

Case No. 31-23
Application filed: 5 September 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 Neale C. & Ellen M. Bassett for a special permit under section 2.2 B 12 of the zoning bylaw to construct a guest house larger than 900 s.f. on a 1.3-acre lot in the R-20 Residential District. The property is located at 134 Pennywise Path, Assr. Pcl. 21-58.121.

1. On 5 September 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 8th and 15th of September 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, 27 September 2023, the hearing was opened and held via Zoom. The following board members were in attendance: Pam Dolby – Acting Chair, Nancy Whipple, Thomas Pierce, Gerry Conover – alternate, and Robin Bray – alternate. The chair 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.

Chuck Sullivan and Tracey Smith were present for the applicants, who were also in attendance. Mr. Sullivan began the presentation noting that the applicants currently live in the guest house, which is approximately 850 s.f. They are proposing to add a 402 s.f. one-story addition to accommodate Mr. Bassett, who has a progressive, disabling disease.

Mr. & Mrs. Bassett explained that Mr. Bassett has IBM a rare disease with no treatment and no cure that attacks muscles in the legs and hands. The only thing that improves his condition is physical therapy, which he has at the hospital several times a week. As the disease progresses, it will become increasingly difficult for him to travel and the physical therapy will take place at home. They are building the addition to accommodate physical therapy equipment and an accessible bathroom for Mr. Bassett.

Mr. Bassett noted that he is a 78-year resident of Edgartown, a navy veteran, and a former Little League coach. He worked as a lineman for the power company for over 30 years.

Mr. Sullivan noted that the lot is 1.4 acres, nearly three times the area required to be a conforming lot in the R-20 District. Mr. Sullivan commented that he went through the plan extensively with Mr. Poole.

Ms. Dolby. asked if there were any letters from town boards or departments. There were none. There were no letters from any abutters or members of the public. There was no one in the audience who wished to comment either for or against the proposal.

Ms. Dolby then closed the public portion of the hearing for discussion by the board.

Mr. Pierce had some questions about the pocket door access to the bathroom. Mr. Sullivan said that if necessary he could increase the opening to 30-inches.

Ms. Dolby commented that she thought this was an instance when the board could step up and help an island family.

Ms. Whipple agreed and said she supported the project 100%.

Ms. Whipple made a motion to approve the project as presented. She said she found the proposal to be in harmony with the general purpose and intent of the bylaw. She said that the addition would not have a negative effect on the neighborhood nor would it result in an intensification of use. She noted that the addition meets the necessary setbacks. She added the condition that if the property is subdivided, the guest house would become the main house on the newly created lot.

Mr. Pierce seconded the motion and voted to grant the special permit for the same reasons and with the same condition.

Mr. Conover, Ms. Bray, and Ms. Dolby also voted to grant the special permit for the same reasons and with the same condition.

Unanimously approved 5 to 0.

Respectfully submitted,

Lisa C. Morrison, Assistant