

Case # 30-2024

Date Application Filed: 15 October 2024

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

Owners/Applicants: David M. and Karen L. Brush

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At a meeting held remotely via Zoom on Wednesday, 6 November 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 demolition of an existing one-story 2-bedroom residence and permit the construction of a two-story 5-bedroom residence and a 3-bay garage with one-bedroom accessory dwelling above— all on a preexisting, nonconforming 1.41-acre lot at 36 Green Hollow Road (Assr. Pcl. 29-131) in the R-60 Residential District.

The application was accompanied by a site plan dated 18 September 2024 by Schofield, Barbini & Hoehn and elevations and floor plans dated 18 September 2024 and 3 October 2024 by Sullivan and Associates. 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 1.41-acres. A conforming lot in the R-60 Residential District is 1.5 acres.
2. Many lots in the immediate neighborhood have been either renovated or rebuilt with substantial residences and outbuildings.
3. All the proposed structures meet the required setbacks and height restrictions for the R-60 Residential District.
4. There were no objections to the project from any town boards, departments, abutters, or other members of the public.
5. The property will be connected to town water and a new Title V septic system has received preliminary approval from the Board of Health.
6. Under the new Affordable Homes Act, which becomes effective on 2 February 2025, the accessory dwelling unit above the garage is allowed by right.
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:

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: 30-2024.

Zoning Board of Appeals,

Lisa C. Morrison, Assistant

Note: This decision was filed in the office of the Town Clerk on 7 November 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: _____