



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 20, 2021

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) *W. J. Jr.*

at the premises owned by (Owner of Record) 34 High Mark LLC

at 34 High Mark (street address),

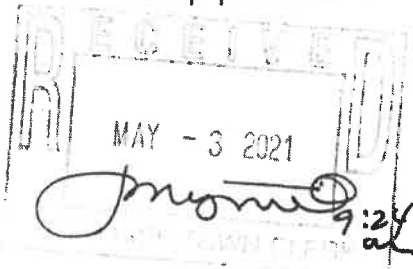
Assessor's parcel MAP 26 LOT 80

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*

Construct an 18' by 50' in-ground swimming pool

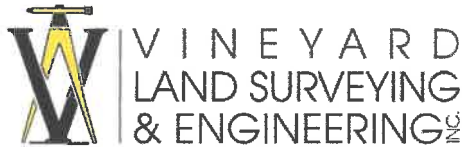
- Pool to be heated by airsource heat pump.
- Energy demand for pool and related equipment to be supplied by Verde Energy USA
- Pool equipment will be housed within a sound insulated pool shed.



*Kevin J. Jr.*  
Petitioner \_\_\_\_\_

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

Telephone Number 508-693-3774

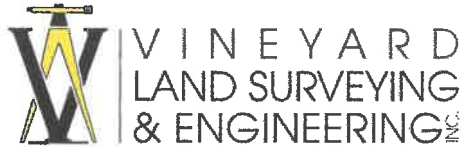


### **Application for Proposed Pool – Bylaw Review Summary**

Re: 34 High Mark LLC #34 High Mark, Chilmark Assessor Parcel 26-80  
VLS&E Job No. 222-13

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): Barry Willner and Sybil Wailand Trustees of the 34 High Mark LLC purchased the property on May 1, 2019 from Julius Rosenwald, Linda Levy, Benjamin and Joshua Gundersheimer referenced at the Dukes County Registry of Deeds Book 1495 Page 89.
- 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 sound-insulated pool equipment storage shed.
- e. Enclosure (building code requirements): The pool enclosure will be a combination of cedar and black wire mesh fencing and a concrete retaining wall 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 a public way. The pool will be visible from the dining/living area of the house.
- g. Covers: The pool will be equipped with a winter 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 and associated equipment are located at least \_\_\_\_ ft. from any perimeter boundary and will comply with the "noise" by-law.

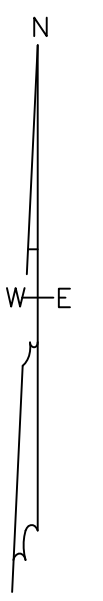


k. Screening and Landscaping: There are no additional plantings being proposed in this application.

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.



Asr. Pcl. 26-81  
"N/F Michael Kane Trustee"

Asr. Pcl. 26-79  
"N/F Gimbel et. al."

#34 High Mark  
Asr. Pcl. 26-80  
Area = ±1.8 Acres

Asr. Pcl. 26-84  
"N/F Axelrod & Schpoont"

**Notes:**  
Zoning - III  
Setbacks - 35' All Sides

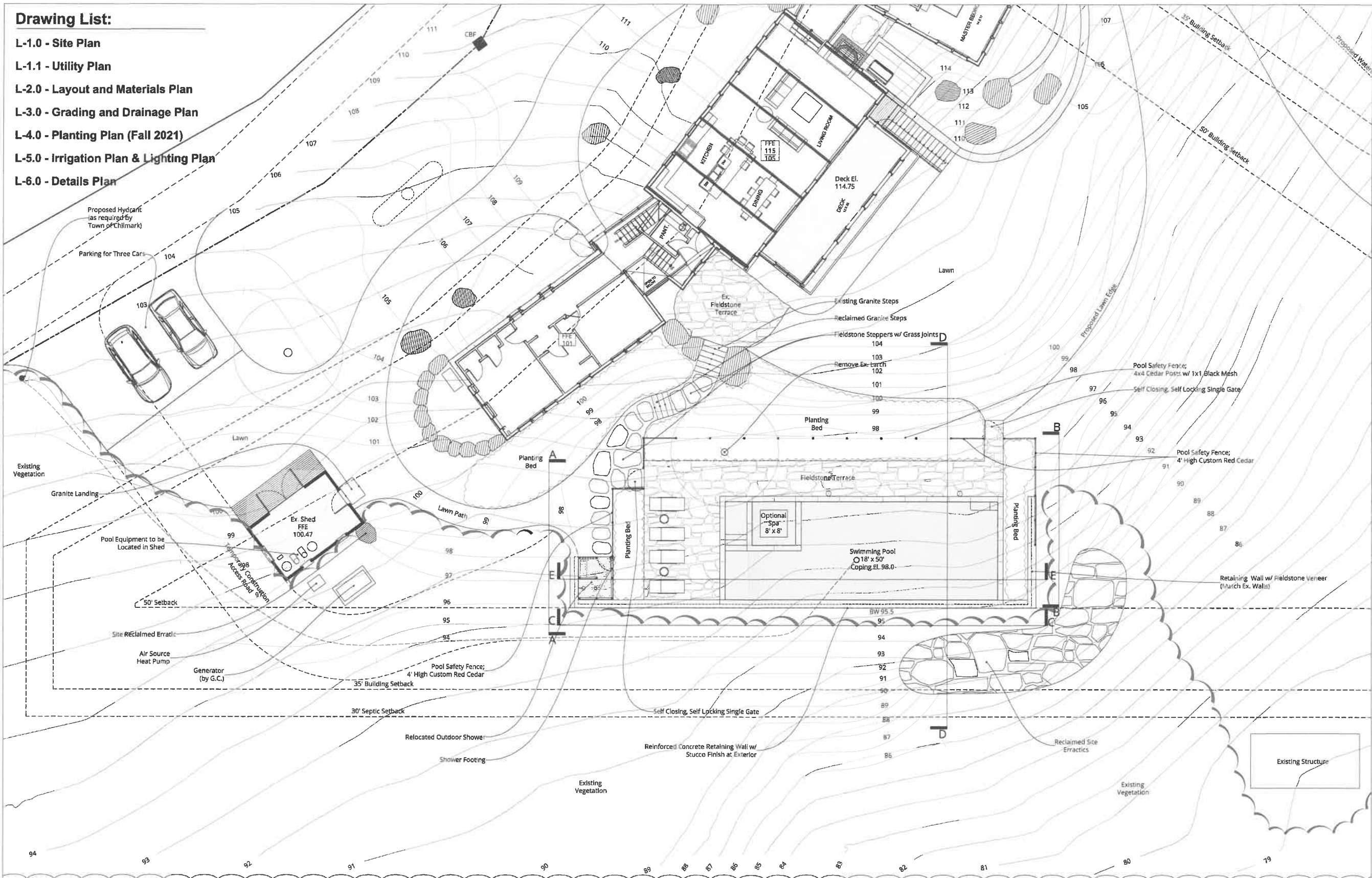
Site Plan in  
Chilmark, Mass.  
Prepared for  
**Barry Willner**  
Scale 1" = 20' April 20, 2021

**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



**Drawing List:**

- L-1.0 - Site Plan
- L-1.1 - Utility Plan
- L-2.0 - Layout and Materials Plan
- L-3.0 - Grading and Drainage Plan
- L-4.0 - Planting Plan (Fall 2021)
- L-5.0 - Irrigation Plan & Lighting Plan
- L-6.0 - Details Plan



151 Beach Road  
P.O. BOX 2091  
VINEYARD HAVEN  
MA, 02568  
508.696.4590  
kbr@kristenreimann.com

Architect:  
Sullivan & Associates Architects  
52 Narragansett Avenue  
P.O. BOX 965  
Oak Bluffs, MA 02557  
Tel: 508.693.0500  
Fax: 508.693.0500

Civil Engineer  
Vineyard Land Surveying, Inc.  
12 Courmoyer Road  
P.O. BOX 421  
West Tisbury, MA 02575  
Tel: 508.693.3774  
info@VLSE.net

**WILLNER - WAILAND**  
34 High Mark Road  
Chilmark, MA

Project number:	201951
Revised by:	KBR
Drawn by:	WAJ
Scale:	1/4" = 1'
Date:	10.29.19
Revisions:	
Issued For Pricing	01.06.21
Revised	02.24.21
Re-issued For Pricing	03.04.21

Site Plan

L - 1.0