



# TOWN OF CHILMARK, MASSACHUSETTS

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**TO:** Honorable Board of Selectmen/Select Board

**FR:** Chilmark Planning Board

**RE:** Proposed Zoning Bylaw Amendment to Article 6, Homesite Housing Section 6.9, B. 3. a regarding setback relief

**DT:** December 17, 2021

Selectmen/Select Board:

The Planning Board, at a properly posted meeting on Monday, December 13, 2021, discussed the topic of amending **Article 6, Homesite Housing Section 6.9, B. 3. a** of the Zoning Bylaws to address the issue of setback relief. The current proposal in discussion is to add text as follows (Please see the text in **blue**). The text in **red** is the proposed bylaw amendment that is *already* submitted for review by Counsel for the April 2022 Town Meeting warrant):

3. Homesite Housing Lot: A parcel of land which
  - a. may be less than three (3) acres in size **but not less than one (1) acre** and has the approval of the Planning Board as a Homesite Housing Lot;  
**Note: required setbacks for Homesite lots will be adjusted to conform with town designations for pre-existing lots of less than three acres (see Zoning Bylaw Article 6, Section 6.1, A. & B.)**

The Planning Board discussed the proposal and noted that an amendment, as currently proposed, may have unintended impacts on other sections of the zoning bylaw such as in section 6.6, section 6.7 regarding flexible siting and in section 6.8.

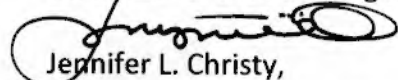
The Board discussed the need to obtain guidance from Town Counsel on the appropriate amendment language to propose for this section that would be consistent with other areas of the zoning bylaws that may address pre-existing, non-conforming structures.

It was also noted that the proposed amendment, in current form, is a "note" and this format has not been added to the Zoning Bylaws in the past.

The Planning Board understands that the purpose of changes regarding setbacks, within the Homesite Housing section 6.9 zoning bylaw, is to make the establishment of a homesite (as defined by section 6.9) more likely. In principle, the Board supports the effort to reduce setbacks in this section of the zoning bylaws. However, the Planning Board recognizes that it may require changes in the zoning bylaws outside of section 6.9 and careful review of these impacts must occur before sending a final proposal to the Select Board.

The Planning Board will continue the process of reviewing the proposed amendment with the goal of sending it to the Select Board and holding a public hearing in January 2022.

On behalf of the Planning Board,



Jennifer L. Christy,  
Administrative Assistant to  
The Chilmark Planning Board

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