

Section 1: GENERAL

1.01 Purpose

The purpose of these regulations is to protect the health, convenience, safety and welfare of the residents of Chilmark by establishing standards and the means of enforcement for roads, traffic control, water supply, sanitary sewage disposal, drainage, fire-fighting, flood control, protection of natural and other resources and any other public needs as they may be necessitated by the subdivision of land, and to ensure inclusion of open spaces in subdivisions, in proper cases, and compliance with applicable zoning ordinances and by-laws, and the goals and objectives of the Chilmark Master Plan.

1.02 Authority

These rules and regulations are adopted by the Chilmark Planning Board under the authority granted to it by Chapter 41, Section 81A, et seq., Massachusetts General Laws, known as the Subdivision Control Law. The Planning Board must act within the time frames stipulated in the pertinent sections of the above law.

1.03 Planning Board Approvals

No person shall make a subdivision, within the meaning of the Subdivision Control Law, of any land within Chilmark, or proceed with the improvement or sale of lots in a subdivision, or the construction of ways, or the installation of municipal services therein, unless and until a Definitive Plan of such sub-division has been submitted to and approved by the Planning Board as required by these rules and regulations.

Not more than one building designed or available for use for dwelling purposes shall be erected or placed or converted to use as such on any lot in a subdivision for which a Definitive Plan has been approved by the Planning Board, and, to the extent consistent with applicable zoning ordinances, not more than three such buildings shall be erected or placed or converted to such use on any parcel outside such a subdivision, without the prior written approval of the Planning Board. For the purposes of this section, the word "parcel" means any tract of land under common ownership as of the effective date of the Subdivision Control Law in Chilmark (June 17, 1975).

1.04 Definition of Subdivision

"Subdivision" shall mean the division of a tract of land into two or more lots and shall include re-subdivision, and, when appropriate to the context, shall relate to the process of subdivision of land subdivided.

1.05 Divisions not Constituting Subdivision [Form A - Approval Not Required (ANR)]

The division of a tract of land into two or more lots shall not be deemed to constitute subdivision within the meaning of these regulations, if at the time when it is made, every lot has adequate access and the required frontage as is defined by the dimensional requirements in the current Chilmark Zoning Bylaws. This frontage and access must be on:

- a. A public way, or
- b. A way shown on a plan theretofore approved by the Planning Board; or
- c. A way in existence when the subdivision control law became effective in Chilmark having, in the opinion of the Planning Board:
 - 1) sufficient width,
 - 2) suitable grades and