

Case No. 30-24
Date Filed: 15 October 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 David M. & Karen L. Brush for a special permit under section 10.1 G of the zoning bylaw to demolish a one-story 2-bedroom residence and construct a new two-story 5-bedroom dwelling and a two-story 3-bay detached garage with an accessory dwelling unit above. The property is located on a preexisting, nonconforming 1.41-acre lot at 36 Green Hollow Road (Assr. Pcl. 29-131) in the R-60 Residential District.

1. On 15 October 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 October 18th and 25th.
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, 6 November 2024 at 4:00 p.m. the hearing was held via Zoom. The following board members were in attendance: Martin Tomassian - Chairman, Pam Dolby, Carol Grant, Nancy Whipple, and Robin Bray – alternate. Chairman Tomassian opened the meeting and explained the board's procedures.

Architect Chuck Sullivan was present for the applicants. Ben Kelly of Building Shelter was also in attendance. Mr. Sullivan noted that the Brushes also own an adjacent lot towards the water. The existing house is nonconforming. Sullivan explained that the proposed new structures will meet all the setback and height restrictions. The property will be on town water and the applicants are planning to install a new septic system to accommodate the proposed six bedrooms, which has received preliminary approval from the Board of Health. The only nonconformity is the size of the lot, which is just under an acre and a half.

Mr. Sullivan said that in order to install additional insulation for energy efficiency, the roof height will go from 29'6" to 30'2" to accommodate the extra layer of insulation. The ridge height will still be below the 32-foot maximum.

The proposed garage will have three bays on the first level and a one-bedroom accessory dwelling unit on the second floor. The unit will be 898 s.f. The assistant noted that the Affordable Homes Act permits accessory dwelling units by right in residential neighborhoods.

Chairman Tomassian asked if there were any letters from town boards or departments. There were none. There were no letters either for or against the project from any abutters or other members of the public. There was no one in the audience who wished to speak against the project. Mr. Tomassian then closed the public portion of the hearing for discussion by the board.

Ms. Bray asked if there was a possibility of using the existing house. Mr. Sullivan replied that the Dukes County Regional Housing Authority was not interested in the house. Habitat for Humanity had removed some of the fixtures for use elsewhere.

After some further discussion, Ms. Dolby made a motion to approve the project as presented, saying that she believed that the project was in harmony with the general purpose and intent of the bylaw. She noted that there were no objections to the project and said that many properties in the neighborhood had been renovated and several larger houses constructed. She said she did not believe that the project would have a negative effect on the neighborhood.

Ms. Whipple seconded the motion and voted to approve the project for the same reasons.. Mr. Tomassian, Ms. Bray, and Ms. Grant also voted to approve the project for the same reasons. Unanimously approved by roll-call vote: 5 – 0.

Respectfully submitted,

Lisa C. Morrison, Assistant