in an area accessible to public transportation and basic services such as shops and restaurants.
7. The project will contribute to the year-round vitality of the downtown area.

CONDITIONS:

Apartments will be leased year-round to Martha's Vineyard Savings Bank employees. No short-term rentals are permitted.

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: 20-2023.

Zoning Board of Appeals,

Lisa C. Morrison, Assistant

Note: This decision was filed in the office of the Town Clerk on 17 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: _____