

**WEST TISBURY ZONING BOARD OF APPEALS  
MINUTES MARCH 11, 2009  
HOWES HOUSE AT 7 PM**

**PRESENT:** Eric Whitman (Chair), Tucker Hubbell, Tony Higgins, Nancy Cole, Larry Schubert

**ABSENT:** Toni Cohen, Bob Schwier

**ALSO PRESENT for All or Part of the Meeting:** Mathew Sudarski, Carl Alwardt, Linda Carroll

**BUSINESS**

- The minutes of January 28 and March 4 were approved with clerical corrections.
- Keith Maciel has submitted a plan to Ernie for necessary door changes for his barn.

**HEARINGS**

**7:00 PM Continuation from March 4 (due to lack of quorum) of an application by Mathew Sudarski for a Special Permit** for an 18' by 36' pool with associated pool equipment and fencing. Sects. 3.1-1, 8.5-4 of Zoning Bylaw; 119 Charles Neck Way; Map 29 Lot 66; RU Dist. *Correspondence: William and Joan Roddy, in favor.*

Mathew Sudarski presented his plot plan. The pool equipment will be on a pad next to an existing sheds and it, and the pool, will be well within setbacks. It's a kit pool, panelized polymer; he and his family plan to excavate and install the pool themselves. As they backfill the pool, they fill the pool with water. There will be one light in the pool. Most of the premises is already fenced in for dogs with an over 4' fence; they will add the two pieces necessary to finish the fence and connect it to the house. The doors will be alarmed. They'll surround the pool with blue stone; there is an existing fire pit nearby. The Board unanimously approved the pool with the usual pool conditions.

**7:20 PM An application by Carl and Sarah Alwardt for a Special Permit** for a 500 sq ft accessory apartment over an existing approx 24' by 30' detached garage. Sects. 11.2-2, 4.4-3, 4.4-4, of Zoning Bylaws; 21 Oak Knoll Rd; Map 16 Lot 54; RU Dist. *No Correspondence:*

The Alwardts have an existing garage with no upper story floor. They plan to develop it into an apartment to be used by their grown children. They will hook into the existing septic system. They have a stamped plan for this and will go the Board of Health for approvals. Board members made calculations from dimensions on the plans, and found the apartment, as measured on the outside, may exceed the 500'. Ways of mitigating this were discussed. It wasn't apparent from the one elevation what the height of the inside wall would be, that is where the 54" would start. Floor area is not counted where the wall does not provide 54' of height. Carl thought he might have 2 exterior accesses. Also, the Board felt the washer and dryer in the basement should not be enclosed.

Mr. Alwardt was advised to go over his plans with Building Inspector Ernie Mendenhall to ensure he wasn't going over 500 sq ft.

The building meets setbacks. Carl said that he understood the terms of the affordable regulations regarding apartments. Abutter Linda Carroll said she had come to support the Alwardt's apartment. The Board voted unanimously to approve the Special Permit, citing that it will meet the apartment dimensional requirements, the affordable components are known to the applicant, and the size is in harmony with other development in the neighborhood and Town. In addition to the usual apartment conditions, a condition was added that the apartment must not exceed 500 sq ft.

**OTHER CORRESPONDENCE**

**Out:** To Ernie re approval of Kenworth basement plan and their plan to move shed to approved location although they will not be developing it as an office at this time.

**In:** Memo from Financial Management team re no permits if back taxes.

The meeting was adjourned at 7:55 PM.

Respectfully submitted, Julie Keefe