



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

April 29, 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, Section 4.2A(3)

at the premises owned by (Owner of Record) Carol B. & Jerome P. Kenney

at #45 Beach Road (street address),

Assessor's parcel MAP 2 LOT 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*

Article 4, Section 4.2A(3):

To construct a 20' by 50' in-ground swimming pool

- Pool to be heated by airsource heat pump.
- Energy demand for pool and related equipment to be supplied by Verde Energy USA.
- Pool equipment will be housed within a proposed equipment vault.
- Pool enclosure will be a 4 foot high wood post and wire fence that meets the requirements of the referenced MA State Building code.

Petitioner

Reid G. Silva

Address c/o Vineyard Land Surveying & Engineering, Inc.  
P. O. Box 421, West Tisbury, MA 02575

Telephone Number 508-693-3774

### **Application for Proposed Pool – Bylaw Review Summary**

Applicant: Carol & Jerome Kenney #45 Beach Road, Chilmark Assessor Parcel 2-3  
VLS&E Job No. 188-40

The following is a summary of the zoning requirements for permitting of a pool on the above referenced project.

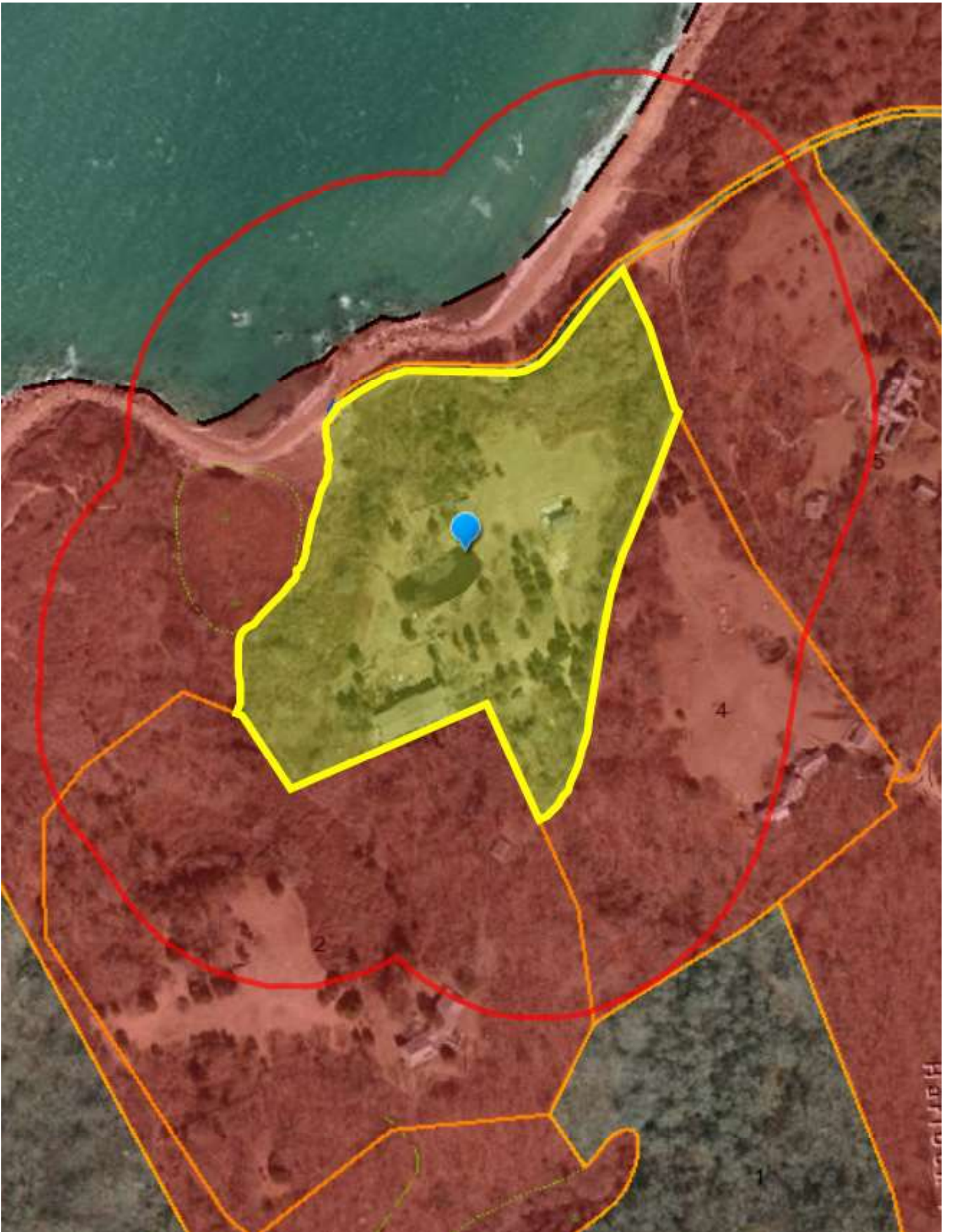
#### **Chilmark Zoning Bylaw Article 4 Section 4.3A(3)**

- a. Permitting and Enforcement (Special Permit requirement): A Special Permit has been applied for within this application.
- b. Application (2 year ownership): Jerome and Carol Kenney have leased the property since November 29, 2007 from Seven Gates Farm Corporation (Dukes County Registry of Deeds Book 1136 page 1090).
- c. Use (owner/guests only): The proposed pool is a private residential pool and will be used solely by the property owner and their guests.
- d. Setbacks: The proposed pool and fence locations are at least 50' from all lot lines including the associated sound-insulated pool equipment storage shed.
- e. Enclosure (building code requirements): The pool enclosure will be a 4 foot high wood post and wire fence that meets the requirements of the referenced MA State Building code.
- f. Location (not impair views of natural surroundings by public/abutting space, direct visibility): The pool is not located within proximity to abutters, public way or public space.
- g. Covers: All swimming pools will be equipped with a winter safety cover for off-season use.
- h. Energy Use (solar or alternative systems): The pool will utilize an air-source heat pump for the heating demand. The energy will be supplied by the utility company's "green energy" program with documentation provided to the ZBA office at the end of each summer season.
- i. Lighting: The minimum pool and safety lighting will be installed and will comply with the lighting section of the bylaw.
- j. Noise bylaw: The pool and associated equipment is located at least 50 ft. from any perimeter boundary and will comply with the "noise" bylaw.
- k. Screening and Landscaping: There are no additional plantings being proposed in this application.

l. Fire Protection: A stand-pipe for fire-fighting purposes will be installed on the property in a location approved by the fire chief.

m. Initial Filling (offsite source): The pool will be filled from an off-site source after such time that all pool fencing and all safety equipment are in place.

n. Drainage (hazardous chemicals): The pool filtration and treatment will be by a “salt-water” system. The pool will be pumped-down approximately 6” to 12” prior to closure at the end of each season. The pool will be opened and allowed to off-gas potentially harmful chemicals prior to pumping. The water will be tested prior to pumping and the water will be pumped to a location greater than 100’ from any wetland resource area.



Assr. Pcl. 1-8  
"N/F Seven Gates Farm"

#45 Beach Road  
Assr. Pcl. 2-3  
Area = ±6.3 Acres

Assr. Pcl. 1-2  
"N/F Casaltamar LLC"

**Notes:**

1. Pool fence will be located at least 5' from any climbable object or tree.
2. Pool fence to be at least 4' high with self closing and latching gates.

Site Plan in  
Chilmark, Mass.  
Prepared for  
Carol Kenney  
Scale 1" = 20'  
April 29, 2022

 **VINEYARD  
LAND SURVEYING  
& ENGINEERING**  
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