



ZONING BOARD OF APPEALS

Town of Chilmark

May 3, 2024

FROM: Alison Kisselgof

SUBJECT: ZBA Special Permit, Variance & Appeal Applications May 23, 2024

This provides a summary of the Special Permit, Variance and Appeal applications that will be heard at a ZBA meeting on May 23rd – 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-53>

1. NICK WALDMAN FOR RUBENS FAMILY RESIDENCE TRUST - 2006:
Map 20 Lot 17 ~ 14 Pinkletink Road; Article 6 Section 6.11
The applicant seeks to add a first floor addition of 573 sf to the mail dwelling. The 2.4 acre property already has 3282 sf in living area, with a maximum of 3350 sf allowed. An addition of 505 sf is being requested. There is a ground mount solar array already installed to help offset energy for the addition.
2. DAMIAN DEPINO FOR 15 LAKE ROAD NOMINEE TRUST:
Map 33 Lot 82 – 15 Lake Road; Article 12 Section 12.6B
The applicant seeks to build a garage on a property located within Zone D of the Squibnocket Pond District. The proposed height is 23' 1.5". The overlay district requires a special permit for heights over 18'. The project was reviewed by the Site Review Committee & Squibnocket Pond District Advisory Committee on 3/11/24, 4/1/24 & 4/8/24.
3. VINEYARD LAND SURVEYING & ENGINEERING FOR WILLIAM & KAREN BERLIND:
Map 25 Lot 7.12 ~ 8 Driveway; Article 4 Section 4.2A3
This is a continued public hearing. The applicant seeks to install an 18' x 42' in-ground pool. The pool and equipment will meet all setback requirements. The pool barrier will consist of a fencing directly around the pool and an automatic safety cover. A shower is proposed and is within the fencing enclosure. The pool will be heated by an air source heat pump and the energy will be offset by a green energy program. The equipment will be housed in a proposed pool equipment vault.
4. VINEYARD LAND SURVEYING & ENGINEERING FOR 10 OVERVIEW DR, LLC:
Map 18 Lot 88 ~ 10 Overview Drive; Article 4 Section 4.2A3
This is a continued public hearing. The applicant seeks to install an 18' x 40' in-ground pool. The pool and equipment will meet all setback requirements. The pool barrier will consist of a fencing that terminates on either side of the dwelling and an automatic safety cover. The pool will be heated by an air source heat pump and the energy will be offset by a green energy program. The equipment will be housed in a proposed pool equipment vault.
5. A) SOURATI ENGINEERING GROUP FOR SANTIAGO REALY TRUST:
Map 34 Lot 1.3 ~ 9 Signal Hill Lane; Article 6 Section 6.11 and Article 12 Section 12.4C1
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.