



Town of Nantucket Finance Committee

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Committee Members: Denice Kronau (Chair), Joseph T. Grause Jr. (Vice-chair), Jeremy Bloomer
Chris Glowacki, Steve Maury, Peter McEachern, Joanna Roche, Peter Schaeffer, Jill Vieth

MINUTES

Tuesday, February 14, 2023

ZOOM – 4:00 p.m.

Called to order at 4:00 pm. by Ms. Kronau.

Staff in attendance: Libby Gibson, Town Manager; Brian Turbitt, Director of Finance; Susan Carmel, Assistant Director Finance; Mariya Basheva, Assistant Town Accountant, Leslie Woodson Snell, Planning Deputy Director

Attending Members: Kronau, Grause, Bloomer, Glowacki, Maury, Roche, Schaeffer, Vieth

Absent Members: McEachern

Documents used: Proposed ARTICLES for Review and Consideration

I. APPROVAL OF AGENDA

Motion	Motion to Approve. (made by: Glowacki) (seconded by: Schaeffer)
Roll-call Vote	Carried 8-0// Kronau, Grause, Bloomer, Glowacki, Maury, Roche, Schaeffer, Vieth -aye

II. PUBLIC COMMENTS

Grause called for public comments. (None)

III. REVIEW, DISCUSSION AND POTENTIAL ADOPTION OF MOTION FOR THE FOLLOWING TOWN MEETING WARRANT ARTICLES:

1. Article 37	Select Board for Planning Board	Zoning Bylaw Amendment: Animal Hospital and Animal Shelter
Discussion:	Leslie Woodson Snell, Deputy Director of Planning - Noted the introduction of a "Quantum of vote" in this year's Planning Board motion. - Explained that the state's Housing Choice Bill permits some articles to pass with a 50% vote rather than the usual two-thirds. - Stated that the Planning Board must acknowledge this change in their motion. - Clarified that the 50% voting threshold applies when zoning changes allow for more housing than previously permitted. - Introduced a zoning bylaw amendment to define "animal hospital" and "animal shelter." - Recognized that current bylaws do not address these uses due to Nisha's pre-existing non-conforming status. - Proposed allowing these uses in various locations by adding them to the bylaw. - Specified that the article would permit these uses in all zoning districts via a special permit. - Identified the Planning Board as the granting authority for special permits. - Discussed the continuation of current operations at the existing location and potential relocation issues. - Mentioned that Nisha's incorporation as an educational use provides some zoning exemptions. - Clarified the aim for clearer regulations through this amendment. - Noted that the amendment requires a two-thirds vote and received a positive recommendation from the Planning Board. - Added that both commercial and residential zones are covered, with a requirement for a public hearing and notification.	

Motion:	Motion to Adopt. (00:04:55)
Roll-Call Vote:	Carried 8-0// Kronau, Grause, Bloomer, Glowacki, Maury, Roche, Schaeffer, Vieth -aye

2. Article 38	Select Board for Planning Board	Zoning Bylaw Amendment: Ground Cover - Sheds
Discussion:	Leslie Woodson Snell, Deputy Director of Planning - Amended the current definition of ground cover in Article 38. - Noted that previously, one residential shed up to 200 square feet was exempt from ground cover calculations. - Stated that sheds over 200 square feet previously counted towards allowed ground cover. - Proposed allowing one or more sheds to be exempt, provided their combined area does not exceed 200 square feet. - Highlighted that this change offers more flexibility to property owners. - Mentioned that the Finance Committee gave a positive motion to this amendment. - Specified that the amendment requires a two-thirds vote.	
Motion:	Motion to Adopt. (00:06:00)	
Roll-Call Vote:	Carried 8-0// Kronau, Grause, Bloomer, Glowacki, Maury, Roche, Schaeffer, Vieth -aye	

3. Article 39	Select Board for Planning Board	Zoning Bylaw Amendment: Swimming Pool - Residential, Hot-tub Spa, Residential Recreational Outdoor Water Feature
Discussion:	Leslie Woodson Snell, Deputy Director of Planning - Addressed discrepancies in the current definitions of residential swimming pools and hot tub spas in Article 39. - Aimed to clarify these definitions to prevent interpretation issues that have led to litigation. - Introduced the classification of swimming pools into small (up to 150 square feet) and large (more than 150 square feet) categories. - Defined a "hot tub spa" as a structure under 75 square feet with heating, seats, edges, and jets. - Noted that small swimming pools may have features like seats or benches but cannot have diving boards or slides. - Maintained existing bylaw restrictions on hot tubs and special permit requirements for certain swimming pools. - Stated that the Planning Board gave a positive recommendation to this article. - Mentioned that the article requires a two-thirds vote. - Explained that Article 54 proposed changing the special permit granting authority from the Zoning Board of Appeals to the Planning Board. - Mentioned that the Planning Board did not support this change and preferred to maintain the current authority with the Zoning Board of Appeals. - Noted that the Zoning Board of Appeals also did not support this change. - Stated that Article 54 received a motion not to adopt. - Confirmed that Article 39 retained the Zoning Board of Appeals as the special permit granting authority, consistent with the current bylaw.	
Motion:	Motion to Adopt, with minor modifications to descriptions. (00:09:22)	
Roll-Call Vote:	Carried 7-0// Kronau, Grause, Bloomer, Glowacki, Maury, Roche, Schaeffer-aye//Vieth (recused)	

4. Article 40	Select Board for Planning Board	Zoning Bylaw Amendment: Time-Sharing or Time-Interval- Ownership Dwelling Unit or Dwelling
Discussion:	Leslie Woodson Snell, Deputy Director of Planning Reported that the Planning Board has not yet held the public hearing for Article 40.	

	• Noted that the public hearing is scheduled for March 9th. • Indicated the need to roll over the discussion to a future date.
Action:	No Action Taken

5. Article 41	Select Board for Planning Board	Zoning Bylaw Amendment: Duplex
Discussion:	Leslie Woodson Snell, Deputy Director of Planning • Proposed expanding the allowance for duplexes into additional zoning districts in ROH and SOH, where they are currently prohibited. • Clarified that duplexes would not be allowed in the R20 district but would be permissible in the R40 district. • Described R20 as a half-acre district and R40 as roughly an acre district. • Stated that duplexes would be permitted as an accessory use in commercial and industrial zones. • Specified that in ROH and SOH districts, duplexes would be allowed only when one of the units meets the Nantucket housing needs covenant. • Highlighted the goal to promote additional housing types. • Noted that the Planning Board gave a positive recommendation to this article. • Mentioned that the article requires a majority vote.	
Motion:	Motion to Adopt. (00:10:48)	
Roll-Call Vote:	Carried 8-0// Kronau, Grause, Bloomer, Glowacki, Maury, Roche, Schaeffer, Vieth -aye	

6. Article 42	Select Board for Planning Board	Zoning Bylaw Amendment: Secondary Residential Lots
Discussion:	Leslie Woodson Snell, Deputy Director of Planning • Described Article 42 as primarily a housekeeping measure, previously considered for inclusion in a technical amendment article. • Mentioned guidance from the Attorney General led to handling these changes separately this year. • Clarified the bylaw to specify that the tertiary unit is allowed only on the market rate plot, aligning with the Nantucket housing needs Covenant program. • Addressed potential confusion for property buyers or dividers about the location of tertiary units. • Explained that upon division of a single lot into two, one lot becomes the market rate and the other the covenant lot, with the tertiary unit designated to the market rate lot. • Stated no additional size restrictions on the rolling unit compared to previous regulations. • Added a provision specifying that ground cover distribution must be determined at the time of issuing the special permit. • Emphasized the intention to prevent future disputes among property owners over ground cover allocation by clarifying these details upfront. • Mentioned that the article requires a two-thirds vote.	
Motion:	Motion to Adopt. (00:13:00)	
Roll-Call Vote:	Carried 8-0// Kronau, Grause, Bloomer, Glowacki, Maury, Roche, Schaeffer, Vieth -aye	

7. Article 43	Select Board for Planning Board	Zoning Bylaw Amendment: Tertiary Lots
Discussion:	Leslie Woodson Snell, Deputy Director of Planning • Referred to Article 43, which deals with the tertiary lot program approved at last year's town meeting. • Mentioned discussions with several property owners about proceeding with applications, although none have been filed yet. • Aimed to expand the allowance for tertiary lots into R10 and R20 zoning districts, with specific lot size requirements. • Stipulated that in R10 zoning, a normally required 10,000 square foot lot must be at least 15,000 square feet to participate in the program. • Specified that in R20 zoning, a normally required 20,000 square foot lot must be at least 30,000 square feet to qualify for the program. • Clarified that two of the three dwellings on a lot must be subject to the housing covenant to benefit from the tertiary lot bonus. • Emphasized that once a tertiary unit is built, the lot cannot participate in the covenant program. • Noted that the vote on this article is set for a 50% majority.	
Motion:	Motion to Adopt. (00:15:25)	
Roll-Call Vote:	Carried 8-0// Kronau, Grause, Bloomer, Glowacki, Maury, Roche, Schaeffer, Vieth -aye	

8. Article 44	Select Board for Planning Board	Zoning Bylaw Amendment: Off-street Parking Requirements
Discussion:	Leslie Woodson Snell, Deputy Director of Planning • Discussed Article 44, which addresses changes to off-street parking requirements as part of efforts to encourage additional housing under the Housing Choice Bill. • Noted that current parking requirements are based on the number of bedrooms; proposed changing this to a total amount required for each dwelling unit. • Stated that the Planning Board gave a positive recommendation to this change. • Mentioned that the article requires a majority vote. • Clarified that the changes in parking requirements would only affect specific zoning districts listed in the order. Maury • Questioned whether the Planning Board already possesses the authority to modify parking requirements, noting they can waive them by special permit. • Indicated that the proposed change in Article 44 would allow for by-right allowance rather than requiring a special permit. • Expressed concerns over the adequacy of existing parking provisions, citing instances of insufficient parking leading to vehicles obstructing sidewalks, streets, and bike paths. • Argued that the current flexibility granted to the Planning Board might be sufficient and questioned the necessity of codifying such allowances into law. • Suggested that locations with more robust transportation networks might manage better with on-street parking, unlike the conditions on Nantucket. • Suggested that if parking requirement modifications were tied to affordability restrictions, such as creating more year-round or affordable restricted housing units, the proposal could be more justifiable. • Expressed understanding that easing parking requirements might facilitate housing development under such conditions. • Voiced concerns that without tying these changes to affordability, it might simply lead to increased inconvenience and hardship for neighbors due to exacerbated parking issues.	
Action:	No Action Taken. Discussion will continue at a future meeting with the Planning Commission.	

9. Article 45	Select Board for Planning Board	Zoning Map Change: RC-2 to R-5 and/or CTEC - Appleton Road
Discussion:	Leslie Woodson Snell, Deputy Director of Planning - Noted that the Planning Board has deferred Article 45 for further discussion with property owners. - Scheduled the continuation of this discussion for March 9.	

10. Article 46	Select Board for Planning Board	Zoning Map Change: RC-2 to R-5 and/or CTEC - Nobska Way
Discussion:	Leslie Woodson Snell, Deputy Director of Planning - Noted that the Planning Board has deferred Article 46 for further discussion with property owners. - Scheduled the continuation of this discussion for March 9.	

11. Article 47	Select Board for Planning Board	Zoning Map Change: RC-2 to R-5 and/or CTEC - Salros Road
Discussion:	Leslie Woodson Snell, Deputy Director of Planning - Described Article 47 as part of the Planning Board's master plan to phase out the RC2 zoning district. - Reported that the phase-out of RC2 is nearing completion, transitioning properties to C-Tech zoning. - Explained that this decision was based on research and public hearings with property owners. - Noted that the Planning Board gave a positive recommendation to this zoning change. - Stated that the required vote for this change is a 50% majority. - Clarified that most properties transitioning from RC2 to C-Tech are already used commercially, including uses like employee housing in both residential and commercial zones. - Mentioned that there are a few residential properties affected, but the consensus favored C-Tech zoning.	
Motion:	Motion to Adopt. (00:22:44)	
Roll-Call Vote:	Carried 8-0// Kronau, Grause, Bloomer, Glowacki, Maury, Roche, Schaeffer, Vieth -aye	

12. Article 48	Select Board for Planning Board	Zoning Map Change: RC-2 to R-20 and LUG-3 - 91 and 95 Miacomet Avenue
Discussion:	Leslie Woodson Snell, Deputy Director of Planning - Noted that the Planning Board has deferred Article 48. - Scheduled the continuation of this discussion for March 9.	

13. Article 49	Select Board for Planning Board	Zoning Map Change: R-1 to R-5 - Williams Lane and Cherry Street
Discussion:	Leslie Woodson Snell, Deputy Director of Planning - Mentioned Article 49, which involves rezoning properties from R1 to R5 at Williams Lane and Cherry Street as part of the master plan to phase out the R1 zoning district. - Noted that the Planning Board gave a positive recommendation for this rezoning. - Stated that the vote required for this change is a 50% majority.	
Motion:	Motion to Adopt. (00:23:40)	
Roll-Call Vote:	Carried 8-0// Kronau, Grause, Bloomer, Glowacki, Maury, Roche, Schaeffer, Vieth -aye	

14. Article 50	Select Board for Planning Board	Zoning Map Change: R-1 to R-5, CN, and CMI - Pleasant Street, Kimberly Way, Williams Lane, Cherry Street, Bear Street and Madison Court
Discussion:	Leslie Woodson Snell, Deputy Director of Planning - Noted that the Planning Board has deferred Article 50. - Scheduled the continuation of this discussion for March 9.	

15. Article 51	Select Board for Planning Board	Zoning Map Change: R-10 to CN - Surfside Road and Cobble Court
Discussion:	Leslie Woodson Snell, Deputy Director of Planning - Described Article 51, which proposes rezoning properties from R10 to CN (Commercial Neighborhood) on Surfside Road and Caldwell Court. - Explained that this rezoning aims to address a patch of residential properties adjacent to commercial usage, including a school, doctor's office, and hospital. - Noted that the rezoning received a positive recommendation from the Planning Board. - Stated that the required vote for this change is a 50% majority.	
Motion:	Motion to Adopt. (00:26:15)	
Roll-Call Vote:	Carried 8-0// Kronau, Grause, Bloomer, Glowacki, Maury, Roche, Schaeffer, Vieth -aye	

16. Article 52	Select Board for Planning Board	Zoning Map and Town and County Overlay District Change: 69 Hummock Pond Road
Discussion:	Leslie Woodson Snell, Deputy Director of Planning - Article 52 addresses the rezoning of 69 Hummock Pond. - Part One of the proposal seeks to rezone the property from LUG2 to R40. The original article listed R20, but the Planning Board's motion specifies R40. - Part Two proposes transferring portions of the lot from the Country Overlay District to the Town Overlay District, specifically the northeast portion of the property. - The Planning Board previously rezoned the property in 2015, which impacted the buildable area in ways not anticipated, affecting ground cover restrictions established when a conservation restriction was in place. - Clarifies that there's a duplicate article related to this property, sponsored by the Planning Board, which includes both the rezoning and the district change. - Notes that properties in the Town Overlay District generally have access to amenities like water, sewer, paved roads, bike paths, and public transit—all of which are available to this property, making it suitable for inclusion in the Town Overlay District.	

	The citizen-sponsored article related to this property does not include these zoning and district changes; hence, the recommendation for the citizen article is to take no action. This will be addressed later in the warrant.
Motion:	Motion to Adopt. (00:29:40)
Roll-Call Vote:	Carried 8-0// Kronau, Grause, Bloomer, Glowacki, Maury, Roche, Schaeffer, Vieth -aye

17. Article 53	Select Board for Planning Board	Zoning Map Change: Town Overlay District Open Space Parcels
Discussion:	Leslie Woodson Snell, Deputy Director of Planning - Article 53 focuses on the Town Overlay District and open space parcels. - This initiative aligns with the master plan implementation to assign parcels located in environmentally sensitive areas or those already preserved or used as open space to the lowest density zoning district applicable to their location. - Specifies that the parcels discussed are all located within the Town Overlay District, where R40 is designated as the lowest density zoning district. - Noted that these parcels are already subject to management by the land bank or are utilized for open space purposes. - The Planning Board has given a positive recommendation for this rezoning. - Stated that the approval of this article requires a two-thirds majority vote.	
Motion:	Motion to Adopt. (00:31:24)	
Roll-Call Vote:	Carried 8-0// Kronau, Grause, Bloomer, Glowacki, Maury, Roche, Schaeffer, Vieth -aye	

18. Article 54	Linda Williams	Zoning Bylaw Amendment - Swimming Pool - Residential
Discussion:	Leslie Woodson Snell, Deputy Director of Planning - Article 54 revisits the citizen petition discussed earlier regarding the change in the special permit granting authority for swimming pools. - Proposed shifting this authority from the Zoning Board of Appeals to the Planning Board. - Noted that both the Zoning Board of Appeals and the Planning Board did not recommend this change. - Reported that the Planning Board made a motion not to adopt the article. - Mentioned that this article requires a two-thirds majority vote for approval.	
Motion:	Motion to approve the Planning Board's recommendation. (00:33:18)	
Roll-Call Vote:	Carried 7-0// Kronau, Grause, Bloomer, Glowacki, Maury, Roche, Schaeffer-aye //Vieth (Recused)	

19. Article 55	Campbell Sutton	Zoning Bylaw Amendment - Swimming Pool - Residential
Discussion:	Leslie Woodson Snell, Deputy Director of Planning - Article 55 involved a public hearing by the Planning Board where a recommendation was initially made. - Highlighted a procedural issue with the meeting's posting, necessitating the redoing of the meeting. - Scheduled the new meeting for March 9th to rectify the issue and ensure compliance with procedural requirements. - Added that this rescheduled meeting will provide an opportunity for the article's proponent to be present and discuss her order number.	

20. Article 56	Linda Williams	Zoning Bylaw Amendment - Intensity Regulations - Frontage
Discussion:	Leslie Woodson Snell, Deputy Director of Planning - Article 56 proposes changing the special permit granting authority from the Zoning Board of Appeals to the Planning Board specifically for the reduction in frontage for commercial lots. - Explained that the bylaw currently allows for the reduction of frontage requirements from the minimum to no less than 20 feet if the lots are used for commercial purposes. - Both the Zoning Board of Appeals and the Planning Board supported this article, recognizing its alignment with the Planning Board's responsibilities related to subdivision and access. - Emphasized that the Planning Board is already the special permit granting authority for commercial permits, and this change would streamline the permitting process by avoiding the need for applicants to go to both boards. - Noted that the article received a positive recommendation and requires a two-thirds majority vote for approval.	
Motion:	Motion to Adopt. (00:35:16)	
Roll-Call Vote:	Carried 8-0// Kronau, Grause, Bloomer, Glowacki, Maury, Roche, Schaeffer, Vieth -aye	

21. Article 57	Linda Williams	Zoning Bylaw Amendment - Intensity Regulations - Setbacks
Discussion:	Leslie Woodson Snell, Deputy Director of Planning - Article 57 addresses a proposed change in the authority to grant variances for setbacks from the Zoning Board of Appeals to the Planning Board. - Noted that neither the Board of Appeals nor the Planning Board supported this change, similarly to their stance on the change for swimming pools discussed earlier. - The consensus from the boards led to a motion not to adopt the proposal. - Stated that the required vote for this article is a two-thirds majority.	
Motion:	Motion to Adopt. (00:36:05)	
Roll-Call Vote:	Carried 8-0// Kronau, Grause, Bloomer, Glowacki, Maury, Roche, Schaeffer, Vieth -aye	

22. Article 58	Linda Williams	Zoning Bylaw Amendment - Accessory Uses
Discussion:	Leslie Woodson Snell, Deputy Director of Planning - Article 58 involves an amendment to Section 139-15 of the zoning bylaw. - This amendment aims to clarify that the rental of rooms within an owner-occupied dwelling unit is a permitted accessory use. - Highlighted that this practice is traditional on Nantucket and distinct from the broader debates around short-term rentals. - The Planning Board views this clarification as beneficial, ensuring that the bylaw reflects long-standing local practices rather than relying on implied acceptance. - The Planning Board supported this amendment, recognizing its alignment with goals in the housing production plan. - Noted that the article requires a two-thirds majority vote for approval. - Opened the issue to interpretation when the zoning code is silent on a specific use, rather than providing clear allowance or prohibition. - Required the Zoning Enforcement Officer to determine the permissibility of the use, basing their decision on how closely the questioned use aligns with other clearly defined uses and regulations within the zoning code. - Considered ambiguous whether renting out rooms in a house is an accessory use or not, depending on the interpretation of the zoning code and the definitions it provides for primary and accessory uses.	
Action:	Proposed postponing the decision until a meeting with the Planning Board. (00:41:00)	

23. Article 59	Linda Williams	Zoning Bylaw Amendment - Definitions - Use, Principal
24. Article 60	Emily Kilvert	Zoning Bylaw Amendment - Short-Term Rental Accessory Use
25. Article 61	Linda Williams	Zoning Bylaw Amendment - Definitions - Commercial
Discussion:	Leslie Woodson Snell, Deputy Director of Planning • Determined by the Planning Board that Articles 59, 60, and 61 were directly related to short-term rentals. • Followed the Select Board's lead by choosing not to take action on these rental-related issues that had been reviewed by a work group. • Planning Board made a motion not to adopt any of the three articles. • Explained that if Emily's article (Article 60) is called to vote at the town meeting and receives enough support, it will be adopted despite the Planning Board's motion not to adopt. • Clarified that there is nothing the Planning Board can do ahead of time to prevent the article from being adopted if it gains sufficient voter support at the town meeting. • Stated that all changes must be reviewed by the Attorney General, emphasizing that any legal changes, including those in zoning or town bylaws, require this step. • Suggested that if Article 60 is passed, any subsequent special articles aiming to amend the same subject would need to modify the language established in Article 60. • Affirmed that this requirement holds regardless of whether the changes have already been approved by the Attorney General.	
Motion:	Motion not to adopt, per Planning Board's motion. (00:46:32)	
Roll-Call Vote:	Carried 6-0// Kronau, Grause, Bloomer, Roche, Schaeffer, Vieth -aye //Maury, Glowacki (Recused)	

26. Article 62	Emily Molden	Zoning Bylaw Amendment - Pre-Existing Non-Conforming Uses, Structures and Lots
27. Article 63	Emily Molden	Zoning Bylaw Amendment - Lots Created Under MGL 41- 81L
Discussion:	Leslie Woodson Snell, Deputy Director of Planning • Noted that Articles 62 and 63 can be discussed together as they address the same section of the bylaw but propose different approaches. • Identified both as citizen articles and mentioned that the Planning Board opened a public hearing on these matters. • Mentioned ongoing efforts with the article sponsor to find a compromise that addresses her concerns but not to the full extent proposed in her draft. • Scheduled further discussion for March 9th, indicating that a resolution is still pending.	

28. Article 64	Linda Williams	Zoning Map Change - SOH to VN - Elbow Lane
Discussion:	Leslie Woodson Snell, Deputy Director of Planning • Described Article 64 as proposing a zoning change from Sconset Old Historic District to the Village Neighborhood District. • Identified as a citizen article, yet noted it aligns with the master plan's goal to develop a village node in the center of Sconset. • Mentioned the location adjacent to Claudette's and that the property involved was recently purchased by the Sconset Trust for housing use, supporting the planning goals. • Received a positive recommendation from the Planning Board, indicating support for its alignment with broader community planning objectives.	
Motion:	Motion to Adopt. (00:49:40)	
Roll-Call Vote:	Carried 8-0// Kronau, Grause, Bloomer, Glowacki, Maury, Roche, Schaeffer, Vieth -aye	

29. Article 65	Arthur Reade	Zoning Map Change - RC2 & CI to CMI - Arrowhead Dr.
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Discussion:	Leslie Woodson Snell, Deputy Director of Planning • Outlined Article 65 as part of the master plan's initiative to phase out the RC2 zoning district. • Proposed rezoning properties on Arrowhead Drive from RC2 to the Commercial Mid Island District. • Explained the original intent of the Commercial Mid Island District, which was focused around the mid-island area, but has since expanded towards the airport. • Described the relevant area on the map, noting it is located in the aqua-colored section on the south portion abutting Old South Road, already classified under CMI. • Noted that the proposal aims to extend CMI zoning down Arrowhead Drive. • Mentioned that the Planning Board gave a positive recommendation to this zoning change. • Stated that the required vote for this article is a 50% majority.
Motion:	Motion to Adopt. (00:50:48)
Roll-Call Vote:	Carried 8-0// Kronau, Grause, Bloomer, Glowacki, Maury, Roche, Schaeffer, Vieth -aye

30. Article 66	Linda Williams	Zoning Map Change - R20 to CN - Old South Rd, Little Isle Lane, Miller Lane, Airport Rd
Discussion:	Leslie Woodson Snell, Deputy Director of Planning • Described Article 66 as involving the rezoning of properties on Old Buffalo, Little Isle Lane, Miller Lane, and Airport Road from R20, a residential district, to Commercial Neighborhood, a mixed-use, lighter commercial district. • Discussed the Planning Board's concerns, noting they believed that while some commercial use was acceptable, the full scope of Commercial Neighborhood zoning might be too intense. • Reported collaboration between the Planning Board and property owners to limit the range of commercial uses permitted under the proposed zoning, focusing more on residential or apartment-type developments. • Highlighted the area's infrastructure advantages, such as access to water and sewer services, proximity to a bike path, and school bus routes, supporting the potential for residential expansion. • Noted the removal of three Miller Lane from the proposal, identified as the property on the southwest side. • Mentioned that the Planning Board gave a positive recommendation, contingent on the agreed restrictions. • Stated that the approval of this article requires a 50% majority vote. • Clarified that the proposed 'CN light' restriction is not creating its own district, but rather, property owners are voluntarily agreeing to restrict their uses through private agreements. • Outlined the process for formalizing these restrictions, noting that such arrangements have been made in several instances over the years. Property owners collaborate to draft a restriction, which is then reviewed by Town Council. • Explained the procedural steps, stating that once the restriction is approved by the town meeting and passed by the Attorney General, it is recorded against all the deeds to make it legally binding. • Confirmed that the restriction is enforceable by the town rather than being managed through a homeowner's association, ensuring town oversight and compliance. • Affirmed community engagement, noting that all residents of the area were notified about the change and participated in the discussion as a group, providing an opportunity for public input and consensus-building. • Specified the commercial activities restricted under the proposed zoning agreement: • Supermarkets • Drive-through takeout services • Taverns or bars • Formula businesses • Laundromats and dry cleaning services	

	• Marijuana establishments • Hospitals (but allows medical clinics which might include doctors' offices) • Storage containers • Motor vehicle sales, rental, repair, painting, and service stations • Motor vehicle parking lots or structures • Taxi cab businesses • Maritime service stations • Petroleum product storage or distribution facilities • Kennels
Motion:	Motion to Adopt. (00:57:46)
Roll-Call Vote:	Carried 8-0// Kronau, Grause, Bloomer, Glowacki, Maury, Roche, Schaeffer, Vieth -aye

31. Article 67	Linda Williams	Zoning Map Change - R20 to R10 - Old South Rd, Miller Lane
Discussion:	Leslie Woodson Snell, Deputy Director of Planning • Outlined Article 67, which proposes rezoning areas on Old South Road and Miller Lane from R20 to R10, effectively reducing the minimum lot size from 20,000 square feet to 10,000 square feet. • Highlighted the availability of local amenities such as a bike path, and access to town water and sewer services, which support higher density development. • Received a positive recommendation from the Planning Board, with the change requiring a 50% majority vote for approval. Maury • Raised concerns about the potential increase in dwellings due to the proposed zoning change from R20 to R10 on Old South Road and Miller Lane, questioning whether any analysis had been conducted to estimate the number of additional dwellings that might result. • Expressed concerns over the absence of restrictions on lot usage for affordability or year-round residency, contrasting this with past conditions placed on developments like Richmond, where such restrictions were implemented. • Highlighted the potential for significant impact on local infrastructure, noting that the elimination of Miller Lane could lead to increased traffic on Old South Road without alternative access routes. • Cautioned that the new neighborhood might not be dedicated to year-round housing, referencing nearby high-priced developments that cater to a different market, thus potentially changing the community dynamics and not addressing local housing needs for permanent residents. Woodson Snell • Suggested that while the idea might be beneficial, especially given the commercial character of the street, it wasn't part of the current zoning change discussions for these properties.	
Action:	Proposed postponing the decision until a meeting with the Planning Board. (01:05:10)	

32. Article 68	John Kane	Zoning Map Change - R40 to CN - Evergreen Way & Airport Rd.
Discussion:	Leslie Woodson Snell, Deputy Director of Planning • Outlined Article 68, which proposes rezoning properties from the R40 district to include the Commercial Neighborhood District. • Noted the current use of the northern property as commercial, aligning it with the proposed zoning change. • Described the southern property as primarily residential with a small house, located directly across from the airport, suggesting a potential shift towards more commercial or mixed-use. • Mentioned collaboration with a non-profit to potentially relocate to the southern property, indicating a planned change in use that aligns with the rezoning proposal.	

	- Highlighted infrastructure advantages such as access to water and sewer services and the property's proximity to strategic locations like the airport and the Nantucket Inn. - Stated that the Planning Board gave a positive recommendation for this rezoning. - Confirmed that the approval of this article requires a 50% majority vote.
Motion:	Motion to Adopt. (01:06:18)
Roll-Call Vote:	Carried 8-0// Kronau, Grause, Bloomer, Glowacki, Maury, Roche, Schaeffer, Vieth -aye

33. Article 69	Christine McGrath Iller	Zoning Map Change - LUG2 to R20 - 69 Hummock Pond Rd.
Discussion:	Leslie Woodson Snell, Deputy Director of Planning - Revisited Article 69, a duplicate article mentioned earlier, proposing rezoning from LUG2 to R20 for 6900 Front Road. - Indicated that the Planning Board made a motion not to adopt, reflecting their stance against the proposed rezoning. - Clarified that if put to a vote, the article would require a 50% majority for approval. - Emphasized the Planning Board's position by noting their formal motion not to adopt as part of the procedural record.	
Motion:	Motion to support the Planning Boards recommendation. (01:08:25)	
Roll-Call Vote:	Carried 8-0// Kronau, Grause, Bloomer, Glowacki, Maury, Roche, Schaeffer, Vieth -aye	

IV. DATE OF NEXT MEETING

Next meeting: Thursday, February 16, 2023; 4:00 pm.

V. COMMITTEE REPORTS

None

VI. OTHER BUSINESS

None

VII. ADJOURNMENT

Motion **Motion to Adjourn at 5:10 pm.**

Roll-call Vote Carried 7-0// Kronau, Grause, Bloomer, Glowacki, Maury, Schaeffer, Vieth -aye

Submitted by:
Elaina Cano