



# ZONING BOARD OF APPEALS

## Town of Chilmark

### ZOOM Meeting Agenda - *revised*

<b>Date</b>	December 14, 2023	<b>Start Time</b>	9:00 am
<b>Place</b>	via Zoom	<b>Stop Time</b>	11:00 am

### PERSONS ATTENDING

<b>1</b>	Chris Murphy - Chair	<b>2</b>	Joan Malkin – Vice Chair
<b>3</b>	Frank Lo Russo	<b>4</b>	Allison Burger
<b>5</b>	Joe Chapman	<b>6</b>	Fred Khedouri - Alternate
<b>7</b>	Emily Josephs - Alternate	<b>8</b>	Alison Kisselgof – Administrator

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### MEETING AGENDA ITEMS

<b>1</b>	<p><b>9:05 AM: PUBLIC HEARING ~ JOEL GLICKMAN and JENNIFER LORUSSO; 7 High Meadow (Map 7 Lot 21.5): Application for Special Permit under By-law 6.12</b></p> <p><b>Site Visit: December 13<sup>th</sup> at 9:10 AM</b></p> <p>The applicant seeks to construct a 397 sf accessory apartment over a proposed garage on a 3.01 acre lot. The accessory apartment will be used as year-round housing for family.</p>
<b>2</b>	<p><b>9:10 AM: PUBLIC HEARING ~ DOUGLAS J. BENEFIT and MARY E. BENEFIT; 14 Quansoo Road (Map 11 Lot 29.4): Application for Special Permit under By-law 4.2A1</b></p> <p><b>Site Visit: December 13<sup>th</sup> at 9:30 AM</b></p> <p>The applicant seeks to construct an addition to a guest house. The applicant received a special permit in April 2022 to convert an accessory apartment to a guest house. The size of the guest was incorrectly listed as 700 sf due to calculation error. The guest house is actually 646 sf and the owners would like to add an additional 139 sf for a total size of 785 sf.</p>

3	<p><b>9:15 AM: PUBLIC HEARING ~ MACNELLY COHEN ARCHITECTS FOR SOLMSEN FAMILY LLC; 56 N Abels Hill Road (Map 18 Lot 84): Application for Variance under By-law 4.2A1</b></p> <p>The applicant seeks relief of guest house limit size of 800 sf to allow a screened porch. The ZBA issued a special permit with a condition that the porch not be screened in April 2022. The Zoning Enforcement Officer received anonymous complaints from neighbors that the porch had been screened and asked the owner to remove the screens. At October 2023 meeting, the previous Building Commissioner stated he gave verbal permission for the screened porch and the owner should be granted relief due to conflicting information he received.</p>
4	<p><b>9:20 AM: SOURATI ENGINEERING GROUP LLC FOR SANTIAGO REALTY TRUST; 9 Signal Hill Lane (Map 34 Lot 1.3):</b></p> <p><b>a) CONTINUED PUBLIC HEARING FOR SPECIAL PERMIT (By-law 6.11) ~</b>  <b>Voting members: Chris Murphy, Allison Burger, Joan Malkin, Frank Lo Russo &amp; Fred Khedouri</b></p> <p>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.</p> <p><b>b) APPEAL OF ZONING ENFORCEMENT OFFICER DETERMINATION ~</b> 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.</p> <p><b>c) PUBLIC HEARING FOR A VARIANCE (By-law 12.4C1) ~</b>  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.</p>
5	<p><b>9:25 AM: CONTINUED DISCUSSION ~ JAY BODNAR FOR MAGIC VINEYARD LLC; 100 Beach Plum Lane (Map 21 Lot 78): Change to Special Permit Issued under By-law 4.2A3</b></p> <p>A special permit was issued for a pool at 100 Beach Plum Lane on June 29, 2023. The applicant attended the November 14<sup>th</sup> meeting to ask if a change in the retention wall finish is inconsequential. The ZBA asked the applicant to return with visual representations for a continued discussion.</p>
6	<p><b>9:30 AM: DISCUSSION ~ SCHILLER PROJECTS FOR SCHILLER PARTNERS, INC.; 281 South Road (Map 24 Lot 163.3): Change to Special Permit Issued under By-law 4.2A1</b></p> <p>After the issuance of special permit for a guest house at 281 South Road was issued on June 29, 2023, the Building Inspector determined that the guest house was over the maximum 800 sf and has requested a change to the site plan – an internal door to a mechanical room will be removed and an external door added so that livable area in the guest house does not exceed 800 sf. The ZBA needs to determine if this change is inconsequential.</p>
7	<p><b>9:35 AM: DISCUSSION ~ GREGORY MILNE FOR MAKENA B HERGET 1983 TRUST; 73 Quenames Road (Map 17 Lot 51): Change to Special Permit Issued under By-law 4.2A3</b></p> <p>A special permit was issued on May 26, 2022 for a pool, pergola and spa at this location. In April 2023, the applicant presented changes to the site plan that the ZBA deemed inconsequential and voted to approve the substitution of the new site plan. The applicant has further revised the site plan and would like a determination of whether changes are inconsequential. Changes includes a reduction of pergola size and change of size and orientation of the equipment shed.</p>
8	<p><b>Topics not reasonably anticipated by the Chair at the time of posting</b></p>

**ADMINISTRATION:**

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- Approval of draft meeting minutes from 10/26/23 and 11/14/23
- Amended Pool By-Law Discussion
- FY2025 Budget Approval

**Next Possible Meeting: January 25, 2024 @ 9:00 AM**

**Site Visits on January 24, 2024 @ 9:00 AM.**