



# ZONING BOARD OF APPEALS

## Town of Chilmark

April 11, 2024

FROM: Alison Kisselgof

SUBJECT: ZBA Special Permit & Variance Decisions March 28 & 29, 2024

This provides a summary of the Special Permit & variance decisions that were made at ZBA meetings on March 28<sup>th</sup> & 29<sup>th</sup> – materials for these projects can be found on the ZBA's agenda pages for these meeting, respectively: <https://www.chilmarkma.gov/zoning-board-appeals/agenda/zoning-board-appeals-meeting-51>  
<https://www.chilmarkma.gov/zoning-board-appeals/agenda/zoning-board-appeals-meeting-50>

1. **DENIED** LAUREN GALVIN OF VERRILL DANA LLP FOR TRINA SMITH:  
*Map 7 Lot 32 ~ 16 Clambelly Road; Article 9 Section 9 (APPEAL)*

**This is a continued public hearing.** This is an appeal filed in response to a determination by the Zoning Enforcement Officer that the activities at 16 Clambelly do not require a special permit under by-law 4.2A2.

2. **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.

- B) NUTTER, McCLENNEN & FISH LLP FOR SANTIAGO REATLY 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.

3. **APPROVED** VINEYARD LAND SURVEYING & ENGINEERING FOR HENNYS VIEW LLC:  
*Map 21 Lot 18 ~ 48 Menemsha Inn Road; Article 6 Section 6.12*

**This is a continued public hearing.** The applicant seeks to convert the second floor an existing garage to a 400 sf accessory apartment on a 1.4 acre lot.

4. **APPROVED** VINEYARD LAND SURVEYING & ENGINEERING FOR DECK VIEW NOMINEE TRUST:

*Map 35 Lot 2 ~ 18 Austin Pasture; Article 4 Section 4.2A3*

The applicant seeks to install an 18' x 42' in-ground swimming pool. The pool, fencing and retaining wall enclosure 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 a sound insulated enclosure. The property is located within Zone D of the Squibnocket Pond District and was reviewed by the Site Review Committee & Squibnocket Pond District Advisory Committee on 2/12/24. The project was reviewed by the Conservation Commission on 3/7/24.

5. **CONTINUED** 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.