UPDATED MEETING POSTING (#2)
Original Date: 09-08-2022 Time: 11:18AM
Posting Number: T800

UPDATED POSTING (#1)
Original Posting
T 792 9/7/22 @8:56am

MEETING POSTING

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)

Committee/Board/s	**PLANNING BOARD**
Day, Date, and Time	**MONDAY, SEPTEMBER 12, 2022 @ 4:00PM**
Location / Address	**REMOTE PARTICIPATION VIA ZOOM WEBINAR**
Signature of Chair or Authorized Person	**MEGAN TRUDEL** **LAND USE SPECIALIST**
WARNING:	**IF THERE IS NOT A QUORUM OF MEMBERS PRESENT, OR IF MEETING POSTING IS NOT IN COMPLIANCE WITH THE OML STATUTE, NO MEETING MAY BE HELD!**

**The Planning Board meeting will be audio and video recorded*

Board Members: John Trudel, III (Chair), David Iverson (Vice-Chair), Nat Lowell, Barry Rector, and Joseph Topham

Alternates: Stephen Welch, Carl Borchart, and Abby De Molina

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

PLANNING BOARD
AGENDA 09-12-2022

(***Subject to change***)

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

***The complete text, plans, application, or other material relative to each agenda items are available for inspection digitally. Email requests may be sent to mtrudel@nantucket-ma.gov ***

****Participation in Public Hearings and Public Comment will be available through Zoom Webinar. You must register in advance in order to participate. Use the below link to register for Zoom participation. Contact mtrudel@nantucket-ma.gov with any questions. ****

Webinar Registration Link:
https://us06web.zoom.us/webinar/register/WN_ERSHXTlEQhSmlSHM8oizXA
To view the meeting only, see link below:
https://www.youtube.com/watch?v=CUk0CTDQsro

I. **Call to order:**
Chair Trudel called the meeting to order at 4:02PM.

Chair Trudel read a prepared statement in accordance with Governor Baker's March 21, 2020, order regarding open meeting law, which outlines how the meeting is conducted via remote participation and states the ground rules for any discussion.

Roll call of those participating:

Board members:
Vice- Chair Iverson *Aye*
Nat Lowell *Aye*
Barry Rector *Aye*
Joseph Topham *Aye*
Chair Trudel *Aye*

Alternates:
Carl Borchert *Aye*
Stephen Welch *Aye*
Abby De Molina *Aye*

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

II. **Approval of the agenda:**
Mr. Rector moved to approve the agenda with the amendments. The motion was duly seconded by Mr. Lowell and the motion was carried unanimously.

Vote taken by Roll Call:
Barry Rector *Aye*
Nat Lowell *Aye*
Vice- Chair Iverson *Aye*
Joseph Topham *Aye*
Chair Trudel *Aye*

III. **Minutes:**
- **June 13, 2022**
- **July 11, 2022**
- **August 8, 2022**

Voting: (Chair) John Trudel, Vice-Chair David Iverson, Nat Lowell, Barry Rector and Joseph Topham
Documentation: File with associated plans, photos and required documentation
Alternates: None
Recused: None
Documentation: File with associated plans, photos and required documentation
Representing: None

Motion/Vote: Mr. Rector moved to approve the set of minutes of all three minutes listed above with minor modifications. The motion was duly seconded by Vice-Chair Iverson and the motion carried 5-0 unanimously.

<u>Vote taken by Roll Call:</u>
Barry Rector *Aye*
Vice- Chair Iverson *Aye*
Nat Lowell *Aye*
Joseph Topham *Aye*
Chair Trudel *Aye*

IV. <u>Appointments</u>

- **Cannabis Advisory Committee** (*currently Dave Iverson)*

Voting: (Chair) John Trudel, Vice-Chair David Iverson, Nat Lowell, Barry Rector and Joseph Topham
Documentation: File with associated plans, photos and required documentation
Alternates: None
Recused: None
Documentation: File with associated plans, photos and required documentation
Representing: None
Discussion: None

Motion/Vote: Mr. Rector moved to appoint Vice-Chair Iverson for the Cannabis Advisory Committee. The motion was duly seconded by Mr. Topham and the motion carried 5-0 unanimously.

<u>Vote taken by Roll Call:</u>
Barry Rector *Aye*
Joseph Topham *Aye*
Vice- Chair Iverson *Aye*
Nat Lowell *Aye*
Chair Trudel *Aye*

- **Short Term Rental "STR" Workgroup,** *one member, one alternate*

Voting: (Chair) John Trudel, Vice-Chair David Iverson, Nat Lowell, Barry Rector and Joseph Topham
Documentation: File with associated plans, photos and required documentation
Alternates: None
Recused: None
Documentation: File with associated plans, photos and required documentation
Representing: None
Discussion: Chair Trudel stated that he is recusing for discussion due to his involvement as a professional real estate agent. Vice-Chair Iverson volunteered to be appointed to as one member and Mr. Rector offered to be appointed as the one alternate.

Motion/Vote: Mr. Topham moved to appoint Vice-Chair Iverson for the one member and appoint Mr. Rector as the one alternate position. The motion was duly seconded by Mr. Lowell and the motion carried 5-0 unanimously.

<u>Vote taken by Roll Call:</u>
Joseph Topham *Aye*
Nat Lowell *Aye*
Barry Rector *Aye*
Vice- Chair Iverson *Aye*
Chair Trudel *Aye*

V. Secondary Dwellings:

- **26 Pine Crest Drive, LLC – 26 Pine Crest Drive**
- **Ryan & Sarah Murphy – Maple Lane, Lot 4**
- **Karlton Phillips & Suzanne Riddle – 19 Folger Avenue**
- **Joseph P. Minella – 9 Gingy Lane**
- **Hannah & Sacha Ross – 110 Surfside Road**
- **27 Cato Lane, LLC – 27 Cato Lane**
- **Hollett Lane, LLC – 12 Almanack Pond Road**
- **Thornewill Design LLC – 73 Vestal Street**

Motion/Vote: Mr. Rector moved to approve all secondary dwellings listed above in accordance with the recommendations and conditions outlined in the staff report. The motion was duly seconded by Mr. Lowell and the motion carried unanimously.

Vote taken by Roll Call:
Barry Rector *Aye*
Nat Lowell *Aye*
Joseph Topham *Aye*
Vice- Chair Iverson *Aye*
Chair Trudel *Aye*

- **Kim Glowacki – 13 Woodland Drive**

Recused: Chair Trudel recused

Motion/Vote: Mr. Rector moved to approve 13 Woodland Drive in accordance with the recommendations and conditions outlined in the staff report. The motion was duly seconded by Mr. Lowell and the motion carried unanimously.

Vote taken by Roll Call:
Barry Rector *Aye*
Nat Lowell *Aye*
Joseph Topham *Aye*
Acting Chair Iverson *Aye*

VI. Garage Apartments:

- **Rhett Dupont – 18 Nobadeer Avenue**
- **Laura Nicholson Trust – 12 Eat Fire Spring Road**

Motion/Vote: Mr. Rector moved to approve the two garage apartments listed above in accordance with the recommendations and conditions outlined in the staff report. The motion was duly seconded by Vice-Chair Iverson and the motion carried unanimously.

Vote taken by Roll Call:
Barry Rector *Aye*
Vice- Chair Iverson *Aye*
Nat Lowell *Aye*
Joseph Topham *Aye*
Chair Trudel *Aye*

VII. ANR

- **Ron Winters & Ellen H. Winters – 12 Gardner Street (*WITHDRAWN*)**

  Motion/Vote: Mr. Rector moved to approve the withdrawal without prejudice. The motion was duly seconded by Vice-Chair Iverson and the motion carried unanimously.

  Vote taken by Roll Call:
  Barry Rector *Aye*
  Vice- Chair Iverson *Aye*
  Joseph Topham *Aye*
  Nat Lowell *Aye*
  Chair Trudel *Aye*

- **Amanda B. Jacobs & Kevin J. Jacobs, Trustees – 4 Ray's Court**
- **Sharon W. Jacobson – 20 Monohansett Road**
- **Pocomo Point, LLC – 81 Pocomo Road**
- **Danny Boy Nominee Trust, Stanley Karp, Trustee – 15 Low Beach Road**
- **Quaker Road, LLC & 22 Vestal, LLC – 14 Quaker Road & 22 Vestal Street**
- **Town of Nantucket – Portions of Masaquet Avenue and Atlantic Avenue**

  Motion/Vote: Mr. Rector moved to approve all the ANR's listed above in accordance with the recommendations and conditions outlined in the staff report. The motion was duly seconded by Mr. Lowell and the motion carried unanimously.

  Vote taken by Roll Call:
  Barry Rector *Aye*
  Nat Lowell *Aye*
  Joseph Topham *Aye*
  Vice- Chair Iverson *Aye*
  Chair Trudel *Aye*

- **Heather Vance Haddon, Trustee, Twenty-One Milk Street Trust – 21 Milk Street**
  Mr. Iverson wanted to know if any other Board has issues with this. The Board reviews whether an ANR complies, or it doesn't comply when determining an approval for an approval not required subdivision.

  Motion/Vote: Vice-Chair Iverson moved to approve 21 Milk Street in accordance with the recommendations and conditions outlined in the staff report. The motion was duly seconded by Mr. Rector and the motion carried unanimously.

  Vote taken by Roll Call:
  Vice- Chair Iverson *Aye*
  Barry Rector *Aye*
  Joseph Topham *Aye*
  Nat Lowell *Aye*
  Chair Trudel *Aye*

VIII. Previous Plans:

- **Reliance Way Subdivision,** *request to release Performance Surety Bond*
  Voting: (Chair) John Trudel, Vice-Chair David Iverson, Nat Lowell, Barry Rector and Joseph Topham
  Alternates: Stephen Welch, Carl Borchert and Abby De Molina
  Recused: None
  Documentation: File with associated plans, photos and required documentation
  Activated: None

Representing: Dan Mulloy, Engineer
Discussion: Mrs. Trudel briefly gave an overview and update of the subdivision. Planning Staff is supportive of this request. The Applicant for this project had put up a performance security bond earlier on in a project roughly around $170,000.00. There are very minor field items that can be checked before releasing the funds to the Applicant and for that reason staff recommends approval to release the performance security bond.

Motion/Vote: Mr. Rector moved to authorize the release of the performance security in accordance with staff's final approval. The motion was duly seconded by Mr. Lowell and the motion carried unanimously.

Vote taken by Roll Call:
Barry Rector *Aye*
Nat Lowell *Aye*
Vice- Chair Iverson *Aye*
Joseph Topham *Aye*
Chair Trudel *Aye*

- **Ellen's Way,** *final lot release-endorse Form J and Form Gs*

Voting: (Chair) John Trudel, Vice-Chair David Iverson, Nat Lowell, Barry Rector and Joseph Topham
Alternates: Stephen Welch, Carl Borchert and Abby De Molina
Recused: None
Documentation: File with associated plans, photos and required documentation
Activated: None
Representing: Attorney Sarah Alger
Discussion: Mrs. Trudel stated that staff has spent a lot going back and forth with Attorney Alger and the Land Bank and came up with a final amount to put up as a performance security. Broke it into two separate accounts when it gets to the Finance Department will need to separate work in the field from the Conservation Restrictions, monies totaling $535,200 upon receipt of that check and Planning staff is comfortable to go ahead and release that final lot. Mr. Lowell mentioned the revised easement plan and that with this approval that they will be endorsing the new easement plan. Jessie Bell from Land Bank stated that she was unable to get the revised draft of the easement to Mrs. Trudel before the meeting. Ms. Bell stated that that the last email exchange she had with Attorney Alger is that Attorney Alger had asked that the Planning Board confirmed prior to recording of this easement that the final form of the revised easement and the plan fulfills any obligation by her client to grant an easement in the open space under the Special Permit including but not limited to paragraph nine which speaks about the public access in the open space areas. Attorney Alger stated that we granted an easement to the Town in accordance with our approval after the fact that the Select Board had accepted it. The Land Bank got involved and said that they wanted it.

Motion/Vote: Mr. Rector made a motion to endorse the Form J and the Form G as required and let staff do the work above and beyond. The motion was duly seconded by Vice Chair Iverson and the motion carried unanimously.

Vote taken by Roll Call:
Barry Rector *Aye*
Vice- Chair Iverson *Aye*
Nat Lowell *Aye*
Joseph Topham *Aye*
Chair Trudel *Aye*

IX. PublicHearings:

- **Catherine Dean Schulman, Trustee, 48 West Miacomet Road,** *action deadline 12-31-2022,*
  CONTINUE TO OCTOBER 13, 2022
- **ACK Mid Island, LLC & ACK Offices, LLC, 18, 18A, 20, 22, 24 & 26 Sparks Avenue,** *action deadline 12-31-2022*
  CONTINUE TO OCTOBER 13, 2022

Motion/Vote: Mr. Rector made a motion to continue the items listed above to the October 13th meeting. The motion was duly seconded by Mr. Lowell and the motion carried unanimously.

Vote taken by Roll Call:
Barry Rector *Aye*
Nat Lowell *Aye*
Joseph Topham *Aye*
Vice-Chair Iverson *Aye*
Chair Trudel *Aye*

- **Leslie Linsley, 39 Union Street,** *action deadline 12-11-2022*

Voting: (Chair) John Trudel, Vice-Chair David Iverson, Nat Lowell, Barry Rector and Joseph Topham
Alternates: Stephen Welch, Carl Borchert and Abby De Molina
Recused: None
Documentation: File with associated plans, photos and required documentation
Activated: None
Representing: Paul Santos from Nantucket Surveyors
Discussion: Representing is Paul Santos from Nantucket Surveyors. Mr. Santos provided the Board with an overview of the application. The application before you are for a special permit to create a secondary residential lot for year round residence, the covenant lot will be proposed as lot 2B on the plan and has approximately 2098 square feet, the market rate lot 2A which is on the plan has an approximately 3,210 square feet of lot area. Lot 2A will be accessed from Union Street and Lot 2B will be accessed from Flora St. Also, the Applicant is requesting waivers to allow each lot its own driveway access, reduce the setbacks from the interior lot line and to waive the ground cover ratio requirement if the total ground cover does not exceed what would otherwise be allowed. Staff recommended approval with conditions. Mr. Topham questioned if this property had any Town trees because of some controversy at 10 York Street due to the cutting of a tree down. Mr. Topham reached out to a friend of his and that there are supposedly a couple of Town trees on this property. Mr. Topham questioned if those Town trees should be on the site plans so aware that they are there. There is no list of Town trees to indicate where they are located on properties. Mr. Topham stated that it might be a potential problem for the lots in Town and may not be buildable or might not get approval to remove trees and questioned if this is part of the Planning Board's purview. Chair Trudel stated that it might be something that the Board should make note of right now and can the Board seek advice from Town Counsel. Dave Champoux was before the Select Board, and it was discovered that there was no list of where these Town trees are located. Mr. Santos wouldn't mind continuing this to do some research and then come in with a notation on the plan on whether they are Town he thinks it's a separate issue but, in this case, he'd be happy to continue this and do the actual research. Mr. Santos stated that the Planning Board is approving whether the dimensional requirement of this application meets your standards. Vice Chair Iverson would like clarification as to whether the Board can put a condition regarding Town trees in the final Special Permit. Mrs. Trudel stated that in other Special Permits the Board has added a condition where there must be a consultation with the Town's tree warden prior to the issuance of a Building Permit. Chair Trudel opened the floor to the public. Dave Champoux stated that there are three trees on the lot, and they all have medallions on them and all part of Town record from Dale Gary's record. Mr. Champoux stated that by looking at this it is essentially an unbuildable lot. Mr. Champoux is opposed to granting of this subdivision. Mary Longacre stated that she went and looked at this lot and can't see how anything could be built on it especially given the large trees that are clearly marked with medallions. Ms. Longacre stated that earlier in the process it should be aware to let a perspective buyer or builder know that Town trees need to be accommodated in plans. Ms. Longacre expressed concern that the market rate lot has no street access. Ms. Longacre questioned if the parking space and access easement were subtracted from the proposed covenant lot would that covenant lot still meet the criteria that the Planning Board has. Linda Williams stated that her family is an abutter at 36 Union and that this is an incredibly congested neighborhood, and lot is not big enough for a covenant. Mrs. Trudel stated that to clarify secondary residential lots are not subdivisions they do not allow for more density than what otherwise would have been allowed the ground cover of 40 percent.

Vie-Chair Iverson stated that it is the utmost important at this point especially with the infill development and need to get that going. Mr. Champoux stated that he agrees with Vice-Chair Iverson and that they gotten started mapping however not completed yet. Mr. Rector stated that he is a little concerned that people are playing junior engineer here and realistically we have two very certified engineers both of which we have a high degree of confidence and making sure that they're going to do the best job they possibly can. Mr. Rector expressed concern that it is deferring to it's the Planning Board's responsibility to identifying Town trees. Chair Trudel stated that Mr. Champoux said there's something in the works right now to get funding for mapping out Town trees so it's not going to happen today and it's not going to happen in the next month but we do have to be careful of what we're voting on and what's in our purview so I think for this particular case that's why I didn't want to have a full blown discussion on it when it will be discussed at the next meeting. Mr. Rector stated that he started to hear some rumblings and wanted to go on record at this point saying that's really part of a much longer and different discussion that needs to take place.

Motion/Vote: Mr. Rector moved to continue to the October 13th meeting. The motion was duly seconded by Vice-Chair Iverson and the motion carried unanimously.

Vote taken by Roll Call:
Barry Rector *Aye*
Vice-Chair Iverson *Aye*
Nat Lowell *Aye*
Joseph Topham *Aye*
Chair Trudel *Aye*

- **Jamie & Josh Sandsbury and Marita H. & Jermaine A. Scarlett, 17 & 17A Helen's Drive,** *action deadline 12-11-2022*

Voting: (Chair) John Trudel, Vice-Chair David Iverson, Nat Lowell, Barry Rector and Joseph Topham
Alternates: Stephen Welch, Carl Borchert and Abby De Molina
Recused: None
Documentation: File with associated plans, photos and required documentation
Activated: None
Representing: Attorney John Brescher
Discussion: Attorney Brescher provided the Board with an overview of the application. This application is an amendment to a secondary residential lot from 2015 to amend the existing special permit, eliminate the requirement for a shared driveway and each lot have its own driveway access, they are also doing a land swap having reconfiguring lot lines. The two lots still have the same lot area however they will need to get partial releases and amendments to mortgages. The first step in the process is to amend the existing special permit to allow for each lot to have its own curb cut and that is effectively the only request that the Applicant have before the Board at this time so they can modify the decision to abandon the shared driveway easement. Mr. Lowell stated that he is very familiar with this property and that this is a perfect solution for both parties. Mr. Borchert questioned the number of parking spaces for each lot. Attorney Brescher stated that the number of parking spaces meets the need for the Applicants. Attorney Brescher pointed out that neither of the current owners were the Applicants when this Special Permit was originally filed and approved. Chair Trudel opened the floor to the public. No comments were made.

Motion/Vote: Mr. Lowell moved to close the public hearing. The motion was duly seconded by Mr. Topham and the motion carried unanimously.

Vote taken by Roll Call:
Nat Lowell *Aye*
Joseph Topham *Aye*
Vice-Chair Iverson *Aye*
Barry Rector *Aye*
Chair Trudel *Aye*

Motion/Vote: Mr. Lowell moved to approve the application with the following findings and conditions outlined on the staff report. The motion was duly seconded by Mr. Rector and the motion carried unanimously.

Vote taken by Roll Call:
Nat Lowell *Aye*
Barry Rector *Aye*
Vice-Chair Iverson *Aye*
Joseph Topham *Aye*
Chair Trudel *Aye*

- **Nantucket Boat Basin, LLC, 29 Commercial Wharf,** *action deadline 12-11-2022*

Voting: (Chair) John Trudel, Vice-Chair David Iverson, Nat Lowell, Barry Rector and Joseph Topham
Alternates: Stephen Welch, Carl Borchert and Abby De Molina
Recused: None
Documentation: File with associated plans, photos and required documentation
Activated: None
Representing: Attorneys Rick Beaudette and Bryan Swain, Stephen Glowacki, Paul Beaulieu and Dennis
Discussion: Attorney Beaudette provided the Board with an overview of the application. The Applicant is seeking to temporarily relocate the existing laundry facility on the Premises from one structure to another. No parking relief is required. Chair Trudel opened the floor to the public. No comments were made.

Motion/Vote: Mr. Rector moved to close the public hearing. The motion was duly seconded by Mr. Lowell and the motion carried unanimously.

Vote taken by Roll Call:
Barry Rector *Aye*
Nat Lowell *Aye*
Joseph Topham *Aye*
Vice-Chair Iverson *Aye*
Chair Trudel *Aye*

Motion/Vote: Mr. Rector moved to approve the application with the following findings and conditions outlined on the staff report and June 15th for the sunset date. The motion was duly seconded by Vice-Chair Iverson and the motion carried unanimously.

Vote taken by Roll Call:
Barry Rector *Aye*
Vice-Chair Iverson *Aye*
Joseph Topham *Aye*
Nat Lowell *Aye*
Chair Trudel *Aye*

- **ACK Skibo Nominee Trust, Lester E. Lipscutz, Trustee, 9 Madaket Road,** *action deadline 12-14-2022*

Voting: (Chair) John Trudel, Vice-Chair David Iverson, Nat Lowell, Barry Rector and Joseph Topham
Alternates: Stephen Welch, Carl Borchert and Abby De Molina
Recused: None
Documentation: File with associated plans, photos and required documentation
Activated: None
Representing: Dan Mulloy, Surveyor
Discussion: Mr. Mulloy provided the Board with an overview of the application. Vice-Chair Iverson asked if the owner would be agreeable to no further subdivision to Lot 1. Mr. Mulloy okay with the request. Chair Trudel opened the floor to the public. Attorney Arthur Reade representing Patrick McEvoy at 7 Madaket Road

as well as Harriet McDonald at 6 Ackermuck Way stated that this property is not subdividable because it does not have the ability to have a 40-foot roadway and is opposed to the subdivision. Patrick McEvoy stated not sure what will be in place and the way this is being done. Gregory Brown 13 Madaket Road stated that the drainage and the waivers is a major issue not sure exactly what the owner is planning in doing with this property. Campbell Sutton expressed safety issues with increase traffic, not enough frontage and restrict number of dwelling units and if the Fire Department has reviewed this due to it being a landlocked property. Emily Molden from Nantucket Land Council echoed some of the concerns that were raised particularly for the roadway layout and that its also important to consider the ability of covenant lots to be used in this area or not as an alternative. Mr. Lowell stated that no covenant lot in R-1. Mrs. Trudel stated that the subdivision rules and regulations actually require 20 foot roadway width when there's not a through traffic for more minor subdivisions, you'd have to make that finding as a board and a 2 lot subdivision would be minor in nature there wouldn't be through traffic so the requirement there is actually 20 feet it's not 40 feet, the frontage of 40 feet required in the R1 zoning district comes from the cul-de-sac, when you have a cul-de-sac your allowed a 30 percent reduction in frontage when that frontage comes from the cul-de-sac so that's how we've gotten the calculations where they're at. Mr. Mulloy stated that the waivers they are asking for are standards that the Board has approved in the past. Mr. Mulloy will review drainage issues and addressed other concerns discussed. Patrick McEvoy questioned how much can be accomplished in one month and want to come up with a realistic timeline. Mrs. Trudel stated that any new information will be posted in the packet for review for the public with all other information for the October 13th meeting. Members of the public can reach out to Meg whenever and is responsive to emails. Mr. Mulloy is hoping to have revisions within a couple of weeks and will be in contact with Attorney Reade and with the abutters.

Motion/Vote: Mr. Rector moved to continue to the October 13th meeting. The motion was duly seconded by Mr. Lowell and the motion carried unanimously.

<u>Vote taken by Roll Call:</u>
Barry Rector *Aye*
Nat Lowell *Aye*
Vice-Chair Iverson *Aye*
Joseph Topham *Aye*
Chair Trudel *Aye*

- **The Nantucket Hotel, 77 Easton Street,** *action deadline 12-11-2022*
  Voting: (Chair) John Trudel, Vice-Chair David Iverson, Nat Lowell, Barry Rector and Carl Borchert
  Alternates: Stephen Welch, and Abby De Molina
  Activate: Carl Borchert
  Recused: Joseph Topham
  Documentation: File with associated plans, photos and required documentation
  Representing: Paul Santos and Mark Schneider on phone.
  Discussion: Mr. Santos gave a brief overview of the update. Chair Trudel opened the floor to the public. Mr. Santos stated had reduced ground cover increase to approximately 575 square feet which increased by 1% the ground cover on the existing property which currently is already over what is required in the applicable zone**.** Mr. Santos read out loud a letter sent to staff that is in the packet from Mark Schneider. Applicant is asking to amend the existing special permit by either demolishing or removing the east cottage constructing in its place a building of equal ground cover that currently is a one story building that would increase in elevation the building would need approval from the HDC, they would need approval from the Conservation Commission and also because of the location of the flood zone the building would have to be built current to the FEMA regulations where they regard to construction in a flood zone. Chair Trudel opened the floor to the public. No public comments were made.

  Motion/Vote: Vice-Chair Iverson made a motion close public hearing. The motion was duly seconded by Mr. Rector and the motion carried unanimously.

<u>Vote taken by Roll Call:</u>
Vice- Chair Iverson *Aye*
Barry Rector *Aye*
Nat Lowell *Aye*
Carl Borchert *Aye*
Chair Trudel *Aye*

Vice-Chair Iverson thanked Mark Schneider for understanding where the Board was coming from and finding a solution. Aware that he is not completely happy with it however to let him know how much he appreciates the work he did. Chair Trudel echo those sentiments.

Motion/Vote: Mr. Rector made a motion to approve the application as it now stands before the Board with any additional staff comments. The motion was duly seconded by Mr. Borchert and the motion carried unanimously.

<u>Vote taken by Roll Call:</u>
Barry Rector *Aye*
Carl Borchert *Aye*
Vice- Chair Iverson *Aye*
Nat Lowell *Aye*
Chair Trudel *Aye*

- **Nantucket Realty Trust, Jeffrey Kaschuluk, Trustee, Van Glider Avenue Subdivision, 86A & 88 Old South Road,** *action deadline 12-31-2022*
Voting: (Chair) John Trudel, Vice-Chair David Iverson, Nat Lowell, Barry Rector and Joseph Topham
Alternates: Stephen Welch, Carl Borchert and Abby De Molina
Activate: None
Recused: None
Documentation: File with associated plans, photos and required documentation
Representing: Attorney John Brescher and Peter Ogren
Discussion: Mr. Ogren stated that after the first public hearing had a meeting with Andrew Vorce who suggested that they redo the end of the roadway to provide to go all the way to the lot line as a solid roadway layout and utilize it as a frontage and do the easement as a temporary turnaround under the Massachusetts Subdivision Control Law. By doing this there's an automatic abandonment of the turnaround features if the road is extended through. Those changes have been made and submitted to the Planning Board. Also, have had two go arounds with Ed Pesce who has been very responsive in the last email and was satisfied with all his engineering issues. Mr. Kaschuluk was interested in eliminating or not continuing with the rights to access in the stub easement that's indicated on the plan. Mr. Ogren asked if landscaping issue can be left until the final site plan phased. Mr. Kaschuluk suggested for the contribution of Old South Road is that he is willing to add landscape in both directions where there is a strip between the bike path and the actual pavement on Old South Road. Vice-Chair Iverson expressed concern with certain lots being combined regarding frontage, the easements from Egan Lane and the subdivision connecting roads. Mrs. Trudel touch based on the easement connecting through Lot 5 from a staff perspective was not in support of eliminating. Mr. Rector agreeable to Mrs. Trudel's and Vice-Chair Iverson's comments. Mr. Rector strongly feels that the easement needs to be looked at. Mr. Rector expressed his concern of what type of commercial uses will take place in the subdivision. Mrs. Trudel wanted the Board to consider is that this property is zoned RC-2 now and the Applicant was amendable to moving this to CTEC (Commercial Trade Entrepreneurial Craft). She also included in the packet a list of CNs because it was another potential zoning district change if the Applicant would be agreeable. The list shows what's allowed and not allowed in the RC-2, what's allowed and not allowed in CTEC (Commercial Trade Entrepreneurial Craft). Emily Molden from Nantucket Land Council stated that its important to address the landscaping during the public hearing process and not have it finalized further down the road. Attorney Brescher stated that he received an email from Mr. Kaschuluk who is having technical issues getting on and will be requesting for a continuance to the October meeting. Applicant will meet with Planning staff to fine tune the application.

Motion/Vote: Mr. Rector made a motion to continue this application to the October 13th meeting. The motion was duly seconded by Vice-Chair Iverson and the motion carried unanimously.

Vote taken by Roll Call:
Barry Rector *Aye*
Vice- Chair Iverson *Aye*
Nat Lowell *Aye*
Joseph Topham *Aye*
Chair Trudel *Aye*

- **1 Airport Road, LLC, 1 Airport Road,** *action deadline 10-31-2022*
  Voting: (Chair) John Trudel, Vice-Chair David Iverson, Nat Lowell, Barry Rector and Carl Borchert
  Alternates: Stephen Welch, and Abby De Molina
  Activate: Carl Borchert
  Recused: Joseph Topham
  Documentation: File with associated plans, photos and required documentation
  Representing: Dan Mulloy, Surveyor
  Discussion: Mr. Mulloy stated that he has been brought on by the Applicant for both 1 and 7 Airport Road and is getting up to speed with all the concerns. Mr. Mulloy has spoken with Ed Pesce and seen his comments. Mr. Mulloy walked to the site and understands what everyone is looking for for a driveway entrance, for landscaping and storm water improvements. Mr. Mulloy wanted to just give the Board an update that essentially, he is on Board and understands what needs to be done and hopefully all is well and signed off at the next meeting. Board happy that Dan Mulloy is on Board for this application. Chair Trudel opened the floor to the public. Campbell Sutton expressed concern to cover the landscape materials and require the storage units are locked when not in used and or after hours. Mr. Welch questioned about 115 and 117 Old South Road what will be happening there due to the current uses certainly overflow well into those lots. Mr. Borchert appreciates the Applicant planting a certain evergreen tree, these plants are going to be beneficial and expressed concern about the storm water due to flooding.

  Motion/Vote: Mr. Lowell made a motion to continue this application to the October 13th meeting. The motion was duly seconded by Vice-Chair Iverson and the motion carried unanimously.

  Vote taken by Roll Call:
  Nat Lowell *Aye*
  Vice- Chair Iverson *Aye*
  Barry Rector *Aye*
  Carl Borchert *Aye*
  Chair Trudel *Aye*

- **7 Airport Road, LLC, 7 Airport Road,** *action deadline 10-31-2022*
  Voting: (Chair) John Trudel, Vice-Chair David Iverson, Nat Lowell, Barry Rector and Carl Borchert
  Alternates: Stephen Welch, and Abby De Molina
  Activate: Carl Borchert
  Recused: Joseph Topham
  Documentation: File with associated plans, photos and required documentation
  Representing: Dan Mulloy, Surveyor and Linda Williams
  Discussion: Mr. Mulloy same exact request as above application. Mr. Mulloy stated that 115 and 117 the Applicant does not own those properties and it has nothing to do with these two properties. Chair Trudel opened the floor to the public. Ms. Williams stated that the lots to the West that was brought up is supposedly coming in for the October 13th meeting and from a different surveyor and been working with Hanlon.

  Motion/Vote: Vice-Chair Iverson made a motion to continue this application to the October 13th meeting. The motion was duly seconded by Mr. Lowell and the motion carried unanimously.

Vote taken by Roll Call:
Vice- Chair Iverson *Aye*
Nat Lowell *Aye*
Carl Borchert *Aye*
Barry Rector *Aye*
Chair Trudel *Aye*

X. Public Comment:

No public comments.

XI. Other Business:

- **Craig's Way Subdivision,** *extension of the submission of definitive plan and legal documents for endorsement (This agenda item was not anticipated by the Chairman 48 hours in advance)*

  Mrs. Trudel stated that the standard conditions in subdivisions require that the applicant bring the definitive plan and legal documents within six months however that six month expires on September 28th, they are seeking a year extension on submitting those documents and can approve without a public hearing. This request didn't come in within the 48 hours. Will need to make a vote tonight and vote again in the October 13th meeting.

  Motion/Vote: Mr. Rector made a motion to approve the extension as submitted for the definitive plans and legal documents. The motion was duly seconded by Vice-Chair Iverson and the motion carried unanimously.

  Vote taken by Roll Call:
  Barry Rector *Aye*
  Vice- Chair Iverson *Aye*
  Joseph Topham *Aye*
  Nat Lowell *Aye*
  Chair Trudel *Aye*

- **Next Planning Board meeting, Thursday, October 13, 2022 (due to Indigenous Peoples Day), at 4pm via Zoom**

- Mr. Rector stated that one thing that caught his attention tonight which he was unaware that the Tree Advisory Committee are going to put an application to the CPC to try to help with the tree locations which he feels is a great thing and if its not too late and not out of order he would like the Board to authorize a letter of support to the CPC for that particular project to be signed by the Chair. Chair Trudel stated that they may have missed the deadline but will look into it. Staff can write a letter stating that the Planning Board is in support of any funding that the CPC would be able to contribute towards the Town trees.

  Motion/Vote: Mr. Rector made a motion to have staff write a letter of support to CPC for the chair to sign. The motion was duly seconded by Mr. Lowell and the motion carried unanimously.

  Mr. Topham commented that back in June he sent an email to Town Manager's office asking if Ken Beaugrand CPC could find some wiggle room for the open space and put these Town trees on the GIS mapping. Also shared that information to the Tree committee.

  Vote taken by Roll Call:
  Barry Rector *Aye*
  Nat Lowell *Aye*
  Vice- Chair Iverson *Aye*
  Joseph Topham *Aye*
  Chair Trudel *Aye*

XI. Adjournment:

Mr. Rector moved to adjourn the meeting at 8:00PM. The motion was duly seconded by Vice- Chair Iverson and the motion was carried unanimously 5-0.

Vote taken by Roll Call:

Barry Rector *Aye*
Vice- Chair Iverson *Aye*
Joseph Topham *Aye*
Nat Lowell *Aye*
Chair Trudel *Aye*