

The Planning Board submits the following article to the Board of Selectman for inclusion on this year's Annual Town Meeting warrant.

ARTICLE: To see if the Town will vote to amend the Oak Bluffs Zoning Bylaw by deleting the current Section 9.0.XIII.1.A.

(6.) Uses Requiring Special Permit from the Board of Appeals

(a.) Within the Shore Zone, the Board of Appeals may grant a Special Permit for any of the following:

(i.) Alterations to buildings and additions to existing residential structures, provided that such addition or alteration neither includes nor requires increased plumbing facilities or on site sanitary disposal facilities.

(ii.) Fish processing facilities requiring or not requiring on site sanitary disposal systems.

(iii.) Minor dredging, filling or alteration of a wetland or beach required for one of the above approved structures or uses.

(iv.) Repair or replacement of on site sanitary disposal or sewage treatment facilities, including any structures, devices and appurtenances to be used in connection therewith, provided however, that such repair or replacement constitutes an improvement to the existing disposal or treatment facilities and has been approved by the Massachusetts Department of Environmental Protection or the Oak Bluffs Board of Health, as appropriate.

in its entirety and substituting in its place the following or take any other action relative thereto.

Section 9.0.XIII.1.A.

6. Uses Requiring Special Permit from the Board of Appeals

a. Within the Shore Zone, the Board of Appeals may grant a Special Permit for any of the following:

(i.) Alterations to buildings and additions to existing residential structures; provided that such additions or alterations shall not result in additional sewage flow or sewage capacity if said building or structure is served by onsite sewage disposal facilities.

(ii.) Fish processing facilities require or not requiring on site sanitary disposal systems.

(iii.) Minor dredging, filling or alteration of a wetland or beach required for one of the above approved structures or uses.

(iv.) Repair or replacement of on site sanitary disposal or sewage treatment facilities, including any structures, devices and appurtenances to be used in

connection therewith, provided however, that such repair or replacement constitutes and improvement to the existing disposal or treatment facilities and has been approved by the Massachusetts Department of Environmental Protection or the Oak Bluffs Board of Health, as appropriate.

(v.) A structure partially located in the shore zone shall be considered as entirely in the shore zone.