

August 30, 2022

FROM: Alison Kisselgof

SUBJECT: ZBA Special Permit Decisions August 25, 2022

This provides a summary of the Special Permit decisions that were decided at the August 25, 2022 ZBA meeting – 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-30>):

1. **APPROVED** VINEYARD LAND SURVEYING & ENGINEERING FOR MICHAEL SHANAHAN and YELENA BURDAN: Map 32 Lot 63.3 ~ 15 Periwinkle Lane; Article 6 Section 6.6:  
The applicant would like to relocate an existing dwelling within the 50-foot setbacks due to coastal erosion. Abutters have consented to the relocation. The project reviewed by Site Review Committee on 8/8/22 and Board of Health on 8/3/22.
2. **CONTINUED** VINEYARD LAND SURVEYING & ENGINEERING FOR CATHY HOFFMAN and DAVID GERSCH:  
*Map 18 Lot 59.4 ~ 16 Harding Hill; Article 4 Section 4.2A3;*  
The applicant would like to construct a 20’ x 60’ in-ground swimming pool with a 4 foot high wood post and wire fence enclosure that meets the minimum 50-foot setback distance from the lot lines. The pool will be heated by an air-source heat pump and the power used will be supplied by 100% renewable energy from a public utility company. Pool equipment will be housed within a proposed 10’ x 12’ sound insulated shed. The pool will be equipped with a winter safety cover.
3. **CONTINUED** WHITING CONSTRUCTION FOR JANET FERGUSON and DAVID SAYRE:  
*Map 12 Lot 82 ~ 27 Hewing Field; Article 4 Section 4.2A3;*  
The applicant would like to construct a 36’ x 52’ swimming pond with a 4 foot high enclosure that meets the minimum 50-foot setback distance from the lot lines. The pond will not be heated and will not have a safety cover. The mechanical equipment will be housed in an elevated water feature of the pond. Site Review Committee will review this project on 7/25/22.
4. **CONTINUED** SOURATI ENGINEERING GROUP FOR JOAN AND JAMES HARTLEY:  
*Map 11 Lots 25.1 ~ 72 Cobbs Hill Road; Article 4 Section 4.2A3;*  
**This is a continued public hearing.**  
Construct a 20’ X 45’ in-ground swimming pool with the required 4-foot high pool enclosure that meets the minimum 50-foot setback distance from the lot lines. The pool will have and winter safety cover. The pool water will be heated with an electric air-source heat pump and the power used will be supplied by 100% renewable energy from a public utility company. The pool equipment will be stored in an above-ground, soundproof pool equipment shed.
5. **CONTINUED** SOURATI ENGINEERING GROUP FOR JOAN AND JAMES HARTLEY:  
*Map 11 Lots 25.1 ~ 72 Cobbs Hill Road; Article 6 Section 6.11;*  
**This is a continued public hearing.**  
Construct a pool house / gym with 907 sf. Total living area for property proposed is 4,825 sf which is 600 sf more than the allowable total without a special permit.
6. **CONTINUED** VINEYARD LAND SURVEYING & ENGINEERING FOR PAUL & JODI DARROW:  
*Map 33 Lot 32 ~ 18 Greenhouse Lane; Article 8 Section 8.3;*  
**This is a continued public hearing.**  
The applicant would like to construct a new, smaller 2 bedroom dwelling on a pre-existing, non-conforming lot which will not meet setback requirements from the lot lines. There is an existing structure close to the top of an eroding coastal bank which will eventually need to be removed. Reviewed by Site Review Committee on 4/11/22.

7. **CONTINUED VINEYARD LAND SURVEYING & ENGINEERING FOR THE YARD, INC:**

*Map 26 Lot 95 ~ #6 The Yard; Article 6 Section 6.6 and Article 8 Section 8.3;*

**This is a continued public hearing and is expected to be continued again until MVC decision is available.**

This project was previously approved but plans changed enough that the ZBA asked them to reapply. Alteration and expansion of a pre-existing, non-conforming structure and use. The proposed structure will be used as an office and rehearsal area. The applicant also requests a reduction in setback from 25' to 23' to an interior lot line.

8. **CONTINUED VINEYARD LAND SURVEYING & ENGINEERING FOR THE YARD, INC:**

*Map 26 Lot 92 ~ #1 The Yard; Article 6 Section 6.11;*

**This is a continued public hearing and is expected to be continued again until MVC decision is available.**

This project was previously approved but plans changed enough that the ZBA asked them to reapply. Expand an existing structure that would exceed the total living area limit by 208 sf. The proposed expansion would bring the total living area to 3,131 sf.

9. **CONTINUED VINEYARD LAND SURVEYING & ENGINEERING FOR THE YARD, INC:**

*Map 26 Lot 91 ~ #7 The Yard; Article 6 Section 6.11 and Article 8 Section 8.3;*

**This is a continued public hearing and is expected to be continued again until MVC decision is available.**

This project was previously approved but plans changed enough that the ZBA asked them to reapply. Alter a pre-existing, non-conforming structure by removing the 4-bedroom dwelling from the attached theater and reconstructing it as a standalone structure. The applicant also seeks to expand the dwelling to 3,739 sf which would exceed the total living area limit by 641 sf.