

November 6, 2019

TO: Distribution

FROM: Chuck H.

SUBJECT: ZBA Special Permit Applications

This outlines the ZBA decisions from its September 25, 2019 meeting and outlines the agenda for its meeting on November 20, 2019. There was no meeting on October 23, 2019.

September 25, 2019 Decisions

1. **APPROVED: PETER RODEGAST FOR JOHN AND HILARY KEENE; Article 6 Section 6.6; 27 Harbor Hill Rd.; Map 27.1 Lots 108, 110:** Add 336 sq. ft. to a pre-existing, non-conforming single-family residence for a bedroom, bathroom, mudroom and kitchen expansion. The parcel is less than 1-acre in size. The additions will not meet the minimum 25-foot setback distance from the lot lines. The west side addition will be 10 feet from the lot line. The current structure is 5.2 feet from the east lot line. The addition will be 2.2 feet from the east lot line.
2. **APPROVED: TIM CARROLL; Article 4 Sections 4.2A1 and 4.2A3; 26 Bartlett Woods; Map 12 Lot 16.1:** The applicant is redeveloping his 4.17-acre lot and plans to build a new 6-bedroom single-family residence. Under Article 4 Section 4.2A1 he seeks permission to convert the classification of the existing 2-bedroom, 800 sq. ft. single-family residence to a guesthouse. Under Article 4 Section 4.2A3 he is seeking permission to build a 15' X 40' built-in swimming pool with the four-foot high safety enclosure in the proximity of the planned and not yet built 3 to 4-bedroom dwelling and in a location that meets the minimum 50-foot setback distance from the lot lines. The pool water will be heated. The pool equipment will be stored in a sound-insulated shed. The power needs for the pool equipment will be offset by purchasing green energy from one of the green energy programs such as the Verde Energy USA program.
3. **CONTINUED TO NOVEMBER 20, 2019: CHRIS ALLEY FOR HAVEN KIERNAN; Article 6 Section 6.6; 31 Meadow Lane; Map 30 Lot 76.1:** Construct a 305 sq. ft. +/- detached bedroom on a vacant lot. A portion of which does not meet the minimum 50-foot setback distance from the northwest lot line. The closest portion of the structure is 29.9 feet from the northwest lot line on the 4-acre parcel. The applicant is also seeking setback relief for a built-in swimming pool. The proposal sites the pool 40 feet from the northwest lot line. The location for the 4 foot high pool enclosure has not yet been shown. As specified in the regulations the complete pool application will be filed 2 years after receiving the occupancy permit for the principal dwelling—currently designated as the detached bedroom in this application.
4. **APPROVED: PHIL REGAN FOR JOSH AND STEPHANIE BILENKER; Article 6 Section 6.11B2; 81 Squibnocket Farm Rd.; Map 35 Lot 1.8:** Add a bathroom and a new front entry porch; reconfigure the existing breakfast room and screened porch to accommodate a new kitchen; the existing rear porch roof will be extended and converted to an enclosed screen porch. The existing living area is 4,852 sq. ft. The new living area will be 5,193 sq. ft. The special permit trigger with the +5% one-time addition for a 5.85-acre parcel is 4,422 sq. ft. The maximum living area allowed with a special permit is 6,712 sq. ft. The project is in the Squibnocket Pond District.
5. **APPROVED: HEATHER GOFF; Article 4 Section 4.2A2; 16 Marion's Way; Map 13 Lot 39:** Open a home occupation to display and sell artwork made on the property. The work will be displayed in a 14' X 20' single-story shed on the 9+-acre parcel of land. The business will be open 4-5 days/week; from 10 am – 5:00 pm during the April-Christmas time of year. A sign no larger than 3 sq. ft. will also be placed at her driveway entrance.

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6. **APPROVED: PHIL REGAN FOR JOHN AND SALLY FODOR; Article 4 Section 4.2A1; 40 Tysbury Manor; Map 18 Lot 49.1:** Build a 750 sq. ft., 1-bedroom guesthouse in a location that meets the minimum 50-foot setback distance from the lot lines.
7. **APPROVED: HEIKKI SOIKKELI FOR RICHARD AND DEBROAH PREVIDI; Article 6 Section 6.11B2; 27 Sheep Hill Rd.; Map 17 Lot 8.4:** Build a 4,924 sq. ft. single-family residence on a vacant 5.2-acre parcel. The amount of living space requiring a Special Permit for 5.2-acres is 4,050 sq. ft. The total maximum living area allowed with a Special Permit is 6,550 sq. ft. The dwelling meets the minimum 50-foot setback distance from the lot lines and the roof ridge height will not exceed 24 feet above mean, natural grade.
8. **APPROVED: REID SILVA FOR ROBERT AND LYNNE KENNEY; Article 4 Section 4.2A3; 6 Jethro Lane; Map 4 Lot 20:** Build a 20' X 40' built in swimming pool with the required four-foot high safety enclosure in a location that meets the minimum 50-foot setback distance from the lot lines. The pool enclosure will terminate at the house and all doors and windows will be alarmed to meet Mass. building code requirements. The pool water will be heated by an air source heat pump. The pool equipment will be located inside a sound-insulated shed. The pool will have an automatic retractable pool cover for added security and heat retention. The project is in the Vineyard Sound Coastal District.

November 20, 2019 Agenda

1. **CHRIS ALLEY FOR HAVEN KIERNAN; Article 6 Section 6.6; 31 Meadow Lane; Map 30 Lot 76.1:** Construct a 305 sq. ft. +/- detached bedroom on a vacant lot. A portion of which does not meet the minimum 50-foot setback distance from the northwest lot line. The closest portion of the structure is 29.9 feet from the northwest lot line on the 4-acre parcel. The applicant is also seeking setback relief for a built-in swimming pool. The proposal sites the pool 40 feet from the northwest lot line. The location for the 4 foot high pool enclosure has not yet been shown. As specified in the regulations the complete pool application will be filed 2 years after receiving the occupancy permit for the principal dwelling—currently designated as the detached bedroom in this application.
2. **ALEXANDER KISSELGOF; Article 4 Section 4.2B1; 1 Swan's Way; Map 11 Lot 70:** Open an acupuncture by appointment service in the existing studio at the rear of the property. Mr. Kisselgof has a Purchase and Sale Agreement to buy this property from the current owner, Jane N. Appell, Trustee. He plans to be open for business on weekdays from sunrise to sunset and on Saturday's until 12 noon. A sign no larger than 3 square feet will be placed at the entrance to the driveway which is accessible directly from South Road. Two parking spots will be provided for patients behind the principal dwelling which is not visible to any current developed abutting properties.
3. **REID SILVA FOR 2 SISTERS REALTY TRUST; Article 4 Section 4.2A3 and Article 6 Section 6.6; 33 Harlock Pond Rd.; Map 1 Lot 12:** Construct an in-ground 20' X 50' pool with the required 4' pool enclosure. The pool water will be heated with an air-source heat pump; the pool equipment will be in a sound insulated shed portion of the garage; the pool will have an automatic pool cover; the power for the pool equipment will be offset by an on-site solar array. Under Article 6 Section 6.6 the applicant seeks permission to construct a 14' X 27' pool house in a location that is approximately 15 feet and the pool enclosure will be approximately 5 feet from the northeast lot line—less than the minimum 50-foot setback distance. The project is within the Vineyard Sound Coastal District.

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4. **REID SILVA FOR BARN OWL TRUST; Article 4 Section 4.2A3; 225 State Rd.; Map 33 Lot 122:**
Construct an in-ground 16' X 42' pool with the required 4' pool enclosure. The pool water will be heated with an air-source heat pump; the pool equipment will be in a sound insulated shed; the pool will have an automatic pool cover; the power for the pool equipment will be offset by purchasing green energy through the Verde Energy USA program. The project is in the State Rd. Roadside District.

5. **DISCUSSION AND VOTE: REQUEST FROM PAUL HORNBLOWER FOR A 1-YEAR EXTENSION TO THE SPECIAL PERMIT ISSUED ON SEPT. 26, 2018. It expires on Sept. 26, 2020. There are archaeological survey delays with P.A.L.; 51 Squibnocket Farm Rd.; Map 35 Lot 1.3:** Article 6 Section 6.11B2, Article 12 Section 12.4C and Article 12 Section 12.6B filed by George Sourati of Sourati Engineering for Paul S. Hornblower. The applicant seeks permission to renovate the existing single-family residence and "barn space" and build a 132 sq. ft. breezeway to a proposed two-story 1,200 sq. ft. addition. The roof ridge height of the addition will match the existing dwelling and be 24 feet above mean, natural grade. The basement will become a finished workout room. The total existing living area is 3,580 sq. ft. The total proposed living area excluding the finished basement will be 4,466 sq. ft. (+24.7%). This is the maximum floor area expansion allowed with a Special Permit under Section 12.4C. The project is on a 4.27-acre parcel in the Squibnocket Pond District and for the property located at 51 Squibnocket Farm Rd.; Assessors' Map 35 Lot 1.3.

6. **DISCUSSION AND VOTE: REQUEST FROM PAUL HORNBLOWER FOR A 1-YEAR EXTENSION TO THE SPECIAL PERMIT ISSUED ON JANUARY 23, 2019. It expires on January 23, 2021. There are archaeological survey delays with P.A.L.; 51 Squibnocket Farm Rd.; Map 35 Lot 1.3; Article 4 Section 4.2A3; Article 11 Section 11.6A2d5 and Article 12 Section 12.4 D1:**
To construct a 20' X 40' in-ground swimming pool with an automatic, retractable cover, the required safety enclosure and pool equipment shed. The pool water will be not have an auxiliary water heater. The project is in zones B2 and C of the Squibnocket Pond District.