



**OAK BLUFFS ZONING BOARD OF APPEALS**  
P.O. BOX 1327, OAK BLUFFS, MA 02557-1327

**NOTICE OF DECISION      December 29, 2021**

**RE: Schneider Appeal  
Laurel Schneider and Emilie Townes  
49 South Circuit Avenue  
Map 18 Parcel 16**

The Oak Bluffs Zoning Board of Appeals opened a duly posted and continued Public Hearing on **Thursday, December 16, 2021 at 6:55pm** via an hybrid In-Person/Zoom meeting in the Oak Bluffs Library Meeting Room on the application of the referenced petitioners seeking:

***a Special Permit within Zoning By-Laws Section 3.5.5 or any action related thereto, to allow the addition of a front porch and a screen porch to the pre-existing and non-conforming structure, on a non-conforming lot in Residential Zone 2.***

**DECISION: A motion was made to approve the Special Permit under Zoning Bylaw Section 3.5.5 to allow the construction of porches on a *pre-existing and non-conforming structure, on a non-conforming lot in Residential Zone 2*. A roll call vote was taken. The board voted 4-0 to approve the Special Permit.**

**Procedural History:**

- On July 19, 2021, the Zoning Board of Appeals (ZBA) received an application from Laurel Schneider and Emilie Townes
- On August 5, 2021, abutters were noticed by mail and first publication in the MV Times,
- On August 12, 2021, second notice published in the MV Times,
- On August 19, 2021 the public hearing was opened and continued pending decisions by other Town Boards,
- The hearings were continued monthly through December 16, 2021.
- On December 16, 2021, the following findings and decision were made.

**Findings of Fact: Doug Pease made the following findings.**

- The applicant is seeking a Special Permit under Zoning Bylaw 3.5.5 to allow the construction of a front porch, a screen porch, and an outdoor shower on a pre-existing and non-conforming structure on a pre-existing and non-conforming lot.
- The project does not expand the footprint of the house and does not change the setbacks.
- The project is not more detrimental to the neighborhood because the non-conformities do not change and are adjacent to wetlands rather than neighbors.
- The Conservation Commission, Copeland, and Cottage City have each approved this project.

**Vote:**

Doug Pease moved to issue the Special Permit for this project because it will be an aesthetic improvement to the neighborhood. Grace Guck seconded the motion.


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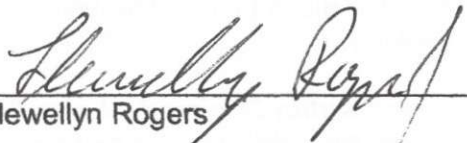
All (Andrea Rogers, Grace Guck, Lou Rogers, and Doug Pease) voted in favor, so the motion passed unanimously (4-0), with Jonathan Holter recused.

**Members sitting for the Board of Appeals at this hearing were:**

  
\_\_\_\_\_  
Andrea Rogers

Recused  
\_\_\_\_\_  
Jonathan Holter

  
\_\_\_\_\_  
Doug Pease

  
\_\_\_\_\_  
Llewellyn Rogers

**/s/ Grace Guck**  
\_\_\_\_\_  
Grace Guck

*A copy of this decision was filed in the office of the Town Clerk, on December 30, 2021. 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, excepting that such timeframe may be suspended and extended pursuant to Section 17 of Chapter 53 of the Acts of 2020 (Covid-19).*

Received and filed in the Office of the Town Clerk:

Date: DECEMBER 30, 2021

I hereby certify that no appeal has been filed within the twenty-day period following the date of the filing of this decision.

Attest: \_\_\_\_\_  
Colleen Morris, Town Clerk

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