

Case # 11-2024

Date Application Filed: 4 March 2024

DECISION OF THE ZONING BOARD OF APPEALS
ON THE REQUEST FOR A SPECIAL PERMIT

Owners: Martin & Hope R. Lynn

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At a meeting held remotely via Zoom on Wednesday, 27 March 2024, the Edgartown Zoning Board of Appeals voted unanimously (5-0) to grant a special permit under section 3.1 D 3 of the zoning bylaw to permit the replacement of a dilapidated 6-foot fence with a new 7-foot fence as shown on the site plan dated 29 June 2022 by Vineyard Land Surveying. The property is located at 49 North Summer Street (Assr. Pcl. 20D-219) in the B-I Business District.

FACTS AND FINDINGS:

1. Section 3.1 D 3 of the bylaw allows the side and rear setbacks to be reduced from 5-feet to 0 for party walls and similar structures.
2. The existing 6-foot fence is located on the rear property boundary.
3. The fence marks the boundary between the Nevin Square parking lot, where dumpsters are used and stored, and the applicant's property.
4. There were no objections to the project from any town boards or departments or from any abutters.
5. The project was approved by the Historic District Commission.
6. The board found the proposed fence to be to be appropriate and in harmony with the general purpose and intent of the bylaw and determined that the project would not have a negative effect on the neighborhood.
7. In addition the fence will provide privacy and possible sound abatement for the Lynn family.

No additional conditions were placed on the permit

This decision of the Board of Appeals and a record of proceedings are on file in the Zoning Board office and in the office of the Town Clerk, Town Hall under Case No: 11-2024.

Zoning Board of Appeals,

Lisa C. Morrison, Assistant

Note: This decision was filed in the office of the Town Clerk on 28 March 2024. Appeals, if any, should be made

pursuant to Section 17 of Chapter 40A of the Massachusetts General Laws and should be filed within 20 days of the filing of this decision in the office of the Town Clerk.

_____2024

I hereby certify that no appeal has been filed in the twenty-day period following the date of filing this decision.

Attest: _____