

Case No. 34-23

Application filed: 23 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 Amanda Traves & Richard Eisenberg for a special permit under section 10.1 G of the zoning bylaw to construct additions to a 788 s.f. residence consisting of a bedroom and bath and a screened porch. The property is located on a preexisting, nonconforming 1.1 acre lot at 21 Oakdale Drive (Assr. Pcl. 13-26 & 74) in the R-60 Residential District. The property is owned by Edward J. Traves & Mary H. Traves, Trustees.

1. On 23 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 21<sup>st</sup> and 28<sup>th</sup> 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, 11 October 2023, the hearing was opened and held via Zoom. The following board members were in attendance: Carol Grant – Acting Chair, Thomas Pierce, Robin Bray – alternate, Gerry Conover – alternate, and Julia Livingston – alternate. Acting Chairman Grant 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.

Peter Rodegast, the designer, made the presentation. The applicant, Richard Eisenberg, was also in attendance. The proposal involves constructing a 16 x 16 bedroom and bath addition and a 16'6" x 15' screened porch. All new construction meets the required R-60 setbacks. The applicants are also proposing a new septic system and a new patio on the south side of the house. An existing bedroom will be used as an office. There will be no increase in the total number of bedrooms, which will remain at two. There will be a crawl space under the new bedroom and the screen porch will be constructed on piers.

Ms. Grant asked if there were any letters from town boards or departments. There were none. There were no letters from abutters or other members of the public.

Abutter James Clabby of 20 Oakdale Drive said he was in full support of his neighbors' project.

There were no additional comments from the audience so no rebuttal was necessary. Ms. Grant then closed the public portion of the hearing for discussion by the board.

Ms. Bray asked whether the Board of Health had reviewed the project. Mr. Rodegast said that they had done a preliminary review, but the project needed formal approval from both the Board of Health and the Conservation Commission.

Ms. Livingston asked if the applicants had considered putting in an enhanced-treatment septic system because of the property's proximity to Trapps Pond. Ms. Livingston noted that DEP mandated enhanced nitrogen removing systems on the Cape, but had stopped short of mandating them on the island.

Mr. Rodegast replied that they are planning on replacing the existing cesspool with a Title V compliant pumped system, but they had not planned to install an enhanced-treatment system. He said that he will discuss the option with the homeowners and their engineer.

Mr. Pierce mentioned that because the systems are not mandated, the board could not require them.

The assistant commented that during discussions in Conservation Commission meetings, it had been mentioned that enhanced treatment systems do not work as well in seasonal houses. [A discussion after the meeting with an engineer said that this was true, but just up to a point. After a period of dormancy, it just takes a while for the bacteria in the system to start up again.]

Ms. Grant commented that the project still needed Board of Health approval and - if the location warranted it - the board could require the installation of an enhanced treatment system.

Mr. Conover said he thought the proposed additions were modest in scale and fit in well in the neighborhood.

Mr. Pierce made a motion to approve the project as presented, saying that he found the project to be in harmony with the general purpose and intent of the bylaw. He noted that there were no objections to the proposal from town boards or departments or from any abutters and that one direct abutter had spoken in support of the project. He said that he did not believe the additions would have a negative effect on the neighborhood and noted that the proposal met all the required setbacks and did not increase the overall bedroom count.

Ms. Livingston seconded the motion and voted to grant the special permit for the same reasons.

Ms. Bray, Mr. Conover, and Ms. Grant also voted to approve the project for the same reasons. Unanimously approved 5 to 0.

Respectfully submitted,

Lisa C. Morrison, Assistant