

June 2, 2022

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

Re: Shepherds Path Nom. Trust #16 Shepherd's Path., Chilmark Assessor Parcel 24-1
VLS&E Job No. 213-1

Dear Board Members,

Our office submitted a request for special permit for a proposed in-ground swimming pool on the above referenced property in February 2020. The project received an approval dated November 17, 2020. The project plans have not changed in any manner since the previous approval. Due to delays in construction, no work has started on the project and the permit is set to expire on November 17, 2022. Please consider this a request for a 1-year extension of the approved ZBA decision and plan for this project.

If you have questions or need additional information, please contact our office.

Sincerely,

Reid G. Silva, PE PLS
Professional Engineer
Professional Land Surveyor

Dukes - 20/20 Perfect Vision i2 Document Detail Report

Current datetime: 6/2/2022 11:53:05 AM

Doc#	Document Type	Town	Book/Page	File Date	Consideration
7559	DECISION		01551/1055	11/18/2020	
Property-Street Address and/or Description					
Grantors					
SHEPHERDS PATH NOMINEE TRUST, ROSENBERG SCOTT TRS					
Grantees					
CHILMARK TOWN APPEALS					
References-Book/Pg Description Recorded Year					
Registered Land Certificate(s)-Cert# Book/Pg					



**Chilmark Board of Appeals
NOTICE OF DECISION ON SPECIAL PERMIT**

SCOTT ROSENBERG, TRUSTEE

**Owner: Shepherd's Path Nominee Trust
Applicant: Reid Silva, Vineyard Land Surveying & Engineering
Address: 16 Shepherd's Path
Map: 24 Lot: 1
Date: October 22, 2020**


A petition under Chilmark's Zoning By-Law Article 4 Section 4.2A3 and Article 6 Section 6.6 was filed by Reid Silva of Vineyard Land Surveying & Engineering for Shepherds Path Nominee Trust. The applicant seeks permission to construct a 12' X 36' in-ground swimming pool with the required four foot high pool enclosure. The pool equipment will be housed in a below ground vault; the pool water will be heated with an air-source heat pump; a closed-circuit TV system will be installed to monitor pool activity; the pool will have an automatic pool cover for added security and heat retention. The power for the pool equipment will be offset by purchasing green energy from one of the green energy programs such as the Verde Energy USA program. Under Article 6 Section 6.6 the applicant is seeking setback relief for the following that do not meet the minimum 50-foot setback distance from the lot line: addition to an existing shed that is 23' from the lot line and the proposed addition will be 19 feet from the line; the pool fence and pool will be 5 feet and 23 feet respectively from the same northwest lot line and the below ground equipment vault will be 10 feet from this lot line. The project is in the Chilmark Pond Coastal District. The application was heard at a duly posted zoom continued public hearing held on October 22, 2020. The Board voted to approve the revised site plan dated 10/21/2020 as presented with the following conditions: 1. The stand pipe location shall be approved by the Fire Chief before obtaining a Building Permit. 2. A dedicated power meter shall be installed for all of the pool-related equipment. 3. Each November after the pool is installed the owner shall provide documented proof to the Zoning Enforcement Officer that the renewable energy needs as contracted through a green energy program has been purchased. 4. If the ZBA determines the owner has not complied with these conditions the ZBA shall take appropriate actions to satisfy the renewable energy needs and source of power. 5. If at a future date the owner wishes to revise this arrangement, a petition for a new Special Permit with the proposed renewable energy plan must be filed for due processing. The special permit was approved with a unanimous roll call vote of five in favor.

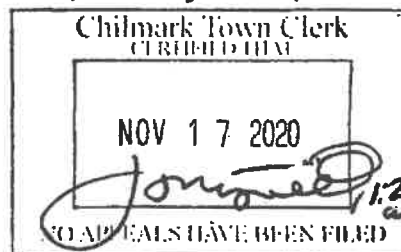
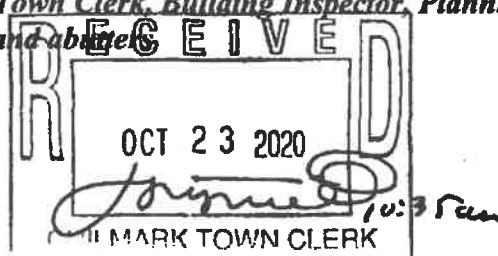
**IMPORTANT:
FIRST:**

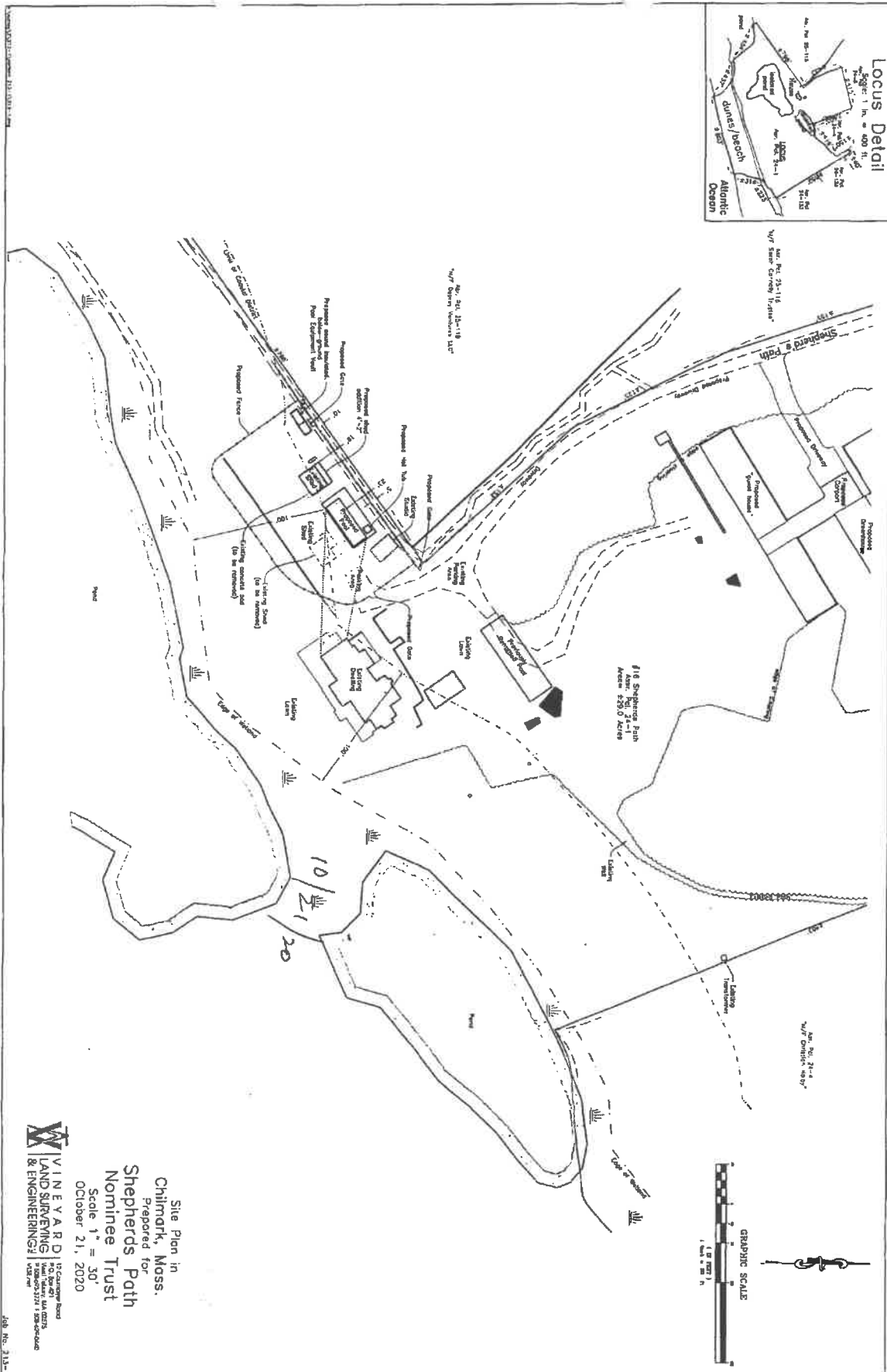
Any appeal from the decision of the Board of Appeals can be made only to the Superior Court for Dukes County or to the Land Court under Section 14A of Massachusetts General Laws, Chapter 240 and must be filed within twenty calendar days following the filing of the decision with the office of the Town Clerk, as evidenced by the date of the Clerk's date stamp and signature below, as provided in Section 17 of the Zoning Act.

SECOND:

This Decision and any building plans approved by the Board of Appeals must be recorded in the office of the Recorder of Deeds and a record of the recording of both the decision and any building or other plans must be submitted to the Board of Appeals before a building permit may be issued. All plans to be recorded must be printed on 8 1/2" by 14" plain paper.

 Administrator for the Chairman, Board of Appeals
Copies to Applicant, Town Clerk, Building Inspector, Planning Board, Board of Health, Tax Collector, Assessor, Selectmen and abutters





Site Plan in
 Chatham, Mass.
 Prepared for
 Shepherd's Path
 Nominee Trust
 Scale 1" = 30'
 October 21, 2020

VINEYARD
 LAND SURVEYING
 & ENGINEERING

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 Salem, MA 01970
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 www.vineyardland.com

ATTEST: Paulo C. DeOliveira, Register
 Dukes County Registry of Deeds