

Case No. 5-24
Date Filed: 29 January 2024

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 for a special permit by Joseph Monteiro & Emily Frazar Weedon for retroactive approval for a guest house and the addition of a new dormer under section 10.1 G of the zoning bylaw. The property is located on a preexisting, nonconforming lot at 26 Codman Spring Road (Assr. Pcl. 22-6) in the R-60 Residential District.

1. On 29 January 2024 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 2nd and 9th of February 2024.
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, 21 February 2024 at 4:15 p.m. the hearing was opened and held via Zoom. The following board members were in attendance: Pam Dolby - acting chair, Carol Grant, Nancy Whipple, and alternates Gerry Conover and Robin Bray.

Contractor Taylor Pierce made the presentation. The Monteiros bought the property in 2019. The property was sold with a finished apartment above the garage. When they went to the building inspector to get permission to add a dormer, the inspector informed them that there was no permit for the guest house. The original application for the garage indicated that the second floor space was for storage only. Prior to the Monteiros' purchase, a prior owner had converted the space into a one-bedroom apartment without a permit.

Ms. Dolby asked if there were any letters from town boards or departments. There were none. Letters of support from two direct abutters were read: Robbie Robinson of 33 Codman Spring Road and from Amanda & Greg Bettencourt of 20 Whalers Walk.

There were no letters of objection and no one in the audience who wished to comment either pro or con. As there was no need for any rebuttal, Ms. Dolby closed the public portion of the hearing for discussion by the members.

Ms. Grant asked if the dormer was already built. Mr. Pierce replied that it was not. She asked who had written the unsigned letter in the file giving the history of the property. Mr. Pierce replied that he had written the letter.

Ms. Grant made a motion to approve the special permit, saying she believed that it was in harmony with the general purpose and intent of the bylaw and appropriate for the neighborhood. She noted that two direct abutters were in favor of the project. She noted that there was no change in footprint of the garage - only the addition of a dormer, which will not be more objectionable than the original structure.

Ms. Whipple seconded the motion and voted in favor of the project, noting that the town is still suffering from a shortage of housing.

Mr. Conover, Ms. Bray, and Ms. Dolby also voted to grant the permit.

Unanimously approved by roll-call vote: 5 - 0.

Respectfully submitted,

Lisa C. Morrison, Assistant