

Case No. 23-24
Date Filed: 9 July 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 relating to the request by William & Cynthia Cavanaro for a special permit under section 10.1 G of the zoning bylaw to construct a 12 x 50 in-ground pool. The property is located on a preexisting, nonconforming 1.7-acre lot at 149 Litchfield Road (Assr. Pcl. 34-29) in the R-120 Residential District.

1. On 9 July 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 12th and 19th of July, 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, 31 July 2024 at 4:15p.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 Nancy Whipple. Chairman Tomassian opened the meeting and explained the board's procedures.

Mr. Cavanaro made the presentation. He said that he is an avid swimmer and he trains with his brother, who lives just down the road. He said that this is his permanent residence and he would like the pool to enhance the property and for his grandchildren.

Mr. Cavanaro said he recently bought the property and has no intention of renting it out.

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.

Diana Slater of 161 Litchfield Road, a direct abutter to the east, said she was not opposed to the project, but would like more information the pool equipment.

Mr. Cavanaro responded that the pool equipment will be located in a fully enclosed, sound proofed shed attached to the existing studio [See hand drawn addition to site plan]. Mr. Cavanaro said that the equipment he is purchasing is extremely quiet. The equipment enclosure will be about 4 feet long and 5 feet high on a slab. It will have a shed roof and sound-proof material inside.

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

Mr. Pierce asked how Mr. Cavanaro proposed to heat the pool. Mr. Cavanaro said he and his contractor were looking at either a propane system or heat pumps.

Mr. Pierce said that if he chooses a propane system, it must be vented. Mr. Cavanaro said that he will go with the system that is most quiet and efficient.

Ms. Grant said she was concerned with the hand drawn aspect of the plan. Mr. Cavanaro said that he has engaged a surveyor to do a complete updated plan of the property that will include both the pool and the shed attached to the existing studio. He said that the location of the pool and the setbacks are accurate on the existing plan.

Ms. Grant made a motion to grant the special permit, saying that she believed the project was in harmony with the general purpose and intent of the bylaw. She noted that the project met all setback and height requirements of the R-120 Residential District. She noted that there were no objections to the proposal from any abutters or other members of the public. She said she did not believe that the project would have an adverse effect on the neighborhood.

Ms. Whipple seconded the motion and voted to approve the project for the same reasons..

Mr. Tomassian, Mr. Pierce, and Ms. Dolby also voted to approve the project for the same reasons.

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

Respectfully submitted,

Lisa C. Morrison, Assistant