



TOWN OF CHILMARK, MASSACHUSETTS

401 MIDDLE ROAD
POST OFFICE BOX 119
CHILMARK, MA 02535
508.645.2107
508.645.2110 FAX

To: Honorable Board of Selectmen

FR: Jennifer L. Christy, Chilmark Planning Board Admin. Asst.

RE: Proposed Zoning Bylaw Amendments

DT: March 14, 2017

The Planning Board, at a properly posted meeting on March 13, 2017, voted unanimously (six members were present and one was absent) to send the proposed and amended zoning bylaw amendments, shown below, to you with a recommendation of approval of these zoning bylaws as amended.

Amendment to Article 11: Districts of Critical Planning Concern (Overlay Districts)

Article 11. To see if the Town will vote to amend Section 11.6.A.2 of the Chilmark Zoning By-laws by: (1) re-numbering the current subsection 11.6.A.2.b as 11.6.A.2.c; (2) re-numbering the current subsection 11.6.A.2.c as 11.6.A.2.d; (3) adding the following text as subsection 11.6.A.2.b; and (4) amending subsection 11.6.A.2.d(4), as re-numbered and as shown below with the italicized text, as follows:

b. With respect only to those portions of the Chilmark Coastal District that are located within the Squibnocket Pond District (the boundaries of which are defined in Section 3.1.H of this bylaw), reconstruction and/or relocation of existing roadways, including the addition of elevated sections or causeways, provided that the Conservation Commission approves the proposed work within its jurisdiction under an order of conditions (following referral to and approval by the Martha's Vineyard Commission if required by St. 1977, c. 831, as amended, or the regulations promulgated thereunder). For roadways, including the addition of elevated sections or causeways, in connection with a project providing a public benefit as approved by a two thirds majority vote of a Special or Annual Town Meeting, the restriction set forth in Section 11.6.A.2.d.4 shall not be applicable and the Conservation Commission's review and the Martha's Vineyard Commission's review (if required) under this provision shall be the sole review required under Article 11 of the Zoning By-laws. This provision does not eliminate review of roadways, including those with the addition of elevated sections or causeways, not submitted to Town Meeting for approval as providing a public benefit.

4) Roads that do not exceed ten (10) feet, *but roads may have an additional area to accommodate pedestrian travel, provided that the entire width does not exceed fifteen (15) feet.*

2/3 Majority.

Amendment to Article 12: Squibnocket Pond District

Article 12. To see if the Town will vote to amend Section 12.3.B.1 of the Chilmark Zoning By-laws by: (1) re-numbering the current subsection 12.3.B.1.g as 12.3.B.1.h; and (2) adding the following text as subsection 12.3.B.1.g, so that the two provisions read as follows:

g. Reconstruction and/or relocation of existing roadways, including the addition of elevated sections or causeways, provided that the Conservation Commission approves the proposed work within its jurisdiction under an order of

conditions (following referral to and approval by the Martha's Vineyard Commission if required by St. 1977, c. 831, as amended, or the regulations promulgated thereunder) . For roadways, including the addition of elevated sections or causeways, in connection with a project providing a public benefit as approved by a two thirds majority vote of a Special or Annual Town Meeting, the dimensional requirements established in the Zoning By-laws shall not apply and the Conservation Commission's review and the Martha's Vineyard Commission's review (if required) under this provision shall be the sole review required under Article 12 of the Zoning By-laws. This provision does not eliminate review of roadways, including those with the addition of elevated sections or causeways, not submitted to Town Meeting for approval as providing a public benefit.

h. Uses allowed in Zone A.

2/3 Majority.

CHILMARK PLANNING BOARD

Rich Osnoss, Chair Peter Cook Christopher MacLeod

Janet Weidner Joan Malkin Mitchell Posin

John Eisner