

Case No 21-24
Date Filed: 17 June 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 under section 10.1 G of the Edgartown Zoning Bylaw by Gregory & Angela Knapp. The applicants are seeking to convert an existing two-story garage into a one-bedroom guest house. The property is located on a preexisting, nonconforming .48 acre lot at 10 Dory Circle (Assr. Pcl. 21-25) in the R-20 Residential District.

1. On 17 June 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 21st and 28th of June 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, 10 July 2024 at 5:00 p.m. the hearing was opened and held via Zoom. The following board members were in attendance: Martin Tomassian – Chair, Pamela Dolby, Nancy Whipple, Tom Pierce, and Robin Bray, alternate.

Greg & Angela Knapp made the presentation. Mr. Knapp said that the existing garage currently has a bedroom on the second floor as well as an external stairway. The structure is approximately 19 x15. The proposed guest house would have approximately 460 s.f. of living space, well below the 900 s.f. maximum. They are hoping to generate some income from long-term rentals and, eventually, have it available for their parents.

Mr. Tomassian asked if there were any letters from town boards or departments. There were none. There were letters from two abutters: Kurstin Moore of 9 Mariner's Circle and J.P. Hitesman of 1 Mariner's Landing. Both were supportive of the project.

Mr. Tomassian asked if there was anyone present who wished to speak in favor of the application. Jay Swartz of 7 Dory Circle said that they have been neighbors of the Knapps

since 2020. She said that they have a very good relationship. She said her only concern is that occupancy of the guest house is limited to two people. She said she spoke to the Knapps about short-term rentals such as AirBnB. She said that the Knapps stated that they were not interested in doing short-term rentals, noting that it would not be a good idea for them or their neighbors. Ms. Swartz also requested that any parking be on the Knapp property.

Ms. Swartz noted that the majority of lots in the subdivision are nonconforming. [The Knapp property is .02 of an acre short of being a conforming .50-acre lot in the R-20 Residential District.]

Amy Ellrodt, owner of 3 Dory Circle and daughter of Jay & Russell Swartz, said that she too supported the proposal. She said the Knapps are great neighbors. She said she was also concerned that the guest house have just two occupants and not be used for short term rentals. She also requested that there be no parking in the common space at the end of Dory Circle.

Kurstin Moore also spoke in favor of the project. She said that the guest house will provide some much needed housing and provide some additional income that will enable the Knapps' to continue raising their family on the island.

There was no one present who wished to speak against the proposal and no letters of concern. As no rebuttal was needed, Mr. Tomassian closed the public portion of the hearing for discussion by the members.

Mr. Pierce commented that he didn't see how more than two people would be able to fit in the structure. He said he thought it was a good plan.

Ms. Bray asked if the property was served by town sewer. Ms. Knapp replied that it was.

Ms. Bray made a motion to grant the special permit saying that there is a great need for additional housing on the island. She said she believes the project conforms to the bylaw and noted that if the property had an additional .02 acres, the guest house would be allowed by right. She said she believes the project is in harmony with the general purpose and intent of the bylaw and will not be detrimental to the neighborhood. She proposed the following conditions:

1. Guest house is to be occupied by no more than two people.
2. All parking shall be on the Knapp property and not on Dory Circle.

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

Ms. Whipple, Ms. Dolby, and Mr. Tomassian also voted to approve the project as presented for the same reasons and with the same conditions. Unanimously approved by roll-call vote: 5 – 0.

Respectfully submitted,

Lisa C. Morrison, Assistant