

Case # 23-2024

Date Application Filed: 9 July 2024

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

Owners/Applicants: William & Cynthia Cavanaro

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At a meeting held remotely via Zoom on Wednesday, 31 July 2024, the Edgartown Zoning Board of Appeals voted unanimously (5-0) to grant a special permit under section 10.1 G of the zoning bylaw to allow the construction of a 12 x 50 in-ground pool and a shed addition to an existing studio to house the pool equipment – all on a preexisting, nonconforming 1.7-acre lot at 149 Litchfield Road (Assr. Pcl. 34-29) in the R-120 Residential District.

The application was accompanied by a site plan dated 25 January 2017. The Board reviewed the application, the plans, and all other materials and information submitted prior to the close of the public hearing. The Board received and gave due consideration to the testimony given at the public hearing [See Record of Proceedings].

FACTS AND FINDINGS:

1. The only nonconformity is the size of the lot, which is 1.7 acres. A conforming lot in the R-120 Residential District is 3 acres.
2. The property is located in a neighborhood of varyingly sized lots, many of them smaller.
3. Many lots in the subdivision have been similarly developed with accessory structures.
4. The proposed pool and equipment shed meet all the required setbacks and height restrictions for the R-60 Residential District.
5. There were no objections to the project from any town boards, departments, abutters or other members of the public.
6. Pool equipment will fully enclosed in a sound-proofed shed attached to the existing studio
7. The board found the project to be appropriate for the neighborhood and in harmony with the general purpose and intent of the bylaw. The board determined that the project would not have a negative effect on the neighborhood.

CONDITIONS:

Applicant will supply the board with an engineered survey of the property.

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: 23-2024.

Zoning Board of Appeals,

Lisa C. Morrison, Assistant

Note: This decision was filed in the office of the Town Clerk on 1 August 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: _____