Article 2: DEFINITIONS

Accessory Building
Section 2.0 Any building customarily accessory and incidental to a permitted principal building.

Barn
Section 2.1 A structure erected for the storage of farm products and the sheltering of farm animals.

Curved or Rounded Roof
Section 2.1.1 A roof with no ridge

Dwelling
Section 2.2 A structure used in whole or in part for human habitation. A dwelling does not include a mobile home, however mounted, trailer or similar transportable facility.

Flat or Shed Roof
Section 2.3 A roof, any segment of which has a rise of less than four (4) inches in each foot or the ridge of which lies within a distance from either opposing wall supporting the roof of not more than twenty-five (25) percent of the distance between those walls.

Gabled or Hip Roof
Section 2.4 a roof, each segment of which has a rise of at least four (4) inches in each foot and the ridges of which lie within the middle fifty (50) percent of the distance between the opposing walls supporting the roof.

Guest House
Section 2.5 A subordinate dwelling in common ownership with the principal dwelling on the same lot. The main function of the guest house is to provide accommodation for guest or tenants, limited to not more than one family, of the occupants of the principal dwelling. The only exception to this regulation is that the owner of the property may live in the guest house and use the principal dwelling for guests or tenants. In either case, no agreement or arrangement allowing occupancy of the principal dwelling or the guest house shall provide for (i) a right of occupancy extending beyond one calendar year, (ii) renewal of the occupancy for any additional period of time; or (iii) any payment or financial obligation attributable to any period of time extending beyond one calendar year, except that such an agreement or arrangement will be allowed if it is for the purpose of providing affordable housing for a family as defined in section 2.17. Such an affordable housing tenancy shall continue only so long as the tenants qualify for affordable housing.

Lot
Section 2.6 A parcel of land in one ownership, with definite boundaries, occupied or suitable to be occupied for a certain use.

Maximum Height
Section 2.7 The distance between the highest point of the structure, including railings of roof decks (excluding radio and television antennas, chimneys, flag poles and similar slender structures) and the mean of the natural ground level on the perimeter of the proposed structure.

Segment
Section 2.8 Any continuous line of a roof other than the ridge. Any dormer or similar interruption in a roof line shall be considered a separate segment.

Silo
Section 2.9 A structure erected for the storage of ensilage.

Structure
Section 2.10 A combination of materials assembled at a fixed location to give support or shelter, or act as a barrier. A structure includes any building. A fence or wall over four (4) feet height shall be considered to be a structure; an open terrace not more than three (3) feet above grade level shall not be considered a structure.

Floor Area
Section 2.11 The area of a building or structure determined by adding all horizontal areas of the several floors above grade level having a height clearance of six (6) feet or more, as measured from the interior faces of the exterior walls.

Driveway
Section 2.12 An area of a lot that is designed and intended to provide for the passage of one or more vehicles to and from a road or way. Two adjacent lots may be accessed by a common driveway.

Use, Principal
Section 2.13 The main or primary purpose for which a lot and a building or structure thereon are designed, intended or arranged to be used.

Use, Accessory
Section 2.14 A use of a lot and a building or structure thereon normally incidental to the permitted principal use of the lot.

Two-Family Dwelling
Section 2.15 A dwelling divided into two separate habitable units each of which has a separate entrance, kitchen and toilet, each of which unit is designed, built, and used for occupancy, primarily by one and the same family except that when such family is not in occupancy not more than one other family during any one time period may occupy each unit, provided that no agreement or arrangement allowing such occupancy by other than the principal occupying family shall provide for (i) a right of occupancy extending beyond one calendar year, (ii) renewal of the occupancy for any additional period of time; or (iii) any payment of financial obligation attributable to any period of time extending beyond one calendar year except that such agreement or arrangement will be allowed if it is for the purpose of providing affordable housing for a family as defined in Section 2.17. Such an affordable housing

tenancy shall continue only so long as the tenants qualify for affordable housing.

One-Family Dwelling

Section 2.16 A dwelling, having no more than one principal entrance and one kitchen, designed, built and used for occupancy primarily by one and the same family except that when such family is not in occupancy, not more than one other family during any one time period may occupy dwelling; provided that no agreement or arrangement allowing such occupancy by other than the principal occupying family shall provide for (i) a right of occupancy extending beyond one calendar year, (ii) renewal of the occupancy for any additional period of time; or (iii) any payment of financial obligation attributable to any period of time extending beyond one calendar year except that such agreement or arrangement will be allowed if it is for the purpose of providing affordable housing for a family as defined in Section 2.17. Such an affordable housing tenancy shall continue only so long as the tenants qualify for affordable housing.

Family

Section 2.17 One or more persons related by blood, adoption or marriage, living and cooking together as a single, non-profit housekeeping unit, provided that no more than six persons unrelated by blood, adoption or marriage so living together shall be deemed a family.

Light Pollution

Section 2.18 Man-made light which radiates into the nighttime sky.

Light Trespass

Section 2.19 Man-made light spilling from one property onto another.

Wireless Communications 2.20

Section 2.20.1 **Antenna** means the device from which radio frequency emissions are transmitted and received to and from free space.

Section 2.20.2 **Antenna Support** means any device which may support an Antenna, which includes such means as existing buildings, towers, masts, poles and the like.

Section 2.20.3 **Base Station** means the equipment for one or more wireless services installed at a site to propagate and receive wireless communications.

Section 2.20.4 **Base Station Facility** means the place within which one or more wireless services install equipment to support the operation of an antenna system.

Section 2.20.5 **Chilmark Plan Review Committee** means a special committee, the members of which are the members of the Planning Board, the members of the Zoning Board of Appeals and a member appointed by the Board of Selectmen, who may be a Selectman.

Affordable Housing

Section 2.21 Housing for a single person or family qualified for low cost housing under the guidelines adopted by the Town of Chilmark, or in the absence of such guidelines, under the guidelines of the Dukes County Regional Housing Authority. The monthly rental for such housing shall comply with applicable standards.

Swimming Pools

Section 2.22

For the purposes of this Bylaw, a Swimming Pool shall be defined as any structure, basin, chamber or tank which is intended for swimming, diving, recreational bathing or wading and which contains, is designed to contain, or is capable of containing water more than 42 inches deep at any point and has an area of 100 square feet or more.

Detached Bedroom

Section 2.23

A bedroom not directly connected to a Dwelling; it may be a free standing building or part of some other Structure such as a Garage. It shall be included in all considerations as to the adequacy of the septic system of the Dwelling and may contain plumbing in the bathroom only, including one hand sink, one toilet and one bathtub/shower, but not a stove or refrigerator.

The Maximum Floor Area of a Detached Bedroom shall not exceed 400 square feet, which shall include any roof-covered area enclosed by walls or screening.

Total Living Area

Section 2.24

Total Living Area means the aggregate area of all habitable space, which is generally based on the sum of the exterior dimensions of each above-grade level of a structure but does not include decks or porches, even if roof-covered or enclosed by walls or screening. The measurement includes all Dwellings and Accessory Structures, or portions thereof, that are habitable. It also includes indoor swimming pools; indoor tennis, squash or similar courts; and similar indoor facilities.