

November 21, 2019

TO: Distribution

FROM: Chuck H.

SUBJECT: ZBA Special Permit Applications

This outlines the ZBA decisions from its November 20, 2019 meeting and outlines the agenda for its meeting on December 18, 2019.

November 20, 2019 Decisions

1. **APPROVED: CHRIS ALLEY FOR HAVEN KIERNAN; Article 6 Section 6.6; 31 Meadow Lane; Map 30 Lot 76.1:** Construct a 305 sq. ft. +/- detached bedroom on a vacant lot. A portion of which does not meet the minimum 50-foot setback distance from the northwest lot line. The closest portion of the structure is 29.9 feet from the northwest lot line on the 4-acre parcel. The applicant is also seeking setback relief for a built-in swimming pool. The proposal sites the pool 40 feet from the northwest lot line. The location for the 4 foot high pool enclosure has not yet been shown. As specified in the regulations the complete pool application will be filed 2 years after receiving the occupancy permit for the principal dwelling—currently designated as the detached bedroom in this application.
2. **APPROVED: ALEXANDER KISSELGOF; Article 4 Section 4.2B1; 1 Swan's Way; Map 11 Lot 70:** Open an acupuncture by appointment service in the existing studio at the rear of the property. Mr. Kisselgof has a Purchase and Sale Agreement to buy this property from the current owner, Jane N. Appell, Trustee. He plans to be open for business on weekdays from sunrise to sunset and on Saturday's until 12 noon. A sign no larger than 3 square feet will be placed at the entrance to the driveway which is accessible directly from South Road. Two parking spots will be provided for patients behind the principal dwelling which is not visible to any current developed abutting properties.
3. **APPROVED: REID SILVA FOR 2 SISTERS REALTY TRUST; Article 4 Section 4.2A3 and Article 6 Section 6.6; 33 Harlock Pond Rd.; Map 1 Lot 12:** Construct an in-ground 20' X 50' pool with the required 4' pool enclosure. The pool water will be heated with an air-source heat pump; the pool equipment will be in a sound insulated shed portion of the garage; the pool will have an automatic pool cover; the power for the pool equipment will be offset by an on-site solar array. Under Article 6 Section 6.6 the applicant seeks permission to construct a 14' X 27' pool house in a location that is approximately 15 feet and the pool enclosure will be approximately 5 feet from the northeast lot line—less than the minimum 50-foot setback distance. The project is within the Vineyard Sound Coastal District.
4. **APPROVED: REID SILVA FOR BARN OWL TRUST; Article 4 Section 4.2A3; 225 State Rd.; Map 33 Lot 122:** Construct an in-ground 16' X 42' pool with the required 4' pool enclosure. The pool water will be heated with an air-source heat pump; the pool equipment will be in a sound insulated shed; the pool will have an automatic pool cover; the power for the pool equipment will be offset by purchasing green energy through the Verde Energy USA program. The project is in the State Rd. Roadside District.
5. **APPROVED: DISCUSSION AND VOTE: REQUEST FROM PAUL HORNBLOWER FOR A 1-YEAR EXTENSION TO THE SPECIAL PERMIT ISSUED ON SEPT. 26, 2018. It expires on Sept. 26, 2020. There are archaeological survey delays with P.A.L.; 51 Squibnocket Farm Rd.; Map 35 Lot 1.3:** Article 6 Section 6.11B2, Article 12 Section 12.4C and Article 12 Section 12.6B filed by George Sourati of Sourati Engineering for Paul S. Hornblower. The applicant seeks permission to renovate

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6. the existing single-family residence and “barn space” and build a 132 sq. ft. breezeway to a proposed two-story 1,200 sq. ft. addition. The roof ridge height of the addition will match the existing dwelling and be 24 feet above mean, natural grade. The basement will become a finished workout room. The total existing living area is 3,580 sq. ft. The total proposed living area excluding the finished basement will be 4,466 sq. ft. (+24.7%). This is the maximum floor area expansion allowed with a Special Permit under Section 12.4C. The project is on a 4.27-acre parcel in the Squibnocket Pond District and for the property located at 51 Squibnocket Farm Rd.; Assessors’ Map 35 Lot 1.3.
7. **APPROVED: DISCUSSION AND VOTE: REQUEST FROM PAUL HORNBLLOWER FOR A 1-YEAR EXTENSION TO THE SPECIAL PERMIT ISSUED ON JANUARY 23, 2019. It expires on January 23, 2021. There are archaeological survey delays with P.A.L.; 51 Squibnocket Farm Rd.; Map 35 Lot 1.3; Article 4 Section 4.2A3; Article 11 Section 11.6A2d5 and Article 12 Section 12.4 D1:** To construct a 20’ X 40’ in-ground swimming pool with an automatic, retractable cover, the required safety enclosure and pool equipment shed. The pool water will be not have an auxiliary water heater. The project is in zones B2 and C of the Squibnocket Pond District.

December 18, 2019 Agenda

1. **HUGH WEISMAN FOR SHARI LEVITAN, TR.; Article 6 Sections 6.3 and 6.6 and Article 12 Section 12.6B; 13 Blue Stem Lane; Assessors Map 35 Lots 10, 11:** Under Article 6 Section 6.6 the applicant seeks permission to construct a new dwelling in a location that is less than the minimum 50 foot setback distance from the east lot line. It is approximately 25 feet from this lot line. Under Article 12 Section 12.6B and Article 6 Section 6.3 the applicant would like to increase the roof ridge height to 24 feet above mean natural grade. In order to do this the section with the 24 ft. high roof ridge will produce the architectural dimensions and form of a dwelling built in Chilmark before 1850. The project is in Zone D of the Squibnocket Pond District.
2. **REID SILVA FOR THOMAS AND AMY MACISAAC; Article 4 Section 4.2A3; 199 State Rd.; Map 33 Lot 117:** Construct a 20’ X 42’ in-ground swimming pool in a location that meets the minimum 50-foot setback distance from the lot lines. The pool will have the required four foot-high pool enclosure. The pool water will be heated by an air source heat pump. The power for the pool equipment will be offset by purchasing green energy from one of the green energy programs such as the Verde Energy USA program. The pool equipment will be housed within a sound-insulated enclosure below a deck. The project is in the Quitsa Pond Coastal District and the State Road Roadside District.
3. **REID SILVA FOR POINT INNER TRUST, LLC.; Article 4 Section 4.2A3 and Article 6 Section 6.6; 20, 21 Point Inner Way; Map 33 Lots 98, 99, 101:** Construct a 14’ X 62’ in-ground swimming pool in a location that is 12 feet and the fence is 5 feet from the lot line of Map 33 Lot 100 which is owned by Kenneth and Jill Iscol, Trustees. The pool will have the required four foot-high pool enclosure. The pool water will be filtered with a saline filtration system and heated by an air source heat pump. The power for the pool equipment will be offset by purchasing green energy from one of the green energy programs such as the Verde Energy USA program. A Special Permit was issued for this project on October 25, 2017 and the permit has expired. The specifications for this project are the same as the previously permitted pool. The project is in the Quitsa Pond Coastal District.
4. **REID SILVA FOR LIBNDA HAAR; Article 6 Section 6.6; 26 Old Ridge Hill; Map 11 Lot 2.4:** Build a porch addition to the single-family dwelling in a location that is approximately 46 feet from the northeast lot line which is less than the minimum 50-foot setback distance.