

Case No. 42-23
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 Irene M. & Brian McNally - trustees of the H.I.J. Realty Trust for a special permit under 10.1 g of the zoning bylaw to construct a 9 x 16 plunge pool, deck, and an 8 x 10 pool equipment shed. The property is located at 37 Edgartown Meadows Road (Assr. Pal 22-35) in the R-60 Residential District.

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 4:15 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.

Reid Silva of Vineyard Land Surveying and Engineering was present for the applicants. Mr. Silva noted that the property backed up onto the Vineyard Golf Club. The pool will be located towards the rear of the property in an existing parking area. The proposed 8 x 10 shed will be located adjacent to the pool and fully sound-proofed. The pool and shed meet all the required setbacks. The pool will be constructed in the proposed deck immediately off the rear of the existing dwelling.

Mr. Silva said that he contacted the Vineyard Golf Club, and they had no objections to the project. Mr. Silva noted that the property is heavily wooded on three sides to provide privacy and noise protection for the neighbors.]

Mr. Tomassian 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. There was no one in the audience who wished to comment either for or against the project.

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

Ms. Grant said she like the fact that the pool was located right behind the house and that the pool equipment will be located in a fully sound-proofed shed.

Ms. Bray agreed that the project was well designed and unobtrusive. She asked if there were other pools in the area. Mr. Silva indicated on the GIS map that there were.

Ms. Grant 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 said she believed the project was well designed and would not negatively affect the neighborhood. She noted that there were no objections to the proposal from town boards or any abutters. She said she found the site to be adequate and well screened from the neighbors.

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

Ms. Bray, Mr. Pierce, 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