



ZONING BOARD OF APPEALS

Town of Chilmark

May 3, 2024

FROM: Alison Kisselgof

SUBJECT: ZBA Special Permit, Variance & Appeal Decisions April 25, 2024

This provides a summary of the Special Permit, Variance and Appeal applications that were heard at a ZBA meeting on April 25th – materials for these projects can be found on the ZBA's agenda page for this meeting: <https://www.chilmarkma.gov/zoning-board-appeals/agenda/zoning-board-appeals-meeting-52>

1. **APPROVED MARK HURWITZ:**
Map 12 Lot 66 ~ 34 Hewing Field; Article 6 Section 6.12

The applicant seeks to convert the second floor of an existing detached office into a 631 sf accessory apartment. The footprint of the building will not change except to add a second egress stairway on the north side. The project was reviewed by the Site Review Committee on 4/8/24.

2. **CONTINUED VINEYARD LAND SURVEYING & ENGINEERING FOR WILLIAM & KAREN BERLIND:**
Map 25 Lot 7.12 ~ 8 Driveway; Article 4 Section 4.2A3

The applicant seeks to install an 18' x 42' in-ground pool. The pool and equipment will meet all setback requirements. The pool barrier will consist of a fencing directly around the pool and an automatic safety cover. A shower is proposed and is within the fencing enclosure. The pool will be heated by an air source heat pump and the energy will be offset by a green energy program. The equipment will be housed in a proposed pool equipment vault.

3. **CONTINUED VINEYARD LAND SURVEYING & ENGINEERING FOR 10 OVERVIEW DR, LLC:**
Map 18 Lot 88 ~ 10 Overview Drive; Article 4 Section 4.2A3

The applicant seeks to install an 18' x 40' in-ground pool. The pool and equipment will meet all setback requirements. The pool barrier will consist of a fencing that terminates on either side of the dwelling and an automatic safety cover. The pool will be heated by an air source heat pump and the energy will be offset by a green energy program. The equipment will be housed in a proposed pool equipment vault.

4. **CONTINUED A) SOURATI ENGINEERING GROUP FOR SANTIAGO REALY TRUST:**
Map 34 Lot 1.3 ~ 9 Signal Hill Lane; Article 6 Section 6.11 and Article 12 Section 12.4C1

The applicant seeks to demolish a 286 square foot attached garage and construct a 623 square foot one-story addition to an existing single-family residence located in the Squibnocket Pond District. Total proposed living area would exceed total allowable living area by 660 square feet. The Site Review Committee reviewed this application on 6/26/23. The Board of Health reviewed this application on 7/26/23.

B) NUTTER, McCLENNEN & FISH LLP FOR SANTIAGO REALTY TRUST:
Map 34 Lot 1.3 ~ 9 Signal Hill Lane; Article 9 Section 9 (APPEAL)

This is a continued public hearing. The Building Inspector made a determination that By-law 12

applied to the application for a special permit. This is an appeal of that decision.

C) NUTTER, McCLENNEN & FISH LLP FOR SANTIAGO REATLY TRUST:

Map 34 Lot 1.3 ~ 9 Signal Hill Lane; Article 12 Section 12.4C1 (VARIANCE)

This is a continued public hearing. If the ZBA upholds the Building Inspector's determination that By-law 12.4C1 is applicable to the project, the applicant has filed a variance for relief of the by-law under grounds that enforcement of the bedroom limitation would cause financial hardship to the owners as well as hardship in regards to topography of the lot.

5. WITHDRAWN W/O PREJUDICE VINEYARD LAND SURVEYING & ENGINEERING FOR KNOLL LOT NOMINEE TRUST:

Map 22 Lot 8 ~ 137 Quansoo Road; Article 4 Section 4.2A3 and Article 11 Section 11.6A2d5

The applicant seeks to install a 12' x 25' in-ground swimming pool. . The pool and fencing will meet the 50-foot setbacks from all lot lines. The pool is proposed to be heated by air source heat pump with energy to be supplied by a green energy program. The pool will be equipped with an automatic safety cover. Pool equipment will be housed in an existing garage. The property is located within the inland Coastal District of Tisbury Great Pond and FEMA flood zone. There is no direct line of sight from the main dwelling and the applicant proposes the installation of a TV monitoring system. The project will be reviewed by the Site Review Committee on 3/11/24. The project was reviewed by the Conservation Commission on 3/7/24.