

AQUINNAH PLANNING BOARD

On April 8, 2014 at 7:40pm the Aquinnah Planning Board will hold a public hearing in the Aquinnah Town Offices to review and approve the following proposed changes to the Aquinnah Zoning Bylaw.

- 1.) Amend Sections 13.4-10 and 3.7-1 (Minimum Frontage) by deleting the existing Section B and adding the following as sections B, C, D, E and F:

B. The Planning Board Plan Review Committee shall have the authority to modify or vary the frontage requirements by Special Permit for: i) the reconstruction, extension, or alteration of pre-existing, conforming or nonconforming structures in existence as of May 10, 2011, situated on lots with nonconforming frontage, under the standard contained in Section 13.4-11(A.); and ii.) the addition of new structures, which themselves comply with all other dimensional and density criteria contained in the Zoning By-laws, and receive all other Special permits required by the Zoning By-laws, on lots with nonconforming frontage which have been improved with at least one single family residence as of May 10, 2011.

C. The Planning Board Plan Review Committee shall have the authority to modify or vary the frontage requirements by Special Permit for the addition of otherwise conforming single family homes, and permitted accessory structures, which were granted special permits by the Planning Board Plan Review Committee before May 10, 2011 on lots where the owner has constructed or installed facilities, such as a well, a septic system, or an access road.

D. The Planning Board Plan Review Committee shall have the authority to modify or vary the frontage requirements by Special Permit for the construction of single family residences and related accessory structures on Resident Homesite Lots provided for by Section 13.12.

E. The Planning Board Plan Review Committee shall have the authority to modify or vary the frontage requirements by Special Permit for the construction of single family residences and related accessory structures on lots developed under the Compact Siting provisions of Section 3.3-2.

F. The Planning Board Plan Review Committee shall have the authority to modify or vary by Special Permit the frontage requirements for undeveloped lots with nonconforming frontage, but that have at least fifty (50) feet of frontage, on an existing public or private way as of May 10, 2011.

- 2.) In definitions, Section 7.1, replace the existing definition of Frontage with the following one and add this new definition for Way:

Frontage: The exterior boundary of lot which lies along the boundary of a public or private way, but not along a common driveway, and which contains at least one point of vehicular access to the lot in a location providing safe and adequate sight distance. However, when creating public or private ways to provide frontage to lots in existence before May 10, 2011 the way may,

by Special Permit from the Planning Board, run along the interior of the boundary of the lot, if not doing so would make the lot nonconforming, or less nonconforming, as to minimum lot size.

Way: A public way is a way laid out by public authority or a way which the Town Clerk certifies is maintained and used as a public way. A private way is a way not maintained by public authority and:

- a. Is shown on a plan theretofore approved and endorsed in accordance with the subdivision control law under G. L. c. 41, § 81U (a so-called "Form C" subdivision), or
- b. A way in existence before March 5, 1979, when the subdivision control law became effective in Town, or a way listed as a Private Way on the Town Clerk's Recorded List of Public and Private Ways, having, in the opinion of the Planning Board, sufficient width, suitable grades, and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon.