

Emily B. Gadd
322 South Rd.
Chilmark MA 02535
egadd@g.com

August 24th, 2021

To: Chilmark ZBA

Re: Finkelstein Pool Proposal

I am writing to oppose the proposed pool adjacent to the Gadd property located at 322 South Rd.

South Abels Hill has traditionally been composed of small dwellings on small lots. Although the size of the new houses has changed the size of the lots have not and will never change.

A pool will be a significant change to our now peaceful and quiet neighborhood due to the noise a pool will generate. It is simply not possible to screen with landscape to dampen the noise.

I am citing a decision from 2010 regarding a proposed pool on South Abel's Hill:

After extensive public hearings and litigation, on March 1, 2010, the ZBA denied the owner the special permit he sought and defeated his court appeal.

.. In finding that the proposed pool would be a "significant intrusion into the character of the neighborhood," and "not in the character of the neighborhood," the Chilmark ZBA expressly cited "the unique topography of the neighborhood, and specifically the [subject] property in relation to [its]..neighbors," the "significant intrusion of the structure into the character of the existing development of the neighborhood," which they described as

“camps in natural settings with erratic boulders and open vistas.” neighbor to its immediate south. (Lot 215) In sum, in varying language, in denying the special permit, the ZBA found the proposal “not in the character of the neighborhood,” “causing a further change in the character of the existing neighborhood,” and “too much of an intrusion on the character of the neighborhood.”¹

I can only say that I oppose the pool for the above reasons.

Sincerely,

Emily B. Gadd

Trustee

E.S. Gadd QPRT

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¹ Chilmark ZBA Minutes, March 1, 2010.

Fran Demers
17 Hawk Valley Rd.
Chilmark, Ma. 02535

To the Chilmark ZBA

As part owner of the Gadd house at 322 South Road in the South Abel's Hill neighborhood immediately next to the Finkelstein house, I am asking that their proposed pool be denied.

There are plenty of pools on the north side of Abel's Hill but the lots are much larger, most being 3 acres or more so there is not a problem with noise or privacy. The south side however is broken into very small lots with houses in some cases built close to the lot lines and owners have been for the most part courteous and conscious of their neighbors privacy and try to keep the noise to a minimum. A pool unfortunately creates noise and carries across small areas, creating disturbance.

There is something to be said for the character of a neighborhood and the south side of Able's Hill has always been a quiet, peaceful place to live in the summer. A pool would change that and certainly for abutting properties.

This is not personal in that the Finkelsteins have been good neighbors on both the north and south sides of the Abel's Hill Association. It has everything to do with the physical aspect of a pool in a quiet and densely populated area.

August 25th, 2021

Dear ZBA members,

We kindly request that you consider denying the Finkelstein pool application.

Pools are noisemakers. If one stands on the western portion of the Gadd deck, directly outside the master bedroom, one is instantly made aware of the negative impact that a pool would have on the Gadd's quality of life. We worry that the Gadds would be hearing pool noise at all hours of the day and night. Sound carries easily in our neighborhood, not only because of the mostly small, non-conforming lots, but because of the slope of the hill, which creates an amphitheater-like effect. The proposed pool and cabana would only increase the noise problem, disturbing not just the Gadds, but other neighbors, as well. Planting trees might mask the pool, but would fail to solve the issue of noise. Placing the pool so close to the Gadd home, we believe, would seriously compromise the Gadd's ability to enjoy their property.

We would encourage the ZBA to arrange a site visit to the Gadd property, in order to understand more fully the project's negative impact.

Thank you.

Susan Scheuer and Jonathan Lipnick
7 Yardarm Lane
Chilmark, MA