

Case No. 27-23
Date Filed: 8 November 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 pertaining to the request of Steven A. Hall & Dale M. Hall for a special permit under section 10.1 G of the zoning bylaw to (a) construct additions - including a living room and deck addition - to a preexisting, nonconforming dwelling and (b) to construct a detached two-car, one-story garage on a preexisting, nonconforming lot located at 59 Dodger's Hole Road (Assr. Pcl. 10-57.)

1. On 8 November 2023 the application, 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 10th and 17th of November 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 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, 29 November 2023 at 4:00 p.m. the hearing was opened and held via Zoom. The following board members were in attendance: Martin Tomassian - Chairman, Pam Dolby, Carol Grant, Thomas Pierce, and Robin Bray - alternate.

Peter Gearheart of Sullivan & Associates was present for the applicants, who were also in attendance. Mr. Gearheart said that house was built in 1997. The Halls purchased the property in 2006.

The Halls are proposing a 24 x 20 living room addition, a 14 x 24 open deck, and a 24 x 28 two-car, one-story garage. All proposed construction will meet the required R-60 setbacks. He said that his neighbors, the Goulds, have a two-bay garage of similar size, also with storage above.

Mr. Tomassian asked if there were any letters from town boards or departments. There were none. A letter from abutters Shelley & Rich Lounsbury of 55 Dodgers Hole was read. The Lounsburys said that they have reviewed the Halls amended plans, as well as the original proposal that included a long, narrow garage off the side of the house. The Lounsburys said they preferred the original plan as it would preserve some existing specimen trees.

The assistant said that unfortunately the original plan did not meet zoning and was rejected by the zoning inspector as it would involve the creation of a new nonconformity. It would require a variance, but does not meet the criteria. She explained that 10.G can only be used for the extension of a nonconformity, not the creation of a new one.

There were no additional letters and no one in the audience who wished to comment either for or against the proposal.

Mr. Tomassian closed the public portion of the hearing for discussion by the board.

Ms. Grant asked if the project had been approved by the Dodger's Hole Homeowners Association. Mr. Hall replied that he had received a letter of approval from the association and would forward it on to the board.

Ms. Bray made a motion to grant the special permit. She said she believed the project was in harmony with the general purpose and intent of the bylaw. She noted that there were similar garages in Dodgers Hole and believed the overall project was consistent with the neighborhood. She said she found the site to be adequate and did not think that the project would be detrimental to the neighborhood. She noted that there were no objections from town boards or from abutters.

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

Ms. Grant, Ms. Dolby, and Mr. Tomassian also voted to approve the project with the condition. Unanimously approved by roll-call vote: 5 – 0.

Respectfully submitted,

Lisa C. Morrison, Assistant