

Case # 36-2023  
Date Filed: 21 September 2023

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

Applicants/Owners: Eric & Amy Lazar  
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At a meeting held remotely via Zoom on Wednesday, 11 October 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 permit the construction of a 9 x 16 plunge pool and a 16 x 19 one-story, three sided cabana with pool equipment storage on a preexisting, nonconforming lot, as shown on the site plan dated 25 August 2023 by Schofield, Barbini & Hoehn and on the elevations dated 28 August 2023 by HG Design Group. The property is located at 4 Bernard Way Assr. Pcl. 20C-99) in the R-5 Residential District. [ For details of the hearing, please see the Record of Proceedings filed with this document in the office of the Town Clerk and on the town's website.]

FINDINGS:

1. The lot is preexisting, nonconforming with a total area of 7,500 s.f. A conforming lot in the R-5 Residential District is 10,000 s.f. The lot is located in a neighborhood with many preexisting, nonconforming lots.
2. The proposed pool and pool cabana/equipment shed meet all the required R-5 setbacks.
3. There were no objections to the project from any town boards or departments or from any abutters.
4. Several abutters wrote in support of the project.
5. The board found the proposed pool and pool cabana/equipment shed to be site appropriate and in harmony with the general purpose and intent of the bylaw and determined that the project would not have a negative effect on the neighborhood.

*The following condition was placed on the special permit: pool equipment shed is to be sound proofed and fully enclosed to mitigate noise from the equipment.*

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: 36-2023.

Zoning Board of Appeals,

Lisa C. Morrison, Assistant

Note: This decision was filed in the office of the Town Clerk on 12 October 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: \_\_\_\_\_