

Zoning Board of Appeals
Minutes of Meeting 4/30/2009
Oak Bluffs Town Council on Aging Building

Members present: Kris Chvatal, Chairman, Gail Barmakian and Jane Lofgren

Also present: Associate Members Peter Palches. Adam Wilson, Zoning Administrator & ZBA Clerk.

The meeting began at 6:00 pm. The minutes from April 9th was discussed for approval.

-Gail asked the Board to have more time so she could include material she wants to add in that she said towards the end of the 9th's meeting. She said she could add her edits in the next few days.

Board Members talked about approving part of the minutes dealing with the other hearings before Bradley Square.

Peter made a motion to approve the minutes from 4/09 as presented. There was no second.

By consensus, the Board agreed to vote for minutes approval at their next meeting. Gail said she only wants to add to the minutes so that they are more specific as to what she said at the meeting.

-The Board agreed that their next meeting will be Thursday, May 21st @ 6 pm.

-Next item was a hearing for Laura Hairston at 20 Pulpit Rock Drive and her proposed plans to raise the roof on part of the residence she owns increasing space for the structure's 2nd story bedrooms. Representing the applicant was Gene Erez from Cornerstone Builders. He told the Board that there is no change to the footprint of the residence and only that the wall height will go up another 6 feet to give the existing bedrooms on the second floor more head height.

-Board members looked at the site plan and noted that the existing structure is in the side and rear setback and the lot is undersized for Waterview Farms, which is R3 Zoned. Gene showed what side of the residence would be raised.

-Kris read correspondence from the neighborhood association approving the changes to the residence. There was no other letters to be read and in the open discussion no one spoke either for or against the proposal.

-Gene said the 2 bedroom area is about 600 square feet of living space but raising the walls won't increase any living area. Only volume is being added to the building. There was discussion about the amount of bedrooms already in the home and if any more were being added. Gene said none weren't.

-The Board, by consensus, agreed that zoning by-law 3.5.5 does apply for the applicant.

Jane made a motion to approve the plans as submitted. Peter seconded.

In the discussion Jane felt the project was diminimus and not more detrimental to the neighborhood than what was already there. Board members agreed.

The Board voted 4 – 0 to grant the special permit.

-In other business Adam sat with the Board and went over recent decisions affecting the Board in Superior Court. He reported that in the matter of Macey v. Hodges, the case had been settled with Macey agreeing to purchase Hodges' undersized lot. The other report involved Mace v. Parr with the Zoning Board knowing that an interlocutory order had been handed down requiring the defendant (Parr) to go to the Planning Board for a site plan review and then have the results of that review brought back to the Board for further consideration.

With nothing else on the agenda, the Board voted to adjourn

-The meeting ended at 6:30 pm.