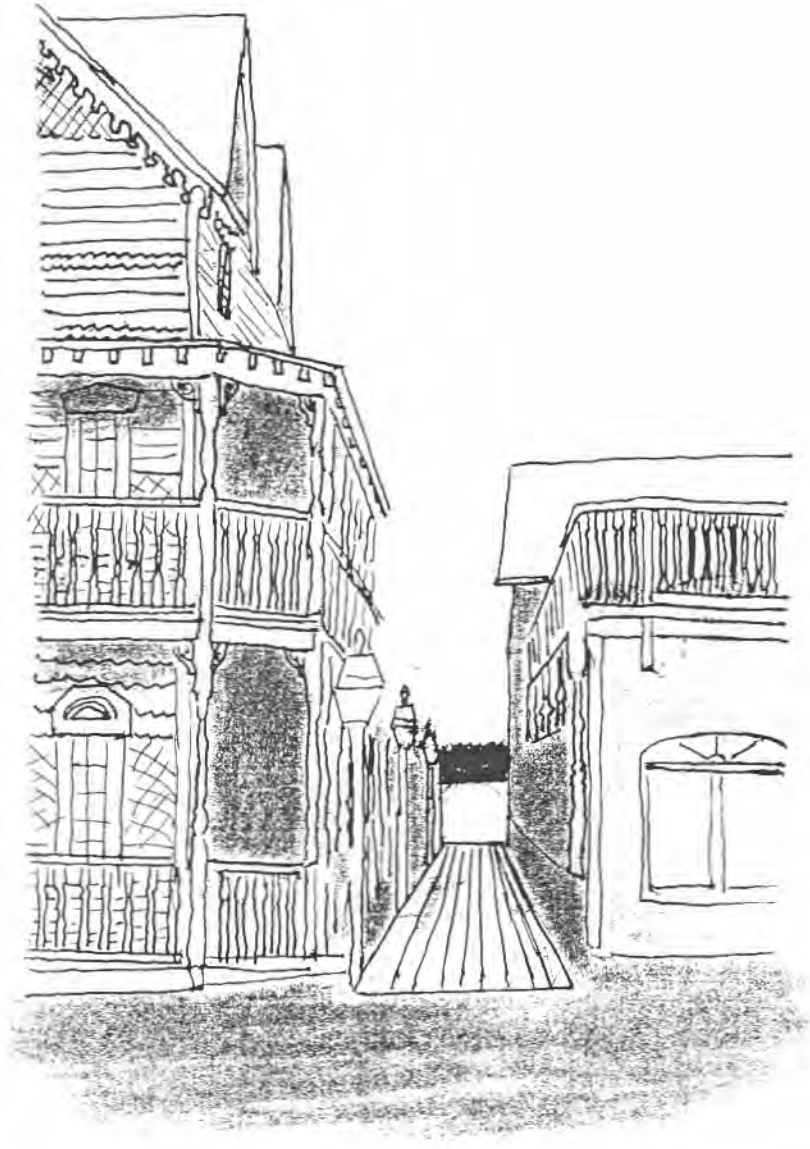
OAK BLUFFS HARBOR DISTRICT

DESIGN GUIDELINES



TOWN OF OAK BLUFFS
1997

The Oak Bluffs Harbor District Design Guidelines were adopted for the Town by the Oak Bluffs Planning Board September 4, 1997. Prior to its vote, the Planning Board held a Public Hearing on June 6. At the request of the Planning Board, the Oak Bluffs Harbor Planning Advisory Committee reviewed the proposed Guidelines and voted on August 4 to recommend adoption by the Planning Board.

Acknowledgement:

This document was prepared with the assistance of the Martha's Vineyard Commission; text and illustrations by Jo-Ann Taylor, Coastal Planner

Cover Illustration: enticing Oak Bluffs Harbor view from Circuit Avenue Extension

"Victorian Skylines" illustration: provided by T. McCarthy

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OAK BLUFFS HARBOR D.C.P.C.

DESIGN GUIDELINES

INTRODUCTION

These design guidelines are intended to perform a dual purpose; as an effective tool for the Plan Review Committee to use in review of individual projects, and as a resource for applicants who are planning or considering development within the Oak Bluffs Harbor District. These design guidelines are intended to assess existing visual impacts and to show how future development might produce appropriate results. Those considering development in the District are cautioned to consult the numerical standards which are found in the zoning by-laws, and to use these guidelines only to supplement the more quantitative restrictions in the regulations.

The Oak Bluffs Harbor District was created by the Martha's Vineyard Commission in 1996 to protect the special cultural and economic resources of the harbor. The Town voted an overlay zoning regulation in 1997 that includes provision for site plan review within the District (The full text of the zoning regulation is included here as an appendix.). In the regulation, the Plan Review Committee is authorized to review all permit applications for structures proposed to be visible from Oak Bluffs Harbor or from the nearest public way. The zoning regulation includes some specific numerical standards, including setbacks, but there is very little existing consistency in the District upon which to pattern specific standards for development. The overall visual impact of the harbor consists of distinct residential and commercial parts with entirely different architectural and spatial requirements. It would be difficult if not impossible to create specific numerical standards that would alone protect the views or architecture from inappropriate development. Oak Bluffs has chosen to protect the District by site plan review of each proposal on a case-by-case basis.

Guidelines are presented here for site design and for architecture. Site design is a key component of view protection. The scale and placement of structures can have a profound influence on the quantity and quality of views through to the harbor. Although architectural style is of secondary importance, there is a need for architectural consistency in order to protect the harbor views from visually intrusive construction. Architecture and site design should be planned together to produce the most effective visual impact.

SITE DESIGN FOR OPEN VIEWS THROUGH TO THE HARBOR

During development of the Oak Bluffs Harbor District, the nomination, Public Hearing testimony and Designation Decision recognized the need to maintain an effective visual connection between Oak Bluffs Harbor and surrounding lands. The visual accessibility of the harbor has traditionally provided a unique link that keeps the harbor an important part of the fabric of daily life in the town. If the visual connection were to be lost, it is likely that the harbor would become culturally distanced from the surrounding land areas, and thus lost as an integral part of the community. The 1996 Open Space Plan for Oak Bluffs revealed concern for and interest in visual and physical access to the harbor; "The virtual heart of town...Residents strongly support open space views across - and access to - their harbor, as evidenced by the Open Space Survey results...They want the buildings, uses and views of this area preserved intact. The harbor should be useful and active, but not built or obscured from view..."[1].

There are several ways to protect views and view clearances. Specific numerical standards may be effective in some situations. Such specific numerical standards for height are included in the underlying regulations for the B-1, R-1 and R-2 zoning districts. The residential side of the harbor is built with 1½-2½ story homes, most of which approach the height limit of 32'. Most of the commercial buildings approach the base B-1 height limit of 35'. The Town chose to use the same standards for the overlay district as are in effect for the underlying districts. There is provision for building height in the B-1 district to reach 50' by Special Permit from the Zoning Board of Appeals, provided that: "...the increase in height is in keeping with the Victorian architecture prevalent in Oak Bluffs at the turn of the century, allowing sufficient air and light, and will enhance rather than detract from the unique architectural character of Oak Bluffs."[2] The sketch of Lake Anthony from the Highlands, which follows, is meant to illustrate the desired effect.

Some specific numerical standards are included in the overlay district regulation. These include specific building setbacks for each residential district and for the B-1 District. The setbacks are fairly similar to those in the underlying districts, with the exception that the side setbacks for the residential properties in the district are not relaxed for construction of sheds and garages, as they are in the underlying R-1 and R-2 Districts. Side setbacks

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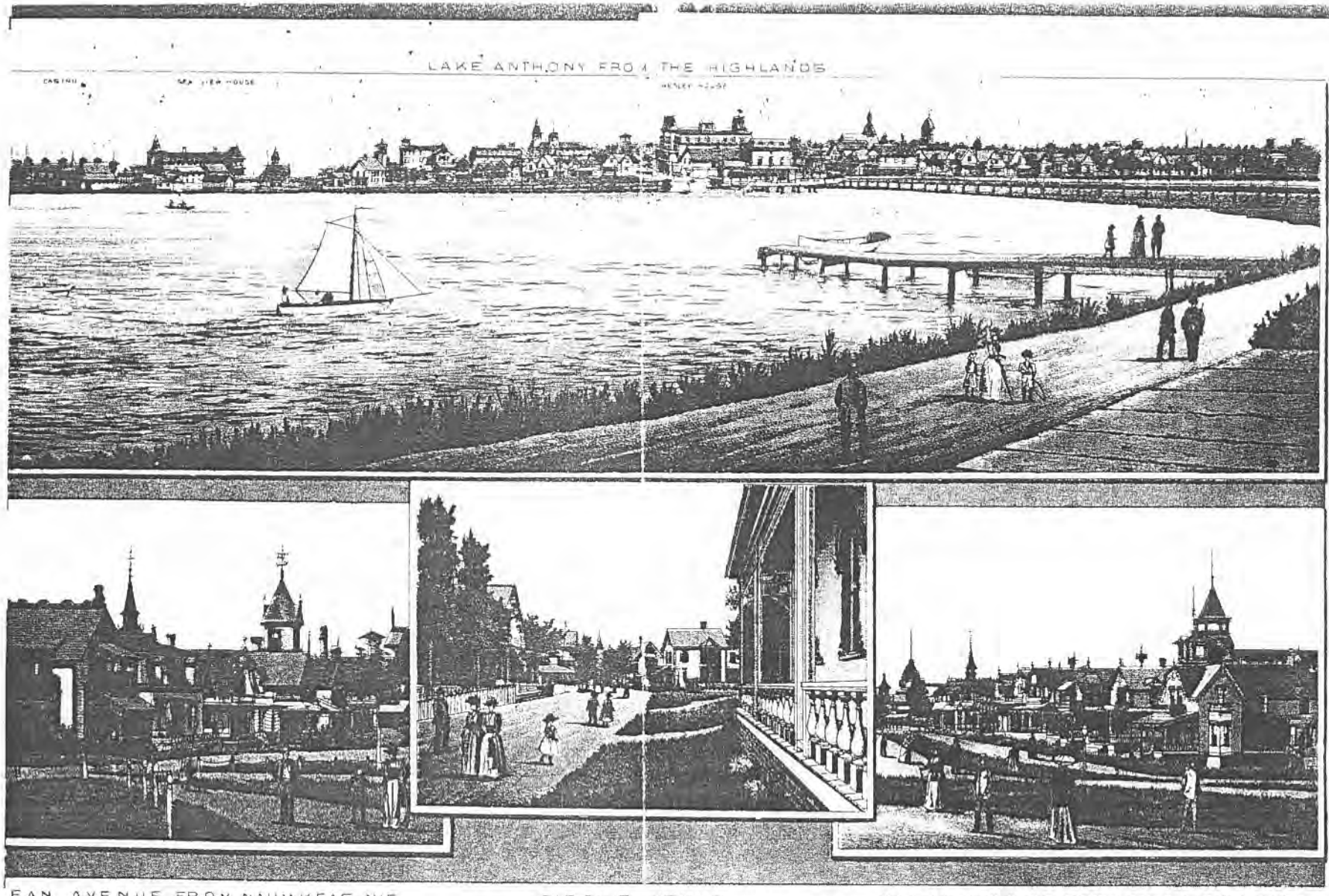
[1]Town of Oak Bluffs, 1996, Open Space Plan

[2]Town of Oak Bluffs, General Provisions and By-laws, Section 7-1-d-3



VICTORIAN SKYLINES

in the overlay district refer to construction of any structure, including a shed or garage. The reason for this is that a shed or garage has tremendous potential for disruption of the view through to the harbor. There is, of course, no setback requirement for construction associated with water-dependent uses (those requiring access to the water).

Fences and plantings that could create a visual obstruction between the harbor and the nearest public way may not be higher than 36 inches without a Special Permit. Along East Chop Drive, most properties are fronted by thirty-six inch white picket fences that identify the private/public boundary effectively, but do not block views through to the harbor. Residences are screened one from the other by means of massive vegetation such as privet and cedar. The Special Permit option provides discretion for situations where some carefully placed screening might produce a more effective visual impact than would exposure of visual intrusions such as utilities. The Special Permit procedure includes public input to assist with decisions as to the relative benefits of fencing proposed for a height greater than 36 inches.

Protection of harbor views cannot be ensured by numerical standards alone. For example, there is little of the uniformity of lot size or shape that would enable the use of numerical restrictions for total lot coverage. Rather, the overlay district regulation uses site plan review to allow for consideration of the view impacts of each proposal on a case-by-case basis. There are some examples in the District that illustrate effective and ineffective use of space with respect to view preservation.

In the commercial area, treatment of open space varies considerably. There is some open space among the small structures in the moped and Budget rental area, but the space is flat and uninteresting, and includes the visual intrusion of parked vehicles. The open space is not as visually and physically inviting as it could be. In contrast, the alley between the "gingerbread building" and Dockside Marketplace, although narrow, offers an enticing view of the harbor and invites the pedestrian to stop and look through or enter the passage. In those situations, the more inviting and compelling space is the narrow alley between the gingerbread building and Dockside Marketplace. A numerical standard would not serve as well as would attention to the true impact of the open space whatever its size. The small spaces that tend to be available in the business area need special planning in order to be effective, lacking the expansiveness of a large open space like the Lake Avenue promenade. An effective small open area is one that is properly framed to provide visual enticement. The open porch area on the "gingerbread building" alley is a fine example. The open porch extends the length of the building, providing the welcome that such space implies as well as the visual stimulation that is provided by the posts and railings as they draw the eye out to the harbor. The physical invitation of the porch is

matched by its visual impact, drawing the eye to follow its lines and linger.

Although the view from Circuit Avenue Extension presents the rear view of the shops, that view incorporates entrances and other features designed to attract potential shoppers. The front view of the businesses, seen from the bulkhead promenade, is an inviting, eye-level view of storefronts, designed to arrest the attention of potential shoppers. The view from the bulkhead also presents interesting long views in addition to the eye-level views. The long expanse of the length of the bulkhead contrasts storefronts on one side with boats and the harbor on the other. The effect is to draw the stroller out to the bulkhead to enjoy the harbor views and/or to stop and enter the commercial establishments for food or shopping. It is important for the businesses to maintain an open and inviting visual connection between the public bulkhead and the building. The "gingerbread building" provides an excellent example of the use of open porches to soften the visual and physical boundary between the businesses and the walkway. There is no comparison between the invitation provided by a porch in place of a solid wall at such a location. Besides the economic benefits, the open porch enhances the long views on the bulkhead, views that would be chopped off by a solid wall.

The considerable open space on Lake Avenue between Circuit Avenue Extension and the harbor is dominated by the pervasive presence of parked automobiles. Although this space has no potential to provide views through to the harbor, it is perhaps an example of a situation where some screening might provide an effective visual impact.

Some public open spaces should remain open. The bulkhead promenades in the commercial area and along Lake Avenue should probably remain open for strolling as well as for visual access. It would be difficult to design any structure that would serve a better purpose than the pervasive harbor view provided by the Lake Avenue space and the long views provided by the commercial bulkhead space.

On the East Chop Drive side, there is an established pattern of open space treatment, in contrast to the haphazard treatment of open space on the commercial side. Open space treatment on the residential side is closely linked with the prevalent Colonial architectural style. The basic Colonial home presents a boxy shape that is square or slightly rectangular, 1½ to 2½ stories tall. The basic boxy shape of the Colonial is not one that could easily be turned on its axis to provide more open space views between the homes. There would be little gain in view protection by turning a boxy shape, and the typical formal presentation would be lost. The typical Colonial presents a symmetrical front with a central entrance facing the street. There are, however, opportunities for view protection within the Colonial style. Many Colonial homes are

expanded with additive features such as dormers and wings. Selection of these additive features presents considerable opportunity for preservation of views through to the harbor, within the context of the Colonial style. For instance, Colonials are typically expanded by adding partial or full shed dormers on the front, back or both. This type of expansion would not reduce the views between houses or dilute the Colonial style of architecture. Addition of dormers is an effective and appropriate means of expansion in the District. Many Colonials are expanded by addition of a wing or wings that are connected to the original boxy shape. On East Chop Drive, the placement of such wings has great potential to impact the preservation of views through to the harbor. Although the Colonial style could be served as well by placing a wing alongside as on the rear of the house, the better choice for view protection would be to place the wing on the rear of the house. The addition of a wing alongside the house would block the view to the harbor, and should be avoided.

It should be remembered that there are numerical standards in place that also serve to define the open space. For instance, there is no provision in the overlay district regulation to relax the side setback requirements for accessory structures such as sheds and garages, such as exists in the regulations for the underlying residential districts. Such structures have tremendous potential for impacting the view through to the harbor, and their placement should be carefully chosen to provide the least visual intrusion. Such structures should be placed in front or behind the house, if possible. If such structures are to be placed alongside the house, then the placement should be as close to the house as possible. Close placement preserves the expanse of open view between the buildings and the adjacent property and buildings.

There is a restriction on height of fencing, which complements the existing fencing arrangement. Along East Chop Drive, most homes are fronted with a 36 inch white picket fence that effectively defines the private/public boundary, while enhancing rather than blocking the views through to the harbor. Many boundaries between properties are defined with massive vegetation such as cedars and privet. Such screening serves to provide privacy between homes without impacting the views through to the harbor. The height restriction applies to height of plantings as well as of fencing.

SUMMARY OF SITE DESIGN GUIDANCE

COMMERCIAL

The use of open decks, balconies and porches can go a long way toward creating an open and inviting space. Use open porches, decks and balconies rather than solid walls in critical view areas such as small spaces between buildings and for space adjacent to the bulkhead walkway.

Frame small spaces to provide visual enhancement. Open decks, porches and balconies are examples of effective visual framing. Another effective framing technique is to keep heights consistent on either side of the space.

Special Permits for building height greater than 35' should be granted only for special Victorian features as outlined in Section 7-1-d-3 of the Oak Bluffs zoning by-laws.

Keep the bulkhead promenade open for strolling and for visual access.

RESIDENTIAL

The boxy shape of a Colonial home may be aligned with its long axis parallel to the road and harbor, but additive features such as wings and dormers should be selected and sited for view protection. Dormers provide an opportunity for expansion within the footprint, with no additional loss of view through to the harbor. The addition of dormers is an effective and appropriate means of expansion in the District. If wings are proposed, they should be placed at the rear of the house, rather than on an end.

Accessory structures such as garages and sheds should be placed in the front or rear of the house, rather than on the side. If such structures are placed on the side, they should be placed closely alongside the house or attached.

Front the properties with 36" picket fences. Use massive screening only between homes for privacy.

Keep open the Lake Avenue bulkhead promenade for strolling and for visual access.

COMMERCIAL AND RESIDENTIAL

Special Permits for fencing or other screening greater in height than 36" should be reserved for those situations where such screening would result in less visual intrusion than would the same space with exposure of visual intrusions such as utilities.

ARCHITECTURAL CONSISTENCY

When considering architecture, it should be remembered that the visual impact of the architecture in the area is secondary in significance to the visual connection between the land and the harbor. The harbor itself is the star! Architectural planning should not be directed at showcasing the exterior features of the buildings. There is rather a need for architectural consistency to protect the overall visual impact of the harbor views from being compromised. There is potential for incompatible styles to detract from the harbor views by creating undue visual intrusion. For that reason, it is important to keep the architectural features consistent with the surrounding area.

With regard to existing architectural consistency, there is quite a bit in the residential area, very little in the commercial area, and little if any consistency between the two. The distinct architectural style of the residential area should be preserved. There is no distinct style in the commercial area, but there is potential to promote the Victorian style that is so captivating in the adjacent Circuit Avenue business area.

ARCHITECTURE FOR THE RESIDENTIAL PART OF THE DISTRICT

The residences and one business on the East Chop Drive side of the harbor present an appearance and architectural style that is much different from that of the commercial area across the harbor. In the residential area, there is much greater consistency in style. The residences have been built almost exclusively in various Colonial styles.

ARCHITECTURAL STYLES

Predominant architectural styles are New England Colonial, Cape Cod (Colonial) and Dutch Colonial. Dominant features include: boxy shape; formal, symmetrical front with central entrance; double-hung windows with small panes of glass, window shutters the same size as the windows; gabled roofs with dormers; subdued colors and simple textures. Wings are traditionally added to the rear or sides, but in the District may more appropriately be added to the rear.

Cape Cod Colonial

The Cape Cod is the most rustic of the Colonial styles. The beauty of this style lies in its simplicity and symmetry. The basic shape is a simple 1½ story box, with a gabled roof and a symmetrical front with a central entrance, sided with clapboards or unfinished cedar shingles. The cornice (roof overhang) is simple and plain. The chimney is traditionally low and central.

New England Colonial

Having evolved from the Cape Cod style, the New England Colonial has the same boxy shape and symmetrical appearance, and gabled roof. The New England Colonial is larger, typically 2½ stories, with more elaborate exterior features. The front door, retaining the central position inherited from the Cape, is typically adorned with head lights and side lights (small windows above and alongside the front door). The elaborate cornice is adorned with dentils, in contrast to the plain roof overhang on the Cape. The New England Colonial has a chimney at each end. Siding is traditionally of narrow clapboards.

Dutch Colonial

The Dutch Colonial resembles the other Colonials in its boxy shape and symmetrical appearance. The major distinguishing feature of the Dutch Colonial is the gambrel roof, in contrast to the plain gabled roof of the other Colonials. The gambrel roof "was developed from the simpler gabled one in an effort to get usable space under the roof. In this, the roof slope starts up steeply from the eaves, and at a convenient ceiling height the slope

changes abruptly to a much flatter pitch, which continues to the ridge...It gives a good deal of space for bedrooms, which may gain their light from dormer windows."[3]. The Dutch Colonial is typically 2 to 2½ stories in height, with second story dormers and an off-center chimney. Siding materials are varied, but clapboards and shingles are most appropriate for the District.

ROOFING AND GABLES

The roof shapes should be consistent with the Colonial styles; gabled, with a gambrel roof on the Dutch Colonial. Single and shed dormers are consistent with the Colonial styles and create additional living space without compromising the views through to the harbor. Typical of East Chop and of nineteen-twenties construction are the "truncated" gables and dormers. The pointed tips of the gable ends and dormers have been chopped off, leaving exposedflat triangles instead of points. These truncated tips are distinctive in the District.

Roof colors should be dark in most cases. Dark colors recede from view and disappear into the treed background, as seen from the harbor.

COLORS AND TEXTURES

Subdued colors and unfinished cedar shingles are suited to the Colonial styles and do not draw attention away from the harbor views. Some interesting textures are appropriate for the trim on the New England Colonial Style; particularly the entrance and eaves details. For the Cape Cod and Dutch Colonial styles, trim should be plain.

PORCHES

The front and entrance of the Colonial style formally separates the indoor and outdoor space. Informal entrance features such as porches and balconies should be avoided on the front, except the widow's walk that is typical for the top of the New England Colonial. Porches are appropriate for the rear of the house. There, the porches serve to open the living space to the adjacent harbor views and present an open and friendly view from the harbor and from across the harbor. Many homes in the District are graced with verandas that extend the length of the rear of the house. Smaller covered sleeping porches appear atop many of the verandas.

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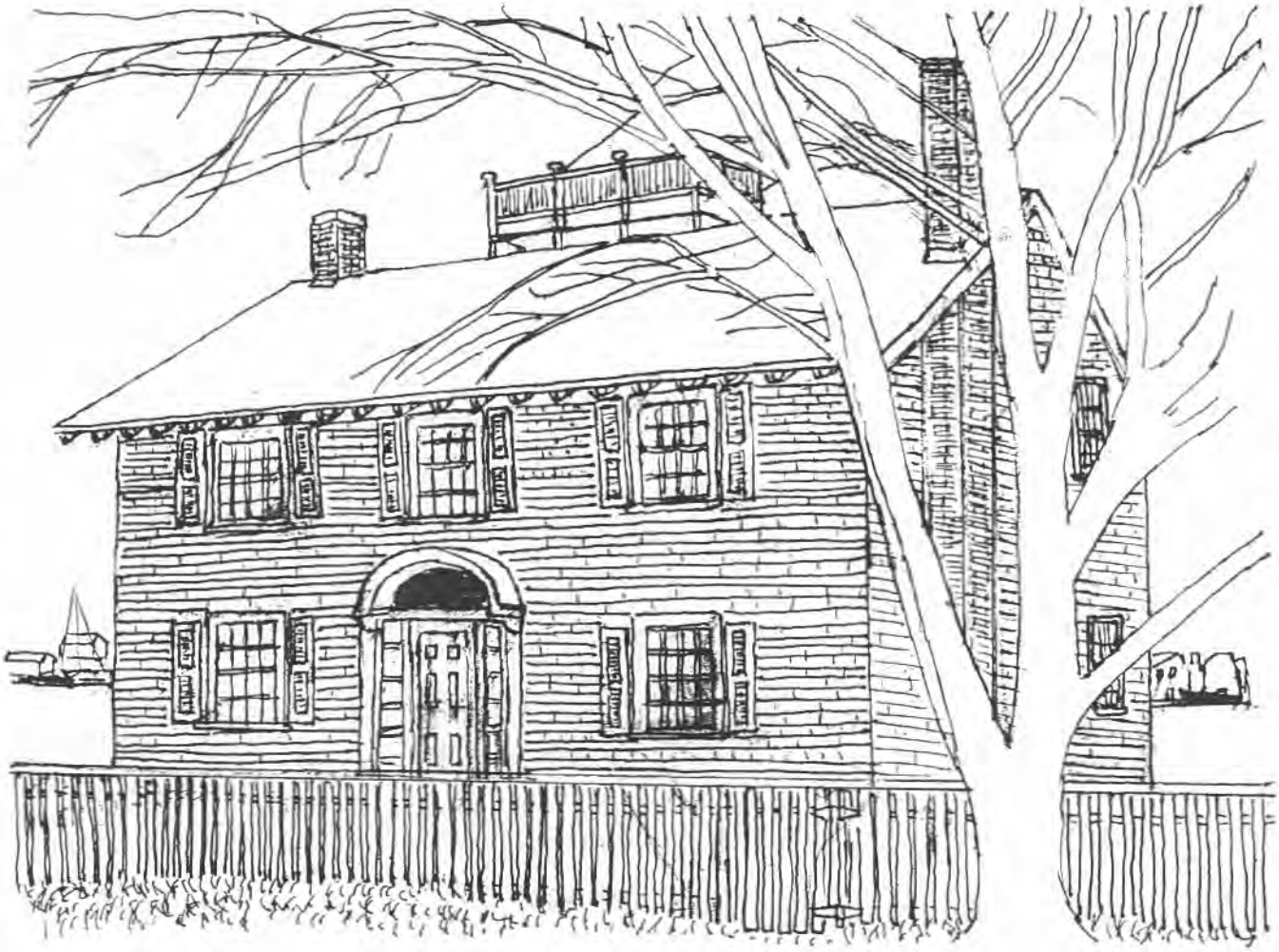
[3]Congdon, Herbert W., 1963, Early American Homes for Today

FENCES

White picket fences traditionally front the Colonial home. A plain picket is typical for the Cape Cod. Some textural detail is appropriate for the New England Colonial, as is a cap rail across the top. Most homes in the District are fronted with 36" white picket fences.



NEW ENGLAND COLONIAL

This stunning example of New England Colonial architecture is found on East Chop Drive in the Oak Bluffs Harbor District. The New England Colonial has a boxy shape and symmetrical appearance, and gabled roof. The New England Colonial is typically 2½ stories in height. There are elaborate exterior features. The central front door is adorned with head lights and side lights (small windows above and alongside the front door). The elaborate cornice is adorned with dentils, in contrast to the plain roof overhang on the Cape. The New England Colonial has a chimney at each end.

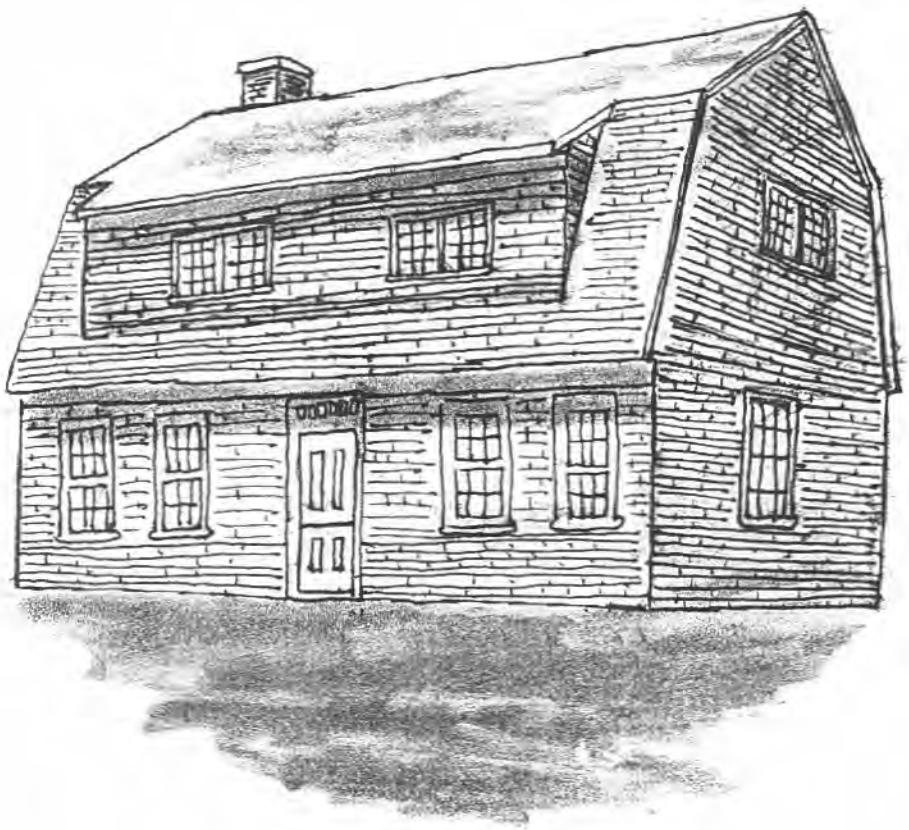
Appropriate additive features would include dormers on front or rear, and wings located on the rear, not the side.

The traditional white picket fence, here a cap-rail style, presents an effective private/public boundary while enhancing rather than disrupting the harbor view.

TYPICAL CAPE COD COLONIAL

The Cape Cod is the most rustic of the Colonial styles. The beauty of this style lies in its simplicity and symmetry. The basic shape is a simple 1½ story box, with a gabled roof and a symmetrical front with a central entrance, sided with clapboards or unfinished cedar shingles. The cornice (roof overhang) is simple and plain. The chimney is traditionally low and central.

Appropriate additive features would include dormers on front or rear, and wings placed on the rear, not the sides.



TYPICAL DUTCH COLONIAL

The Dutch Colonial resembles the other Colonials in its boxy shape and symmetrical appearance. The major distinguishing feature of the Dutch Colonial is the gambrel roof, in contrast to the plain gabled roof of the other Colonials. The gambrel roof "was developed from the simpler gabled one in an effort to get usable space under the roof. In this, the roof slope starts up steeply from the eaves, and at a convenient ceiling height the slope changes abruptly to a much flatter pitch, which continues to the ridge...It gives a good deal of space for bedrooms, which may gain their light from dormer windows."[4]. The Dutch Colonial is typically 2 to 2½ stories in height, with second story dormers and an off-center chimney. Siding materials are varied, but clapboards and shingles are most appropriate for the District.

[4]Congdon, Herbert W., 1963, Early American Homes for Today

ARCHITECTURE FOR THE COMMERCIAL AREA

Unlike the distinctive Colonial style of the residential section, there is no particular architectural style associated with the commercial area. Most of the buildings are plain; shapes are simple gable-roofed masses, with no particular architectural style. There is one "gingerbread building", which creates dramatic visual impact, conspicuous in the midst of the plain buildings surrounding it. The "gingerbread building" is reminiscent of the Victorian charm which has historically been associated with Oak Bluffs and which still permeates the downtown business area on Circuit Avenue. It would be quite appropriate to extend the Victorian style from Circuit Avenue to the commercial area on the harbor, thus emphasizing the cultural and economic link between the two. Introduction of Victorian style may be accomplished by new construction, although there is very little unbuilt land available. It is more likely to come about through renovation, even by such simple measures as painting. The "Mad Martha's" building on the corner of Lake Avenue and Circuit Avenue Extension is a good example. The building shape and trim are very plain. Interesting textural detail has been added by using glossy paint on the walls, where one would expect to find flat paint. Paint colors are the variegated pastels that are found on Victorian buildings. The overall visual effect is Victorian, although there is not a scrap of gingerbread anywhere on the building. The rear (Circuit Avenue Extension side) of Dockside Marketplace displays a whimsical balcony railing atop its flat roof that effectively adds textural enhancement and an open and friendly feeling to a building that is otherwise plain.

ARCHITECTURAL STYLES

Victorian architecture represented a bold departure from the Colonial styles of the previous era. The whimsical gingerbread trim, balconies, turrets, towers and gaudy paint are as far removed from the symmetry and formality of the Colonials as could be. The term "Victorian" actually includes several distinct styles, many of which may be found in Oak Bluffs. The "gingerbread building" is a fine example of the Carpenter Gothic style; steep gabled roofs, lots of gingerbread trim and interesting shingling textures. The Eastlake style is noted for rectangular shape, gabled roofs, open front porches and ornamentation reminiscent of turned furniture legs. The Queen Anne style, with its turrets, towers and irregular shapes, provides perhaps the most opportunity for freedom of expression; "In 1877, American Architect magazine defined the Queen Anne style as 'any eccentricity in general design that one can suppose would have occurred to designers 150-200 years ago.'...it means a house with a steep gabled roof, shingled walls or panels for added texture, a rounded turret corner tower or two,

and a front porch usually inside the main structural frame."[5]. Many fine examples of Victorian architecture may be found in Oak Bluffs, and a casual stroll about town provides a grand display and considerably more inspiration than could be printed here.

ROOFING AND GABLES

Many buildings feature gabled roofs on plain shapes. Infusion of more Victorian style will introduce more variety, including steep gabled roofs, turrets and towers. Light roof colors tend to blend with the open sky above, presenting a pleasantly subtle skyline that does not compete visually with the harbor itself.

COLORS AND TEXTURES

Variegated pastel colors and complex textures are important to the Victorian style. Pastel colors are used effectively on the Harborside Landing and Mad Martha's buildings to create a Victorian statement without Victorian architectural features. Textures are important to the Victorian style. The "gingerbread building" displays interesting textures in its complex shingling patterns and intricate porch railings. The Mad Martha's building uses glossy paint to create an interesting texture on its otherwise plain walls.

PORCHES

A porch entrance is preferable to a solid wall. The porch presents an open and inviting link, blurring the boundary between indoor and outdoor space. The fun and easy Victorian style is particularly associated with the informality of porches and balconies. The Victorians used their porches to reach out to the outdoors, in rebellious contrast to the formal entrances that characterize the Puritanical styles that may be found across the harbor. Also, long views of porches and balconies add visual stimulation to frame small view corridors.

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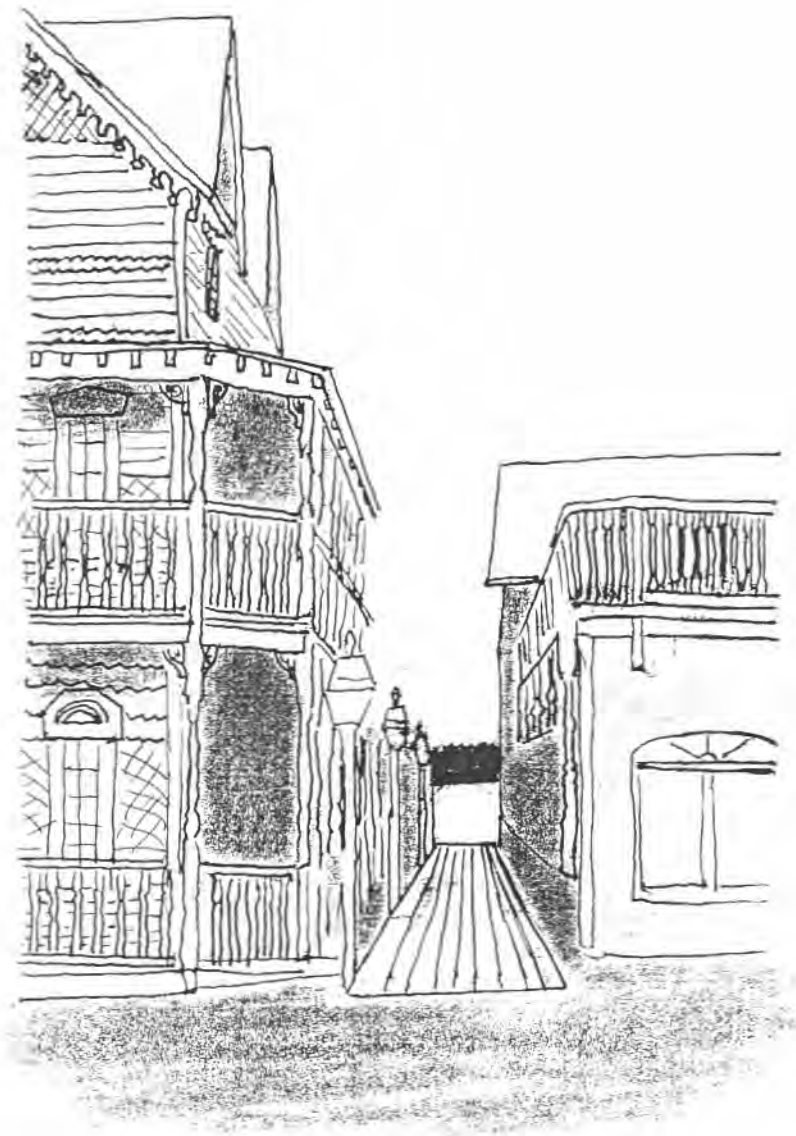
[5]Baer, Morley et al, 1977, Painted Ladies



The "Gingerbread Building" provides a fine example of the Carpenter Gothic Victorian style; steep gabled roofs, lots of gingerbread trim and interesting shingling. The whimsical balcony railing atop the adjacent Dockside Marketplace building adds Victorian charm to an otherwise plain building.

The Boardwalk between Dockside Marketplace and the "Gingerbread Building" provides an attractive and inviting view through to the harbor with little actual open space; the porch and balcony railings help to encourage visitors to look through and/or enter the passage.

REFERENCES

Town of Oak Bluffs, General Provisions and By-laws

Town of Oak Bluffs, 1996, Open Space Plan

Martha's Vineyard Commission, 1996, "Decision of the Martha's Vineyard Commission Designating the Oak Bluffs Harbor District as a District of Critical Planning Concern"

Harrison, Henry S., 1973, Houses

Poor, Alfred E., 1932, Colonial Architecture of Cape Cod, Nantucket and Martha's Vineyard

Congdon, Herbert W., 1963, Early American Homes for Today

Baer, Morley et al, 1978, Painted Ladies

Robbins, Sally F., 1990, Porch Presence

APPENDIX - ZONING REGULATION FOR THE DISTRICT[6]

The Oak Bluffs Districts of Critical Planning Concern Regulations are amended by adding Section 7.0 Oak Bluffs Harbor District as follows:

Section 7.0 Oak Bluffs Harbor District

7.1 Purpose:

To maintain an effective visual and physical connection between Oak Bluffs Harbor and surrounding lands; to achieve architectural consistency; to protect Oak Bluffs Harbor environmentally; to protect the economic, recreational and residential viability thereof and strive to maintain its uniqueness for future generations.

7.2 Boundary:

All that land and water contained within a line beginning at the intersection of East Chop Drive (a/k/a Commercial Avenue) and Lake Avenue, thence easterly along the centerline of Lake Avenue for a distance of 1,485± feet to the intersection of Lake Avenue and Oak Bluffs Avenue,thence easterly along the centerline of Oak Bluffs Avenue for a distance of 100± feet to its intersection with Circuit Avenue Extension, thence northerly along the centerline of Circuit Avenue Extension for a distance of 915± feet to its intersection with the centerline of Sea View Avenue Extension, thence northeasterly for a distance of 100± feet from said intersection perpendicular to the mean low water mark of the shore of Nantucket Sound, thence northwesterly and northeasterly along the mean low water mark of Nantucket Sound to the northeasterly most point of the rock jetty on the southern side of the mouth of Oak Bluffs Harbor (a/k/a/ Lake Anthony), thence across the mouth of Oak Bluffs Harbor to the northeasterly most point of the rock jetty on the northern side of the mouth of Oak Bluffs Harbor, thence southwesterly and northwesterly along the mean low water mark of Nantucket Sound for a distance of 3,200± feet to its intersection with the centerline of East Chop Drive (a/k/a/Commercial Avenue), thence southerly along the centerline of East Chop Drive for a distance of 1,400± feet to the point of origin.

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[6]Town of Oak Bluffs, General Provisions and By-laws

7.3 Site Plan Review:

The Plan Review Committee shall review all permit applications for structures proposed to be visible from Oak Bluffs Harbor or from the nearest public way. The Permit Granting Authority (Building Inspector, Conservation Commission, e.g.) or the Special Permit Granting Authority (Zoning Board of Appeals, e.g.) shall refer applications to the Committee for this purpose, in accordance with Districts of Critical Planning Concern Regulations, Section 5.2. Generally, structures shall be sited so as to maximize pedestrian views between Oak Bluffs Harbor and the nearest public way, and exterior architectural style and features shall be compatible with surrounding structures and shall be consistent with the Oak Bluffs Harbor District Design Guidelines. The Plan Review Committee shall also review all applications for Special Permits in Section 7.6, in accordance with Districts of Critical Planning Concern Regulations, Section 5.2.

7.4 Dimensional Requirements:

7.41 General: To the degree reasonably possible, structures shall be sited so as to preserve views between Oak Bluffs Harbor and the nearest public way. Scale, bulk and proportions of structures shall be compatible with the surrounding area and consistent with the Oak Bluffs Harbor District Design Guidelines.

7.42 Minimum Setbacks:

	R1	R2	B1
between any structure and any street	20′	25′	5′
between any structure, including an accessory building, and a side lot line	20′	25′	5′
between any structure associated with a non water-dependent use and the Mean Low Water line of Oak Bluffs Harbor	25′	25′	
between any structure associated with a non-water dependent use and the landward edge of the Town bulkhead walk			3′
between any structure associated with a water dependent use and Oak Bluffs Harbor	0′	0′	0′

7.43 Fencing: Any fence, wall, planting, shrubbery or foliage more than thirty-six inches in height, which could materially obstruct the view between Oak Bluffs Harbor and the nearest public way, shall require a Special Permit

from the Zoning Board of Appeals, following review by the Plan Review Committee in accordance with Districts of Critical Planning Concern Regulations, Sections 5.2 and 7.3.

7.44 Height: Permitted heights for structures in the Oak Bluffs Harbor District shall be the same as those in the underlying B1, R1 and R2 Districts, as in Section 7 of the Zoning By-laws.

7.5 Permitted uses:

--all uses permitted in the underlying B1, R1 and R2 Districts, as in Sections 3 and 5-1 of the Zoning By-laws

7.6 Specially Permitted Uses:

for which Special Permits may be granted by the Board of Appeals, as in Section 8-5-D of the Zoning By-laws, following review by the Plan Review Committee in accordance with Districts of Critical Planning Concern Regulations, Sections 5.2 and 7.3:

--in the B-1 District; all uses for which Special Permits may be granted by the Board of Appeals in the underlying B1 District, as in Section 5-1 of the Zoning By-laws, and a privately-owned marina;

--in the R-2 District; all uses for which Special Permits may be granted by the Board of Appeals in the underlying R-2 District, as in Section 3 of the Zoning By-laws, except the following uses which are prohibited: boat yards and boat services, conversion of a one-family house to accommodate more than two families, hotels, rooming and boarding houses, semi-detached two-family dwellings;

--in the R-1 District; all uses for which Special Permits may be granted by the Board of Appeals in the underlying R-1 District, as in Section 3 of the Zoning By-laws

and to further amend District of Critical Planning Concern Regulations as follows:

Section 5.2 All Special Permits applicable within the Special Places, Coastal District <u>AND OAK BLUFFS HARBOR DISTRICT</u> shall be reviewed by the Plan Review Committee. (Add "and Oak Bluffs Harbor District".)

Section 6.0 Definitions

(add) "Marina" A facility which provides dockage or berthing for more than five (5) vessels and may also provide vessel services.

(add) "Water Dependent Use" A use requiring direct access to or location in tidal waters.

(add) "Non-water Dependent Use" A use which does not require direct access to or location in tidal waters.