

Walking Man Close
Edgartown, Massachusetts

Permit Conditions



A. General Conditions:

1. Side and rear yard setback shall be five (5) feet. Front yard setbacks shall be ten (10) feet.
2. Each Lot shall provide at least two (2) off-street parking spaces, exclusive of any interior garage space. The Affordable Lot shall have one (1) off-street parking space per bedroom.
3. The number of persons living full time at each Lot shall be limited to the number of bedrooms at such Lot times 2.
4. Heating, cooling and cooking appliances and fixtures shall be electric and not run by fossil fuels, except that an outdoor grill may run on propane.
5. All landscaping equipment of every kind and description used to maintain landscaping improvements on each Lot shall be powered by electricity, including rechargeable batteries, and not by fossil fuels.
6. No Lot will be connected to a fossil fuel powered generator.
7. Subject to site conditions as determined by the homeowner's association, all dwellings on Market Rate Lots (except Lot 17) shall contain an on-site solar array of a reasonable size to accommodate the expected electricity needs at such Market Rate Lot.
8. Solar arrays are encouraged on Community Lots and Lot 17 and the dwelling on each Community Lot will be pre-wired and designed in a manner to reasonably accommodate a solar array.

B. Community Lots:

1. There shall be five (5) 2-Bedroom Community Lots and five (5) 3-bedroom Community Lots, with the assignment of bedrooms to each Community Lot as per the subdivision application plan
2. Each 2-bedroom Community Lot's dwelling shall not exceed 1,500 square feet of "Livable Floor Area".
3. Each 3-bedroom Community Lot's dwelling shall not exceed 1,800 square feet of "Livable Floor Area".
4. No guest house, apartment, subordinate dwelling, detached bedroom, sports court, swimming pool, spa, or hot tub shall be allowed on a Community Lot.
5. Patios, open decks or covered porches shall not be included in the Livable Floor Area, but collectively shall be limited to 400 square feet.
6. "Livable Floor Area" shall include all heated or conditioned space with a ceiling height above the finished floor of at least four (4) feet. Dimensions will be measured from the

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inside finished surface of exterior walls without regard to interior walls, cabinets or other built-in features, or stairwells. Basements shall be included in the "Livable Floor Area" if wall or floor surfaces are covered by wood, sheetrock, paint, tile or other similar finish materials.

7. One garage or shed, unheated and without plumbing, is permitted provided that it is one story and without a loft, with an interior wall height of not more than 8 feet and a foot print not greater than 320 square feet.
8. A Community Lot is intended to provide a year round home for persons without other readily available means of housing (whether on Martha's Vineyard or elsewhere) and who wish to live on Martha's Vineyard but are without the financial means to afford a home at fair market value rates. In furtherance of this intention, no Community Lot or dwelling on a Community Lot or any part thereof, shall be leased, let or rented to third parties, except in compliance with the foregoing:
 - (a) An owner while in residence may rent one bedroom in the dwelling to not more than two (2) persons for a term of not less than ninety (90) consecutive days.
 - (b) The entire dwelling may be rented for up to three (3) rental terms, each not less than seven (7) continuous days, and collectively not exceeding thirty-one (31) days in any one calendar year.
9. The initial sale price for a 2-bedroom Community Lot shall not exceed \$190,000, and for a 3-bedroom Community Lot shall not exceed \$225,000 (each, an "Initial Sale Price").
10. The subsequent sale price for each Community Lot shall be limited in perpetuity as follows:
 - (a) In the event no certificate of occupancy for a dwelling has been issued by the Edgartown Building Inspector for such Lot, then the sale price shall be limited to the lesser of the price determined by (b) below, or the sum of the Initial Sale Price for such lot plus the actual cost and expense for any improvements made thereon as such actual cost and expense is approved by the homeowner's association in its discretion.
 - (b) After issuance of a certificate of occupancy for the dwelling on a lot the sale price shall be limited to an amount equal to the maximum amount affordable by a household earning 220% of Area Median Income for the household size equal to the number of bedrooms allowed at the Community Lot being offered for sale, with an assumed 80% mortgage at 5.0% interest.
11. Each purchaser of a Community Lot shall not own other real property unless it is to be sold for purpose of purchasing a Community Lot.
12. No purchaser of a Community Lot shall have assets which exceed 150% of the fair market value of the Premises measured just prior to such purchaser(s) purchasing a Community Lot.

C. Affordable Lot:

One Community Lot may be designated by the Applicant as an Affordable Lot and sold to a not-for-profit entity to construct 100% AMI or less Affordable Housing.

1. The not-for-profit entity may elect to construct a 2-bedroom dwelling or seek a special permit to construct a 2-family building. If the special permit is allowed and sufficient septic capacity is permitted and the Cluster Development Permit authorizes the reduced lot size, then the number of bedrooms permitted at the Affordable Lot will increase to 4.
2. The Affordable dwelling unit(s) will not be obligated to pay dues to the Homeowner's Association.

D. Market Rate Lots:

1. No dwelling on a Market Rate Lot shall be rented for terms of less than one week, not more than four (4) times during the months of June, July and August; except that a guest house may be rented on a year-round basis for a term of one or more years.
2. Except as set forth elsewhere in these Permit Conditions, Market Rate Lots shall comply with the terms and provisions of the Edgartown Zoning Bylaw in effect from time to time as applicable in the R-5 Zoning District, presuming, however, that each lot shall be deemed to satisfy the lot area requirement for a guest house.
3. Market Rate Lots shall be limited to five (5) bedrooms, except that Lot 17 on the plan shall be limited to four (4) bedrooms.