



Town of West Tisbury
BUILDING & ZONING INSPECTOR
West Tisbury, Massachusetts 02575

July 13, 2023

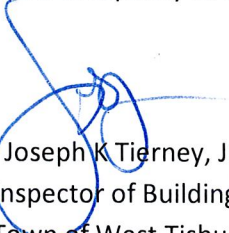
Memo: Select Board

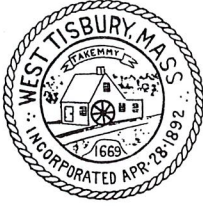
Re: 274 Indian Hill Rd.- Complaint: Revised 07/13/23

Dear Select Board Members,

See revised responses regarding the email from abutters to 274 Indian Hill Rd.:

1. **Wetlands Violations**- Are under the jurisdiction of the Conservation Commission.
2. **Barn Application**- See attached letter. Mr. Cottrell has indicated he will be revising his plans to meet the requirements of the Major Roads District.
Fence- the fence being constructed appears to be 7' or less height and would not require a Building Permit.
3. **Storage of tree trunks**- As an agricultural community trees are used for different purposes. There is nothing in the bylaw that would prevent the storage of trees or lumber.
4. **Earth Moving Equipment**- I have notified Mr. Cottrell that the excavator will need to be removed from the site until such time as a building permit has been issued.
5. **Pallet of material**- There is nothing in the bylaws, that I am aware of, that would regulate bulk purchasing of materials for the property.
6. **Signs**- The Mad Martha's sign has been removed. The large metal sign next to shed appears to be a collectable and is not posted.
7. **Vehicles/Occupancy**- I have not observed a number of motor vehicles on the property that would indicated exceeding the current occupancy of the 3-Bedrooms on the property.


Joseph K Tierney, Jr
Inspector of Buildings
Town of West Tisbury



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BUILDING & ZONING INSPECTOR
West Tisbury, Massachusetts 02575

July 13, 2023

Christopher W Cottrell
Christopher W Cottrell Trust
P.O. Box 2001
Oak Bluffs, Ma 02557

Re: 274 Indian Hill Rd.- Barn Application

Dear Chris,

I have completed my review of your application to construct an agricultural barn, within the Major Roads District, at 274 Indian Hill Rd. See below comments:

The proposed agricultural barn, located in the Major Roads District, appears to exceed the maximum allowable height of structures with a pitched roof of 24' from mean natural grade. Per Section 6.2-3 D(2) of the West Tisbury Zoning Bylaws (WTZBL) a Special Permit is required.

In accordance with 780 CMR R105.3.1(1) I am denying your building permit application, due to non-compliance with local Zoning Bylaws. In addition, Section 8.1-5 of the West Tisbury Zoning Bylaws indicates the following:


8.1-5 No excavation, filling, grading, or clearing in preparation for site development shall be undertaken prior to the grant of any Special Permit, Site Plan, or subdivision approval required for such development.

Since you have proceeded with the clearing and excavation of the site for the proposed barn, without a Special Permit, you are now in violation of 8.1-5 and are subject to enforcement. Section 10.2-3(A) allows for a fine of \$100 for the offense. That fine is attached.

Feel free to contact me if you have any additional questions.

If you feel aggrieved by this determination you may file an appeal with the West Tisbury Zoning Board of Appeals within 30 days of this notice or request a non-criminal hearing with the Clerk Magistrate.

Sincerely,


Joseph R. Tierney, Jr.
Inspector of Buildings
Town of West Tisbury

Cc: ZBA & Planning Board

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