

Case No. 40-23  
Application filed: 18 October 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 Richard P. & Janet E Ginnetti for a special permit under section 10.1 G of the zoning bylaw to construct a 12 x 14 ADA compliant bedroom over an existing deck. The property is located on a preexisting, nonconforming lot at 54 Twelfth Street Sough, Assr. Pcl. 11B-128 in the R-20 Residential District.

1. On 18 October 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 20<sup>th</sup> and 27<sup>th</sup> of October 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, 8 November 2023, the hearing was opened and held via Zoom. The following board members were in attendance: Martin Tomassian – Chairman, Carol Grant, Thomas Pierce, Pamela Dolby, and Julia Livingston – alternate. Chairman Tomassian 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.

Mr. Ginnetti explained that his grandson was injured in a swimming accident in Nantucket about 16 months ago and he would like to build an ADA compliant bedroom to accommodate him. There is currently a 12 x 14 deck which will be partially removed and the new structure will be built up in the same footprint. A handicapped ramp will also be installed and a wide doorway for access.

Mr. Ginnetti said that he plans to decommission an existing small bedroom in the ranch house by widening the opening to 6-feet 6-inches as required by the Board of Health. The total number of bedrooms on the property will remain at three.

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

Theodore Parker of 76 Twelfth Street said he was 100% supportive of the project.

There were no objections.

As there was no need for a rebuttal, Mr. Tomassian closed the public portion of the hearing for discussion by the board.

Mr. Pierce had some questions about the construction process. Mr. Ginnetti said that he is in the process of removing the decking. His builder will be reinforcing the framing and adding an additional footing in the center of the deck. All work will be up to code.

Ms. Dolby commented that she knows the Ginnetti family as well as the grandson, who is starting law school. She said she knows that he has been working hard on his physical therapy and said that he had a wonderful, supportive family. She said she is 100% support of this project.

Ms. Livingston said that she too was very much in favor of the project, which is the right thing to do. She commented that Mr. Ginnetti's grandson is fortunate to have such a supportive family.

Mr. Tomassian agreed.

Ms. Dolby made a motion to approve the project as presented. She said she believed it was in harmony with the general purpose and intent of the bylaw. She said that there is adequate area on the lot for the new bedroom. She said she did not believe that the project would have a negative effect on the neighborhood, and that it will have a very positive effect on the family.

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

Ms. Grant, Ms. Livingston, and Mr. Tomassian also voted to approve the project for the same reasons.

Unanimously approved 5 to 0.

Respectfully submitted,

Lisa C. Morrison, Assistant