



OAK BLUFFS ZONING BOARD OF APPEALS

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

NOTICE OF DECISION **February 17, 2022**

RE: Grant Appeal

Halcott Grant, Trustee

16 Atlantic Avenue Realty Trust

16 Atlantic Avenue Map 2 Parcel 61.2

The Oak Bluffs Zoning Board of Appeals opened a duly posted and continued Public Hearing on Thursday, February 17, 2022 at 6:35PM via an hybrid In-Person/Zoom meeting in the Oak Bluffs School on the application of the referenced petitioners seeking:

a Special Permit within Zoning Section 3.4.2, or any action related thereto, to construct an accessory apartment on a conforming lot in Residential Zone R2.

DECISION: A motion was made to approve the Special Permit under Zoning Bylaw Section 3.4.2 to allow the construction of an accessory apartment and workshop. A roll call vote was taken, and the board voted 4-0 to approve the Special Permit.

Procedural History:

- A Special Permit to construct a detached bedroom was granted to Halcott Grant.
- When a Certificate of Occupancy was requested, the Building Inspector found that an apartment had been constructed.
- The Building Inspector advised that the applicant might return to the ZBA, requesting an accessory apartment.
- On November 16, 2021, the Zoning Board of Appeals (ZBA) received an application from Halcott Grant,
- The application was date-stamped by the Town Clerk on November 16, 2021,
- On December 2, 2021, abutters were noticed. First publication in the MV Times,
- On December 9, 2021, second notice published in the MV Times,
- On December 16, 2021, the ZBA opened the public hearing, which was continued to January 20, 2022, and again to Feb. 17, 2022.
- On February 9, 2022, the ZBA received revised plans showing a workshop as part of the proposed building.
- On February 17, 2022, the ZBA opened the continued public hearing and made the following findings and decision.

Findings of Fact: Andrea Rogers made the following findings.

- The existing 21,657 sq. ft. lot is conforming, (Req.: 20,000 sq. ft.),
- the existing single family dwelling is conforming on all setbacks (Req.: 25/20/20 feet),
- the accessory structure comprised of a workshop, detached bedroom and bathroom is conforming, and the proposed accessory apartment and workshop is not substantially more detrimental to the neighborhood.

RE: Grant Appeal, 16 Atlantic Avenue Map 2 Parcel 61.2`

Vote:

Andrea Rogers moved that the ZBA issue a Special Permit under Zoning bylaw 3.4.2 to allow the construction of the accessory apartment and workshop with two Special Conditions: (1) the workshop remains a workshop, and (2) the workshop never has a door connecting to the accessory apartment. Doug Pease seconds the motion.

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

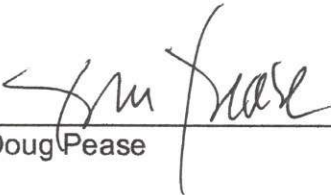
Members sitting for the Board of Appeals at this hearing were:


Andrea Rogers

(Absent)
Jonathan Holter


Grace Guck


Llewellyn Rogers


Doug Pease

A copy of this decision was filed in the office of the Town Clerk, on FEBRUARY 28, 2022. 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).

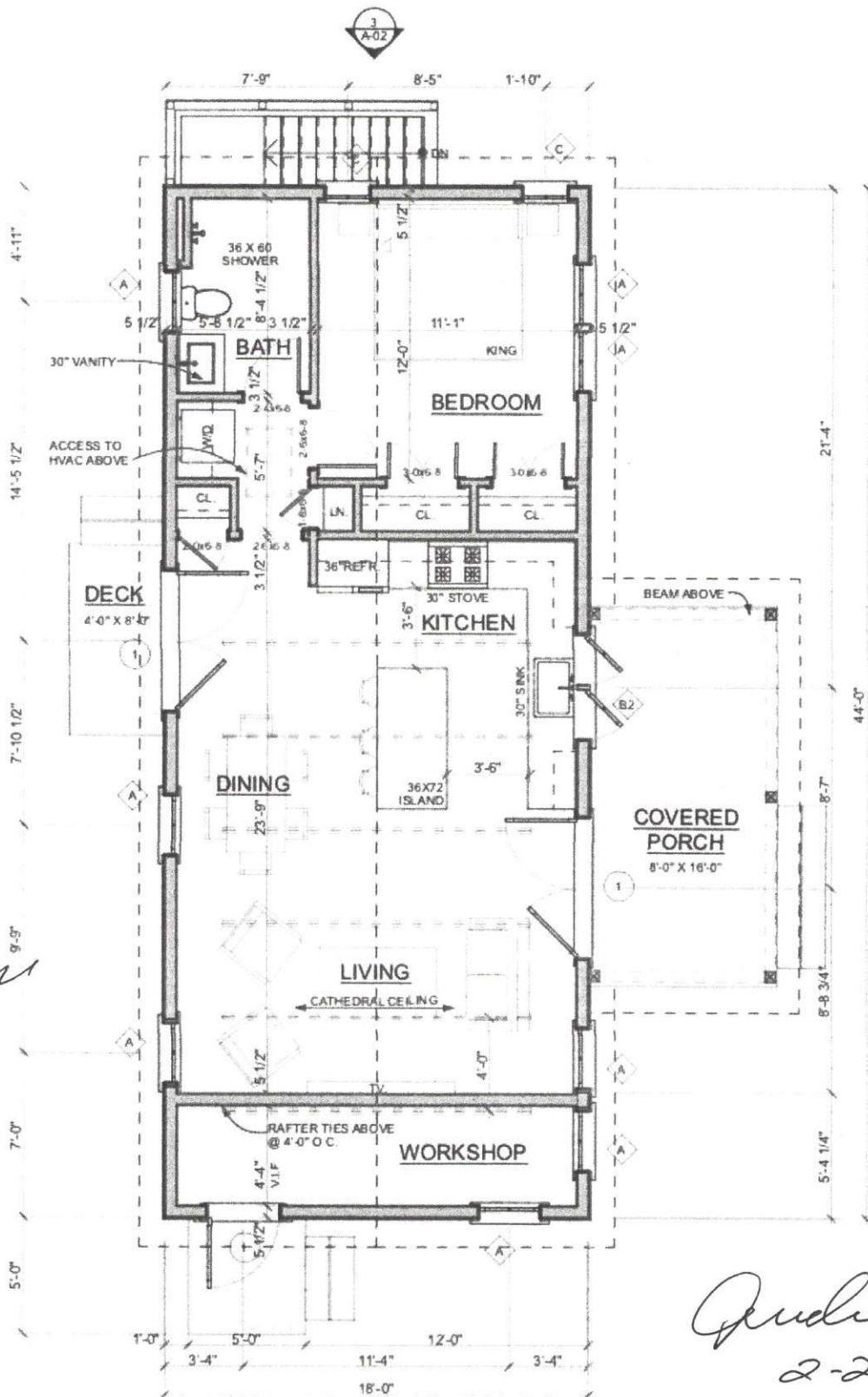
Received and filed in the Office of the Town Clerk:

Date: FEBRUARY 28, 2022

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

RE: Grant Appeal, 16 Atlantic Avenue Map 2 Parcel 61.2'



Stevally Reps
2-28-22

M. Kuntel
2/28/22

Quadrupoli
2-28-22

Truface
2/20/22

FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"