



## OAK BLUFFS ZONING BOARD OF APPEALS

P.O. BOX 1327, OAK BLUFFS, MA 02557-1327

508 693 – 3554 x 120

### Zoning Board of Appeals Minutes of May 17, 2023 Meeting In-Person Meeting

Members present: Llewellyn Rogers (Chair), Andrea Rogers, Doug Pease, Leah Brown, Grace Guck, and ZBA Administrator Robert Culbert

Others in Attendance: Kris Chvatal, Maura McGroarty, Olivia Saloparu

Chair Rogers opened the meeting at 6:01pm.

#### **Minutes**

There are no minutes to approve.

#### **Next Meeting**

Will be on June 21, 2023 in the downstairs small meeting room on the Town Hall.

#### **New Business**

Kris Chvatal offers to represent the ZBA on the Planning Board's Zoning Bylaws Subcommittee, which is apparently being reinstated to address changes to the Zoning Bylaws. Kris is a former member and Chairperson of the ZBA, as well as a former member of the Planning Board, where he helped to establish many of the Zoning Bylaws that this Board regularly deals with. Kris offers that he will meet with us monthly to keep us up to date on their progress.

Lou Rogers points out that he has been on that subcommittee since 2019 and so appreciates Kris' enthusiasm to serve; he suggests that the Board needs a motion to recommend Kris to the Planning Board.

Doug Pease made a motion to recommend Kris Chvatal to be a liaison to the ZBA on the Planning Board's Zoning Bylaws Subcommittee. Andrea Rogers seconded the motion. All (Andrea Rogers, Lou Rogers, Grace Guck, Doug Pease, and Leah Brown) vote in favor, so the motion passed unanimously (5-0).

Doug Pease then added that he is concerned about the shortage of affordable housing and suggests that maybe zoning setbacks for accessory apartments need to be loosened to aid in the creation of additional affordable housing.

Kris asks to be put on the agenda for a brief report at out June 21 meeting.

#### **RE: The Bookkeeping Bureau, LLC Appeal**

Olivia F. Saloparu  
8 Potato Farm Road  
Map 11 Parcel 239-2



## OAK BLUFFS ZONING BOARD OF APPEALS

P.O. BOX 1327, OAK BLUFFS, MA 02557-1327

508 693 – 3554 x 120

The Oak Bluffs Zoning Board of Appeals opened a duly advertised and posted In-Person Public Hearing on **Wednesday, May 17, 2023 at 6:10 pm** in the Oak Bluffs Town Hall Downstairs Meeting Room, 56 School Street, on the application of the referenced petitioners seeking: ***A Special Permit within Oak Bluffs Zoning Bylaw 5.3.8.2, or any action related thereto, to allow an off-premise free standing business sign.***

Olivia Saloparu hopes to put up a sign for her business – The Bookkeeping Bureau. LLC – at the intersection of Vineyard Avenue and Potato Farm Road. A letter from Matt Rossi, the Building Inspector, states that she needs a Special Permit for the sign.

She explains that the proposed sign is proposed to be 40x26 inches (7.2 square feet), less than half the maximum of 15 square feet. She presents a photo of the site with the proposed sign digitally added.

Lou Rogers points out that the sign looks too large, and asks if the size of the sign could be reduced. He also asks whether the supporting posts could be brown rather than blue. Olivia Saloparu responds yes, the sign can be smaller.

Leah Brown asks if this area is zoned for business. She is also concerned that customers may go to the first house on Potato Farm Road, which is not the correct house. The response is no, this is for her home business, and almost nobody comes to her house; most of her business is via Zoom, email, or by telephone.

Doug Pease is concerned that the sign is two houses away from the business, and that it may set a precedent for the neighborhood.

A consensus of the ZBA is that the posts for the sign should be either white or gray, using the new pressure treated 4x4 posts that will last a long time. This will also mean that the signposts will be less conspicuous. And that the materials used to make the sign must be natural – wood, metal, or plywood – to stay within the bylaw.

Leah Brown is opposed to this sign as such signs should only be in the business districts, and asks why we would spoil the beautiful area.

Andrea Rogers adds that the sign does not need to be that big, it could be 10 inches smaller.

Olivia Saloparu points out that there are 2 or 3 other signs along Vineyard Avenue.

Lou Rogers suggests that the sign could be 30 inches across with a proportionately reduced height. Doug Pease adds that 4x4. Posts should be used to support the sign, and they should be stained to match the color of the nearby tree.



## OAK BLUFFS ZONING BOARD OF APPEALS

P.O. BOX 1327, OAK BLUFFS, MA 02557-1327

508 693 – 3554 x 120

There is no written correspondence.

Maura McGroarty asks who owns the land where the sign will be. The answer is that the Town owns the land.

Andrea Rogers makes the following findings: the existing 10,149 square foot lot located in Residential Zone 1 is conforming (Req.: 10,000 square feet), the establishment's premises has access to the street on which the sign is located, the distance from the premises and the proposed sign location does not exceed 1,000 feet, the proposed free-standing sign does not exceed 15 square feet in area, and the proposed free-standing sign does not extend more than 15 feet above the ground, two ZBA members visited the site, and the proposed sign is not more detrimental to the neighborhood because it is discretely designed and located.

Doug Pease moves to approve the Special Permit for the sign under Zoning Bylaws 5.3.8.2 and 3.5.5 with the following Special Conditions: (1) the width of the sign will be 30 inches, (2) the height of the sign will be approximately 20 inches, (3) the sign will be constructed with natural materials, and (4) no plastic will be used. Andrea Rodgers seconds the motion.

Voting in favor of the motion are Andrea Rogers, Lou Rogers, Doug Pease, and Grace Guck. Leah Brown votes against the motion. The motion carries 4-1.

The following five hearings will be continued using one motion.

### **RE: Bradley Appeal**

Melissa Bradley  
Black Joy MVY  
125 Seaview Avenue,  
Map 10 Parcel 162

The Oak Bluffs Zoning Board of Appeals will hold a duly posted and continued in-person Public Hearing on **Wednesday, May 17, 2023 at 6:15 pm** in the Oak Bluffs Town Hall Downstairs Meeting Room, 56 School Street, on the application of the referenced petitioners seeking: ***A Special Permit from the Oak Bluffs Zoning Bylaws Sections 3.5.5 and 8.1.5 to build a free-standing deck platform in the backyard of a non-conforming lot zoned R2.***

### **RE: Donato Appeal**

Laiana Donato  
15 Old Schoolhouse Village  
Map 50 Parcel 11

The Oak Bluffs Zoning Board of Appeals will hold a duly posted and continued in-person Public Hearing on **Wednesday, May 17, 2023 at 6:17 pm** in the Oak Bluffs Town Hall Downstairs Meeting Room, 56 School Street, on the application of the referenced



## OAK BLUFFS ZONING BOARD OF APPEALS

P.O. BOX 1327, OAK BLUFFS, MA 02557-1327

508 693 – 3554 x 120

petitioners seeking: ***A Special Permit or Variance within Oak Bluffs Zoning Bylaws 3.5.5, 4.4.2 and 3.4.3, or any action related thereto, to build a new detached two car garage with a second floor accessory apartment on a non-conforming lot in Residential Zone 3.***

### **RE: Cogliano Appeal**

Rose Cogliano

6 Pitch Pine Lane

Map 28 Parcel 2-62

The Oak Bluffs Zoning Board of Appeals will hold a duly posted and continued in-person Public Hearing on **Wednesday, May 17, 2023 at 6:19 pm** in the Oak Bluffs Town Hall Downstairs Meeting Room, 56 School Street, on the application of the referenced petitioners seeking: ***A Special Permit within Oak Bluffs Zoning Bylaws 3.4.2, or any action related thereto, to construct an 896 square foot garage and accessory apartment on a non-conforming lot in Residential Zone 3.***

### **RE: Chun & Kim Appeal**

Eunu Chun and Lisa H. Kim

7 Arlington Avenue

Map 3 Parcel 15

The Oak Bluffs Zoning Board of Appeals will open a duly posted and continued in-person Public Hearing on **Wednesday, May 17, 2023 at 6:21 pm** in the Oak Bluffs Town Hall Downstairs Meeting Room, 56 School Street, on the application of the referenced petitioners seeking: ***A Special Permit within Zoning Sections 3.5.5 and 4.4.4, or any action related thereto, to renovate a pre-existing and non-conforming dwelling and to convert a pre-existing and non-conforming garage into a detached bedroom on a pre-existing and non-conforming lot in Residential Zone 2.***

### **RE: Island Elderly Housing, Inc.**

Appeal Island Elderly Housing, Inc.

38 Wing Road

Map 17 Parcel 105

The Oak Bluffs Zoning Board of Appeals will hold a duly posted and continued in-person Public Hearing on **Wednesday, May 17, 2023 at 6:23pm** in the Oak Bluffs Town Hall Downstairs Meeting Room, 56 School Street, on the application of the referenced petitioners seeking: ***A Comprehensive Permit within MGL Chapter 40B, or any action related thereto, to allow the demolition of the existing structures and to construct a building containing five units of affordable housing on a conforming lot in Residential Zone 2.***

Doug Pease makes a motion to continue the five above hearings to June 21, time to be determined. Grace Guck seconds the motion.



## OAK BLUFFS ZONING BOARD OF APPEALS

P.O. BOX 1327, OAK BLUFFS, MA 02557-1327

508 693 – 3554 x 120

All (Andrea Rogers, Lou Rogers, Leah Brown, Doug Pease, and Grace Guck) vote in favor, so the motion passed unanimously (5-0).

**Maura McGroarty** asks if we always continue 5 or 6 hearings. The answer is yes, the hearings are open-ended and they are continued until we have enough information to make an informed decision.

### **Adjournment.**

At 6:48PM, Doug Pease made a motion to adjourn the meeting, seconded by Grace Guck. All (Andrea Rogers, Lou Rogers, Leah Brown, Grace Guck, and Doug Pease) vote in favor, so the motion passed unanimously (5-0).

*Respectfully Submitted,*  
*Robert Culbert*  
*ZBA Administrator*  
Approved July 19, 2023