

REAL ESTATE ASSESSMENT  
COMMITTEE  
REGULAR MEETING  
PACKET

WEDNESDAY

MARCH 12, 2021

11am

*via Zoom*<sup>1</sup>

---

<sup>1</sup> Zoom Meeting Information –

**Link:** <https://us06web.zoom.us/j/84008064332?pwd=NG9UK2pDMTlITnI1QVRzRlNHcS9wUT09>  
**Meeting ID:** 840 0806 4332 **Meeting Password:** 806302



## MEETING POSTING

### TOWN OF NANTUCKET

Pursuant to MGL Chapter 30A, § 18-25

All meeting **notices and agenda** must be filed and time stamped with the Town Clerk's Office and posted at least 48 hours prior to the meeting (excluding Saturdays, Sundays and Holidays)

**RECEIVED**

2021 MAY 05 PM 02:16  
NANTUCKET TOWN CLERK  
Posting Number:T 422

**Committee/Board/s** | Real Estate Assessment Committee

**Day, Date, and Time** | Wednesday, May 12, 2021; 11 AM

**Location / Address** | **☐ REMOTE PARTICIPATION VIA ZOOM (See Below)**  
Pursuant to Governor Baker's March 12, 2020, Order Regarding Open Meeting Law (Attached).  
**THE MEETING WILL BE AIRED AT A LATER TIME ON THE TOWN'S GOVERNMENT TV YouTube CHANNEL AT**  
<https://www.youtube.com/channel/UC-sgxAlfdoxteLNzRAUHIxA>

**Signature of Chair or Authorized Person** | Eleanor Weller Antonietti, Land Use Specialist

**WARNING:** **IF THERE IS NO QUORUM OF MEMBERS PRESENT, OR IF MEETING POSTING IS NOT IN COMPLIANCE WITH THE OML STATUTE, NO MEETING MAY BE HELD!**

AGENDA for 05-12-2021

(Subject to change)

[www.nantucket-ma.gov](http://www.nantucket-ma.gov)

**JOIN ZOOM MEETING:**

**Link:** <https://us06web.zoom.us/j/84008064332?pwd=NG9UK2pDMTllTnI1QVRzRlNHcS9wUT09>

**Meeting ID:** 840 0806 4332 **Meeting Password:** 806302

Please list below the topics the chair reasonably anticipates will be discussed at the meeting

1. CALL TO ORDER
2. APPROVAL OF THE AGENDA
3. PUBLIC COMMENT
4. APPROVAL OF MINUTES of February 3, 2021.

**1. ORDERS OF TAKING – Town**

- a. Holt *et al* – 14 Clifton St., 9 South Rd., & 6 North Rd. – North Road s/k/a North Sias Road – Lots A, B, C on Plan No. 2021-?? (2,060 SF)– (authorized by Art. 107 at 2020 ATM)

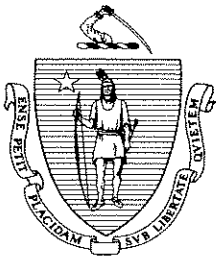
**2. Request for positive recommendation to the Select Board**

- a. **Heidi DREW** – 73 Milk St. – request for a favorable recommendation to the Select Board to modify the subdivision restriction in deed whereby the Town conveyed a portion of Unnamed Road off Milk St Extension (shown as Parcel C on Plan No. 2017-13, containing 1,669 sq. ft) to Petitioner. Said deed is recorded at Book 1612, Page 122 on file at the Nantucket County Registry of Deeds. Atty. Buckley

**3. OTHER BUSINESS**

**4. DATE AND TIME OF NEXT MEETING**

**5. ADJOURNMENT**



OFFICE OF THE GOVERNOR  
**COMMONWEALTH OF MASSACHUSETTS**  
STATE HOUSE • BOSTON, MA 02133  
(617) 725-4000

**CHARLES D. BAKER**  
GOVERNOR

**KARYN E. POLITO**  
LIEUTENANT GOVERNOR

**ORDER SUSPENDING CERTAIN PROVISIONS  
OF THE OPEN MEETING LAW, G. L. c. 30A, § 20**

**WHEREAS**, on March 10, 2020, I, Charles D. Baker, Governor of the Commonwealth of Massachusetts, acting pursuant to the powers provided by Chapter 639 of the Acts of 1950 and Section 2A of Chapter 17 of the General Laws, declared that there now exists in the Commonwealth of Massachusetts a state of emergency due to the outbreak of the 2019 novel Coronavirus ("COVID-19"); and

**WHEREAS**, many important functions of State and Local Government are executed by "public bodies," as that term is defined in G. L. c. 30A, § 18, in meetings that are open to the public, consistent with the requirements of law and sound public policy and in order to ensure active public engagement with, contribution to, and oversight of the functions of government; and

**WHEREAS**, both the Federal Centers for Disease Control and Prevention ("CDC") and the Massachusetts Department of Public Health ("DPH") have advised residents to take extra measures to put distance between themselves and other people to further reduce the risk of being exposed to COVID-19. Additionally, the CDC and DPH have advised high-risk individuals, including people over the age of 60, anyone with underlying health conditions or a weakened immune system, and pregnant women, to avoid large gatherings.

**WHEREAS**, sections 7, 8, and 8A of Chapter 639 of the Acts of 1950 authorize the Governor, during the effective period of a declared emergency, to exercise authority over public assemblages as necessary to protect the health and safety of persons; and

**WHEREAS**, low-cost telephone, social media, and other internet-based technologies are currently available that will permit the convening of a public body through virtual means and allow real-time public access to the activities of the public body; and

**WHEREAS** section 20 of chapter 30A and implementing regulations issued by the Attorney General currently authorize remote participation by members of a public body, subject to certain limitations;

**NOW THEREFORE**, I hereby order the following:

(1) A public body, as defined in section 18 of chapter 30A of the General Laws, is hereby relieved from the requirement of section 20 of chapter 30A that it conduct its meetings in a public place that is open and physically accessible to the public, provided that the public body makes provision to ensure public access to the deliberations of the public body for interested members of the public through adequate, alternative means.

Adequate, alternative means of public access shall mean measures that provide transparency and permit timely and effective public access to the deliberations of the public body. Such means may include, without limitation, providing public access through telephone, internet, or satellite enabled audio or video conferencing or any other technology that enables the public to clearly follow the proceedings of the public body while those activities are occurring. Where allowance for active, real-time participation by members of the public is a specific requirement of a general or special law or regulation, or a local ordinance or by-law, pursuant to which the proceeding is conducted, any alternative means of public access must provide for such participation.

A municipal public body that for reasons of economic hardship and despite best efforts is unable to provide alternative means of public access that will enable the public to follow the proceedings of the municipal public body as those activities are occurring in real time may instead post on its municipal website a full and complete transcript, recording, or other comprehensive record of the proceedings as soon as practicable upon conclusion of the proceedings. This paragraph shall not apply to proceedings that are conducted pursuant to a general or special law or regulation, or a local ordinance or by-law, that requires allowance for active participation by members of the public.

A public body must offer its selected alternative means of access to its proceedings without subscription, toll, or similar charge to the public.

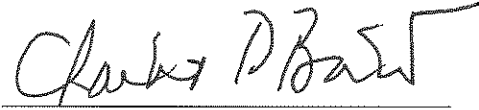
(2) Public bodies are hereby authorized to allow remote participation by all members in any meeting of the public body. The requirement that a quorum of the body and the chair be physically present at a specified meeting location, as provided in G. L. c. 30A, § 20(d) and in 940 CMR 29.10(4)(b), is hereby suspended.

(3) A public body that elects to conduct its proceedings under the relief provided in sections (1) or (2) above shall ensure that any party entitled or required to appear before it shall be able to do so through remote means, as if the party were a member of the public body and participating remotely as provided in section (2).

(4) All other provisions of sections 18 to 25 of chapter 30A and the Attorney General's implementing regulations shall otherwise remain unchanged and fully applicable to the activities of public bodies.

This Order is effective immediately and shall remain in effect until rescinded or until the State of Emergency is terminated, whichever happens first.

Given in Boston at 6:40 PM this 12th day of  
March, two thousand and twenty.

A handwritten signature in black ink, appearing to read "Charles D. Baker", written over a horizontal line.

CHARLES D. BAKER  
GOVERNOR  
Commonwealth of Massachusetts

# REAC MEETING

5/12/2021

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## AGENDA ITEM 4.

### DRAFT MINUTES for Meeting:

- *February 3, 2021*

## REAL ESTATE ASSESSMENT COMMITTEE

**COMMITTEE MEMBERS:** John Brescher (Chair), Rhoda Weinman (Vice Chair), Penny Dey (Secretary), Thomas Barada, Lee Saperstein

### MINUTES

**Wednesday, February 3, 2021**

Remote Meeting *via* Zoom – 2:00pm

**Purpose: Regular Meeting:**

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**ATTENDING COMMITTEE MEMBERS:** John Brescher; Rhoda Weinman; Penny Dey; Lee Saperstein

**ABSENT:** Thomas Barada

**STAFF IN ATTENDANCE:** Ken Beaugrand (Real Estate Specialist); Eleanor Antonietti (Land Use Specialist)

**PUBLIC PRESENT:** Jay Maroney

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#### 1. Call to Order

John Brescher called the meeting to order at 2:05 pm

John Brescher announced that this Open Meeting of the Real Estate Assessment Committee (“REAC”) is being conducted remotely via Zoom, consistent with Governor Baker’s Executive Order of March 12, 2020, due to the current State of Emergency in the Commonwealth due to the outbreak of the “COVID-19 Virus.”

John Brescher declared a quorum was present.

#### 2. Approval of the Agenda

The **MOTION** was made by Penny Dey and seconded by Rhoda Weinman that the REAC does hereby vote to **APPROVE** the Agenda for February 03, 2021.

ROLL CALL of those participating:

1. Rhoda Weinman Aye
2. Penny Dey Aye
3. Lee Saperstein Aye
4. John Brescher Aye

Agenda adopted by **UNANIMOUS** consent.

#### 3. Public Comment

NONE

#### 4. Approval of Minutes of:

- January 13, 2021

The **MOTION** was made by Lee Saperstein and seconded by Rhoda Weinman that the REAC does hereby vote to **APPROVE the minutes**, for January 13, 2021.

ROLL CALL of those participating:

1. Rhoda Weinman Aye
2. Lee Saperstein Aye
3. Penny Dey Aye
4. John Brescher Aye

Minutes adopted by **UNANIMOUS** vote.

## 5. **CONVEYANCES**

- a. **VIETH** – 3 Gladlands Ave. – School St., Laurel St., & Shawaukema Ave. – Easement Areas E-1 (2,262 SF) & E-2 (20,900 SF) as shown on Exhibit Plan entitled “Roadway Acquisition Plan @ #3 Gladlands Ave., Nantucket, MA. – Prepared for Jill S. & Timothy P. VIETH”, drawn by Earle & Sullivan, Inc. and dated September 10, 2020 (authorized by Art. 84 at 2012 ATM) **\$0** <sup>Hanley</sup>

Eleanor Antonietti explains the history and background of the paper road parcels and the Town Meeting articles that authorized the disposition. The Taking was approved by REAC October 2020 and the Select Board in January 2021.

NO CONCERNS

The **MOTION** was made by Penny Dey and seconded by Rhoda Weinman that the REAC hereby votes to **APPROVE the release of Easement rights** to the owners of 3 Gladlands Avenue known as Easement Areas E-1 (2,262 SF) & E-2 (20,900 SF) as shown on Exhibit Plan entitled “Roadway Acquisition Plan @ #3 Gladlands Ave., Nantucket, MA. – Prepared for Jill S. & Timothy P. VIETH”, drawn by Earle & Sullivan, Inc. and dated September 10, 2020, authorized by Art. 84 at 2012 ATM, for no consideration, as presented by Staff.

ROLL CALL of those participating:

1. Rhoda Weinman Aye
2. Penny Dey Aye
3. Lee Saperstein Aye
4. John Brescher Aye

The **MOTION** carried **UNANIMOUSLY**.

- b. **GOLDSMITH** – 1 White St. – Easement Areas in portions of Maclean and Wannacomet St.s on as shown on Exhibit Plan entitled “Roadway Easement Acquisition Plan #1 White St., Nantucket, MA. – Prepared for J Spencer & Denise M. GOLDSMITH”, drawn by Earle & Sullivan, Inc. and dated December 9, 2020 – Release of Easements (authorized by Art. 101 at 2011 ATM & Art. 84 at 2012 ATM) **\$0** <sup>Brescher/Glidden</sup>

John Brescher discloses that his office represents the grantee and he recuses.

John Brescher appoints Rhoda Weinman to be Chair *pro tem* due to this conflict.

The **MOTION** was made by Penny Dey and seconded by Lee Saperstein that the REAC hereby votes to **APPROVE the release of Easement rights in Easement** Areas to the owners of 1 White Street in portions of Maclean and Wannacomet Streets as shown on

Exhibit Plan entitled “Roadway Easement Acquisition Plan #1 White St., Nantucket, MA. – Prepared for J Spencer & Denise M. GOLDSMITH”, drawn by Earle & Sullivan, Inc. and dated December 9, 2020 – Release of Easements, as authorized by Art. 101 at 2011 ATM & Art. 84 at 2012 ATM, for no consideration, as presented by Staff.

ROLL CALL of those participating:

1. Penny Dey Aye
2. Lee Saperstein Aye
3. Rhoda Weinman Aye

**The MOTION carried UNANIMOUSLY.**

- c. **HENDERSON** – 7 Pocomo Rd. – Proprietors Rd – Parcel D on 2014-78 (12,520 SF) – authorized by Art. 99 at 2014 ATM) **\$2/SF** Cohen

Eleanor Antonietti gives background and overview of transaction. As shown on both Land Court Plan 38822-A (page 92 of the Packet) and in the Decree (page 93), the property is described as being bound by the line of the Proprietors Road. Therefore, we can bypass Land Court registration.

Lee Saperstein asks if this is an extension of Pocomo Road and if so, when was Pocomo Road moved.

Eleanor Antonietti points to Town Meeting Article Map on Page 74 – this is a Proprietors Road but the taking and disposition explicitly exclude portions of Pocomo Road. She is not certain of the history of the current layout of Pocomo Road.

Ken Beaugrand asks for clarification on what is being conveyed for the benefit of making it comprehensible to the Select Board at their meeting on February 17<sup>th</sup>.

Eleanor Antonietti points to the Acquisition Plan on Page 85 of the Packet. The GIS is included to give a sense of what is on the ground. She will look into conveying the other portions of this strip to the abutters to the north but suspects that those Land Court Cases may not have the benefit of the ‘by the line’ description that allows this to occur without need for Land Court registration.

The **MOTION** was made by Lee Saperstein and seconded by Penny Dey that the REAC hereby votes to **APPROVE** the conveyance of Parcel D (12,520 SF) portion of Proprietors Road on Plan No. 2014-78 to the owners of 7 Pocomo Road for \$2/SF (\$25,040), authorized by Article 99 of the 2014 Town Meeting, as presented by Staff.

ROLL CALL of those participating:

1. Rhoda Weinman Aye
2. Penny Dey Aye
3. Lee Saperstein Aye
4. John Brescher Aye

**The MOTION carried UNANIMOUSLY**

## 6. Other Business

NONE

## 7. Date and time of next meeting

The next remote participation REAL ESTATE ASSESSMENT COMMITTEE meeting will be held on Wednesday, **March 9, 2021, at 2pm** via Zoom, contingent upon availability of Zoom room.

**8. Adjournment**

M/S/A Rhoda Weinman Penny Dey

Meeting Adjourned at 2:27p.m.

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Submitted by: Eleanor W. Antonietti

DRAFT

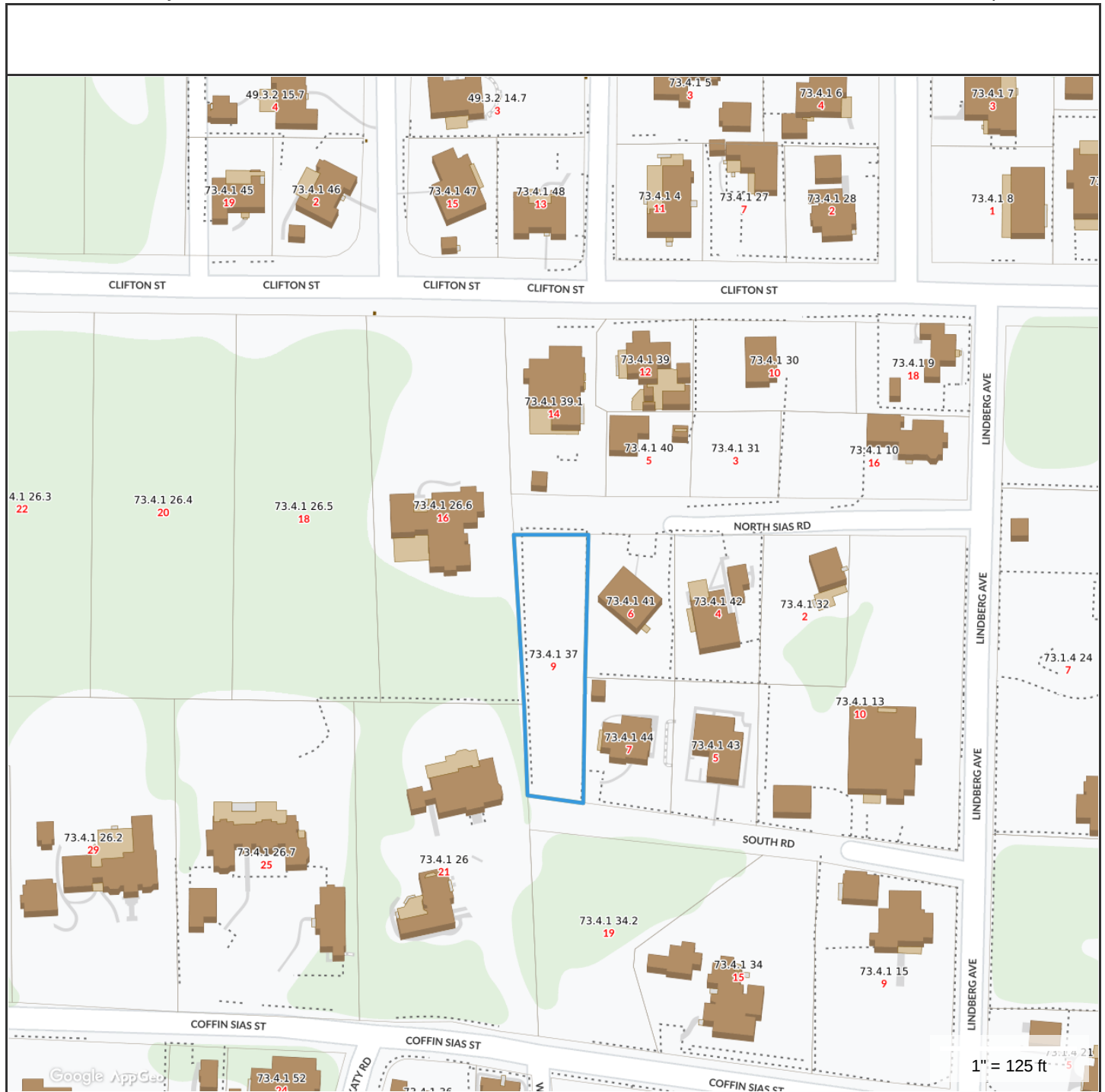
# REAC MEETING

5/12/2021

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## AGENDA ITEM

### ***ORDER OF TAKING***



#### Property Information

**Property ID** 73.4.1 37  
**Location** 9 SOUTH RD  
**Owner** MCROBIE JORDAN S



#### MAP FOR REFERENCE ONLY NOT A LEGAL DOCUMENT

Town and County of Nantucket, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated Jan. 2021  
 Data updated Jan. 2021

**Property Information**

**Property ID** 73.4.1 37  
**Location** 9 SOUTH RD  
**Owner** MCROBIE JORDAN S

**MAP FOR REFERENCE ONLY  
NOT A LEGAL DOCUMENT**

Town and County of Nantucket, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

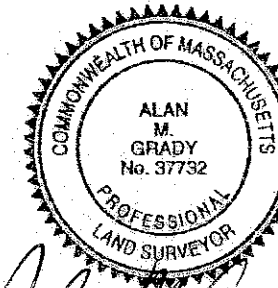
Geometry updated Jan. 2021  
Data updated Jan. 2021

# CLIFTON STREET

(PRIVATE - VARIABLE WIDTH)

ZONE: ROH  
REQUIRED  
LOT AREA: 5,000 s.f.  
FRONTAGE: 50'  
FRONT YARD: 0'  
SIDE/REAR YARD: 5'  
GROUND COVER: 40% (MAX)

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTRY OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.



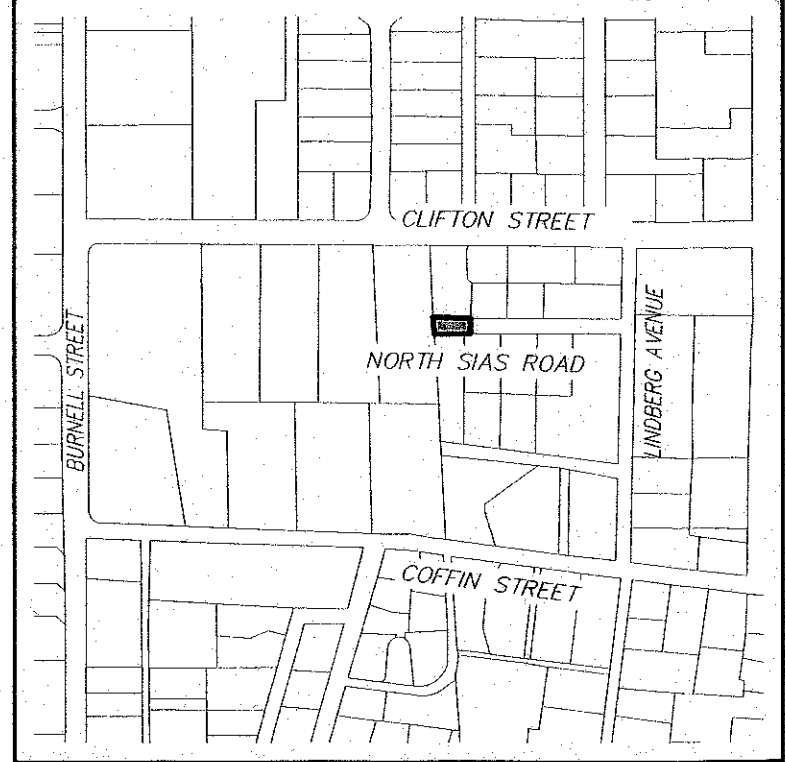
ALAN M. GRADY, PLS  
MASSACHUSETTS REG.  
No. 37732



2021 00000031  
Bk: Pg: 0 Page: 0  
Doc: PLAN 05/03/2021 01:02 PM

NANTUCKET REGISTRY  
OF DEEDS  
Date: May 3, 2021  
Time: 1:02 PM  
Plan No: 2021-31  
Sheet 1 of 1

RESERVED FOR REGISTRY USE



LOCUS MAP Scale: 1" = 400'±

## NOTES:

- LOCUS: NORTH SIAS ROAD  
(ON ASSESSORS MAP 73)
- PLAN: Plan Bk: 11 Pg: 4  
Plan No: 2014-57  
L.C. Plan #21902  
L.C. Plan #38159  
L.C. Plan #39680  
L.C. Plan #39681  
L.C. Plan #42076
- TOWN MEETING REFERENCE:  
ARTICLES 107 & 108 (2020 ATM)

# ROADWAY ACQUISITION PLAN IN NANTUCKET, MASS.

OF A PORTION OF UNCONSTRUCTED  
"NORTH SIAS ROAD"

PREPARED BY  
BRACKEN ENGINEERING, INC.

19 OLD SOUTH ROAD  
NANTUCKET, MA 02554

tel: (508) 325-0044

fax: (508) 833-2282

SCALE: 1" = 30' MARCH 25, 2021

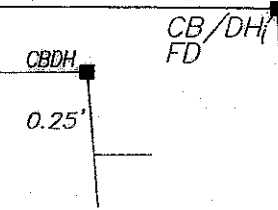
APPROVAL BY THE  
NANTUCKET PLANNING BOARD  
NOT REQUIRED

*[Signatures]*

FILE NUMBER: 04-12-2021

DATE APPROVED: PLSUB-2021-04-00148

DETAIL  
N.T.S.



#16 CLIFTON STREET  
MAP 73.4.1 PARCEL 26.6  
N/F  
LINDA CAROL KINSLEY  
C.O.T. # 17766  
LOT 9, LCP 21902-C

#14 CLIFTON STREET  
MAP 73.4.1 PARCEL 26.6  
N/F  
SUSAN TRAINOR HOLT &  
JOHN W. P. HOLT  
BK 1607 PG 268  
LOT 1A, PLAN NO. 2014-58

#12 CLIFTON STREET  
MAP 73.4.1 PARCEL 39  
N/F  
THE POND LILY COMPANY  
BK 1588 PG 307  
LOT 2A, PLAN NO. 2014-58

#10 CLIFTON STREET  
MAP 73.4.1 PARCEL 30  
N/F THE BLUE WHALE, LLC  
BK 1588 PG 139  
PARCEL A, PLAN FILE 42-A

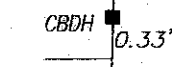
#5 NORTH ROAD  
MAP 73.4.1 PARCEL 40  
N/F  
RICHARD & SARAH  
COLBERT  
BK 1519 PG 149  
LOT 30, PLAN BOOK 11 PAGE 4

#3 NORTH ROAD  
MAP 73.4.1 PARCEL 31  
N/F  
RENA CRISP, TRUSTEE  
BK 394 PG 315  
PARCEL B, PLAN FILE 42-A

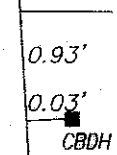
#16 LINDBERG AVENUE  
MAP 73.4.1 PARCEL 10  
N/F  
JOYCE L. COFFIN  
BK 113 PG 162

#18 LINDBERG AVENUE  
MAP 73.4.1 PARCEL 9  
N/F JANET EYRE  
BK 1207 PG 296

DETAIL  
N.T.S.



DETAIL  
N.T.S.



LOT "A"  
AREA =  
1,036± s.f.

LOT "B"  
AREA =  
876± s.f.

LOT "C"  
AREA =  
148± s.f.

#9 SOUTH ROAD  
MAP 73.4.1 PARCEL 37  
N/F  
JORDAN McROBIE  
BK 1239 PG 210  
PORTIONS OF  
LOTS 9 & 10,  
PLAN BOOK 11 PAGE 4

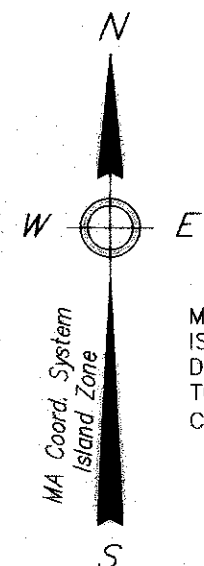
#6 NORTH SIAS ROAD  
MAP 73.4.1 PARCEL 41  
N/F  
MERRITT ROBERSON ET AL.  
TRUSTEES  
C.O.T. #24216  
LOT 1, LCP #39680-A

#4 NORTH SIAS ROAD  
MAP 73.4.1 PARCEL 42  
N/F  
JOHN & BARBARA  
BARTLETT  
C.O.T. #15652  
LCP #39681-A

#2 NORTH SIAS ROAD  
MAP 73.4.1 PARCEL 326  
N/F  
FRANK & BETTY  
LANGHAMMER  
C.O.T. # 9389  
LCP #38159-A

#10 LINDBERG AVENUE  
MAP 73.4.1 PARCEL 13  
N/F  
JOHN & NOREEN POULSON,  
TRUSTEES  
C.O.T. # 24443  
LCP #42706

DETAIL  
N.T.S.



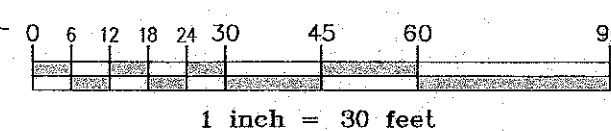
MASS COORDINATE SYSTEM  
ISLAND ZONE MERIDIAN  
DETERMINED USING A  
TOPCON GPS RTK UNIT  
COLLECTION DATE 11/24/2020

## Line Table

| Line # | Bearing         | Distance |
|--------|-----------------|----------|
| L1     | S 89° 31' 44" E | 68.68'   |
| L2     | S 2° 39' 10" E  | 15.02'   |
| L3     | S 2° 39' 10" E  | 15.02'   |
| L4     | S 89° 31' 44" E | 58.78'   |
| L5     | S 89° 31' 44" E | 9.90'    |
| L6     | S 0° 28' 16" W  | 15.00'   |
| L7     | N 0° 28' 16" E  | 15.00'   |
| L8     | N 0° 28' 16" E  | 15.00'   |
| L9     | N 89° 31' 44" W | 9.90'    |

SOUTH ROAD  
(PRIVATE - 30.00' WIDE)

PLAN SCALE



TOWN OF NANTUCKET  
BOARD OF SELECTMEN

*[Signatures]*

DATE APPROVED:



# 2020 Annual Town Meeting Warrant Articles 107 + 108

Real Estate Acquisition  
and Conveyance:  
North Road

## Legend

-  Real Estate Acquisition and Conveyance
-  Buildings
-  Parcel Lines

1 inch = 33 feet

**Data Sources:**  
The planimetric data on this mapsheet is based primarily upon interpretation of April, 2013 aerial photography. It was compiled to meet the ASPRS Standard for Class 1 Map Accuracy for 1"=100' scale maps.

The parcel boundaries are based primarily upon the Tax Assessor's data through December, 2013.

The data on this mapsheet represents the efforts of the Town of Nantucket and other cooperating organizations to record and compile pertinent geographical and related information utilizing the capabilities of the Nantucket Geographic Information System (GIS). The GIS staff maintains an ongoing program to record and correct errors in these data that are brought to its attention. The Town of Nantucket makes no claims as to the absolute validity or reliability of these data or their fitness for any particular use.



## Town of Nantucket - GIS Mapsheet



Nantucket governmental agencies will not necessarily approve applications based solely on GIS data. Applicants for permits and licenses must inquire of the relevant agency for applicable requirements. The presence of information of this mapsheet does not necessarily imply public right-of-way or the right of public access.

January, 2020

Please send identification of any errors and corresponding corrections to:

GIS Coordinator  
Town of Nantucket  
2 Fairgrounds Road  
Nantucket, MA 02554

**COMMONWEALTH OF MASSACHUSETTS  
TOWN OF NANTUCKET  
2020 ANNUAL TOWN MEETING**



**Saturday, April 4, 2020 - 9:00 AM  
Nantucket High School  
Mary P. Walker Auditorium**

**Town of Nantucket  
16 Broad Street  
Nantucket, MA 02554  
(508) 228-7255  
www.nantucket-ma.gov**

**SELECT BOARD**

**Dawn E. Hill Holdgate, Chair  
Rita Higgins, Vice Chair  
Jason M. Bridges  
Matthew G. Fee  
Kristie Ferrantella**

**FINANCE COMMITTEE**

**Denice Kronau, Chair  
Stephen Maury, Vice Chair  
Christopher Glowacki  
Joseph T. Grause, Jr.  
George Harrington  
Peter A. McEachern  
Joanna Roche  
Peter N. Schaeffer  
Jill Vieth**

**PLANNING BOARD**

**Judith Wegner, Chair  
John F. Trudel III, Vice Chair  
David Iverson  
Nathaniel Lowell  
Frederick "Fritz" McClure**

**MODERATOR**

**Sarah F. Alger**

**TOWN OF NANTUCKET  
2020 ANNUAL TOWN MEETING**

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| 109                   | Real Estate Acquisition: Cherry Street/Burns                                                                             | 134                |

East Hallowell Lane lying between the easterly boundary of Lot 10 on Land Court Plan No. 12022-B at the Nantucket County Registry District of the Land Court traveling east to the westerly border of Lot 1 on Land Court Plan No. 12022-B, consisting of approximately 5,191 square feet as shown on the plan attached hereto, subject to Chapter 30B of the Massachusetts General Laws and guidelines established under the "Nantucket Yard Sales" program on file at the Select Board's Office, such disposition to be on such terms and conditions as the Select Board may deem appropriate, which may include the reservation of easements and restrictions.

#### **ARTICLE 107**

##### **(Real Estate Acquisition: North Road)**

To see if the Town will vote to authorize the Select Board to acquire by purchase, gift or eminent domain the fee or lesser interests together with any public or private rights of passage for public ways and/or general municipal purposes in the portion of North Road (Siasconset) lying between the easterly line of Lot 9 on Land Court Plan No. 21902-C registered at the Nantucket County Registry District of the Land Court and the easterly line of Lot 1A on Plan No. 2014-58 at the Nantucket Registry of Deeds, consisting of approximately 2,146 square feet as shown on the plan attached hereto, or to take any other action related thereto.

*(Jessie Brescher, et al)*

**FINANCE COMMITTEE MOTION:** Moved that the Select Board is hereby authorized to acquire by purchase, gift or eminent domain the fee or lesser interests together with any public or private rights of passage for public ways and/or general municipal purposes in the portion of North Road (Siasconset) lying between the easterly line of Lot 9 on Land Court Plan No. 21902-C registered at the Nantucket County Registry District of the Land Court and the easterly line of Lot 1A on Plan No. 2014-58 at the Nantucket Registry of Deeds, consisting of approximately 2,146 square feet as shown on the plan attached hereto.

#### **ARTICLE 108**

##### **(Real Estate Conveyance: North Road)**

To see if the Town will vote to authorize the Board of Selectmen to convey, sell or otherwise dispose of the fee title or lesser interests in all or any portion of North Road (Siasconset) lying between the easterly line of Lot 9 on Land Court Plan No. 21902-C registered at the Nantucket County Registry District of the Land Court and the easterly line of Lot 1A on Plan No. 2014-58 at the Nantucket Registry of Deeds, consisting of approximately 2,146 square feet as shown on the plan attached hereto, subject to Chapter 30B of the Massachusetts General Laws and guidelines established under the "Nantucket Yard Sales" program on file at the Select Board's Office, such disposition to be on such terms and conditions as the Select Board may deem appropriate, which may include the reservation of easements and restrictions, or take any action related thereto.

*(Jessie Brescher, et al)*

**FINANCE COMMITTEE MOTION:** Moved that the Select Board is hereby authorized to convey, sell or otherwise dispose of the fee title or lesser interests in all or any portion of North Road (Siasconset) lying between the easterly line of Lot 9 on Land Court Plan No.

21902-C registered at the Nantucket County Registry District of the Land Court and the easterly line of Lot 1A on Plan No. 2014-58 at the Nantucket Registry of Deeds, consisting of approximately 2,146 square feet as shown on the plan attached hereto, subject to Chapter 30B of the Massachusetts General Laws and guidelines established under the “Nantucket Yard Sales” program on file at the Select Board’s Office, such disposition to be on such terms and conditions as the Select Board may deem appropriate, which may include the reservation of easements and restrictions.

#### ARTICLE 109

##### (Real Estate Acquisition: Cherry Street)

To see if the Town will vote to authorize the Select Board to acquire by purchase, gift or eminent domain the fee or lesser interests together with any public and private rights of passage for public ways and/or general municipal purposes in the portion of Cherry Street lying between the westerly line of Folger Avenue and the easterly line of Lot 2 on Plan No. 2017-58 filed at the Nantucket Registry of Deeds consisting of approximately 6,733 square feet as shown on the plan attached hereto, or to take any other action related thereto.

*(Susan M. Burns, et al)*

**FINANCE COMMITTEE MOTION:** Moved that the Select Board is hereby authorized to acquire by purchase, gift or eminent domain the fee or lesser interests together with any public and private rights of passage for public ways and/or general municipal purposes in the portion of Cherry Street lying between the westerly line of Folger Avenue and the easterly line of Lot 2 on Plan No. 2017-58 filed at the Nantucket Registry of Deeds consisting of approximately 6,733 square feet as shown on the plan attached hereto.

#### ARTICLE 110

##### (Real Estate Conveyance: Cherry Street)

To see if the Town will vote to authorize the Board of Selectmen to convey, sell or otherwise dispose of the fee title or lesser interests in all or any portion of land known as in the portion of Cherry Street lying between the westerly line of Folger Avenue and the easterly line of Lot 2 on Plan No. 2017-58 filed at the Nantucket Registry of Deeds consisting of approximately 6,733 square feet as shown on the plan attached hereto, subject to Chapter 30B of the Massachusetts General Laws and guidelines established under the “Nantucket Yard Sales” program on file at the Select Board’s Office, such disposition to be on such terms and conditions as the Select Board may deem appropriate, which may include the reservation of easements and restrictions, or take any action related thereto.

*(Nicole Evangelista, et al)*

**FINANCE COMMITTEE MOTION:** Moved that the Select Board is hereby authorized to convey, sell or otherwise dispose of the fee title or lesser interests in all or any portion of land known as in the portion of Cherry Street lying between the westerly line of Folger Avenue and the easterly line of Lot 2 on Plan No. 2017-58 filed at the Nantucket Registry of Deeds consisting of approximately 6,733 square feet as shown on the plan attached hereto, subject to Chapter 30B of the Massachusetts General Laws and guidelines established under the “Nantucket Yard Sales” program on file at the Select

NANTUCKET REGISTRY  
OF DEEDS  
Date: 7/03/2014  
Time: 1:32 PM  
Plan No: 2014-58  
J. Marcklinger  
REGISTER

Sheet 1 of 1

SCALE 1" = 20'  
0' 20' 40' 60'

# PLAN OF LAND NANTUCKET, MA.

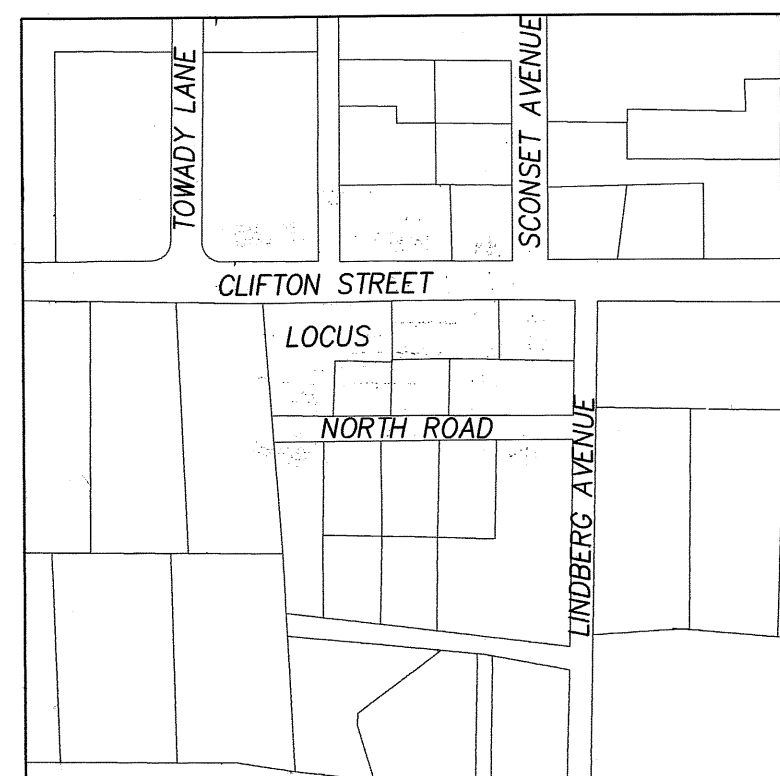
12 CLIFTON STREET  
(NANTUCKET COUNTY)

SCALE 1 IN. = 20 FT  
NOVEMBER 24, 2013  
APRIL 30, 2014  
PREPARED FOR: JOHN SPERRY  
ASSESSORS MAP 73.4.1, PARCEL 39  
DEED BOOK 298, PAGE 126

ZONING CLASSIFICATION: SR-10

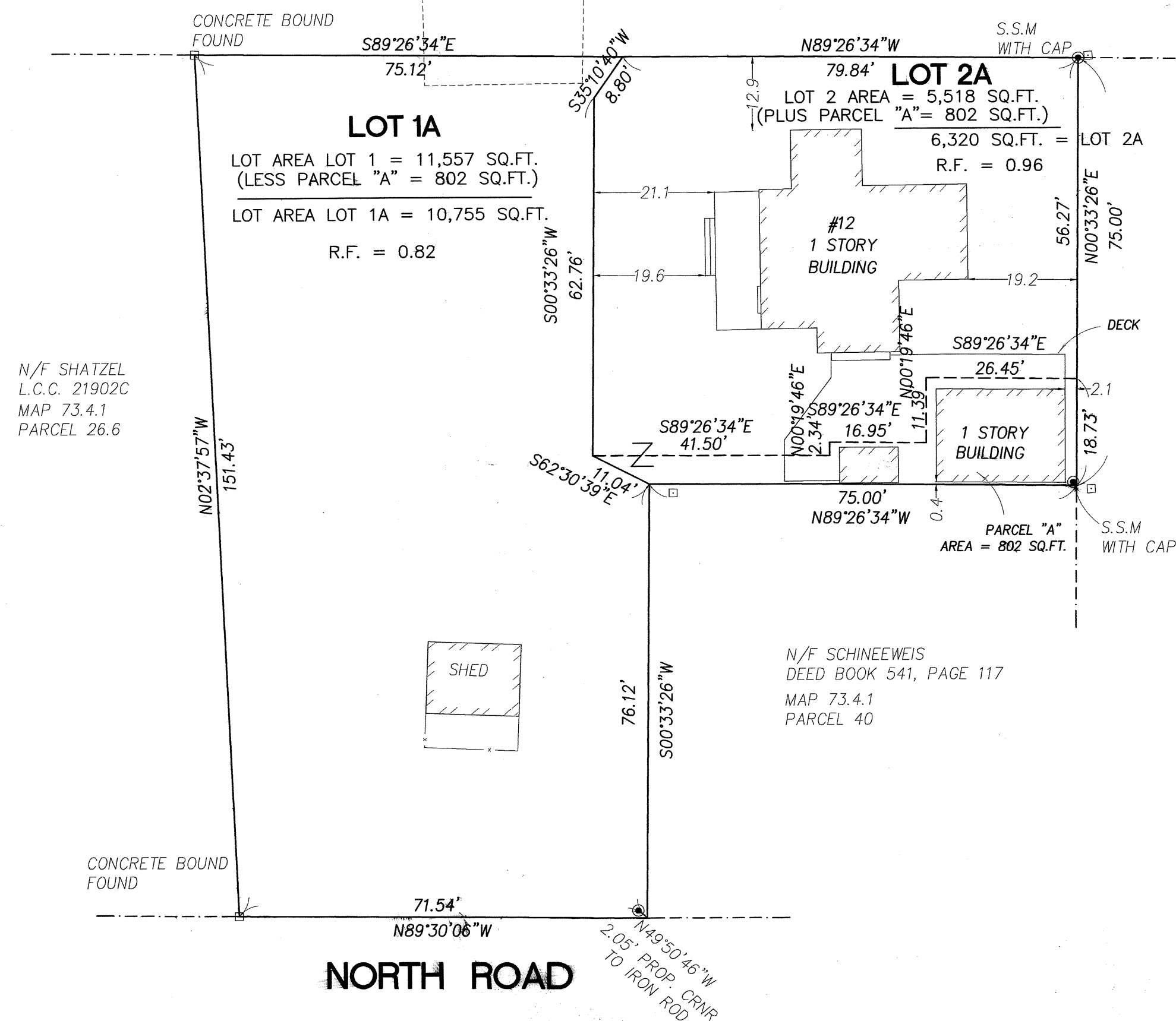
MINIMUM LOT SIZE = 10,000 SQ. FT.  
MINIMUM FRONTAGE = 75 FT.  
FRONT YARD SETBACK = 15 FT.  
REAR YARD SETBACK = 5 FT.  
SIDE YARD SETBACK = 5 FT.  
GROUND COVER RATIO = 25%

GROUND COVER RATIO LOT 2A = 21.5 %  
GROUND COVER RATIO LOT1A = 1.9 %



LOCUS PLAN  
NOT TO SCALE

CLIFTON STREET  
(PUBLIC-VARIABLE WIDTH)

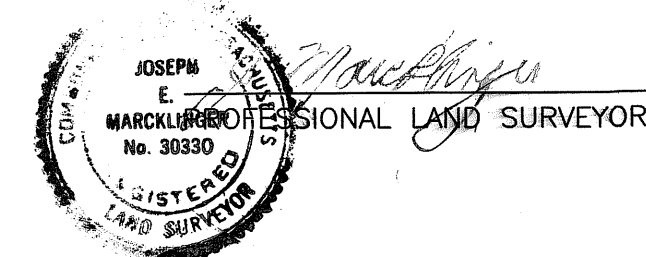


N/F RENA  
PAGE 428, PAGE 242  
MAP 73.4.1  
PARCEL 30

N/F SCHINEWEIS  
DEED BOOK 541, PAGE 117  
MAP 73.4.1  
PARCEL 40

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE  
WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS  
OF THE COMMONWEALTH OF MASSACHUSETTS.

4-30-14  
DATE



LOTS 1A AND 2A DO NOT CONTAIN AREAS SUBJECT TO PROTECTION UNDER  
THE MASSACHUSETTS WETLANDS PROTECTION ACT WHICH ARE REQUIRED TO  
BE EXCLUDED FROM AREA UNDER THE NANTUCKET ZONING BY-LAW.

PLANNING BOARD ENDORSEMENT DOES NOT CONSTITUTE DETERMINATION  
OF CONFORMANCE TO ZONING.

## NANTUCKET PLANNING BOARD

APPROVAL UNDER THE SUBDIVISION CONTROL LAW  
NOT REQUIRED.

*[Signatures]*

June 9, 2012  
DATE SIGNED

7693  
FILE NUMBER

JOSEPH MARCKLINGER P.L.S.  
J. MARCKLINGER & ASSOC.  
PROFESSIONAL LAND SURVEYORS  
P.O. BOX 896  
NANTUCKET, MA. 02554  
(310) 945-7054



2017 00002645

Bk: 1607 Pg: 268 Page: 1 of 2  
Doc: DD 09/05/2017 02:12 PM**DEED**

OODA Development LLC, a Massachusetts limited liability company, with a mailing address of 15 Deer Run Lane, North Falmouth, Massachusetts 02556, for consideration paid in the amount of Three Million One Hundred Seventy Five Thousand (\$3,175,000.00) Dollars grants to Susan Trainor Holt and John W.P. Holt, husband and wife, as joint tenants with rights of survivorship, with an address of 403-31<sup>st</sup> Avenue S, Seattle, Washington 98144, with QUITCLAIM COVENANTS,

That certain parcel of land, together with the buildings thereon, located in Nantucket, Nantucket County, Massachusetts, now known and numbered as 14 Clifton Street, bounded and described as follows:

Lot 1A on Plan recorded with Nantucket Deeds  
As Plan No. 2014-58.

Said land is subject to the following matters:

(a) Real Estate taxes for the fiscal year 2018

For title, see Deed recorded at Nantucket Deeds in Book 1604, Page 202.

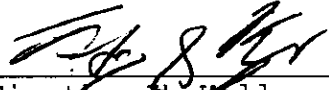
The Grantor certifies that there is no person or persons who occupies or intends to occupy the land as a principal residence or is entitled to claim the benefit of an existing estate of homestead in the property by court order or otherwise.

The Grantor hereby certifies that it has not elected to be treated as a corporation for federal tax purposes.

Executed and sealed on August 31, 2017.

OODA Development LLC

BY:

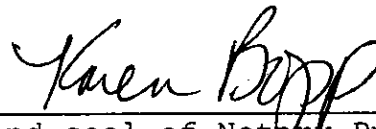
  
Timothy J. Kelly, Manager

COMMONWEALTH OF MASSACHUSETTS

Nantucket, ss

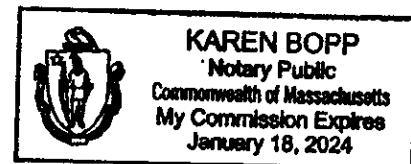
August 31, 2017

On this 31st day of August, 2017, before me, the undersigned notary public, personally appeared Timothy J. Kelly, Manager (a) ✓ personally known to me, or (b)        proved to me through satisfactory evidence of identification, which was        (type of identification), to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily as a free act and deed for its stated purpose on behalf of OODA Development LLC.



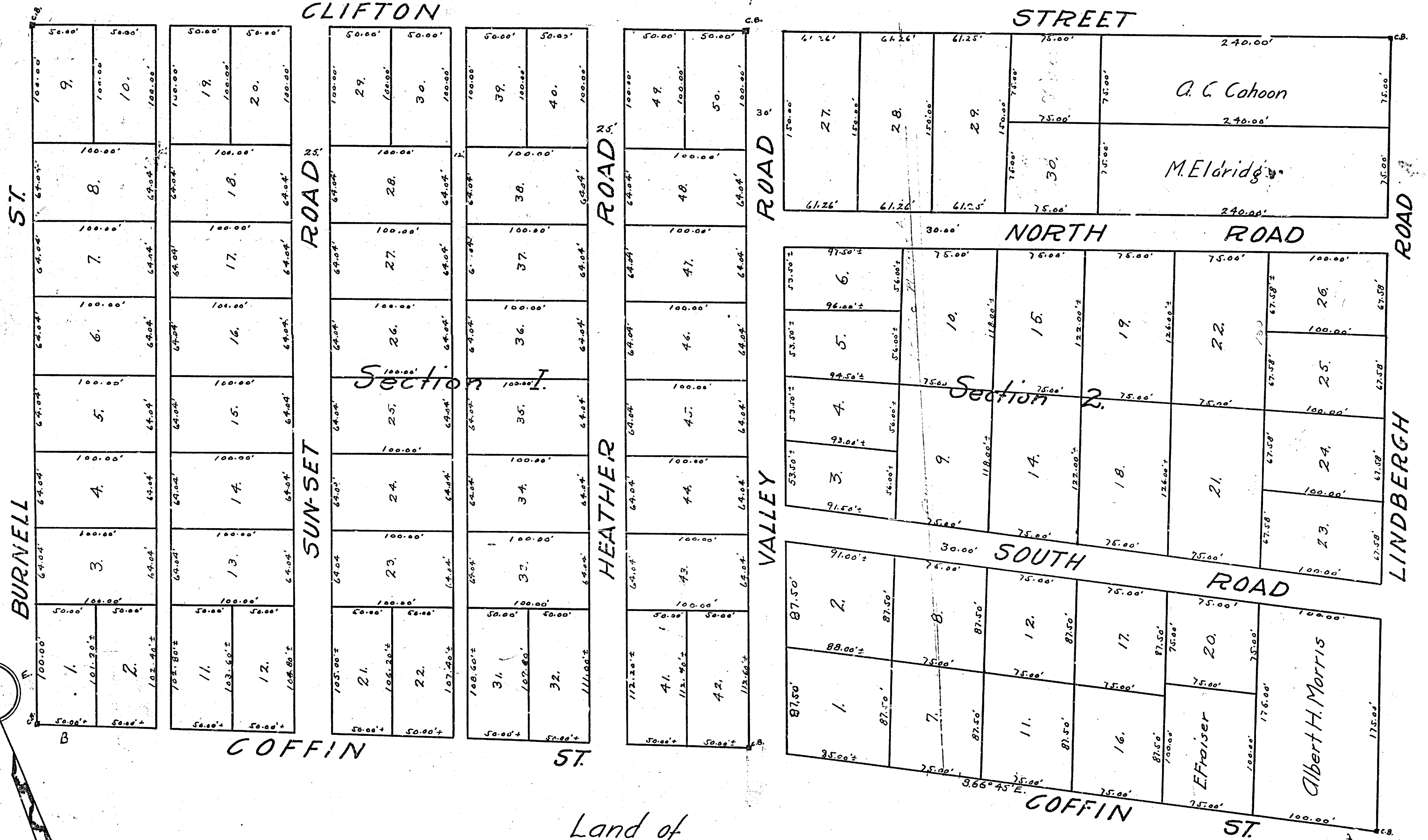
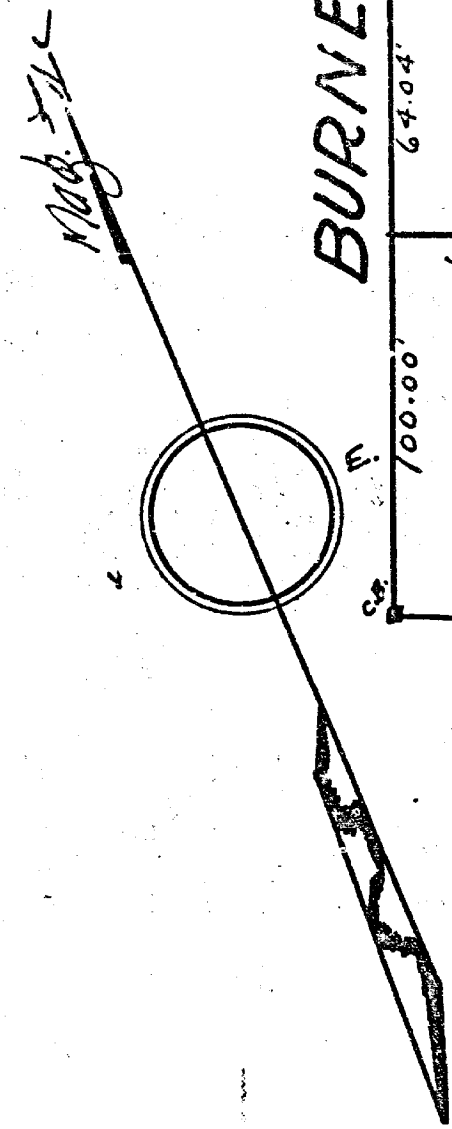
Official signature and seal of Notary Public  
Printed name:

| NANTUCKET LAND BANK<br>CERTIFICATE          |                  |
|---------------------------------------------|------------------|
| <input checked="" type="checkbox"/> Paid \$ | <u>63,500.00</u> |
| <input type="checkbox"/> Exempt             |                  |
| <input type="checkbox"/> Non-applicable     |                  |
| No.                                         | <u>38851</u>     |
| Date                                        | <u>9/5/17</u>    |
| Authorization                               | <u>SK</u>        |



MASSACHUSETTS EXCISE TAX  
Nantucket County ROD #16 001  
Date: 09/05/2017 02:12 PM  
Ctrl# 462998 07111 Doc# 00002645  
Fee: \$14,478.00 Cons: \$3,175,000.00

NANTUCKET COUNTY Received & Entered  
Attest: Jennifer H. Ferreira Registrar of Deeds



2010 00001975

Bk: 1239 Pg: 210 Page: 1 of 2  
Doc: DD 08/03/2010 11:23 AM

We, DONALD McROBIE, of Vancouver, British Columbia, Canada, KATHERINE McROBIE, of Toronto, Ontario, Canada, and IAN McROBIE, of Toronto, Ontario, Canada, for consideration paid, grant to JORDAN S. McROBIE, of 362 Broadway, Costa Mesa, California 92627-2344, with QUITCLAIM COVENANTS,

All of our right, title and interest, being in the aggregate a three-fourths undivided interest, in and to that certain parcel of land situated in Nantucket, Nantucket County, Massachusetts, now known and numbered as 9 South Road, bounded and described as follows:

NORTHERLY by North Road;

EASTERLY            by Lots 14 and 15 on plan hereinafter  
mentioned;

SOUTHERLY by South Road; and

WESTERLY by land registered in Land Court Case No. 21902.

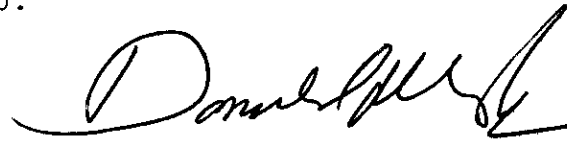
Said land is a portion of the land shown as Lots 9 and 10 in Section 2 upon a plan recorded with Nantucket Deeds in Plan Book 11, Page 4.

This deed creates no new boundaries.

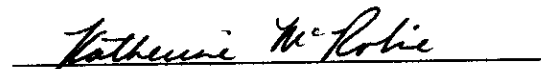
For title, see deed recorded with Nantucket Deeds in Book 1203,  
Page 238.

This conveyance is made without monetary consideration, as a gift by the grantors to their brother..

Executed and sealed on June 24, 2010.



Donald McRobie



Katherine McRobie



Ian McRobie

COMMONWEALTH OF MASSACHUSETTS

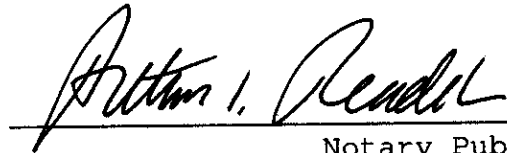
Nantucket, ss.

June 24, 2010

Then personally appeared the above-named Ian McRobie, and acknowledged the foregoing instrument to be his free act and deed, before me,



**ARTHUR I. READE, JR.**  
Notary Public  
Commonwealth of Massachusetts  
My Commission Expires  
October 25, 2013



Notary Public

My commission expires:

NANTUCKET COUNTY Received & Entered  
Attest: Jennifer H. Ferreira, Registrar of Deeds

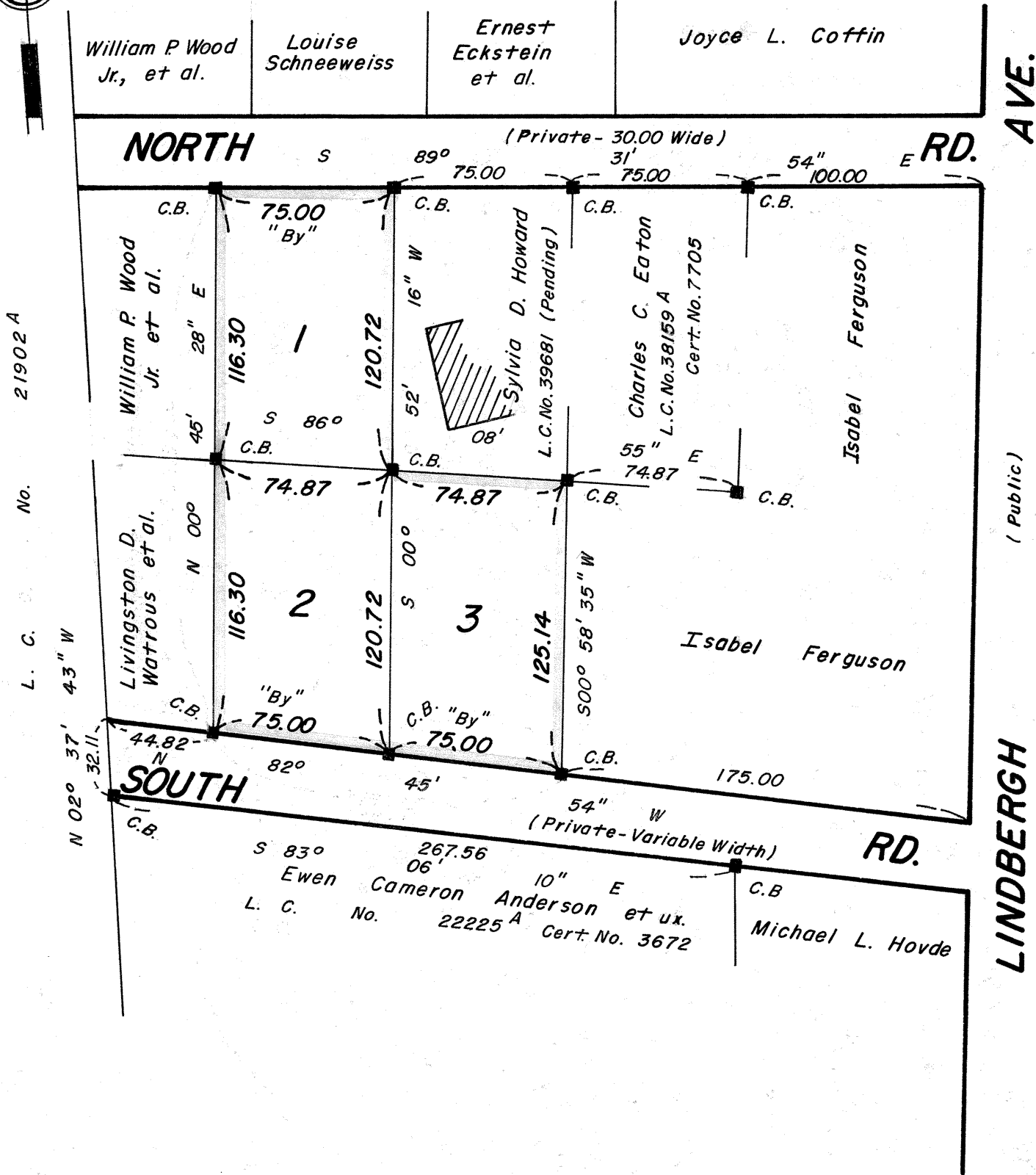
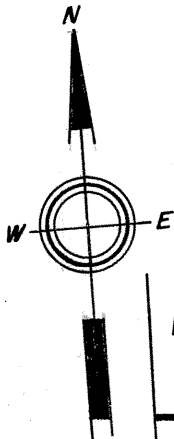
|                                            |              |
|--------------------------------------------|--------------|
| NANTUCKET LAND BANK<br>CERTIFICATE         |              |
| <input type="checkbox"/> Paid \$           |              |
| <input checked="" type="checkbox"/> Exempt |              |
| <input type="checkbox"/> Non-applicable    |              |
| No. 30911                                  | Date 8/31/10 |
| Authorization                              | SCU          |

39680 A

PLAN OF LAND IN NANTUCKET

Josiah S. Barrett, Surveyor

January 4, 1975



Locus Comprises  
Lots 1, 2 and 3

Abutters are  
not adjudicated.

Copy of part of plan  
filed in  
**LAND REGISTRATION OFFICE**  
SEPT. 16, 1977  
Scale of this plan 60 feet to an inch  
Louis A. Moore, Engineer for Court

RCS



2020 00166272

Cert: 27828 Doc: DD

Registered: 09/09/2020 11:18 AM

## STATUTORY QUITCLAIM DEED

I, MERRITT BROOKE ROBERSON CUSHMAN, Trustee of HUNTINGTON NOMINEE REAL ESTATE TRUST u/d/t dated February 8, 2012 and registered with the Nantucket Registry District for the Land Court as Document No. 136768, with a mailing address of 165 East 66<sup>th</sup> Street; Apt. 16E, New York, NY 10065, for consideration paid of One Million Eight Hundred Eighty Thousand and no/100 (\$1,880,000.00) Dollars, the receipt and sufficiency of which are hereby acknowledged, grant to KTT PLACE, LLC, a Massachusetts Limited Liability Company, with a mailing address c/o Kathleen Gregor, 15 Avon Street, Cambridge, MA 02138, with QUITCLAIM COVENANTS,

That certain parcel of land, together with all buildings and improvements thereon, situated in the Village of Siasconset, Town and County of Nantucket, Commonwealth of Massachusetts, more commonly known as  
6 North Road, and being more particularly bounded and described as follows:

**NORTHERLY** by North Road, seventy-five (75.00) feet;

**EASTERLY** by land now or formerly of Sylvia D. Howard one hundred twenty and 72/100 (120.72) feet;

**SOUTHERLY** by Lot 2, seventy-four and 87/100 (74.87) feet; and

**WESTERLY** by land now or formerly of William P. Wood, Jr. et al, one hundred sixteen and 30/100 (116.30) feet.

All of said boundaries are determined by the Court to be located as shown on Plan No. 39680-A, drawn by Josiah S. Barrett, Surveyor, dated January 4, 1975, as modified and approved by the Court, filed in the Land Registration Office, a copy of which is filed with Certificate of Title No. 12,461. Said land is shown thereon as Lot 1.

So much of the land as is included within the limits of said North Road is subject to the rights of all persons lawfully entitled thereto, in and over the same, and there is appurtenant to the land hereby registered the right to use North Road, as shown on said plan, to and from said land and Lindbergh Avenue, in common with all others lawfully entitled thereto.

For title reference, see Certificate of Title No. 24216 at the Nantucket Registry District for the Land Court.

The undersigned hereby certifies that she is the sole Trustee of the Huntington Nominee Real Estate Trust u/d/t dated February 8, 2012; that said Trust is in full force and effect and has not been altered, amended, revoked or terminated; that pursuant to the Declaration of Trust, the Trustee has the power

and authority to dispose of all or any part of the Trust property; that all beneficiaries of the trust have duly authorized the Trustee to enter and effectuate the transaction contemplated herein; that no beneficiary has died within the last ten years, nor is any beneficiary a corporation, and none of the beneficiaries are minors or lack the necessary capacity to authorize this transaction.

The undersigned further certifies that no Trustee or Beneficiary of the Huntington Nominee Real Estate Trust, no spouse or civil union partner of a trustee or beneficiary of the Trust, no former spouse or former civil union partner of a trustee or beneficiary of the Trust resides in the property as their primary residence or is entitled to claim the benefit of an existing estate of homestead.

Executed and sealed on this 8<sup>th</sup> day of September, 2020

HUNTINGTON NOMINEE REAL ESTATE TRUST  
u/t/d dated February 8, 2012

By Merritt Brooke Roberson Cushman, Trustee  
Merritt Brooke Roberson Cushman, Trustee

COMMONWEALTH OF MASSACHUSETTS

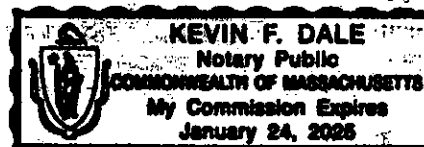
County of Nantucket, ss: 8<sup>th</sup>

On this 8<sup>th</sup> day of September, 2020, before me, the undersigned notary public, personally appeared the above-named Merritt Brooke Roberson Cushman, Trustee of Huntington Nominee Real Estate Trust, (a) personally known to me or (b) proved to me through satisfactory evidence of identification, which was personal knowledge to be the person whose name is signed on the foregoing instrument, and acknowledged to me that she signed it voluntarily, in said capacity, for its stated purpose, as the free act and deed of said Trust and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of her knowledge and belief.

MASSACHUSETTS EXCISE TAX  
Nantucket County ROD #16 001  
Date: 09/09/2020 11:18 AM  
Ctrl# 464583 29151 Doc# 00166272  
Fee: \$8,572.00 Cons: \$1,880,000.00

K F Dale  
Notary Public  
Printed Name:  
My Commission Expires:

|                                             |               |
|---------------------------------------------|---------------|
| NANTUCKET LAND BANK<br>CERTIFICATE          |               |
| <input checked="" type="checkbox"/> Paid \$ | <u>37,600</u> |
| <input type="checkbox"/> Exempt             |               |
| <input type="checkbox"/> Non-applicable     |               |
| No.                                         | <u>41995</u>  |
| Date                                        | <u>9/9/20</u> |
| Authorization                               | <u>MU</u>     |



# REAC MEETING

5/12/2021

---

## AGENDA ITEM

***REQUEST FOR POSITIVE  
RECOMMENDATION –  
73 MILK STREET***

THE LAW OFFICE OF  
**DAVID J. BUCKLEY LLC**

4 North Water Street / P.O. Box 5027  
Nantucket, MA 02554  
david@dbuckleylaw.com  
508-221-0750

VIA ELECTRONIC MAIL

John B. Brescher, Chairman  
Real Estate Assessment Committee  
Town of Nantucket  
16 Broad Street  
Nantucket, MA 02554

March 17, 2021

**Re: Heidi Drew / 73 Milk Street**

Dear Chairman Brescher and Members of the Real Estate Assessment Committee:

I represent Heidi Drew (a/k/a Heidi D. Wills) in connection with a potential two lot subdivision of her property located at 73 Milk Street on Nantucket (the "Property"). As set forth in greater detail below, the purpose of this correspondence is to obtain a favorable recommendation from the Real Estate Assessment Committee in connection with a formal request we intend to submit to the Select Board to modify a subdivision restriction contained in the deed to a portion of the Property that was acquired through the Town of Nantucket's "Yard Sale" program.

As shown on the Merger Plan recorded as Plan No. 2019-26 at the Nantucket Registry of Deeds, a copy of is attached as Exhibit A, the Property is comprised of two lots, as follows:

- (i) Lot 1 shown on Land Court Plan 13918-B (the "Main Lot"), a copy of said plan is attached as Exhibit B; and
- (ii) Parcel C shown on Plan No. 2017-13 (the "Yard Sale Parcel"), a copy of said plan is attached as Exhibit C.

The Property is currently located in the Residential-20 (R-20) zoning district, which, among other things, requires a minimum lot size of 20,000 square feet and frontage of at least 75 feet. The Property, at approximately 48,270 square feet, is well oversized for the zoning district (approximately 46,601 square feet is attributable to the Main Lot and approximately 1,669 square feet is attributable to the Yard Sale Parcel). Heidi has owned and maintained a primary residence on the Main Lot for over twenty years. In 2017, Heidi completed the purchase of the Yard Sale Parcel through the Town's "Yard Sale" program.

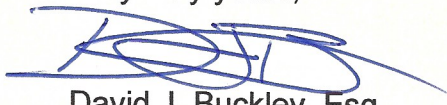
As demonstrated on the "Proof Plan" attached hereto as Exhibit D, prior to the acquisition of the Yard Sale Parcel, the Main Lot could have been subdivided into two separate conforming lots by the filing of a simple Approval Not Required (ANR) subdivision plan with the Planning Board (basically, there would be a triangular lot to the north taking frontage from Vestal/Road off Vestal; and a rectangular lot to the south taking frontage from the road adjacent to Milk Street). However, the acquisition of the Yard Sale Parcel created two issues with Heidi's ability to subdivide the Property, as follows: (i) the Property's frontage on Milk Street is no longer conforming as a result of an anomaly with the survey that created the Yard Sale Parcel; and (ii) the deed to the Yard Sale Parcel contains a restriction which generally prohibits "the division or subdivision" of the entire Property (a copy of the deed is attached as Exhibit E).

As far as the frontage issue, prior to the acquisition of the Yard Sale Parcel, the Main Lot took its 75.00 feet of frontage from a "road" shown on the Land Court Plan as running adjacent to Milk Street. Upon the acquisition of the Yard Sale Parcel (which is essentially a portion of the "road" shown on the Land Court Plan), the Property's frontage, now directly on Milk Street, was reduced to 74.98 feet (i.e., a reduction of 0.02 feet or less than a quarter inch). While the Property's frontage is 0.02 feet below the required minimum, Section 139-33.L of the Zoning Bylaw makes the Property's frontage on Milk Street legally nonconforming. I have discussed the frontage issue with Andrew Vorce and Eleanor Antonietti and believe that the issue should be able to be resolved through the determination of the Zoning Administrator process permitted under the Zoning Bylaw (although it is possible a public hearing may be required to resolve the matter). It is unclear why the plan that created the Yard Sale Parcel was drawn in a manner that created the nonconformity in the first place, as the issue could have been easily avoided.

With respect to the subdivision restriction contained in the deed to the Yard Sale Parcel, it is my understanding that the general intention of the boilerplate subdivision restriction language contained in most "Yard Sale" deeds is intended to prevent the purchaser of a Yard Sale lot from subdividing their property where their property prior to the acquisition of such Yard Sale lot would not be subdividable. As demonstrated on the enclosed Proof Plan, the Main Lot was already subdividable on its own, and the additional of the Yale Sale Parcel was merely superfluous. Further, the deed restriction could arguably amount to a "taking" without compensation, as the restriction substantially diminishes the value of the Property. Finally, it is my understanding that the Town now routinely modifies the restriction language contained in its form "yard sale" deed to allow for two lot subdivisions in similar situations.

For the reasons set forth above, we respectfully request a favorable recommendation to the Select Board to modify the subdivision restriction contained in the deed to the Yard Sale Parcel to allow a two (2) lot subdivision. I have enclosed a draft Modification of Subdivision Restriction, attached as Exhibit F, for your review and consideration. Thank you for your attention to this matter.

Very truly yours,

A handwritten signature in blue ink, appearing to read "David J. Buckley", with a stylized flourish extending from the end.

David J. Buckley, Esq.

cc (via email): Eleanor Antonietti (eantonietti@nantucket-ma.gov)  
Ken Beaugrand (kbeaugrand@nantucket-ma.gov)

EXHIBIT A

*Merger Plan / Plan No. 2019-26*



2019 00000026  
Bk: Pg: 0 Page: 0  
Doc: PLAN 06/07/2019 02:38 PM

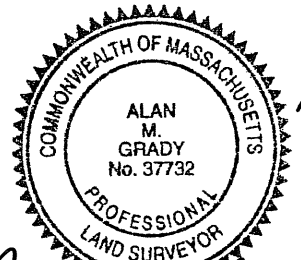
**NANTUCKET REGISTRY OF DEEDS**

Date: June 7, 2019  
Time: 2:38 PM  
Plan No: 2019-26

Attest: Grady H. Grady  
Register  
Sheet 1 of 1

**RESERVED FOR REGISTRY USE**

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTRY OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.



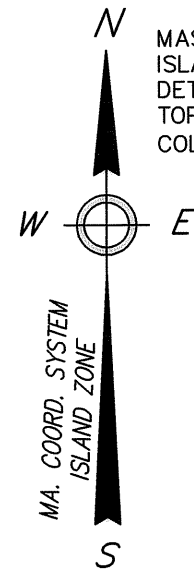
ALAN M. GRADY, PLS  
MASSACHUSETTS REG.  
No. 37732

**SURVEY MONUMENT LEGEND**

- CBDH FND. ■ CONCRETE BOUND WITH DRILL HOLE FOUND
- CRB FND. ■ COUNTY ROAD BOUND FOUND
- I.P. FND. ○ IRON PIPE FOUND

**NOTES:**

- LOCUS: # 73 MILK STREET  
MAP 56 PARCEL 210
- OWNER: HEIDI LEE DREW (a.k.a. Heidi Drew Wills)  
73 MILK STREET  
NANTUCKET, MA 02554
- DEED REF: CERTIFICATE OF TITLE #19171 (DOC. # 87011)  
(LOT 1, LCP 13918-B)  
Bk: 1612 Pg: 122(PARCEL C, PLAN 2017-13)
- PLAN REF: LAND COURT PLAN #13918-B  
PLAN NO. 2017-13
- LOCUS DOES NOT FALL WITHIN A SPECIAL FLOOD HAZARD AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP  
No. 25019C-0088-G dated 06/09/2014.
- PLANNING BOARD ENDORSEMENT DOES NOT CONSTITUTE A DETERMINATION OF CONFORMANCE UNDER CURRENT ZONING.
- THE PURPOSE OF THIS PLAN IS TO COMBINE LOT 1 ON LAND COURT PLAN #13918-B AND PARCEL C AS SHOWN ON PLAN NO. 2017-13 INTO ONE LOT.



MASS COORDINATE SYSTEM  
ISLAND ZONE MERIDIAN  
DETERMINED USING A  
TOPCON HIPER SR GPS RTK UNIT  
COLLECTION DATE 12/26/2018

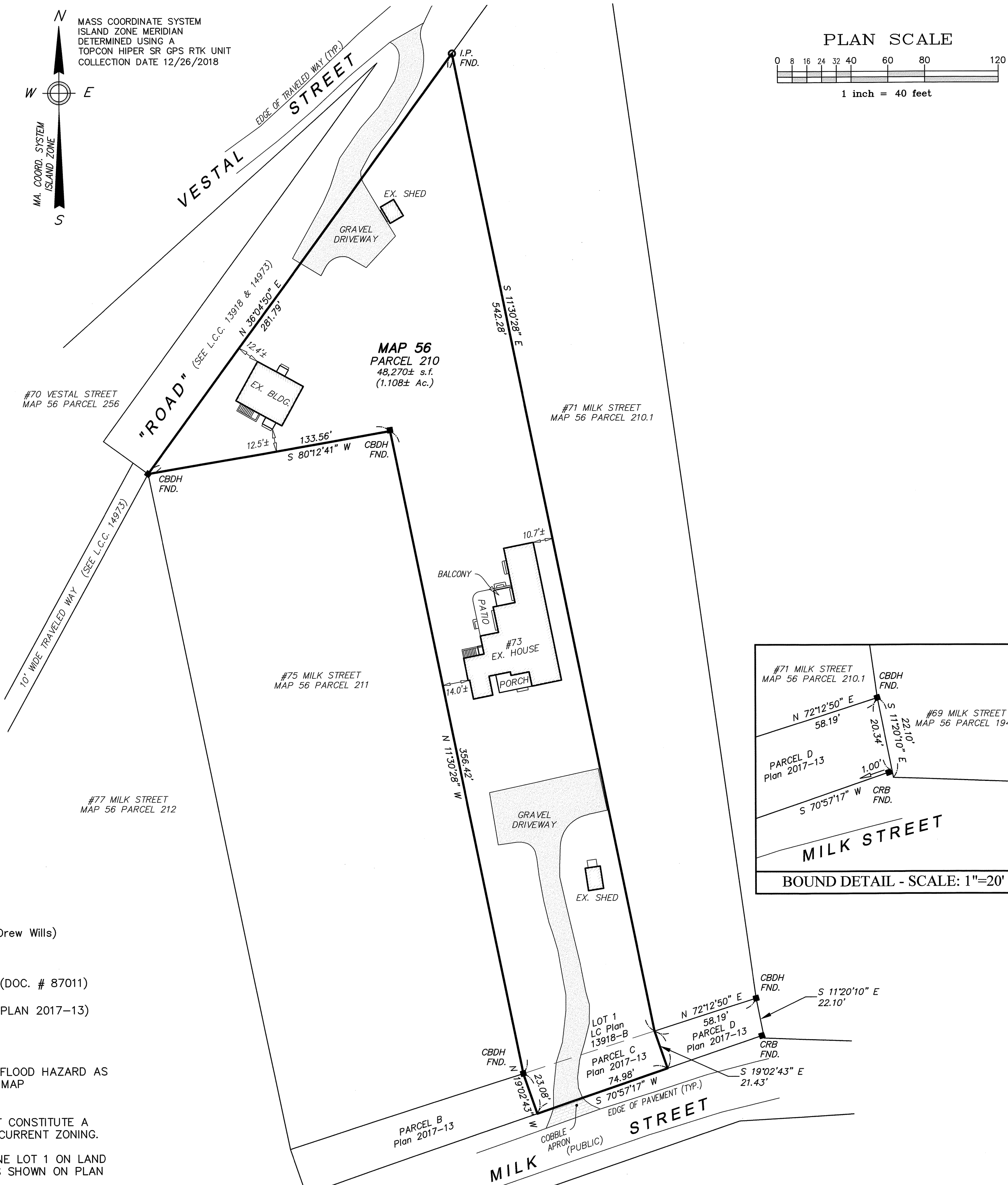


EXHIBIT B

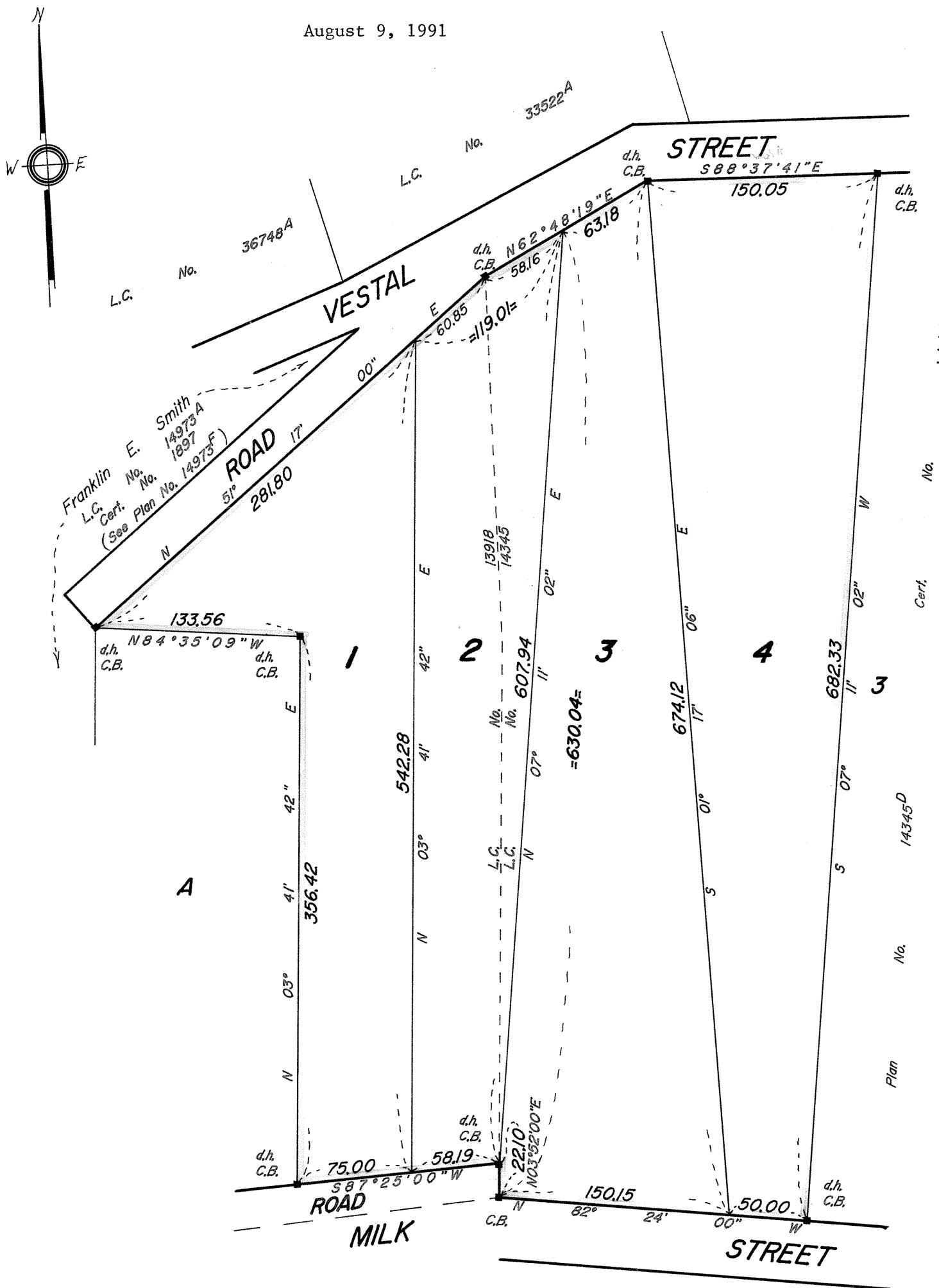
*Land Court Plan 13918-B*

SUBDIVISION PLAN OF LAND IN NANTUCKET

Hart-Blackwell and Assoc., Surveyors

August 9, 1991

13918 B



Subdivision of Lot B and Lot 1  
Shown on Plans 13918A and 14345B  
Filed with Cert. of Title Nos. 1712 and 4887  
Registry District of Nantucket County

Separate certificates of title may be issued for land  
shown hereon as Lots 1 through 4  
By the Court.

OCT. 4, 1991

*James M. Maloney*  
Deputy Recorder

Copy of part of plan  
— filed in —  
LAND REGISTRATION OFFICE  
AUG. 28, 1991  
Scale of this plan 80 feet to an inch  
Louis A. Moore, Engineer for Court

Nantucket Registry District  
OCT 10 1991

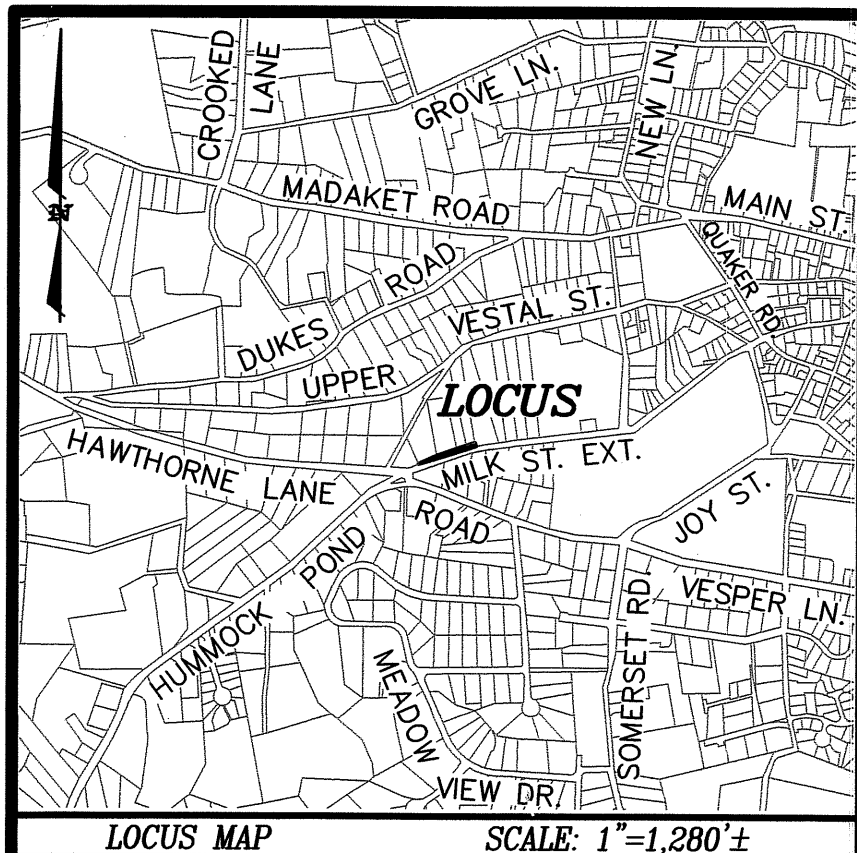
RECEIVED FOR REGISTRATION  
9 O'CLOCK 35 m A M

THIS PLAN FILED WITH CERTIFICATE NO. 14361

Attest Sandra Melhadwick  
Assistant Recorder

EXHIBIT C

*Plan No. 2017-13*



CURRENT ZONING CLASSIFICATION:  
Residential 20 (R-20)

MINIMUM LOT SIZE: 20,000 S.F.  
MINIMUM FRONTAGE: 75 FT.  
FRONT YARD SETBACK: 30 FT.  
REAR/SIDE SETBACK: 10 FT.  
GROUND COVER % : 12.5%

**LEGEND**

CRB FD ■ DENOTES COUNTY ROAD BOUND FOUND  
dhCB FD ■ DENOTES CONCRETE BOUND WITH DRILL HOLE FOUND  
CBS ■ DENOTES EXISTING CATCHBASIN  
○ DENOTES EXIST. UTILITY POLE (WITHOUT OVERHEAD WIRES AT TIME OF SURVEY)

Bk. Pg. 0  
Doc. PLAN 02/23/2017 03:28 PM

NANTUCKET REGISTRY OF DEEDS

Date: February 23, 2017

Time: 3:26 PM

Plan No.: 2017-13

Attest: *Janet H. Fennell*  
Register

SHEET 1 OF 1  
RESERVED FOR REGISTRY USE

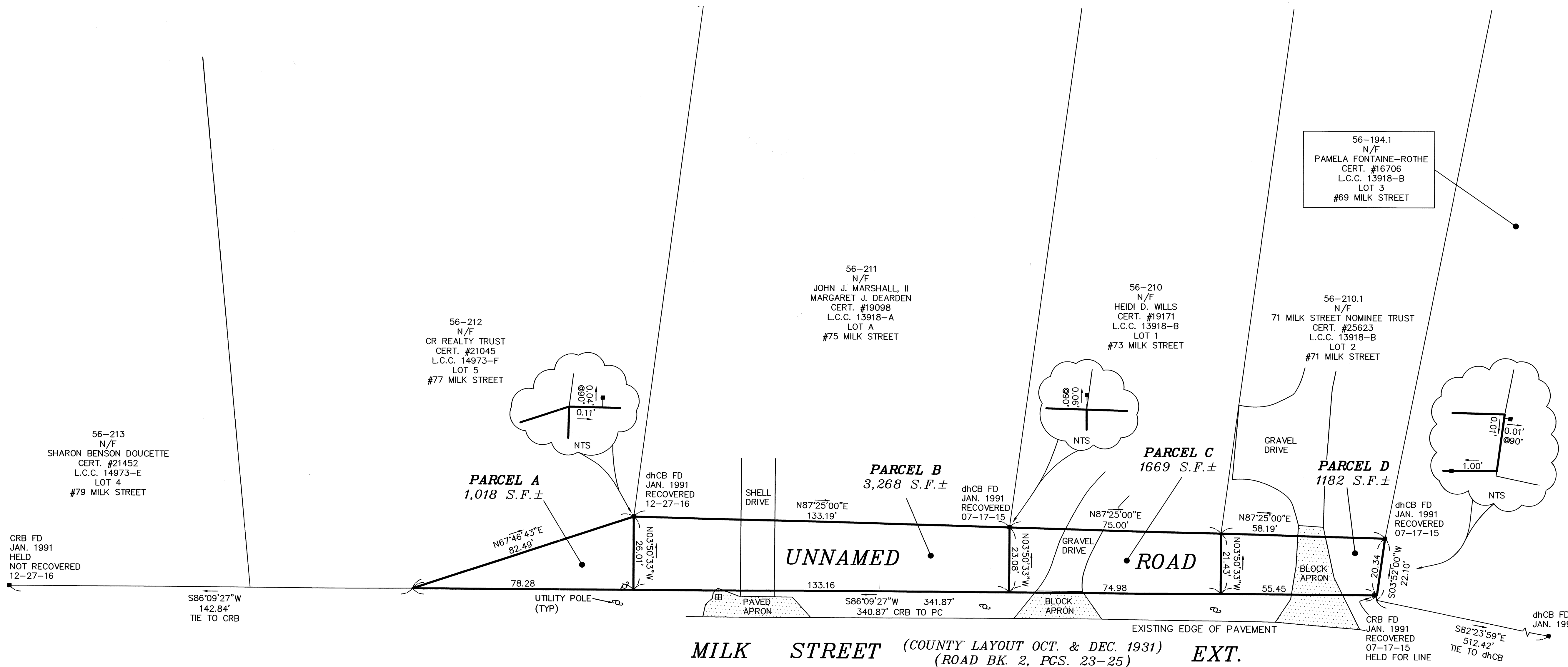
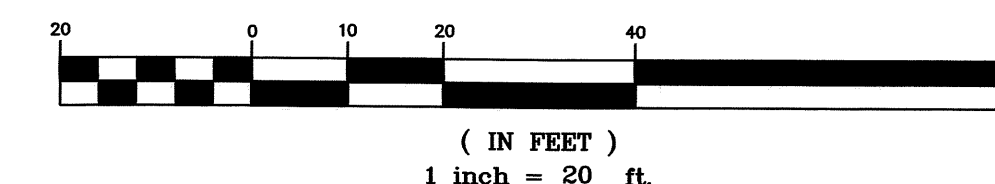
REFERENCE 2015 ATM ARTICLES 102 & 103

**TAKING AND  
DISPOSITION**  
Plan of Land  
in  
Nantucket, MA  
Prepared for  
**TOWN of NANTUCKET**

Scale: 1"= 20' JANUARY 10, 2017

**BLACKWELL & ASSOCIATES, Inc.**  
Professional Land Surveyors  
20 TEASDALE CIRCLE  
NANTUCKET, MASS. 02554  
(508) 228-9026

GRAPHIC SCALE



**Nantucket Board of Selectmen**

Being a majority-

*[Signatures]*  
DATE SIGNED: \_\_\_\_\_

**Nantucket Planning Board**

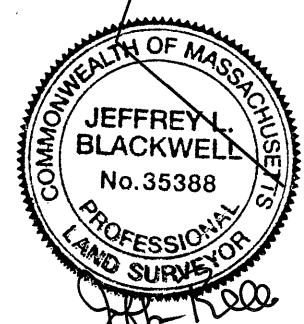
APPROVAL UNDER THE  
SUBDIVISION CONTROL LAW  
NOT REQUIRED

*[Signatures]*

02-13-2017  
DATE SIGNED

8088  
FILE #

B6246



I HEREBY CERTIFY THAT THIS PLAN HAS BEEN  
PREPARED IN ACCORDANCE WITH THE RULES  
AND REGULATIONS OF THE REGISTER OF DEEDS  
OF THE COMMONWEALTH OF MASSACHUSETTS.

*Jeffrey L. Blackwell*  
PROFESSIONAL LAND SURVEYOR  
DATE: 2-8-17

**NOTE:**

PARCEL(S) A, B, C, & D DO NOT CONTAIN AREAS SUBJECT TO PROTECTION  
UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT WHICH ARE REQUIRED  
TO BE EXCLUDED FROM LOT AREA UNDER THE NANTUCKET ZONING BY-LAW  
BUT STILL MAY BE SUBJECT TO PROTECTION UNDER STATE AND LOCAL WETLAND  
BY-LAWS. DETERMINATION OF APPLICABILITY MAY BE OBTAINED THROUGH  
APPLICATION TO THE CONSERVATION COMMISSION.

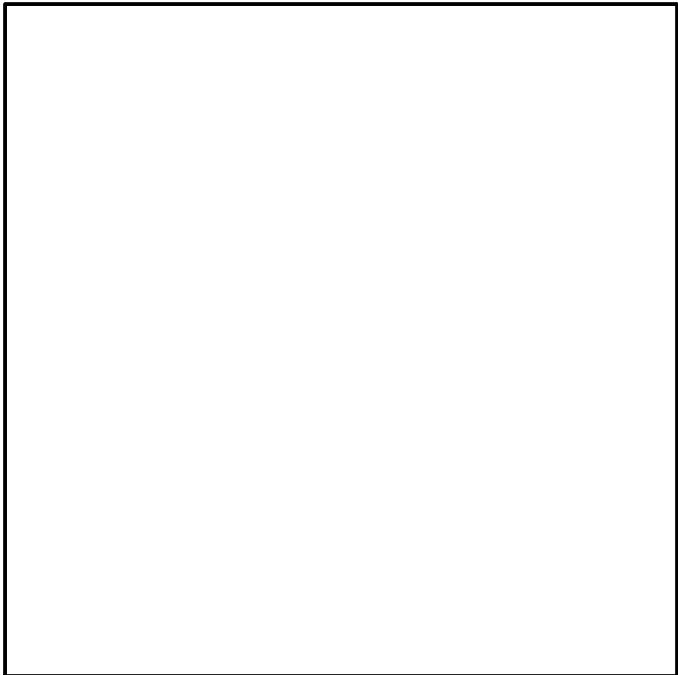
**NOTE:**

LOTS A-D ARE CONSIDERED UNBUILDABLE DUE TO INSUFFICIENT LOT  
AREA AND FRONTAGE. LOTS ARE TO BE CONVEYED TO AND  
COMBINED WITH LAND OF NORTHERLY ADJUTERS, TAX ASSESSOR MAP 56,  
PARCELS 210, 210.1, 211, & 212.

PLANNING BOARD ENDORSEMENT DOES NOT  
CONSTITUTE A DETERMINATION OF CONFORMANCE  
UNDER ZONING.

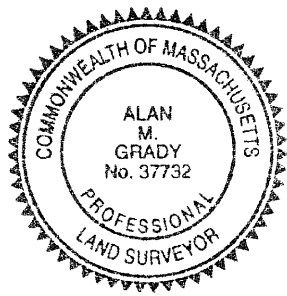
EXHIBIT D

*Proof Plan*



RESERVED FOR REGISTRY USE

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTRY OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.



ALAN M. GRADY, PLS  
MASSACHUSETTS REG.  
No. 37732

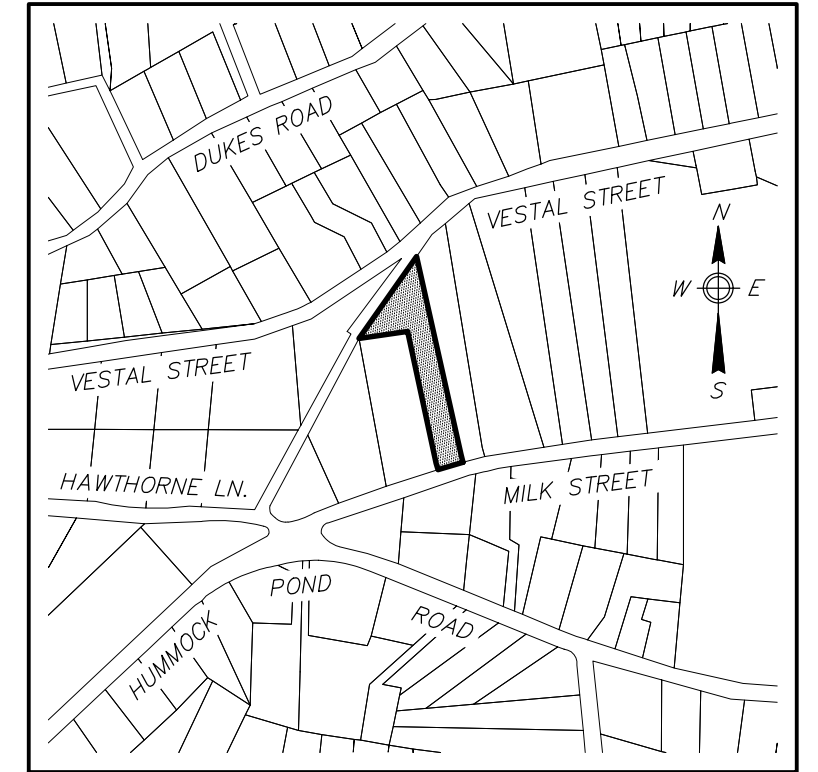
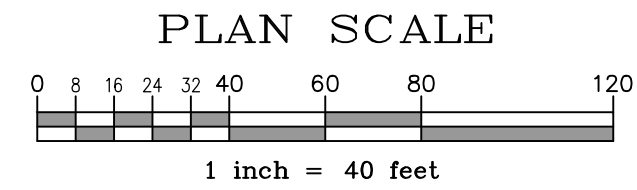
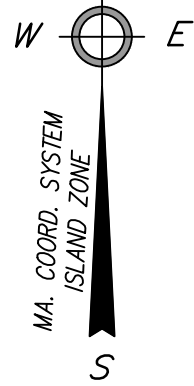
SURVEY MONUMENT LEGEND

- CBDH FND. ■ CONCRETE BOUND WITH DRILL HOLE FOUND
- CRB FND. ■ COUNTY ROAD BOUND FOUND
- I.P. FND. ○ IRON PIPE FOUND

NOTES:

- LOCUS: # 73 MILK STREET  
MAP 56 PARCEL 210
- OWNER: HEIDI LEE DREW (a.k.a. Heidi Drew Wills)  
73 MILK STREET  
NANTUCKET, MA 02554
- DEED REF: CERTIFICATE OF TITLE #19171 (DOC. # 87011)  
(LOT 1, LCP 13918-B)
- PLAN REF: LAND COURT PLAN #13918-B
- LOCUS DOES NOT FALL WITHIN A SPECIAL FLOOD HAZARD AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP No. 25019C-0088-G dated 06/09/2014.
- PLANNING BOARD ENDORSEMENT DOES NOT CONSTITUTE A DETERMINATION OF CONFORMANCE UNDER CURRENT ZONING.
- THE PURPOSE OF THIS PLAN IS TO DIVIDE PARCEL 210 ON MAP 56 INTO TWO LOTS.

MASS COORDINATE SYSTEM  
ISLAND ZONE MERIDIAN  
DETERMINED USING A  
TOPCON HIPER SR GPS RTK UNIT  
COLLECTION DATE 12/26/2018



LOCUS MAP Scale: 1" = 500'

ZONE: R-20  
REQUIRED  
LOT AREA: 20,000 s.f.  
FRONTAGE: 75'  
FRONT YARD: 30'  
SIDE/REAR YARD: 10'  
GROUND COVER: 12.5% (MAX)

PLAN OF LAND  
IN  
NANTUCKET, MASS.

PREPARED FOR  
HEIDI LEE DREW  
(a.k.a. Heidi D. Wills)  
# 73 MILK STREET  
MAP 56 PARCEL 210  
PREPARED BY  
BRACKEN ENGINEERING, INC.  
19 OLD SOUTH ROAD  
NANTUCKET, MA 02554  
tel: (508) 325-0044  
fax: (508) 833-2282  
SCALE: 1" = 40' MARCH 8, 2021

APPROVAL BY THE  
NANTUCKET PLANNING BOARD  
NOT REQUIRED

FILE NUMBER: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

EXHIBIT E

*Deed to the Yard Sale Parcel*



2017 00003002

Bk: 1612 Pg: 122 Page: 1 of 8  
Doc: DD 10/04/2017 11:36 AM

### QUITCLAIM DEED

#### **Parcel C, Unnamed Road off Milk Street Extension, Nantucket, Massachusetts**

The **Town of Nantucket**, a Massachusetts municipal corporation having a principal place of business at 16 Broad Street, Nantucket, Nantucket County, Massachusetts acting by and through its Board of Selectmen (the "Grantor"), in consideration of One Thousand Six Hundred Sixty-Nine and 00/100 Dollars (\$1,669.00), the receipt of which is hereby acknowledged, pursuant to the authority of Article 103 voted upon at the 2015 Annual Town Meeting, a certified copy of which is attached hereto, grants to **Heidi D. Wills**, of 73 Milk Street, Nantucket, Massachusetts 02554 (the "Grantee"), with QUITCLAIM COVENANTS, a certain lot of land in Nantucket, Massachusetts shown as Parcel C, Unnamed Road off Milk Street Extension, on plan of land entitled "Taking and Disposition Plan of Land in Nantucket, MA Prepared for Town of Nantucket," dated January 10, 2017, prepared by Blackwell & Associates, Inc. and recorded with Nantucket County Registry of Deeds as Plan No. 2017-13 (the "Plan"). The premises hereby conveyed was a portion of Unnamed Road off Milk Street Extension in Nantucket, Massachusetts and contains approximately 1,669 square feet of vacant land (the "Parcel").

The Grantor's conveyance of this Parcel is based in part on the Grantee's warranty and representation to the Grantor that such Parcel shall be used for residential purposes only and shall, for all intents and purposes, be combined with and considered as one parcel with the abutting lot at 73 Milk Street in said Nantucket shown on Town Assessor's Map 56 as Parcel 210 previously acquired by Grantee pursuant to Deed noted on Certificate of Title No. 19171 filed with said Registry District of the Land Court (together with the Parcel, the "Combined Premises"), and that no part of such Parcel or the Combined Premises shall hereafter be used for non-residential purposes nor divided, subdivided or conveyed as a separate parcel or parcels, unless prior written permission is granted by the Town of Nantucket Board of Selectmen and such permission is recorded with said Deeds and filed with said Registry District of the Land Court. Accordingly, the Parcel hereby granted to the Grantee is conveyed subject to permanent restrictions hereby reserved to and held by the Grantor, forever restricting the Parcel and Combined Premises to residential use as defined in Chapter 139 of the Town of Nantucket Code, prohibiting the division or subdivision of any portion of the Combined Premises and prohibiting the conveyance or use of any portion of the Combined Premises apart from another portion of the Combined Premises, and automatically effectuating a reversion of the Parcel to the Grantor, if within twenty-four (24) months of the date of this Deed, the Parcel has not been merged with the Grantee's existing property in accordance with the Town of Nantucket By-Laws and statutes. These restrictions shall run with the title to the Combined Premises, and no part of the Combined Premises shall be hereafter used, conveyed, divided or subdivided in a manner inconsistent with these restrictions unless prior written release is granted by the Town of Nantucket Board of Selectmen and recorded with said Deeds and filed with said Registry District of the Land Court.

By accepting and recording this Quitclaim Deed, the Grantee expressly agrees to the Grantor's reservation of, and otherwise grants to the Grantor, such restrictions on the use of the Combined Premises. These restrictions shall be enforceable for a term of 200 years from the date hereof, and all of the agreements, restrictions, rights and covenants contained herein shall be deemed to be "other restrictions held by any governmental body," pursuant to G.L. c. 184, §26, such that the restrictions contained herein shall be enforceable for the term of 200 years and not be limited in duration by any contrary rule or operation of law. Nevertheless, if recording of a notice is ever needed to extend the time period for enforceability of these restrictions, the Grantee hereby appoints the Grantor as its agent and attorney in fact to execute and record such notice and further agrees that the Grantee shall execute and record such notice upon request.

The undersigned certifies that there has been full compliance with the provisions of G. L. c. 44 §63A.

No deed stamp taxes are due on this conveyance pursuant to G.L. c. 64D, §1.

For Grantor's title, see Order of Taking dated May 24, 2017, filed with said Registry District of the Land Court as Document No. 155200.

**[Remainder of Page Intentionally Blank. Signatures Follow on Next Page.]**

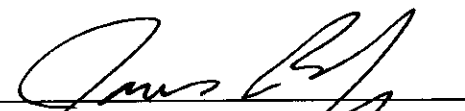
EXECUTED under seal this 27 day of September, 2017.

TOWN OF NANTUCKET  
BY ITS BOARD OF SELECTMEN

  
Dawn E. Hill Holdgate

  
Matthew G. Fee

|                                                                                                 |                     |
|-------------------------------------------------------------------------------------------------|---------------------|
| NANTUCKET LAND BANK<br>CERTIFICATE                                                              |                     |
| <input checked="" type="checkbox"/> Paid \$                                                     | <u>33.38</u>        |
| <input type="checkbox"/> Exempt                                                                 |                     |
| <input type="checkbox"/> Non-applicable                                                         |                     |
| No. <u>38977</u>                                                                                | Date <u>10/4/17</u> |
| Authorization  |                     |

  
Jason Bridges

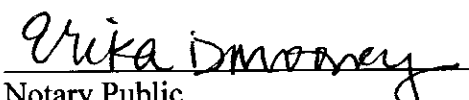
  
Rita Higgins

  
James R. Kelly

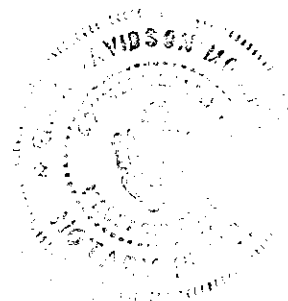
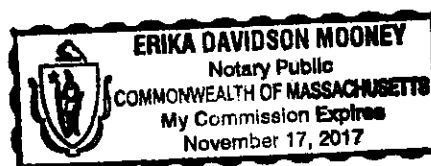
COMMONWEALTH OF MASSACHUSETTS

Nantucket, ss

On this 27 day of September, 2017, before me, the undersigned Notary Public, personally appeared Dawn E. Hill Holdgate, Matthew G. Fee, Jason Bridges, Rita Higgins and James R. Kelly as Members of the Board of Selectmen of the Town of Nantucket, proved to me through satisfactory evidence of identification, which was personal knowledge of the undersigned, to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose as the free and deed of the Board of Selectmen of the Town of Nantucket.

  
Notary Public  
My Commission Expires:

589433NANT 19712/0001





# Town of Nantucket

♦♦♦♦♦

## OFFICE OF THE TOWN & COUNTY CLERK

16 Broad Street  
NANTUCKET, MASSACHUSETTS 02554-3590

Catherine Flanagan Stover, MMC, CMMC  
Town & County Clerk

(508) 228-7216

FAX (508) 325-5313

Home: (508) 228-7841

Email: [cstover@nantucket-ma.gov](mailto:cstover@nantucket-ma.gov)

[flanaganstover@yahoo.com](mailto:flanaganstover@yahoo.com)

[townclerk@nantucket-ma.gov](mailto:townclerk@nantucket-ma.gov)

WEBSITE: <http://www.nantucket-ma.gov>

♦♦♦♦♦

April 22, 2015

TO WHOM IT MAY CONCERN:

I, Catherine Flanagan Stover, duly elected Clerk of the Town and County of Nantucket, hereby certify that the April 6, 2015 ANNUAL TOWN MEETING adopted **Article 103: "Real Estate Conveyance: "Paper" Streets" in Cliff, Eel Point, Madaket, Monomoy, Siasconset, Surfside and Town Areas; Parcel at Beach at Surfside"** at the April 8, 2015 adjourned session.

### **TECHNICAL CORRECTION VIA THE MODERATOR:**

Correct the description of properties in the Motion as shown:

#### Page 206

- **Warwick Avenue between the southwestern sideline of Clinton Avenue and the northeastern sideline of Monomoy Creek Road, not including any portions of Berkeley Avenue and Monomoy Road; and Clinton Avenues as shown on Land Court Plan 14029-C (Monomoy);**

#### Page 207

- **Unnamed Way (on the east side of Assessor Map 55, Parcels 2 and 320) between the southern sideline of an unnamed way and the northern sideline of Vesper Lane (Town);**
- **Atlantic Avenue between the eastern sideline of Masquetuck Street and the western sideline of Holly Pequot Street (Surfside);**
- **Owners unknown parcel bounded westerly by Masquetuck Street, northerly by Atlantic Avenue, easterly by Holly Pequot Street, and southerly by the Atlantic Ocean for open space purposes (Surfside);**

**VOTE: The vote on the motion pursuant to Article 103 as recommended by the Finance Committee with a Technical Correction brought forward through the Moderator, was by Unanimous Voice Vote. The motion was adopted.**



Catherine Flanagan Stover, MMC, CMMC  
Town and County Clerk

**ARTICLE 103****(Real Estate Conveyance: "Paper" Streets in Cliff, Eel Point, Madaket, Monomoy, Siasconset, Surfside and Town Areas; Parcel at Beach at Surfside)**

To see if the Town will vote to authorize the Board of Selectmen to sell, convey, or otherwise dispose of the fee or any lesser interests in all or any portion of land identified below, subject to Chapter 30B of the Massachusetts General Laws and guidelines established under the "Nantucket Yard Sales Program" on file at the Board of Selectmen's office, such disposition to be on any such terms and conditions as the Board of Selectmen deem appropriate, which may include, the reservation of easements and restrictions:

- Atlantic Avenue between the northern sideline of Kimball Avenue and its northern termini (Cliff);
- Folger Road between the eastern sideline of Sherburne Turnpike (f.k.a. Sherburne Avenue) and the western sideline Hamblin Road (Cliff);
- Unnamed Ways between Eel Point Road and Madaket Harbor, in the vicinity of the Eel Point Road and East Eel Point Road intersection (Eel Point);
- Eel Point Road between a line extending the southern property line of Assessor Map 38, Parcel 32 through said way to a line extending the northern property line of Assessor Map 38, Parcel 1 through said way (Eel Pt);
- Mississippi and Utah Avenues between the western sideline of Oakland Street and their western termini (Madaket);
- Oakland Street between the southern sideline of Madaket Road and the northern sideline of Arkansas Avenue (Madaket);
- Washington Avenue between the eastern sideline of North Cambridge Street and the western sideline of Oakland Street not including any portion of K or M Streets (Madaket);
- L Street between the southern sideline of Tennessee Avenue and the northern sideline of Washington Avenue (Madaket);
- Warwick and Clinton Avenues as shown on Land Court Plan 14029-C (Monomoy);
- Unnamed Way between the southern sideline of Ann's Lane and the northern property line of Assessors Map 49.2.3, Parcel 53 (3 Emily Street) (Siasconset);
- Two (2) Unnamed Ways between the eastern sideline of Unnamed Way and the western sideline of Baxter Road (Siasconset);
- Adeline Street between the southern sideline of Emily Street and the northern property line of Assessors Map 73.1.4, Parcel 32 (1 Rosaly Lane) (Siasconset);
- Morgan Lane between the western sideline of Baxter Road and the eastern sideline of Adeline Street (Siasconset);
- Atlantic Avenue between the eastern sideline of Masquetuck Street and the western sideline of Holly Street (Surfside);
- Owners unknown parcel bounded westerly by Masquetuck Street, northerly by Atlantic Avenue, easterly by Holly Street, and southerly by the Atlantic Ocean (Surfside);
- Lovers Lane as shown on Plan No. 2012-49, filed at the Registry of Deeds (Surfside);
- Plover Lane from the eastern sideline of South Shore Road to the western property line of Assessors Map 80, Parcel 219 (owned by the Nantucket Islands Land Bank) (Surfside);
- West Chester Street (portion of) extending through Assessors Map 41, Parcel 486 (5 Wannacommet Road) and triangular portion at northwest corner of Assessor Map 41, Parcel 480 (21 Crooked Lane) (Town);

- Unnamed way between a line extending across said way at its intersections with West Chester and Franklin Streets abutting 3, 3R, and 5 Franklin Street and 42, 44 and 44R West Chester Street (Town); and
- Unnamed Way or Road within or adjacent to Tax Assessor Map 56, Parcels 210, 210.1, 211, and 212 (Town);
- Unnamed Way (on the east side of Assessor Map 55, Parcel 20) between the southern sideline of an unnamed way and the northern sideline of Vesper Lane (Town);
- Triangular portion of Prospect Street in vicinity of Unnamed Way and Prospect Street intersection (Town);
- Unnamed Way (on the north side of Assessor Map 55, Parcel 3) between the western sideline of Prospect Street and a line extending the western sideline of an unnamed way (on the west side of Assessor Map 55, Parcel 3) (Town);
- A portion of Parcel P-2, shown on Plan 49-O filed at the Nantucket County Registry of Deeds, adjacent to 121 Washington Street (Town).

All as shown on a map entitled "2015 Annual Town Meeting Warrant Article 103" dated January, 2015 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

*(Board of Selectmen)*

**FINANCE COMMITTEE MOTION:** Moved that the Board of Selectmen is authorized to sell, convey, or otherwise dispose of the fee or any lesser interests in all or any portion of land identified below, subject to Chapter 30B of the Massachusetts General Laws and guidelines established under the "Nantucket Yard Sales Program" on file at the Board of Selectmen's office, such disposition to be on any such terms and conditions as the Board of Selectmen deem appropriate, which may include, the reservation of easements and restrictions:

- Atlantic Avenue between the northern sideline of Kimball Avenue and its northern termini (Cliff);
- Folger Road between the eastern sideline of Sherburne Turnpike (f.k.a. Sherburne Avenue) and the western sideline Hamblin Road (Cliff);
- Unnamed Ways between Eel Point Road and Madaket Harbor, in the vicinity of the Eel Point Road and East Eel Point Road intersection (Eel Point);
- Eel Point Road between a line extending the southern property line of Assessor Map 38, Parcel 32 through said way to a line extending the northern property line of Assessor Map 38, Parcel 1 through said way (Eel Pt);
- Mississippi and Utah Avenues between the western sideline of Oakland Street and their western termini (Madaket);
- Oakland Street between the southern sideline of Madaket Road and the northern sideline of Arkansas Avenue (Madaket);
- Washington Avenue between the eastern sideline of North Cambridge Street and the western sideline of Oakland Street not including any portion of K or M Streets (Madaket);
- L Street between the southern sideline of Tennessee Avenue and the northern sideline of Washington Avenue (Madaket);
- Warwick and Clinton Avenues as shown on Land Court Plan 14029-C (Monomoy);
- Unnamed Way between the southern sideline of Ann's Lane and the northern property line of Assessors Map 49.2.3, Parcel 53 (3 Emily Street) (Siasconset);

- Two (2) Unnamed Ways between the eastern sideline of Unnamed Way and the western sideline of Baxter Road (Siasconset);
- Adeline Street between the southern sideline of Emily Street and the northern property line of Assessors Map 73.1.4, Parcel 32 (1 Rosaly Lane) (Siasconset);
- Morgan Lane between the western sideline of Baxter Road and the eastern sideline of Adeline Street (Siasconset);
- Lovers Lane as shown on Plan No. 2014-107, filed at the Registry of Deeds (Surfside);
- Plover Lane from the eastern sideline of South Shore Road to the western property line of Assessors Map 80, Parcel 219 (owned by the Nantucket Islands Land Bank) (Surfside);
- West Chester Street (portion of) extending through Assessors Map 41, Parcel 486 (5 Wannacommet Road) and triangular portion at northwest corner of Assessor Map 41, Parcel 480 (21 Crooked Lane) (Town);
- Unnamed way between a line extending across said way at its intersections with West Chester and Franklin Streets abutting 3, 3R, and 5 Franklin Street and 42, 44 and 44R West Chester Street (Town); and
- Unnamed Way or Road within or adjacent to Tax Assessor Map 56, Parcels 210, 210.1, 211, and 212 (Town);
- Unnamed Way (on the east side of Assessor Map 55, Parcel 20) between the southern sideline of an unnamed way and the northern sideline of Vesper Lane (Town);
- Triangular portion of Prospect Street in vicinity of Unnamed Way and Prospect Street intersection (Town);
- Unnamed Way (on the north side of Assessor Map 55, Parcel 3) between the western sideline of Prospect Street and a line extending the western sideline of an unnamed way (on the west side of Assessor Map 55, Parcel 3) (Town);
- A portion of Parcel P-2, shown on Plan 49-O filed at the Nantucket County Registry of Deeds, adjacent to 121 Washington Street (Town);

And to dedicate the following properties for open space and beach purposes, and impose such restrictions and easements substantially similar to those in the One Big Beach Easements granted to the Town:

- Atlantic Avenue between the eastern sideline of Masquetuck Street and the western sideline of Holly Street (Surfside);
- Owners unknown parcel bounded westerly by Masquetuck Street, northerly by Atlantic Avenue, easterly by Holly Street, and southerly by the Atlantic Ocean (Surfside).

All as shown on a map entitled "2015 Annual Town Meeting Warrant Article 103" dated January, 2015 and filed herewith at the Office of the Town Clerk.

**BOARD OF SELECTMEN COMMENT:** The Board of Selectmen supports the Finance Committee Motion.

NANTUCKET COUNTY Received & Entered  
Attest: Jennifer H. Ferreira, Register of Deeds

EXHIBIT F

*Draft Modification of Subdivision Restriction*

**DRAFT – SUBJECT TO CHANGE**

MODIFICATION OF SUBDIVISION RESTRICTION

Dated: \_\_\_\_\_, 2021

WHEREAS, HEIDI D. WILLS (A/K/A HEIDI DREW), an individual ("Owner" or "Grantee"), by virtue of Certificate of Title No. 19,171 at Registry District of Nantucket County, is the owner of the real property commonly known as 73 Milk Street, Nantucket Town and County, Massachusetts, as more particularly show as Lot 1 on plan numbered 13918-B, drawn by Hart-Blackwell & Assoc., Surveyors dated August 9, 1991 and filed with Certificate of Title No. 14,361 at the Registry District of Nantucket County of the Land Court (the "Main Parcel").

WHEREAS, the TOWN OF NANTUCKET, a Massachusetts municipal corporation, having a principal place of business at 16 Broad Street, Nantucket, Nantucket County, Massachusetts 02554 ("Town" or "Grantor"), by Deed dated September 27, 2017, recorded with the Nantucket Country Registry of Deeds in Book 1612, Page 122 (the "Deed") conveyed a certain lot of land in Nantucket, Massachusetts shown as Parcel C (the "Yard Sale Parcel," and together with the Main Parcel, the "Combined Premises"), Unnamed Road off Milk Street Extension, on plan of land entitled "Taking and Disposition Plan of Land in Nantucket, MA Prepared for Town of Nantucket," dated January 10, 2017, prepared by Blackwell & Associates, Inc. and recorded with Nantucket County Registry of Deeds as Plan No. 2017-13 (the "Plan") to Grantee.

WHEREAS, the Deed, in relevant part, contains the following restriction (such restriction being, the "Deed Restriction"): *"Accordingly, the Parcel hereby granted to the Grantee is conveyed subject to permanent restrictions hereby reserved to and held by the Grantor, forever restricting the Parcel and Combined Premises to residential use as defined in Chapter 139 of the Town of Nantucket Code, prohibiting the division or subdivision of any portion of the Combined Premises and prohibiting the conveyance or use of any portion of the Combined Premises apart from another portion of the Combined Premises, and automatically effectuating a reversion of the Parcel to the Grantor, if within twenty-four (24) months of the date of this Deed, the Parcel has not been merged with the Grantee's existing property in accordance with the Town of Nantucket By-Laws and statutes. These restrictions shall run with the title to the Combined Premises, and no part of the Combined Premises shall be hereafter used, conveyed, divided or subdivided in a manner inconsistent with these restrictions unless prior written release is granted by the Town of Nantucket Board of Selectmen and recorded with said Deeds and filed with said Registry District of the Land Court."*

WHEREAS, the Grantee merged the Yard Sale Parcel and the Main into a single parcel identified as the Combined Premises as required by the Deed Restriction, as shown on a plan entitled "Merger Plan of Land in Nantucket, Mass.," dated December 28, 2018, recorded with said Deeds as Plan No. 2019-26.

WHEREAS, the Grantee applied for and received approval from the Nantucket Planning Board of an Approval Not Required (ANR) plan to divide the Combined Premises into two separate buildable lots, shown as Parcel A and Parcel B on a plan entitled "Plan of Land in Nantucket, Mass. Prepared for Heidi Lee Drew (a/k/a Heidi D. Wills)," dated \_\_\_\_\_, 2021 recorded with said Deeds as Plan No. 2021-\_\_\_\_\_. [DRAFTER'S NOTE: ANR PLAN HAS NOT BEEN SUBMITTED YET]

WHEREAS, the Grantee requests the Town to release its rights in the Deed Restriction only as it relates to the subdivision of the Combined Premises into two separate building lots for residential purposes, and relinquish its right to the reverter of the Yard Sale Parcel as it was timely combined prior to the twenty-four (24) month deadline and is no longer applicable.

NOW, THEREFORE, the Town hereby forever releases the Combined Premises from its rights in only that portion of the Deed Restriction as it relates to the subdivision of the Combined Premises into Parcel A and Parcel B as is shown on the 2021-\_\_\_\_\_ Plan and relinquishes its rights in the reverter of the Combined Premises to the Grantee. However, the provisions of the Deed Restriction remain in effect and specifically any further division or subdivision of Parcel A and Parcel B will require the prior written permission of the Select Board of the Town of Nantucket, and the Combined Premises must be used for residential purposes as defined in chapter 139 of the Town of Nantucket Code. The Town of Nantucket hereby retains its right of reverter of the Yard Sale Parcels in the event the Grantee, her heirs, successors, or assigns further divides, subdivides or uses the Combined Premises for non-residential purposes. Notwithstanding the foregoing, prior written permission of the Select Board of the Town of Nantucket shall not be required for the division of said parcels for the purposes of effecting a boundary line adjustment not creating additional building lots within the Combined Premises.

[the signature pages follow.]

EXECUTED under seal as of the date first set forth above.

TOWN OF NANTUCKET  
BY ITS SELECT BOARD

\_\_\_\_\_  
Name: Dawn E. Hill Holdgate, Chair

\_\_\_\_\_  
Name: Jason Bridges, Vice Chair

\_\_\_\_\_  
Name: Matt Fee

\_\_\_\_\_  
Name: Kristie L. Ferrantella

\_\_\_\_\_  
Name: Melissa Murphy

COMMONWEALTH OF MASSACHUSETTS

County of Nantucket, ss.

On the \_\_\_\_ day of \_\_\_\_\_, 2021, before me, the undersigned notary public, personal appeared Dawn E. Hill Holdgate, Jason Bridges, Matt Fee, Kristie L. Ferrantella, and Melissa Murphy, as Members of the Select Board of the Town of Nantucket and provided to me through satisfactory evidence of identification, which was \_\_\_\_\_, to be the persons whose names are signed on the preceding document, and they acknowledged to me that they signed it voluntarily for its stated purpose as their free act and deed.

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_  
Apply stamp

*[signature page to Modification of Subdivision Restriction]*

**END OF  
PACKET**