Nantucket Planning Board DRAFT Minutes
Remote Participation via Zoom Webinar
October 25, 2021

Board Members: Judith Welch Wegner (Chair), John Trudel, III (Vice-Chair), Nat Lowell, "Fritz" McClure, and David Iverson

Alternates: Stephen Welch, Campbell Sutton, David Callahan

Staff: Andrew Vorce (Planning Director), Leslie Snell (Deputy Director of Planning), Meg Trudel (Land Use Planner) and Catherine Ancero (Administrative Specialist)

To view the meeting, see link below:
https://www.youtube.com/watch?v=jWItVZdqLJc

I. Call to order:

Chair Wegner called the meeting to order at 4:02PM.

Vote Taken by Roll Call:
Nat Lowell *Aye*
Vice-Chair John Trudel *Aye*
Fritz McClure *Aye*
Chair Judith Wegner *Aye*
David Iverson *(arrived at 4:09pm)*

Alternates:
Campbell Sutton *Aye*
David Callahan *Aye*
Stephen Welch *Aye*

Staff:
Megan Trudel *Aye*
Catherine Ancero Aye
Leslie Snell Aye

II. Approval of the agenda:

Motion/Vote: Mr. Lowell moved to approve the agenda. The motion was duly seconded by Vice-Chair Trudel and the Board voted 4-0 in favor.

Vote by Roll Call:
Nat Lowell *Aye*
Vice Chair Trudel *Aye*
Fritz McClure *Aye*
Chair Judith Wegner *Aye*

III. Minutes:

- **June 14, 2021**
- **September 13, 2021**

Motion/Vote: Vice-Chair Trudel moved to approve both set of minutes listed on the agenda. The motion was duly seconded by Mr. McCLure and the Board voted 4-0 in favor.

Vote by Roll Call:
Vice Chair Trudel *Aye*

Fritz McClure *Aye*
Nat Lowell *Aye*
Chair Judith Wegner *Aye*

IV. <u>Secondary Dwellings:</u>

- **Timothy Reinemo, 65 Lovers Lane (Map 80 Parcel 214.1)**
- **Spencer & Jenise Goldsmith, 1 White Street (Map 79 Parcel 29)**
- **The Randolph G. Sharp, Jr. Trust, Randolph G. Sharp, Jr., Trustee, 49 Meadow View Drive (Map 56 Parcel 390)**
- **Dana L. & Leslie A. Shriberg, Co-Trustees, 60 West Chester Street (Map 41 Parcel 374)**
- **Carey Family Trust, 6 Dukes Road (Map 41 Parcel 189)**
- **61 Fairgrounds LLC, 61 Fairgrounds Road, Lot A (Map 67 Parcel 173)**
- **61 Fairgrounds LLC, 61 Fairgrounds Road, Lot B (Map 67 Parcel 173)**
- **61 Fairgrounds LLC, 61 Fairgrounds Road, Lot C (Map 67 Parcel 173)**

V. <u>Garage Apartment:</u>

- **Chris Oberg, 3 Ticcoma Way (Map 67 Parcel 765)**

Motion/Vote: Vice-Chair Trudel moved to approve all the secondary dwellings listed and garage apartment in accordance with the recommendations and conditions outlined in the staff report. The motion was duly seconded by Mr. Lowell and the Board voted 4-0 in favor.

<u>Vote by Roll Call:</u>
Vice Chair Trudel
Nat Lowell *Aye*
Fritz McClure *Aye*
Chair Judith Wegner *Aye*

VI. <u>ANR</u>

- **Town of Nantucket, Folger Road**
- **Town of Nantucket, Portions of Weweeder & Hawthorne**
- **Cathcart Harbor View, LLC, 2, 4 & 4.5 Cathcart Road (Map 54 Parcels 8, 81 & 82)**
- **Patrick W. Taaffe & Carol A. Muehling, 21 Okorwaw Avenue (Map 79 Parcel 181)**
- **4170 & Down LLC and Tellie LLC, 105 & 107 Tom Nevers Road (Map 91 Parcel 26)**
- **Paul E. & Stephanie A. Palenski, 12 Golfview Drive (Map 66 Parcel 190)**
- **Francis P. Hanlon, 34 Pleasant Street (Map 55.4.1 Parcel 115)**
- **Patrick W. Taafe & Carol A. Muehling, 21 Okorwaw Avenue (Map 79 Parcel 181)**
- **Robert D. Carter & Carol M. Carter, Trustees 9 Warren Street Realty Trust, 9 Warren Street (Map 55.4.1 Parcel 95)**
- **Thomas E. McCann & Mary Jo McCann, 35 Hummock Pond Road (Map 56 Parcel 6)**
- **Thomas McCann, 78 Milk Street (Map 56 Parcel 6.2)**
- **Little Nauti, LLC, 1 Farmview Drive (Map 66 Parcel 177)**
- **Nantucket Whales End II, LLC, 43 & 45 Squam Road (Map 13 Parcels 24 & 23)**

Motion/Vote: Vice-Chair Trudel moved to approve all the ANR applications listed in accordance with the recommendations outlined in the staff report. The motion was duly seconded by Mr. Lowell and the Board voted 4-0 in favor.

<u>Vote by Roll Call:</u>
Vice Chair Trudel Aye
Nat Lowell *Aye*
Fritz McClure *Aye*
Chair Judith Wegner *Aye*

VII. **Previous Plans:**

- **#19-05 & #20-15 Washed Ashore, LLC, 16 & 14 Nobadeer Farm Road & 3 Sun Island,** *Request for a modification*
  Voting: Chair Judith Wegner, John Trudel, Nat Lowell, and Fritz McClure
  Recused: None
  Documentation: File with associated plans, photos and required documentation
  Representing: Attorney Rick Beaudette
  Discussion: Vice-Chair Trudel stated that he used to own property about ten years ago and will remain to stay on to vote.
  Motion/Vote: Mr. Lowell moved to approve the request in accordance with the recommendation outlined in the staff report. The motion was duly seconded by Mr. McClure and the Board voted 4-0 in favor.

  Vote by Roll Call:
  Nat Lowell *Aye*
  Fritz McClure *Aye*
  Vice Chair Trudel
  Chair Judith Wegner *Aye*

- **#62-19 Mid-Island Service Limited Partnership, 41 & 43 Sparks Avenue,** *Endorse plans*
  Voting: Chair Judith Wegner, John Trudel, Fritz McClure and David Iverson (arrived at 4:09PM)
  Recused: Mr. Lowell
  Documentation: File with associated plans, photos and required documentation
  Representing: None
  Discussion: None
  Motion/Vote: Vice-Chair Trudel moved to endorse the plan. The motion was duly seconded by Mr. McClure and the Board voted 4-0 in favor.

  Vote by Roll Call:
  Vice Chair Trudel
  Fritz McClure *Aye*
  David Iverson *Aye*
  Chair Judith Wegner *Aye*

- **Mueller Nantucket Associates, LLC, North Mill Street, Bird Song Lane Subdivision,** *Endorse legal documents & Form J (Lot 34)*
  Voting: Chair Judith Wegner, John Trudel, Nat Lowell, Fritz McClure and David Iverson
  Recused: None
  Documentation: File with associated plans, photos and required documentation
  Representing: Paul Santos, Surveyor & Attorney Steven Cohen
  Discussion: None
  Motion/Vote: Vice-Chair Trudel moved to endorse the legal documents and endorse the Form J. The motion was duly seconded by Mr. McClure and the Board voted 5-0 in favor.

  Vote Taken by Roll Call:
  Vice-Chair John Trudel *Aye*
  Fritz McClure *Aye*
  Nat Lowell *Aye*
  David Iverson *Aye*
  Chair Judith Wegner *Aye*

- **Oliver's Way Subdivision, 52 Burnell Street,** *endorse plans*
  Voting: Chair Judith Wegner, John Trudel, Nat Lowell, Fritz McClure and David Iverson
  Recused: None
  Documentation: File with associated plans, photos and required documentation

Representing: Dan Mulloy
Discussion: None
Motion/Vote: Vice-Chair Trudel moved to endorse the plans. The motion was duly seconded by McClure and the Board voted 5-0 in favor.

Vote Taken by Roll Call:
Vice-Chair John Trudel *Aye*
Fritz McClure *Aye*
David Iverson *Aye*
Nat Lowell *Aye*
Chair Judith Wegner *Aye*

- **Nanahumacke Preserve,** *minor modification*
  Voting: Chair Judith Wegner, John Trudel, Nat Lowell, Fritz McClure and David Iverson
  Recused: None
  Documentation: File with associated plans, photos and required documentation
  Representing: None
  Discussion: None
  Motion/Vote: Mr. Lowell moved to approve that the alteration of the condition is to strike the language stating "and at the intersection of Millbrook Road and the Proprietor's Road" from the decision and all other conditions in the decision remain as it was written with the findings outlined in the staff report. The motion was duly seconded by Vice-Chair Trudel and the Board voted 5-0 in favor.

Vote Taken by Roll Call:
Nat Lowell *Aye*
Vice-Chair John Trudel *Aye*
David Iverson *Aye*
Fritz McClure *Aye*
Chair Judith Wegner *Aye*

VIII. PublicHearings:

- **PLSP-2020-10-0089 & PLSP-2020-10-0090 10 Cliff Road LLC, 10A & 10B Cliff Road,** *action deadline 10-13-2021*
  REQUEST TO CONTINUE
  Voting: Judith Welch Wegner (Chair), Vice-Chair John Trudel, Nat Lowell, Fritz McClure, and David Iverson
  Alternates: Campbell Sutton, David Callahan and Stephen Welch
  Recused: None
  Documentation: File with associated plans, photos and required documentation
  Representing: Linda Williams
  Discussion: Mr. McClure stated that this has been a request for a continuance several times. Have heard abutters voice their concern with noise. Mr. McClure questioned the policy of re-advertising in case of continuance. Mrs. Trudel stated that it will absolutely be re-advertised prior to it being discussed in the public hearing being re-opened at a future meeting date. It has missed the advertising deadline for the November meeting and eligible for the December meeting. Chair Wegner questioned if can be taken off the agenda for them to start over. Mrs. Trudel stated that it needs to remain on, either one remains on the agenda and continue to be continued or a decision needs to be made to be withdrawn. Vice-Chair Trudel questioned about the action deadline. Mrs. Trudel stated that it has been extended to the end of December, it was not updated on the staff report.
  Motion/Vote: Vice-Chair Trudel moved to continue to the December meeting. The motion was duly seconded by Mr. Iverson and the Board voted 5-0 in favor.

Vote Taken by Roll Call:
Vice-Chair John Trudel *Aye*
David Iverson *Aye*

Fritz McClure *Aye*
Nat Lowell *Aye*
Chair Judith Wegner *Aye*

- **Nantucket Island Resorts, LLC, 96A Old South Road,** *action deadline 01-23-2022*
  Voting: Judith Welch Wegner (Chair), Vice-Chair John Trudel, Nat Lowell, Fritz McClure, and David Iverson
  Alternates: Campbell Sutton, David Callahan (4:32PM) and Stephen Welch
  Recused: None
  Documentation: File with associated plans, photos and required documentation
  Representing: Attorney Rick Beaudette and Attorney Arthur Reade
  Discussion: Attorney Beaudette provided the Board with an overview of the application. The Applicant is proposing to lease property to house eighteen (18) employees. Provided a Management plan. Allow the owner to maintain the existing cottage as they do now. Split zone and a one-acre lot. Unique circumstances. Two existing dwellings on the property. Attorney Reade stated that his client supports this application and agrees with everything that Attorney Beaudette stated. Attorney Reade stated that it will housed as one dwelling with eighteen (18) employees. Mrs. Snell stated that in the past that every employee housing has been on a lot where all the dwellings are owned by a single entity and that staff's automatic interpretation has been that the 18 applies to the whole site although Mr. Beaudette has made a really good argument about interpreting that another way and that the Board can make a finding and determination to allow the eighteen people in one structure and put some conditions on the other structure as he proposed. Mrs. Snell thinks that it is reasonable and that this is subject to a special permit, so all applications will always go before them for review. Mr. McClure questioned what section of the zoning bylaw. Mrs. Snell stated Section 2a in the definitions for Neighborhood Employee Housing. The premises are accessed by two existing driveways. Northern portion of the premises is serviced by a driveway located off Pine Crest Drive and the southern portion of the premises is serviced by a common driveway easement located off Old South Road. The applicant does not need a waiver of more than one driveway access per lot since the Board determined that the driveway easement access does not meet the definition of a second driveway. Chair opened the floor to the public. Ms. Sutton questioned if there will be on site manager for any issues that might come up. Sarah Ellis questioned if can housed legally eighteen people and how this works in terms of safety. Ms. Ellis feels that it is a lot of people in one place. Attorney Beaudette did provide an employee management plan. He said that there will be a housing manager on site at all times and provided contact information should there are issues. Ms. Sutton stated that she is assuming that the plans go through the review process with the fire and health department, so the safety issue should be resolved through the permitting process. Attorney Beaudette stated yes.
  Motion/Vote: Vice-Chair Trudel motion to close the public hearing. The motion was duly seconded by Mr. McClure and the Board voted 5-0 in favor.

  <u>Vote Taken by Roll Call:</u>
  Vice-Chair John Trudel *Aye*
  Fritz McClure *Aye*
  David Iverson *Aye*
  Nat Lowell *Aye*
  Chair Judith Wegner *Aye*

  Vice-Chair Trudel questioned if bus passes will be provided and 24-hour accessibility for a manager. Vice Chair Trudel stated that it really is a case by case basis. The accommodation is acceptable, and the quality of life is important for the employees.

  Motion/Vote: Vice-Chair Trudel moved to approve the employee housing units be limited to 18 persons with the findings and conditions listed on the staff report, that this is an oversized lot, that there's multiple people in control of these two different dwelling units and that the dwelling unit to the rear and northerly direction will not be occupied by more than four unrelated persons. The motion was duly seconded by Mr. Lowell and the Board voted 5-0 in favor.

<u>Vote Taken by Roll Call:</u>
Vice-Chair John Trudel *Aye*
Nat Lowell *Aye*
David Iverson *Aye*
Fritz McClure *Aye*
Chair Judith Wegner *Aye*

- **Faros 17 Broad, LLC (Amendment #5), 17 Broad Street,** *action deadline 01-23-2022*
Voting: Judith Welch Wegner (Chair), Vice-Chair John Trudel, Nat Lowell, Fritz McClure, and David Iverson
Alternates: Campbell Sutton, David Callahan and Stephen Welch
Recused: None
Documentation: File with associated plans, photos and required documentation
Representing: Attorney Rick Beaudette
Discussion: Attorney Beaudette provided the Board with an overview of the application. Hours of operation will be 8am to 7pm with 23 employees to accommodate a licensed spa technician when the unit is being utilized for spa services. Chair Wegner asked Attorney Beaudette if he has an estimate of the volume of people coming and going to the spa. Attorney Beaudette stated that they do not have an idea of what the volume will be. Vice-Chair Trudel expressed concerned of the hours of operation, might be conflicting times with other abutting guest services. Have a one-year review. Mr. Iverson appreciates Vice-Chair Trudel's comments however feels that they should not be overly concerned with the traffic or intensive use for one guest room and one employee. Mr. Iverson feels comfortable with the applicant's proposal. Vice-Chair Trudel clarified that he is not opposed to this but would prefer that they come before the Board and request the year-round service due to procedural issues that might come to play in the future. Mr. Lowell sees no opposition in the packet and has no issues. Mr. Lowell sees this as a minor change and it that it works. Vice-Chair Trudel questioned staff if they see any issues. Mrs. Snell sees no issues and that there is a similar allowance at the White Elephant which had no issues and is aware of other permits not this specific situation but where there is flexibility built in and in those we haven't had any issues. Chair Wegner opened the floor to the public. Ms. Sutton seconded what Vice-Chair Trudel was saying procedurally and understands the flexibility. Sarah Ellis stated that most spa services requires 60 minutes if not 90 and feels that there should be a designated parking area for these services. Ms. Ellis feels that they are dealing with a different situation than the White Elephant as it is not in the historic down town district and finds that example completely inaccurate. Ms. Ellis stated that if there aren't objections to it yet maybe people haven't noticed and that things get under the radar.
Motion/Vote: Mr. McClure moved to close the public hearing. The motion was duly seconded by Mr. Lowell and the Board voted 5-0 in favor.

<u>Vote Taken by Roll Call:</u>
Fritz McClure *Aye*
Nat Lowell *Aye*
David Iverson *Aye*
Vice-Chair John Trudel *Aye*
Chair Judith Wegner *Aye*

Motion/Vote: Mr. McClure moved to approve the applications with the findings and conditions outlined in the staff report. The motion was duly seconded by Mr. Iverson and the Board voted 5-0 in favor.

<u>Vote Taken by Roll Call:</u>
Fritz McClure *Aye*
David Iverson *Aye*
Vice-Chair John Trudel *Aye*
Nat Lowell *Aye*
Chair Judith Wegner *Aye*

- **Steven & Kara Gibson (Modification #4), 5 Arrowhead Road & 2 Tomahawk Road,** *action deadline 01-23-2022*
  Voting: Judith Welch Wegner (Chair), Vice-Chair John Trudel, Nat Lowell, Fritz McClure, and David Iverson
  Alternates: Campbell Sutton, David Callahan and Stephen Welch
  Recused: None
  Documentation: File with associated plans, photos and required documentation
  Representing: Kara Gibson
  Discussion: Mrs. Trudell provided the Board with an overview of the application. Chair Wegner opened the floor to the public. Ms. Sutton stated that just a quick technical question that most of the building is in one of the two lots and that her understanding is that one apartment with each lot. Are they technically combined or remained two separate lots and restricts the lot to no apartment and will need to come in as a modification. Mrs. Trudel stated that the site plan that is before the Board reflects the existing conditions. The applicant is proposing to construct a new garage with the apartments above that will be placed on both properties. The applicant wants to obtain the permission to have the two units before they invest the time and effort in designing the building and go through that permitting process. The properties are in common ownership.

  Motion/Vote: Mr. Iverson moved to close the public hearing. The motion was duly seconded by Mr. McClure and the Board voted 5-0 in favor.

  <u>Vote Taken by Roll Call:</u>
  David Iverson *Aye*
  Fritz McClure *Aye*
  Nat Lowell *Aye*
  Vice-Chair John Trudel *Aye*
  Chair Judith Wegner *Aye*

  Motion/Vote: Vice-Chair Trudel moved to approve with the findings and conditions outlined in staff report. The motion was duly seconded by Mr. Iverson and the Board voted 5-0 in favor.

  <u>Vote Taken by Roll Call:</u>
  Vice-Chair John Trudel *Aye*
  David Iverson *Aye*
  Nat Lowell *Aye*
  Fritz McClure *Aye*
  Chair Judith Wegner *Aye*

- **Candlewick Corner VTT ACK, LLC (Modification #6), 120, 122 & 124 Old South Road,** *action deadline 01-23-2022*
  Voting: Judith Welch Wegner (Chair), Vice-Chair John Trudel, Nat Lowell, Fritz McClure, and David Iverson
  Alternates: Campbell Sutton, David Callahan and Stephen Welch
  Recused: None
  Documentation: File with associated plans, photos and required documentation
  Representing: Attorney John Brescher and Leo Asadorian, Surveyor
  Discussion: Attorney Brescher provided the Board with an overview of the application. Applicant committed to extending the bike path from the corner of Macy's Lane up to the locus and have been in touch with Ed Pesce about what needs to be done for that. Mr. Iverson asked if client willing to assign some units to be affordable. Attorney Brescher stated that he would be happy to ask his client and will ask what his intension is for the rental units. Mr. McClure asked if they resolved the parking requirements, what is the total amount, and do they have to be allocated. Mrs. Trudel stated that as staff she doesn't have a clear understanding as to what spaces are allocated to which units based on their uses in the collective MCD. Attorney Brescher stated that he is not sure however there is a benefit here that the applicant owns all the commercial units in this, so they have somewhat had control of it. Attorney

Brescher is happy to work with staff to try to figure out what this answer is as it relates to parking per units and per use of this property. Mr. Lowell asked when did this approve. Mrs. Snell 2004/2005. Mr. Lowell stated that some uses have changed, and the parking rotates itself during the day due to the uses. Mrs. Snell pointed that now would be a good time to figure out exactly what uses are there and what the number of spaces per lot, and how many are required. The applicant should identify each lot, what's required now and what's required in the future going forward as modifications come in. Vice-Chair Trudel questioned if possible to mix and match. Attorney Brescher stated that it would be prudent to create this spreadsheet that Mrs. Snell suggested about identifying all the uses and all the parking requirements, so we know exactly what is being asked for relative to any waiver. Mr. McClure suggested that they may want to consider continuing this. Chair Wegner opened the floor to the public. No comments were made. Mr. Lowell stated that they need to find out how they calculated the parking of Hanabea side.

Motion/Vote: Mr. Lowell moved to continue this to the next meeting. The motion was duly seconded by Mr. McClure and the Board voted 5-0 in favor.

Vote Taken by Roll Call:
Nat Lowell *Aye*
Fritz McClure *Aye*
Vice-Chair John Trudel *Aye*
David Iverson *Aye*
Chair Judith Wegner *Aye*

- **CRH 46 Surfside LLC, (Modification #2), 46 & 46A Surfside Road,** *action deadline 01-23-2022*
Voting: Judith Welch Wegner (Chair), Vice-Chair John Trudel, Nat Lowell, Fritz McClure, and David Iverson
Alternates: Campbell Sutton, David Callahan and Stephen Welch
Recused: None
Documentation: File with associated plans, photos and required documentation
Representing: Attorney Sarah Alger, Paul Santos and Robin Halik.
Discussion: Mrs. Trudel stated that she did a site visit with Mr. Iverson and Vice-Chair Trudel and took some photographs that was included with the packet to offer some perspective of the set up for 46 Surfside. Attorney Alger provided the Board with an overview of the application. Mr. Santos said that there are no specific changes or requirements, strictly just the use of the building. Ms. Halik stated that Attorney Alger touched on all the issues. Chair Wegner opened the floor to the public. Ms. Sutton stated that from the June 14th packet David Gray, Director of the Sewer Department expressed concern with the laundry and potential waste water if they have been addressed. Ms. Sutton questioned will there be treatment when cleaning such as pool filters. Mrs. Trudel stated that she did have a conversation with David Gray and he did confirm that what's now permitted with the Sewer Department is exactly as what's being proposed here tonight.

Motion/Vote: Vice-Chair Trudel moved to close the public hearing. The motion was duly seconded by Mr. McClure and the Board voted 5-0 in favor.

Vote Taken by Roll Call:
Vice-Chair John Trudel *Aye*
Nat Lowell *Aye*
Fritz McClure *Aye*
David Iverson *Aye*
Chair Judith Wegner *Aye*

Motion/Vote: Vice- Chair Trudel moved to approve with the findings and conditions outlined in the staff report. The third condition about the ownership that it be worked out with counsel and staff. The motion was duly seconded by Mr. Iverson and the Board voted 5-0 in favor.

Vote Taken by Roll Call:

Vice-Chair John Trudel *Aye*
David Iverson *Aye*
Nat Lowell *Aye*
Fritz McClure *Aye*
Chair Judith Wegner *Aye*

- **23 Broad Street, LLC, Brotherhood of Thieves, 23 Broad Street,** *action deadline 01-23-2022*
Voting: Judith Welch Wegner (Chair), Vice-Chair John Trudel, Nat Lowell, Fritz McClure, and David Iverson
Alternates: Campbell Sutton, David Callahan and Stephen Welch
Recused: None
Documentation: File with associated plans, photos and required documentation
Representing: Attorney Sarah Alger, Will McDonough, Stephen Silverstein, Ben Markham and Matthew MacEachern.
Discussion: Attorney Alger provided the Board with an overview of the application. The only change to the building is the addition of a small deck off one side to provide adequate lighting and access to that second-floor level. The so-called brewery will be operated in the back of the lower level. The area itself is very small. Mr. McClure questioned the outdoor capacity. Vice-Chair Trudel questioned if the Fire Department has been consulted or shown the plans. Mr. MacEachern stated that there have been preliminary meetings on site, could bring to them for their review. Chair Wegner opened the floor to the public. Marianne Hanley representing clients residing at 2 & 5 Ash Street and 10 North Water Street stated that her client expressed major concerns such as the density which will generate more traffic, safety need to consider of building and zoning code, production set up will there be off site sales and deliveries, what are the hours of operation, numbers for the floor plan, numbers for the floor plan, merchandise retail will it be open to the public, patio lighting and deck lightning need more information on that, parking and traffic. Most of the houses do not have off street parking they rely on on-street parking for themselves, noise is a concern and would like to hear more of outdoor awning, and how deliveries will be handled. Open space calculation, stormwater drainage plan not available for review. Ms. Hanley stated that they need to take a closer look at the definition of the use chart for restaurants, it defines a large restaurant or it specifies a large restaurant up to 200 people what is being discussed right now goes way over that and needs to be addressed by Town Counsel to make sure that these uses that are being requested are permitted under the Zoning code. Attorney Arthur Reade representing the Lingemans residing at 10 Ash Street stated that his clients have not been thrilled over the years due to the amount of noise ruin quality of life. Moving the van pick up location from the visitors services up to Broad Street. Sue Lingeman also expressed her concerns with the proposal and gave a list: the noise generated by the outdoor bar and acoustical music in a residential neighborhood is an issue, the increase of patrons being served outdoors, structural changes all geared to maximize profit at the expense of the neighborhood please deny proposal. Eliot Krause, owner of the name Brotherhood of Theives, received through the business certificate from the Town of Nantucket. Mr. Krause stated that this past summer sold the property on 23 Broad Street to the group currently in discussion right now did not give permission to sell the name to them however will give them permission to use the name if can come to some sort of agreement. James Frates, the owner of 5 Ash Street, wanted to point out that the changings in traffic are all meant to mitigate an extraordinary increase in the use of the outdoor property with an extra ordinary number of people. Dennis Perry three concerns patron of the brewery the culture of the brewery is standing around bring dogs how will this work with proposal. Much more of party scene. People wait in line where are people going to wait in line for the Town Brewery. Jonathan Pressment – an opposition. Charles Graeber – this issue has electrified this neighborhood. Kevin Davidson – noise issue the number of people. Beth Frates – loves this neighborhood. The proposal makes it unlivable. RC Saint-Amour – 2 Ash Lane. Both work from home. The new owners already started to promote live music in their building. To her knowledge to play live music. Ask that they remove since not approved. Impressed the community come together and what we really are trying to preserve.

Motion/Vote: Vice-Chair Trudel moved to continue to the next meeting. The motion was duly seconded by Mr. McClure and the Board voted 50 in favor.

<u>Vote Taken by Roll Call:</u>

Vice-Chair John Trudel *Aye*
Fritz McClure *Aye*
David Iverson *Aye*
Nat Lowell *Aye*
Chair Judith Wegner *Aye*

- **Planning Board Fee Schedule**
  Voting: Judith Welch Wegner (Chair), Vice-Chair John Trudel, Nat Lowell, Fritz McClure, and David Iverson
  Alternates: Campbell Sutton, David Callahan and Stephen Welch
  Recused: None
  Documentation: File with associated plans, photos and required documentation
  Representing: Planning Board Staff
  Discussion: Mrs. Trudel briefly informed the Board of the fee schedule increase. Board expressed no issues or concerns. Chair Wegner opened the floor to the public. No comments were made.
  Motion/Vote: Mr. Lowell moved to approve the new fee schedule changes. The motion was duly seconded by Mr. McClure and the Board voted 5-0 in favor.

  <u>Vote Taken by Roll Call:</u>
  Vice-Chair John Trudel *Aye*
  Fritz McClure *Aye*
  David Iverson *Aye*
  Nat Lowell *Aye*
  Chair Judith Wegner *Aye*

IX. <u>Public Comment:</u>
Mr. Lowell moved to approve the new fee schedule changes. The motion was duly seconded by Mr. McClure and the Board voted 5-0 in favor. Anne Dewez briefly gave a preliminary of the proposed warrant articles regarding the swimming pool and the spa Bylaw.
Citizen Articles deadline is due on November 15th.

X. <u>Other Business:</u>
- **Next Planning Board meeting Monday, November 15, 2021 @ 4:00PM. Via Zoom**

XIII. <u>Adjournment</u>:
John moved to adjourn the meeting at 7:04pm. The motion was duly seconded by Mr. McClure and the Board voted 5-0 in favor.

<u>Vote Taken by Roll Call:</u>
Vice-Chair John Trudel *Aye*
Nat Lowell *Aye*
David Iverson *Aye*
Chair Judith Wegner *Aye*