

Received by the Town Clerk: \_\_\_\_\_ Date: \_\_\_\_\_

Signed: \_\_\_\_\_

**APPLICATION COVER PAGE**

Date: 9/1/2023

Date Received by ZBA: 9/1/2023

Name of Applicant and Mailing Address: Joshua Saltmarsh

143 Old Holmes Hole Road, PO Box 686

Email Address: josh.saltmarsh@gmail.com Telephone Number: 508-627-0209

Name of Owner and Mailing Address (If not Applicant): \_\_\_\_\_

Map and Lot #: 16-146 Street Address 143 Old Holmes Hole Road

Applicant is: Owner (Owner, Agent, Tenant, Purchaser, Other)

Nature of Application (Special Permit, Appeal, Variance): Special Permit Amendment

Applicable Section of Zoning Bylaw: 9.3-3, 8.5-2, 3.1-1

Date of Denial by Building Inspector, Zoning Inspector, or Planning Board (If Applicable): \_\_\_\_\_

Plot Plan: Must provide a plan by a registered surveyor showing the total property with the existing buildings, including the proposed project, all setback distances and driveway access to road.

n/a Floor Plans and Elevations: 2 sets of scaled drawings of floor plans that show total sq. ft. per floor (measured from exterior of wall), at least 2 elevations with one showing proposed height to ridge. If the project is an addition to existing structure please clearly identify proposed work.

Narrative: Detailed description of proposed project.

Application fee of \$200.00 payable to: The Town of West Tisbury.

I have read the overview of the ZBA process attached to this application, completed all sections of the application cover page and provided all required documentation and therefore request a hearing before the West Tisbury Zoning Board of Appeals with reference to the above noted application.

Signed: [Signature]  
Title(s): \_\_\_\_\_



Application fee of \$200.00 is required. Date Paid: \_\_\_\_\_

ck # 115

# Project Description for Saltmarsh Special Permit

DATE: 9/1/2023  
TO: The West Tisbury Zoning Board of Appeals  
FROM: Joshua N. Saltmarsh  
SUBJECT: Request to Modify Service Permit for Home Based Business (#2019-55)

Members of the Board,

I am requesting to modify a permit to operate my boat storage and maintenance business out of my primary residence at 143 Old Homes Hole Road.

## **Description of work:**

My boatyard specializes in caring for small sailboats, under 25', primarily Herreshoff 12 ½s. I have been operating this business since 2019 and have been able to meet the concerns that were presented by my neighbors and the byways committee at the previous hearing.

- The storage area has been extremely well screened from outside the property and would not need to increase in size to accommodate the 25 boats I am requesting.
- All sanding work is being done inside and with dustless Festool vacuum systems.
- All bottom washing is being done inside, and the runoff is collected and disposed of.
- All our equipment is very quiet, with our small Kubota tractor being the only item that may be audible from outside the property.
- Ground water testing has showed no changes since we began operation.
- Traffic on the road has not proven to be an issue, with the small number of trips in and out of the boatyard, and the small size of the boats being transported. When passing someone on the road, it is no more difficult to navigate than a landscape truck or delivery vehicle.

## **Changes requested:**

- I am seeking permission to store up to 25 boats on the property.
- Many of my sailboat customers now own small powerboats that they use to access their sailboats in the harbor. While I would like to be able to store, bottom paint, and clean these boats for them, the engines would be serviced by another boatyard.

I believe that I have done an excellent job of addressing all the concerns that were brought at the previous hearing. With three years of operation here, I have shown that my business can operate without causing a disruption in the neighborhood. It is quiet, clean, and out of sight.

Sincerely,  
Josh Saltmarsh

**THE COMMONWEALTH OF MASSACHUSETTS**

**TOWN OF WEST TIS BURY**  
**ZONING BOARD OF APPEALS**

**DECISION OF THE BOARD OF APPEALS ON THE PETITION OF Joshua Saltmarsh filed with the West Tisbury Town Clerk on December 18, 2019, Special Permit 2019-55.**

**Applicant:** Joshua Saltmarsh, PO Box 1131, Edgartown, MA 02539

**Property Owner:** Old Holmes Hole Road LLC, whose title is recorded at the Dukes County Registry of Deeds and described in Book 1511, Page 878, dated November 13, 2019.

**Agent:** N/A

**Locus:** 143 Old Holmes Hole Rd, West Tisbury Assessors' Map 16, Lot 146, RU District, (4.0 acres).

**Plans:** 1) Site Plan prepared by Vineyard Land Surveying, Inc. dated August 10, 2016, (revised by owner).  
2) Floor plans and Elevations-N/A  
All plans on file at the Zoning Board of Appeals Office.

**Notice:** Certified abutters list mailed on November 20, 2019, and advertised in the Martha's Vineyard Times on November 21st and 27th, 2019.

**Hearing & Request:**

A Public Hearing was held on December 5, 2019, on an application for a Special Permit from Joshua Saltmarsh for a Service Business (Boat Maintenance and Storage) under sections 8.5-2 and 3.1-1 of the Zoning Bylaws, Map 16 Lot 146, 143 Old Holmes Hole Rd., (Special Way), RU District.

**Requirement:** Section 8.5-2 and 3.1-1 of the West Tisbury Zoning Bylaws.

**Present:** Nancy Cole, Larry Schubert, Toni Cohen, Julius Lowe, Deborah Wells and John Rau

**Absent:** N/A

**Decision:** On December 5, 2019 the Zoning Board of Appeals voted unanimously to GRANT with CONDITIONS, a Special Permit to allow the operation of a Service Business (Boat maintenance and Winter Storage) for up to 12 boats.

**Vote for:** Nancy Cole, Larry Schubert, Toni Cohen, Julius Lowe, Deborah Wells and John Rau

**Abstained:** N/A

**Findings:**

- 1) The applicant has addressed many of the concerns of the Board and those of Abutters, downsizing his request significantly from his previous application.
- 2) The business will consist of boat maintenance and winter storage for up to 12 boats
- 3) Boats will be covered by dark colored tarps or canvas.
- 4) The workshop and storage area will be in and around existing garage.
- 5) Transportation of boats is expected to be 24 trips to and from the property per year.
- 6) The workshop and boat storage area will be screened from view of neighboring properties and pedestrians using the Special Way as stated in Appendix A of the application.
- 7) Screening of the Special Way has been done and applicant agrees to screen boat storage area from the lots behind it with evergreens, fencing or both.
- 8) Sanding will be done using a dustless sander and only inside the garage, to limit noise.

- 9) Appendix B of the application describes the "Wash water containment system" which may be installed at a later date to enable power washing on site.
- 10) The application met the Review Criteria of Section 9.2-2 of the Zoning Bylaws.

- Conditions:**
- 1) Power washing of boats will be done off site until the proposed water collection system has been installed.
  - 2) Water testing will be done prior to the start of operations to establish a baseline for levels of chemical contaminants and again 2 years later. Results shall be submitted to the Zoning Board of Appeals become part of the permanent file.
  - 3) Up to 12 boats are allowed to be stored on the property. Any increase in volume would constitute an amendment to this Special Permit.
  - 4) Hours of operation will be 9am to 5pm weekdays only.

***NO VARIANCE OR SPECIAL PERMIT SHALL TAKE EFFECT UNTIL:***

1. **A period of twenty days has elapsed from the date of the filing of the Board's written Decision with the Town Clerk, and the applicant has received a copy of the Decision bearing the certification of the Town Clerk that a period of twenty days has elapsed from the filing of the Decision and that no appeal has been filed, or the appeal has been denied or dismissed. The Certified Decision is recorded at the Dukes County Registry of Deeds and the recording fee has been paid at the Dukes County Registry of Deeds. Only Original Documents will be accepted at the Registry.**
2. **A receipt for the recording stamped by the Dukes County Registry of Deeds has been returned to the Building & Zoning Inspector of West Tisbury or to the office of the West Tisbury Board of Appeals who will turn over the receipt to the Building and Zoning Inspector.**
3. **The applicants may proceed with applying to the appropriate Town of West Tisbury Officers and Boards for any other development permits which may be required by law.**

**Any person aggrieved by the Decision of the West Tisbury Board of Appeals may appeal to Superior Court and must notify the Town Clerk of the action and submit a copy of the complaint within twenty days after the decision has been filed in the office of the Town Clerk.**

**A Special Permit shall lapse in 2 years if not utilized. A Variance shall lapse in one year if not utilized.**

**The Building and Zoning Inspector may approve at his discretion, minor changes that come up during the building process. All major changes to the plans or significant material changes must be approved by the Zoning Board of Appeals. Please consult with the Inspector regarding any change. Failure to do so may nullify your permit and may require removal of the unapproved construction.**

***NOTE WELL; the applicant will obtain all other permits or authorization required by the Town of West Tisbury before proceeding with any work.***

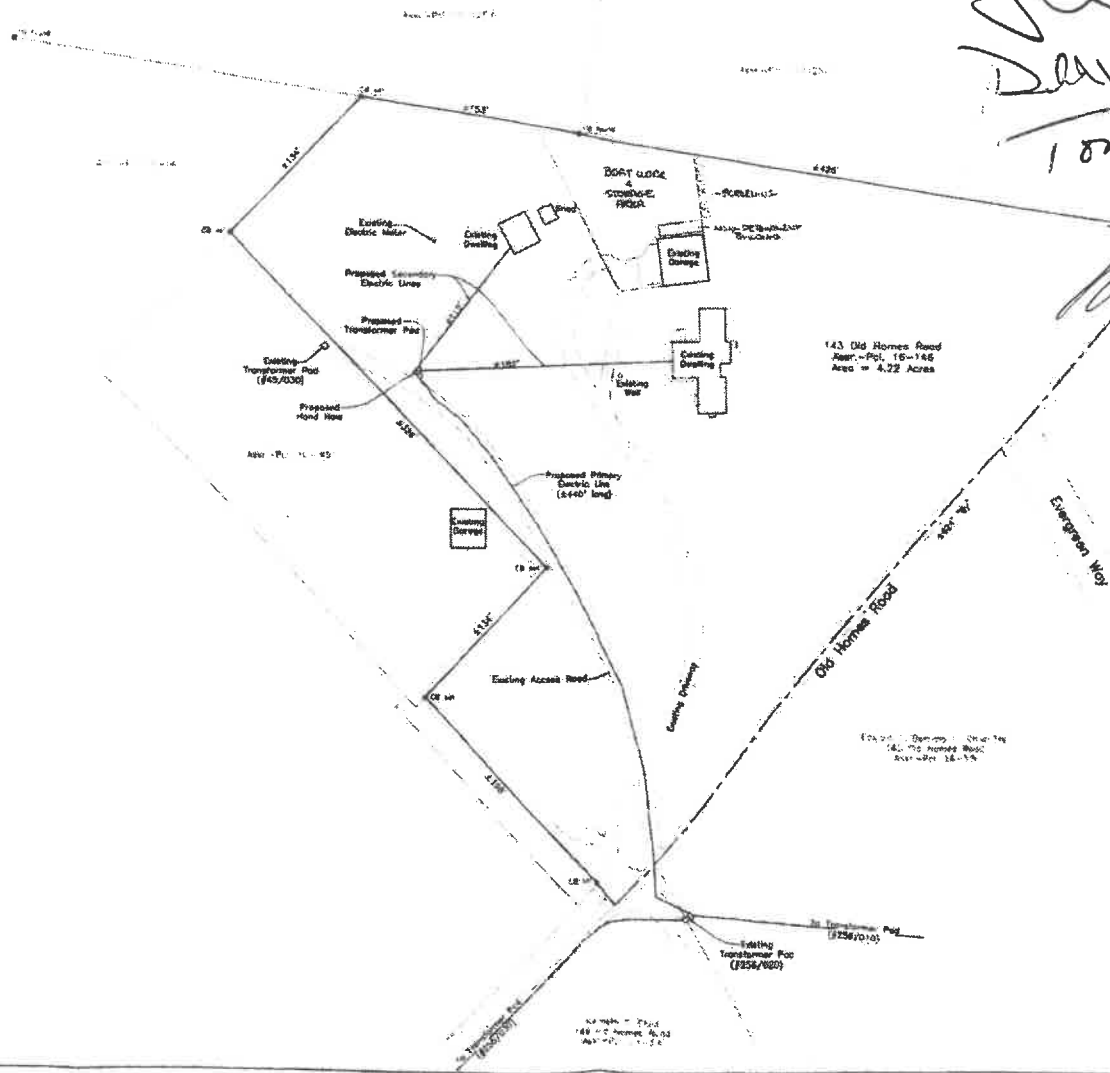
Filed with the West Tisbury Town Clerk on December 18,  
2019. \_\_\_\_\_

I certify that no appeal has been made \_\_\_\_\_

Approved 12/5/19

*Tom Cohen*

*Maria Moody*  
*Janey Co.*



Evergreen Electric, Inc.  
West Tisbury, Mass.  
Prepared for  
**Maria Moody**  
Table 12-49  
August 10, 2019

**VINEYARD LAND SURVEYING & ENGINEERING, INC.**  
12 Cottage Road, P.O. Box 4, West Tisbury, MA 02575  
P 508.693.3774 F 508.629.9440

# Wampanoag Environmental Laboratory

## Water Quality Analysis



**Owner:** Joshua Saltmarsh      **Company:**  
**Sample Location:** 143 Old Holmes Hole Rd  
**Town:** West Tisbury      **State:** MA      **Zip:** 02575      **Phone/Fax:** 508-627-0209

**Laboratory ID** 14786

**Sample Description**

Package C

**Sampled**

**Time** 10:00 AM

**Date** 1/16/2020

**Received**

**Time** 2:14 PM

**Date** 1/16/2020

**Bacteria Started**

**Time** 2:30 PM

**Date** 1/16/2020

**Bacteria Completed**

**Time** 2:45 PM

**Date** 1/17/2020

**Analyst** MA

**Report Date**

1/17/2020

### Primary Parameters

Parameters	Results	Units	MCL	MDL	Method
Total Coliform	ND	colonies/100ml.	1	0.0	SM 9223 B
E. Coli	ND	colonies/100mL	1	0.0	SM 9223 B
Arsenic	ND	mg/L	0.01	0.005	HACH KIT
Lead	0.002	mg/L	0.015	0.001	SM 3130 B
Nitrate	ND	mg/L	10	0.05	8192 HACH
Nitrite	ND	mg/L	1	0.005	EPA 353.2

### Secondary Parameters

Parameters	Results	Units	MCL	MDL	Method
pH	6.02		8.5	6.5	EPA 150.1
Conductivity	49.3	µS/cm	1500	0.0	EPA 120.1
Total Dissolved Solids	24.7	mg/L	750	0.0	EPA 160.1
Copper	0.61	mg/L	1.3	0.05	8506 HACH
Iron	ND	mg/L	0.3	0.05	8008 HACH
Phosphate	0.08	mg/L		0.05	EPA 365.1
Sulfate	2.0	mg/L	250	0.05	8051 HACH
Ammonium	ND	mg/L	1.3	0.05	EPA 350.1
Hardness, Total	31.6	mg/L as CaCO3	61	0.0	SM 2340 C
Sodium	5.12	mg/L	20	0.10	ISE

### Comments

Water is considered potable for all parameters tested. pH is below the secondary parameter of 6.5

⊙ Indicates a potential issue with the water sample  
 ND= Not Detected      MDL = Minimum Detection Limits      MCL = Maximum Contamination Level

# Wampanoag Environmental Laboratory Water Quality Analysis

Massachusetts DEP Laboratory Certification # M-MA1084



**Owner:** Josh Saltmarsh

**Company:**

**Sample Location:** 143 Old Holmes Hole Rd

**Town:** West Tisbury

**State:** MA

**Zip:** 02575

**Phone/Fax:** 508-627-0209

### Primary Parameters

Parameters	Results	Units	MCL	MDL	Method
Total Coliform *	ND	colonies/100mL	1	0.0	SM 9223 B
E. Coll *	ND	colonies/100mL	1	0.0	SM 9223 B
Arsenic	ND	mg/L	0.01	0.005	HACH KIT
Lead	ND	mg/L	0.015	0.001	SM 3130 B
Nitrate	ND	mg/L	10	0.23	102061 HACH

### Secondary Parameters

Parameters	Results	Units	MCL	MDL	Method
pH	6.67		8.5	6.5	EPA 150.1
Conductivity	38.6	µS/cm	1500	0.0	EPA 120.1
Total Dissolved Solids	19.3	mg/L	750	0.0	EPA 160.1
Copper	0.14	mg/L	1.3	0.05	8506 HACH
Iron	ND	mg/L	0.3	0.05	8008 HACH
Phosphate	0.14	mg/L		0.05	EPA 365.1
Sulfate	2.0	mg/L	250	0.05	8051 HACH
Ammonium	ND	mg/L	1.3	0.05	EPA 350.1
Hardness, Total	12.8	mg/L as CaCO3	61	0.0	SM 2340 C
Sodium	6.03	mg/L	20	0.10	ISE

### Comments

Water is considered potable for all parameters tested.

⊙ Indicates a potential issue with the water sample

\* Indicates a Massachusetts Department of Environmental Protection certified laboratory analysis

ND= Not Detected    MDL = Minimum Detection Limits    MCL = Maximum Contamination Level

**Laboratory ID** 16238

#### Sample Description

Package C

#### Sampled

**Time** 9:39 AM

**Date** 8/16/2023

#### Received

**Time** 10:30 AM

**Date** 8/16/2023

#### Bacteria Started

**Time** 10:50 AM

**Date** 8/16/2023

#### Bacteria Completed

**Time** 11:10 AM

**Date** 8/17/2023

#### Analyst

MA

#### Report Date

8/25/2023