



ZONING BOARD OF APPEALS

Town of Chilmark

January 10, 2024

FROM: Alison Kisselgof

SUBJECT: ZBA Special Permit & Variance Decisions December 14, 2023

This provides a summary of the Special Permit & variance decisions from the December 14th 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-47>

1. **APPROVED** JOEL GLICKMAN and JENNIFER LORUSSO:

Map 7 Lot 25.1 ~ 7 High Meadow; Article 6 Section 6.12

The applicant seeks to construct a 397 sf accessory apartment over a proposed garage on a 3.01 acre lot. The accessory apartment will be used as year-round housing for family.

2. **APPROVED** DOUGLAS J. BENEFIT and MARY E. BENEFIT:

Map 11 Lot 29.4 ~ 14 Quansoo Road; Article 4 Section 4.2A1

The applicant seeks to construct an addition to a guest house. The applicant received a special permit in April 2022 to convert an accessory apartment to a guest house. The size of the guest was incorrectly listed as 700 sf due to calculation error. The guest house is actually 646 sf and the owners would like to add an additional 139 sf for a total size of 785 sf.

3. **DENIED** MACNELLY COHEN ARCHITECTS FOR SOLMSSSEN FAMILY LLC:

Map 18 Lot 84 ~ 56 N Abels Hill Road; Article 4 Section 4.2A1 (VARIANCE)

The applicant seeks relief of guest house limit size of 800 sf to allow a screened porch. The ZBA issued a special permit with a condition that the porch not be screened in April 2022. The Zoning Enforcement Officer received anonymous complaints from neighbors that the porch had been screened and asked the owner to remove the screens. At October 2023 meeting, the previous Building Commissioner stated he gave verbal permission for the screened porch and the owner should be granted relief due to conflicting information he received.

4. **CONTINUED** A) SOURATI ENGINEERING GROUP FOR SANTIAGO REALY TRUST:

Map 34 Lot 1.3 ~ 9 Signal Hill Lane; Article 6 Section 6.11

This is a continued public hearing. 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.

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

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

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.

CONTINUED C) NUTTER, McCLENNEN & FISH LLP FOR SANTIAGO REATLY TRUST:
Map 34 Lot 1.3 ~ 9 Signal Hill Lane; Article 12 Section 12.4C1 (VARIANCE)

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.