



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

February 23 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 6, Section 6.11
8 8.3

at the premises owned by (Owner of Record) The Yard, Inc.

at #7 The Yard (street address),

Assessor's parcel MAP 26 LOT 91

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 6, Section 6.11: To allow the expansion of an existing structure that would exceed the Total Living Area Limit (TLAL) allowed on the lot by 641 SF. The proposed expansion brings the TLAL to 3,739 SF (the TLAL for the lot is 3,098 SF).
- Article 8, Section 8.3: Allow the expansion/alteration of a pre-existing/non-conforming structure and use. The existing structure is located 3 ft. from the adjacent lot line, the alteration will improve the setbacks for the structure to 10 ft. from the line. The structure is currently a 4-bedroom dwelling with a performance theater. The dwelling will be removed from the theater and be reconstructed as a standalone structure. The theater will be renovated with minor additions.

Petitioner *Kevin A. Felt*

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

Telephone Number 508-693-3774

February 24, 2022

ZBA permit considerations (section 6.11(F))

1. The project, when complete, would be visible, including during the winter, from public ways, water bodies, cemeteries and neighboring properties, and if so whether:
 - a. the impact of the project on the existing rural, scenic character of the site and the surroundings has been mitigated through building siting, building design and landscape design;
 - b. the project retains natural buffer areas or, where that is impracticable, provides sufficient landscape screening; and
 - c. the project minimizes the impact of exterior and interior lighting on the surrounding area and minimizes glare from windows or other reflecting materials incorporated in the project. **The site is adjacent to Middle Road and a portion of the development is within the 200' Roadside district. The proposed work is at the limits of the district and there will be very little visibility of the new building from Middle Road due to the existing/proposed structure in the front of the site.**
2. The project protects the natural features of the site and retains the natural landscape of the site after completion of construction; **The additions and new construction have been designed to be largely within existing cleared areas, and to also protect and preserve significant trees on the site.**
3. The project avoids altering the natural landscape, minimizes the size of lawns and recreational facilities, uses native species for landscaping, and retains natural vegetation on slopes; **The project has been designed to minimize the alteration of existing vegetation and significant trees. The proposed addition and new construction is generally on level or disturbed ground currently used for parking and gathering areas.**
4. The project minimizes grading alterations and executes grading and excavation so that the contours of the land are the same following construction as those previously existing on the site and adjacent to it. **There will be no significant grading adjacent to the buildings and additions, however the parking area will be graded to create a more efficient and safe parking and traffic flow condition.**
5. Roads and other ways are designed to curve to fit the landscape and permit shared driveway entrances where possible. **The existing roadway entrance will not change, the parking area in the rear of the site will be reconfigured as mentioned above but will still be located in the same general area.**
6. The project maintains the visual integrity of ridge lines by keeping construction below the ridge line and at least 10' below the average height of the existing trees on wooded ridges and hilltops on the lot. **Views of ridges and hills will not be affected by this project.**

7. In open land, buildings are sited behind fields against the backdrop of adjoining woodland. **The project is located within wooded area and the buildings will not be sited in proximity to fields**
8. the project preserves and protects natural features of the site such as scenic points, water courses, large trees, historic spots, traditional stone walls and similar community assets. **These features are protected as described above.**
9. The project incorporates measures to reduce or mitigate excessive negative water quality impacts on ponds, wetlands and other water bodies both during construction and after completion. **The stormwater for this project will be collected with surface catch basins and disposed of with subsurface drywells with overflow bio-swales and retention basins.**
10. the project is designed to minimize fossil fuel use such as by incorporating energy efficiency, conservation techniques, and using renewable energy sources. **The proposed project includes the incorporation of a solar array to offset energy demand on the site.**
11. in relation to its construction and possible eventual demolition, the project uses environmentally sound and sustainable design and building techniques. **The addition will be wood frame construction to match the existing structure**
12. the project avoids significant adverse impacts on habitat, including:
 - a. whether the project meets the requirements and/or recommendations of the Massachusetts Natural Heritage and Endangered Species Program (NHESP) if the project triggered its review; and
 - b. if the project involves the clearing of more than one acre of NHESP Core or Priority Habitat, whether the project minimizes habitat fragmentation and has a defined development envelope limiting the disturbed area to the smaller of 35% or 2 acres of the designated habitat; **The project is not located within NHESP habitat**
13. The project protects and preserves historical and archaeological resources. **There are no known historical or archaeological resources in proximity the proposed additions.**