



# ZONING BOARD OF APPEALS Town of Chilmark

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

THE COMMONWEALTH OF MASSACHUSETTS

To The Board of Appeals, TOWN OF CHILMARK

February 26, 2024

*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 4.2(A)(3)*

*at the premises owned by (Owner of Record)*  
William and Karen Berlind

at 8 Driveway (street address),

Assessor's parcel MAP 25 LOT 7-12

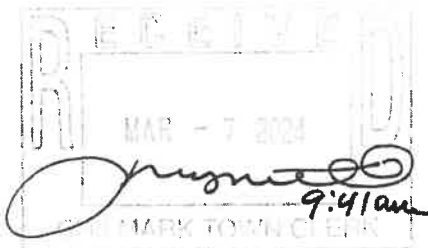
*In the following respect or limitation, extension, change, alteration or modification of use, or method of use as may at hearing appear as necessary or proper in the premises.*

### *State Briefly Reasons for Special Permit*

Article 4, Section 4.2(A)(3):

To construct a 18' by 42' 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 pool equipment vault.
- Pool, fence enclosure and equipment storage will all meet building setbacks.



Petitioner Reid G. Silva (Agent)  
Reid G. Silva (Agent)

Address c/o VLS&E, Inc. P. O. Box 421  
West Tisbury, MA 02575

Telephone Number 508-693-3774

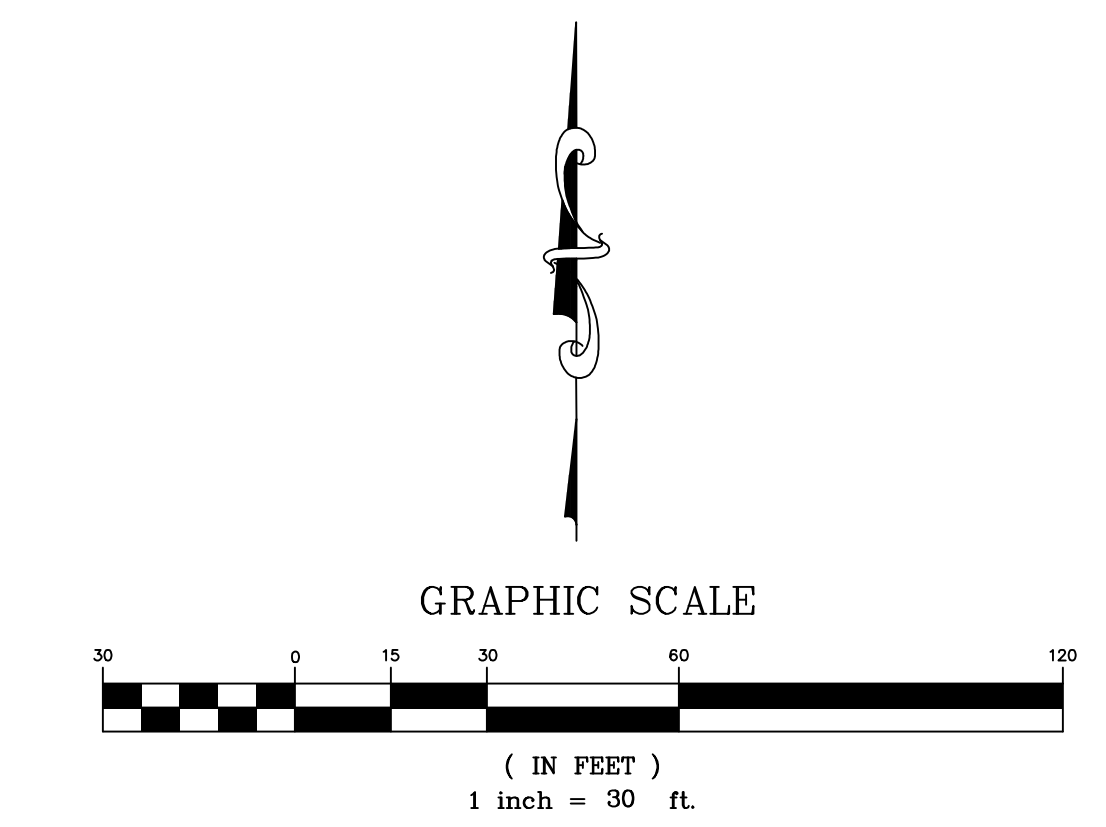
Assr.-Pcl. 25-11  
"N/F Dourian H. Stephen & Mary A Don"

Assr.-Pcl. 25-9  
"N/F Cranquiste Maria F.  
& Charles TRSTEES"

#8 Drive Way  
Assr.-Pcl. 25-7.12  
Area = ±4.72 Acres

Assr.-Pcl. 25-7.11  
"N/F Holliday Alan C & Lucile J"

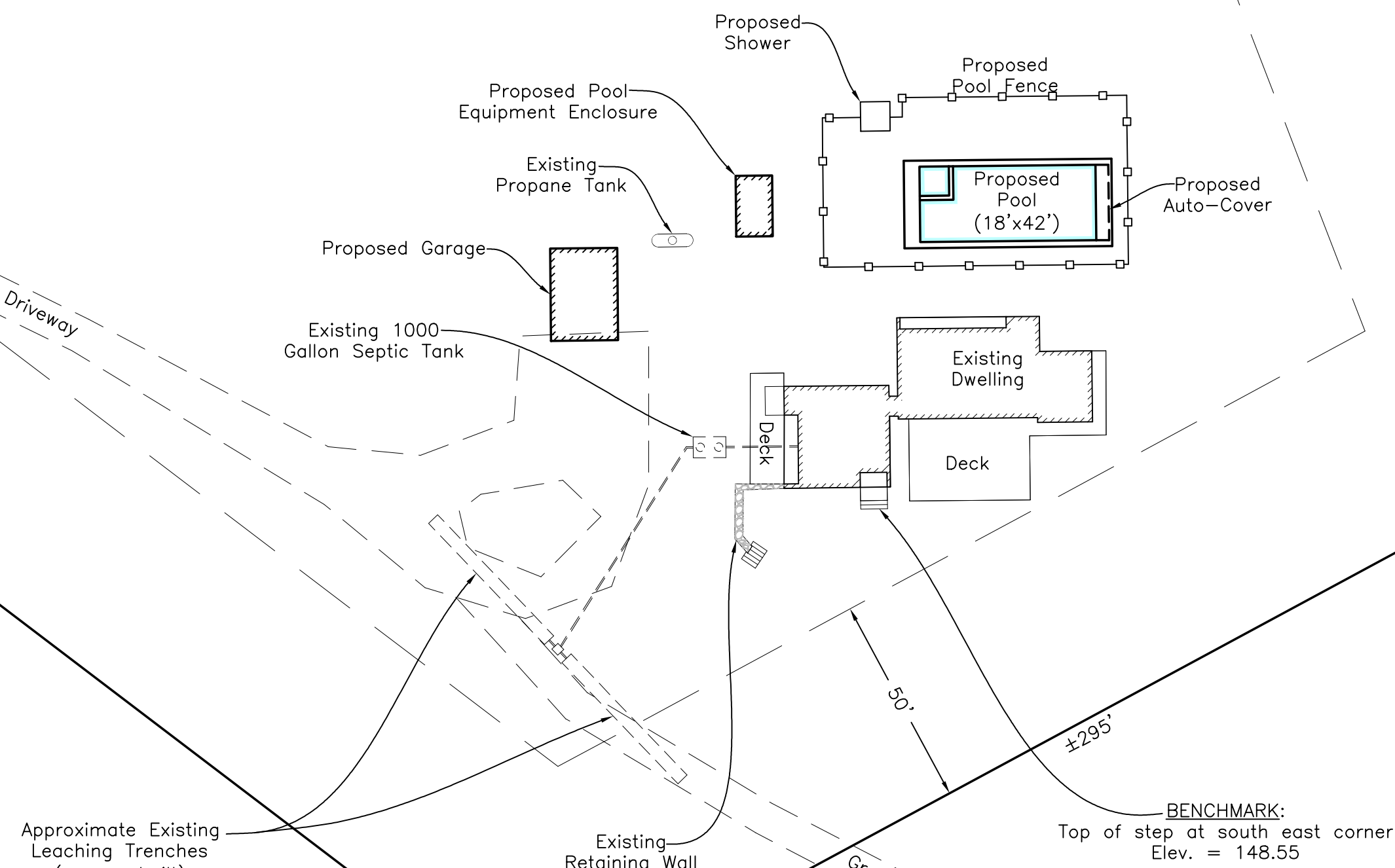
Assr.-Pcl. 25-7.2  
"N/F Depasquale M, J Adler, MW Brumett & TH BR"



Zoning District: III  
Setbacks: 50' Front/Side/Rear  
Minimum Lot Size= 3.0 acres  
\* Setbacks to be confirmed by town official



*Reid G. Silva*  
03/04/2024



Assr.-Pcl. 25-7.1  
"N/F Schlesinger Ralph"

BENCHMARK:  
Top of step at south east corner  
Elev. = 148.55

Assr.-Pcl. 25-7.14  
"N/F Palmer Anne & Andrew W TRSTEES"

Site Plan in  
Chilmark, Mass.  
Prepared for  
**William Berling**  
Scale 1" = 30' February 20, 2024

**W VINEYARD**  
**LAND SURVEYING**  
**& ENGINEERING**

12 Cournoyer Road  
P.O. Box 421  
West Tisbury, MA 02575  
P 508-693-3774 F 508-629-0440  
VLSE.net

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

Re: Berlind #8 Driveway, Chilmark Assessor Parcel 25-7-12  
VLS&E Job No. 986

In accordance with the Town of Chilmark Zoning By-Law the following is a summary of the zoning requirements for permitting of a pool on the above referenced property.

- a. Permitting and Enforcement (Special Permit requirement): A Special Permit has been applied for within this application.
- b. Application (2 year ownership): William and Karen purchased the property on December 12, 2021 Dukes County Registry of Deeds Book 1598 Page 745.
- 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 location is greater than 50' from all lot lines including the associated fence enclosure and equipment storage enclosure.
- e. Enclosure (building code requirements): The pool enclosure will be a proposed fence that meets the requirements of the referenced MA State Building code and building setbacks. For added security, an automatic year-round pool cover will be installed.
- f. Location (not impair views of natural surroundings by public/abutting space, direct visibility): The pool is not located within proximity to a public way and will be greater than 300 ft. from the closest abutting houses. Pool will be directly visible from the main dwelling.
- g. Covers: The pool will be equipped with an automatic safety cover.
- 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 By-law: The pool will be located at least 50 ft. from any perimeter boundary, associated pool equipment will be stored within a proposed equipment storage enclosure and will comply with the "noise" by-law.

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.