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August 1, 2022

Chilmark Zoning Board of Appeals
P.O. Box 119
Chilmark, MA 02535

RE: **Will & Michelle Nan Kim Seward**
Application for a Special Permit
Assessor's Map 11, Parcel 25.3
69 Cobbs Hill Road
Chilmark, MA 02535

Dear Board Members,

Please find enclosed a Petition to the Zoning Board of Appeals for the above referenced property. The owner is seeking permission to construct a guest house with associated utilities. Enclosed is a filing fee check in the amount of \$175.00.

Supporting documents enclosed:

- Narrative addressing the items in Zoning Bylaw 4.2A, Section 1
- Letter addressing the Total Living Area on the property
- Copy of the property deed Book 1419 Page 348
- A copy of the filing fee check in the amount of \$175.00
- A list of abutters within 300 feet, retrieved August 1, 2022
- Site Plan in Chilmark, MA prepared for Will & Michelle Seward by Sourati Engineering Group, LLC dated August 1, 2022, scale 1" = 40'
- Total Living Areas Sketch in Chilmark, MA prepared for Will & Michelle Seward by Sourati Engineering Group, LLC dated August 1, 2022, scale 1" = 20'
- Guest House Plans prepared for Seward by Turkel Design, LLC
Revision Date July 13, 2022, scale as shown

Please contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Bryan Collins", with a long, sweeping underline.

Bryan Collins
SEG S418



TOWN OF CHILMARK
CHILMARK, MASSACHUSETTS

THE COMMONWEALTH OF MASSACHUSETTS

TOWN OFFICES:
Beetlebung Corner
Post Office Box 119
Chilmark, MA 02535
(508) 645-2110 Fax

To The Board of Appeals, TOWN of CHILMARK

August 1, 2022

The undersigned hereby petitions the Board of Appeals to issue a Special Permit under the terms of the Zoning By-laws of the Town of Chilmark:

Article 4.2A, Section 1

at the premises owned by (Owner of Record) Will & Michelle Nan Kim Seward

at 69 Cobbs Hill Road (street address),

Assessor's parcel MAP 11 LOT 25.3

In the following respect or any limitation, extension, change, alteration or modification of use, or method of use as may at hearing appear as necessary or proper in the premises.

State Briefly Reasons for Special Permit

The project consists of the construction of an 800 S.F. guest house with associated utilities. Please refer to the attached Site Plan for details.

The project as currently proposed does not trigger the requirement for a Special Permit under Section 6.11 of the Zoning Bylaws.

Petitioner

George Sourati

George Sourati, Representative
PO Box 4458, 107 Beach Road,

Address Vineyard Haven, MA 02568

Telephone Number 508-693-9933



August 1, 2022

Zoning Board of Appeals
Town of Chilmark
PO Box 119
Chilmark, MA 02535

RE: **Will & Michelle Nan Kim Seward**
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The following addresses Article 4, Section 4.2A-1 of the Chilmark Zoning Bylaws.

Section 4.2A.1 Accessory Uses - Guest House

- a. **The lot on which the principal dwelling and the accessory dwelling are located contains a minimum area of land of (3) acres:**
The lot is 5.3± acres.

- b. **The maximum floor area of the accessory dwelling shall not exceed 800 square feet, which shall include any roof-covered area enclosed by walls or screening:**
The floor area of the guest house is 800 sq ft per Turkel Design, LLC.

- c. **Soil percolation tests and location of a septic system for the exclusive use of the accessory dwelling shall be approved by the Board of Health prior to granting of a special permit by the Board of Appeals. If the applicant illustrates to the satisfaction of the Board of Health through the submission of suitable drawings prepared by a Professional Engineer or Registered Sanitarian, that a septic system can be permitted in full compliance with all applicable regulations to serve the guest house only, then the applicant may substitute in place of said guest house septic system, connection to a common septic system on a single parcel of land. Said common septic system must also be in full compliance with all applicable rules and regulations of the Board of Health and any other Board which may have regulatory power, and:**
The proposed guest house will tie into the existing septic system currently serving the main house.

- d. A covenant against the lot shall be recorded in the registry of deeds prohibiting any subdivision of the lot on which an accessory dwelling is specially permitted unless the minimum acreage for each subdivided lot conforms to the minimum lot size for the district in which the lot is located as provided in the bylaw:**

A covenant will be recorded at the Registry of Deeds at the time of issuance of the Building Permit.

- e. The owner must own the principal dwelling for five years before a guest house may be built:**

The owner has been living in the principal dwelling for five years.

Exception: On a parcel of land containing a minimum of six (6) acres held in continuous ownership for at least five (5) years, a guest house may be built within five (5) years of the principal dwelling construction if the owner thereof covenants against any subdivision of the parcel.

- f. Permits for unbuilt guest houses may not be transferred to new owners:**

The permit for the guest house will not be transferred.

- g. An Historic House may be converted into or used as a Guest House (even if it exceeds 800 square feet) provided it meets the above requirements (a) through (d). [See section 6.11.B.3.d. Applicability to Historic Houses.]**

N/A

August 1, 2022

Zoning Board of Appeals
Town of Chilmark
PO Box 119
Chilmark, MA 02535

**RE: Will & Michelle Nan Kim Seward
Application for a Special Permit
Assessor's Map 11, Parcel 25.3
69 Cobbs Hill Road
Chilmark, MA 02535**

The following addresses Article 6, Section 6.11.B.2a of the Chilmark Zoning Bylaws:

The Total Living Area limit for a lot established in subsection B.1 may be exceeded, up to the cap established by this subsection, by special permit, as provided in the remaining provisions of this Bylaw. Subject to the exception provided for in subsection B.3, no special permit may be issued for any project if the project would result in the Total Living Area of the lot exceeding 6000 sq ft for 3 acres:

Total Living Area Calculations

Total Living Area of Existing House:	2,900± sq ft
Total Living Area of Approved Pool Cabana:	29± sq ft
Total Living Area of Proposed Garage:	0 sq ft
Total Living Area of Proposed Guest House:	727± sq ft
Total Proposed Living Area on Parcel 25.3:	3656± sq ft

Lot Size= 5.3 acres

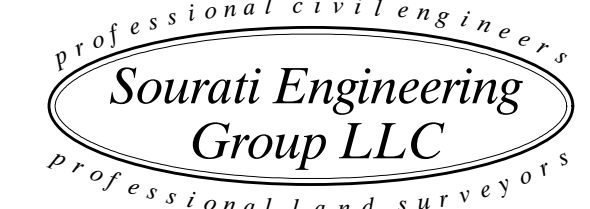
Maximum Allowable Total Living Area without Special Permit = 4,075 sq ft

$$3,500 \text{ (sq ft)} + (250 \text{ (sq. ft)} \times (5.3-3)) = 4,075 \text{ sq ft}$$

The project as currently proposed does not trigger the requirement for a Special Permit under Section 6.11 of the Zoning Bylaws.



Site Plan
 in
 Chilmark, Massachusetts
 Assessor Parcel 11-25.3
 prepared for
 Will & Michelle Seward
 Scale 1"=40' August 1, 2022




P.O. Box 4458
 107 Beach Road, Suite 202
 Vineyard Haven, MA 02568
 Phone (508) 693-9933 Fax (508) 693-4933



TOWN OF CHILMARK, MASSACHUSETTS

401 MIDDLE ROAD
POST OFFICE BOX 119
CHILMARK, MA 02535
508.645.2107
508.645.2110 FAX
jchristy@chilmarkma.gov

Jennifer L. Christy
Planning Board Administrative Assistant

To: Chilmark Zoning Board of Appeals (ZBA)
From: Planning Board 
Re: Guest House Application from Will & Michelle Nan Kim Seward for Special Permit, Map 11, Lot 25.3, dated August 1, 2022
Date: August 24, 2022

At a properly posted meeting of the Planning Board, on August 22, 2022, the Board reviewed the information, provided by the ZBA, regarding the Guest House Application from Will & Michelle Nan Kim Seward for Special Permit, Map 11, Lot 25.3. The Board reviewed the application to determine the applicability of the Criteria for Guest Houses in Previously Approved Subdivisions policy.

The Board voted unanimously, by roll call vote, to take no action.

Chilmark Planning Board

Rich Osness Peter B. Cook Janet L. Weidner Mitchell Posin
Catherine A. Thompson Ann Wallace Hugh Stix Weisman