



OAK BLUFFS ZONING BOARD OF APPEALS

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

508 693 – 3554 x 120

NOTICE OF DECISION September 15, 2022

RE: Thomson Appeal

Lucy Thomson and Arthur Peabody Jr.

17 School Street, Map 11 Parcel 335

The Oak Bluffs Zoning Board of Appeals will HOLD a duly posted Public Hearing on Thursday, September 15, 2022 at 7:00PM via a Zoom virtual meeting on the application of the referenced petitioners seeking: **a Special Permit from the Oak Bluffs Zoning Bylaws Section 8.1.5 to demolish the existing dwelling and to build a new dwelling that complies with all zoning setbacks on a conforming lot zoned R1.**

DECISION: A motion was made to approve the Special Permit under Zoning Bylaw Section 8.1.5 to allow the demolition and reconstruction of the existing dwelling.

Procedural History:

- On August 29, 2022, the Zoning Board of Appeals (ZBA) received an application dated August 26, 2022 from Agent Darren Reubens on behalf of Lucy Thomson and Arthur Peabody Jr.,
- the applicant did not get the application time stamped by the Town Clerk,
- On September 1, 2022, abutters were noticed. First publication in the MV Times,
- On September 8, 2022, second notice published in the MV Times,
- On September 15, 2022 the ZBA hearing was opened and the following findings and vote were made.

Findings of Fact: Grace Guck made the following findings.

- The applicant is seeking a Special Permit under Zoning Bylaw 8.1.5,
- the 26,136 sq. ft. lot located in Zone R1 is conforming. (10,000 square feet required),
- the entire property is within the 100 year flood AE Zone and the Floodplain Overlay District,
- the property is not within the Coastal District,
- the existing house is non-conforming with front and rear setbacks < less than 20ft, the existing house is to be demolished,
- the proposed house is conforming with all setbacks (20 ft required),
- three members visited the site,
- no written correspondence was received and the one person to speak at the meeting supported the project,
- the project has been approved by the Martha's Vineyard Commission,

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Findings of Fact (continued):

- a site plan review meeting was held and this project was supported by the Cottage City Historic District, and the Wastewater Department, and this alteration is beneficial to the neighborhood since it makes the property conforming and aesthetically it is a drastic improvement.

Vote:

Doug Pease moves that we approve the Special Permit under Section 8.1.5 with two **Special Conditions: (1) the applicants must submit a letter signed by the Engineer stating that the design will not interfere with the coming and going storm waters, as required by Section 8.1.5.2 of the zoning bylaws, and (2) the project must be reviewed and approved by the Conservation Commission.**

Andrea Rogers 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).

Signing on behalf of the Zoning Board of Appeals is

Llewellyn Rogers, Chair

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

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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