



## OAK BLUFFS ZONING BOARD OF APPEALS

P.O. BOX 1327, OAK BLUFFS, MA 02557-1327  
508 693 – 3554 x 120

### NOTICE OF DECISION      June 23, 2022

**RE: Potter Appeal**  
William Potter  
40 Monroe Avenue  
**Map 3 Parcel 175.1**

The Oak Bluffs Zoning Board of Appeals opened a continued and duly posted Public Hearing on Thursday, June 23, 2022 at 6:18PM via a Zoom virtual meeting on the application of the above referenced petitioners seeking a **Special Permit from the Oak Bluffs Zoning Bylaws Section 3.4 to construct an accessory apartment on a conforming lot zoned R2.**

**DECISION:** A motion was made to approve the Special Permit under Zoning Bylaw Sections 3.4 to construct a garage and accessory apartment. A roll call vote was taken, and the board voted 5-0 to approve the Special Permit.

#### **Procedural History:**

- On April 15, 2022, the Zoning Board of Appeals (ZBA) received an application dated April 12, 2022 from George Sourati on behalf of Laurie Brooks,
- The application was date stamped by the Town Clerk on April 21, 2022,
- On May 5, 2022, abutters were noticed. First publication in the MV Times,
- On May 12, 2022, second notice published in the MV Times,
- On May 19, 2022 the ZBA opened the hearing, which was continued to June 23 pending revised building plans.
- On June 23, 2022 the ZBA continued the Public Hearing and made the following findings.

#### **Findings of Fact:** Loua Rogers made the following findings.

- A Special Permit is requested under Zoning Bylaw Section 3.4 to construct a garage and accessory apartment,
- the existing 20,027 sq. ft. lot located in Residential Zone 2 is conforming (Req.: 20,000 sq. ft.),
- the proposed garage/accessory apartment meets setback requirements (Req.: 25/20/20),
- William Potter has owned the property since 2017 (5 years),
- there is at least 7,500 sq. ft. of unpaved and unoccupied open space on the lot, there sufficient parking,
- three members visited the site, and
- this project is not be substantially more detrimental to the neighborhood because the architectural design of the apartment/garage matches that of the main house.

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**Vote:**

Andrea Rogers moves that the Board issue a Special Permit under Zoning Bylaw Section 3.4 with the **Special Condition** that the Board is waiving the requirement that the main driveway connects to the garage apartment because it would have to be a lengthy driveway that would cross the length of the leaching field. Leah Brown seconds the motion.

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

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

  
Lewellyn Rogers

(absent)

Jonathan Holter

  
Grace Guck

  
Doug Pease

  
Andrea Rogers

  
Leah Brown

A copy of this decision was filed in the office of the Town Clerk, on July 6, 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: July 6, 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

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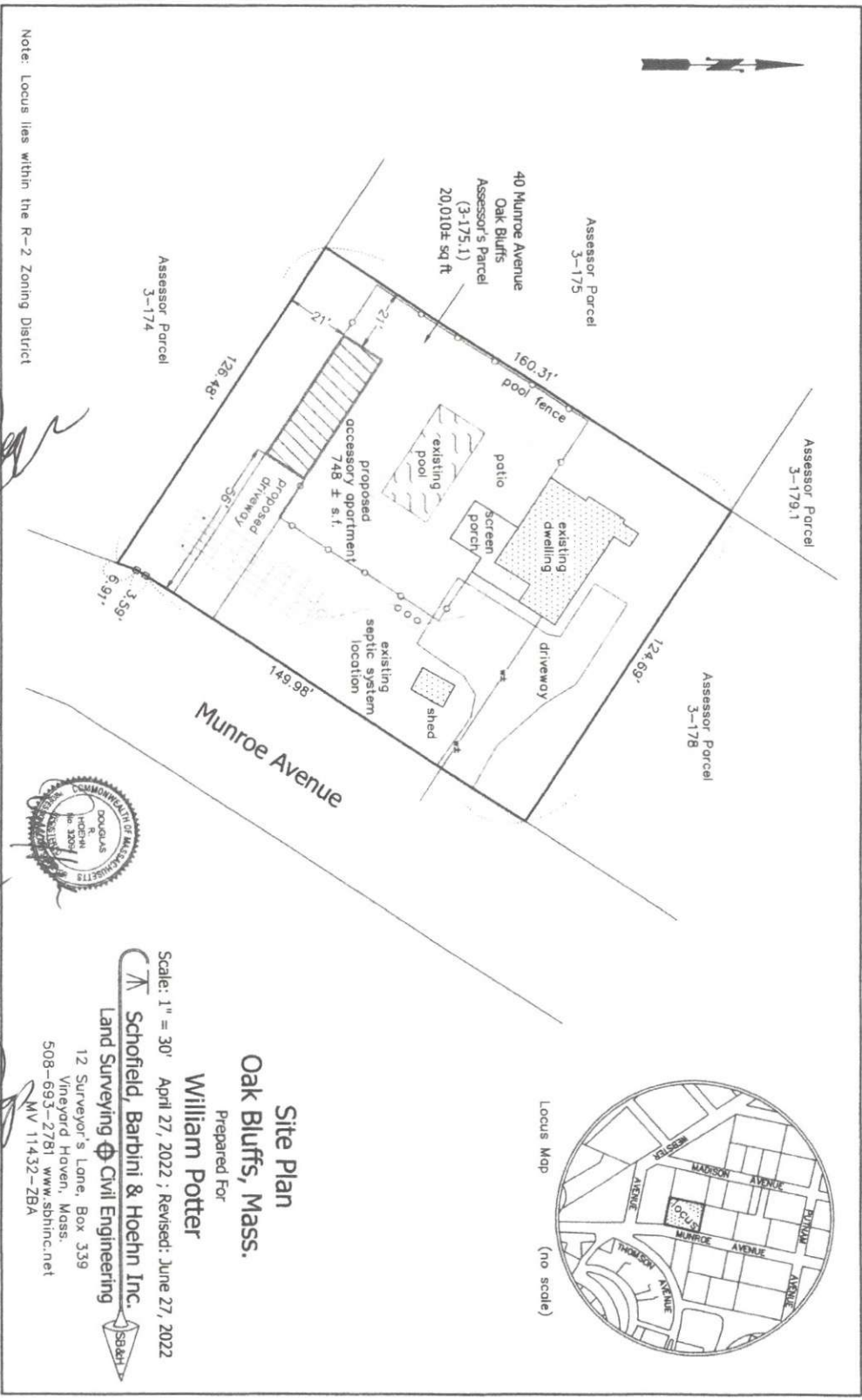
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*Greene Design*  
7.6.22



Note: Locus lies within the R-2 Zoning District



**Site Plan**  
**Oak Bluffs, Mass.**

Prepared For  
**William Potter**

Scale: 1" = 30' April 27, 2022 ; Revised: June 27, 2022  
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