



Nantucket Planning Board

STAFF REPORT

January 17, 2024

To: Planning Board

From: William Saad,
Land Use Specialist

Re: Staff Report for January 18, 2024, Planning Board Meeting

Call to order:

Approval of the agenda:

Minutes:

- January 8, 2024
- January 11, 2024

*****RECOMMEND MOTION for Secondary Dwellings *****

Motion to approve both secondary dwellings on the agenda. (pull any application(s) from this motion that the Board feels may require further discussion or if there are any applications where a Board member must recuse).

Secondary Dwellings:

- Colby Crenshaw - 24 Almanac Road
- Frank & Susan Viano – 7A Crooked Lane

Public Hearings:

- 14 Tripp Drive LLC – 14 Tripp Drive, action deadline 01-14-2024

Voting: Dave Iverson, Joseph Topham, Barry Rector, John Trudel, Nat Lowell
Representation: Dan Mulloy

FROM THE OCTOBER 2023 STAFF REPORT:

The Applicant is requesting a Special Permit for a Rear Lot Subdivision. Included with your packet is a proof plan confirming the property's eligibility for a Rear Lot Subdivision.

Proposed Lot 1 will contain approximately 41,021 square feet of lot area and Proposed Lot 2 will contain approximately 43,523 square feet. Both lots will have frontage and access on Tripp Drive. The site is zoned LUG-1.

Planning staff recommends approval of the Applicant's request as proposed, with the following findings and conditions:

Findings:

- 1) That the applicant's proposal complies with the requirements for a Special Permit under §§139-8F, "Rear Lot Subdivision", as amended at the 2019 Annual Town Meeting, of the By-Law; and
- 2) That the proposal is in harmony with the general purpose and intent of the Bylaw.

Conditions:

- 1) Both lots shall connect to municipal sewer and water systems as available;
- 2) That Tripp Drive shall be graded from the property line to the entrance with South Shore Road prior to the issuance of a building permit and prior to the issuance of a Certificate of Occupancy at the Applicant's expense and must be inspected by staff;
- 3) That each lot shall comply with the ground cover ratio, front setback, and side and rear yard setback requirement of the underlying LUG-1 zoning district, or as otherwise specified in the Zoning Bylaw;
- 4) That the filing of an ANR (Approval Not Required) plan is a necessary step to implement this Special Permit.

FROM THE NOVEMBER STAFF REPORT:

The Applicant has submitted the proposed 2-lot ANR application and plan and a copy of the HOA documentation, which indicates only lots 5-8 as members (the applicant is the owner of lot 6). The HOA only excludes lot 2, per Land Court Plan 37096-C. Planning staff still recommends approval as outlined above with the addition of the following conditions:

- 1) That both the existing and newly created lot are to remain in the Home Owners Association; and
- 2) That the use of the Proprietors Way, may be utilized for driveway layout purposes only on the portion that directly abuts the property.

UPDATE:

The Planning Board endorsed the ANR plan at the January 11, 2024, meeting, which extends Tripp Drive through an easement and provides the required frontage for both lots on the Proprietor's Way.

Planning Staff recommends approval as outlined above with the addition of the following condition:

- 1) Interconnected access between abutting properties beyond Lot 1 and Lot 2 shall be prohibited.

- **La Barca Realty Trust - 52 Burnell Street, action deadline 05-04-2024**

Voting: Dave Iverson, Barry Rector, John Trudel, Nat Lowell

Representation: Dan Mulloy

FROM THE January 8, 2024, STAFF REPORT:

The applicant is requesting an amendment to a previously granted AR Definitive Subdivision.

This plan reflects the required right-of-way adjustments and easements to coincide with the approval at 50 Burnell Street. Additionally, the Applicant is requesting that one additional building lot be created at 52 Burnell Street. The increased intensity may require roadway improvements.

Planning staff recommends approval of the Applicant's request.

Finding:

- 1) That the Applicant's proposal is in harmony with the general purpose and intent of the *Rules and Regulations Governing the Subdivision of Land*.

Conditions:

- 1) That the applicant will comply with all requests made by the Town's consulting engineer prior to the issuance of a building permit;
- 2) That recorded copies of all updated legal documents, such as (Covenant, Statement of Conditions, Grant of Right of Enforcement, Homeowners Association Trust, etc.) shall be presented to the Planning Board within six (6) months of the filing of the decision;
- 3) That the definitive plan shall be presented to the Planning Board within six (6) months of the filing of the decision; and
- 4) That all conditions in the original decision shall remain in full force in effect, except as modified herein.

UPDATE:

This application was continued due to an incorrect plan included in the 01/08/24 meeting packet.

The updated plan is included in the packet. Planning Staff still recommends approval as outlined above.

Zoning Articles Proposed by Citizen Petition:

- **"BB" Zoning Bylaw Amendment: Greenhouse or Greenhouse Shed (Jekanowski)**
- **"Q" Zoning Bylaw Amendment: Regulating Residential Rental Use (Cohen)**

Other Business:

- **Planning Board special meeting – Thursday, January 25, 2024, at 4PM via Zoom**
- **Planning Board special meeting – Thursday, February 8, 2024, at 4PM via Zoom**

Public Comment *for items not listed on the agenda*

Adjournment:

DRAFT