



Nantucket Planning Board

APPROVED MINUTES OF 01-25-2024

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

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

Alternates: Stephen Welch (Absent), Abby De Molina (arrived at 4:07PM), and John Kitchener

Staff: Leslie Snell (Director of Planning), Meg Trudel (Senior Planner) (Absent), William Saad (Zoning Administrator/Land Use Specialist), and Catherine Ancero (Administrative Specialist)

PLANNING BOARD APPROVED MINUTES (SPECIAL MEETING) 01-25-2024

(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 item are available for inspection digitally. Email requests may be sent to wsaad@nantucket-ma.gov *

**Participation in Public Hearings and Public Comment will be available through Zoom. Contact wsaad@nantucket-ma.gov with any questions. **

Zoom Registration Link (for participation):

https://us06web.zoom.us/webinar/register/WN_prRgF4E7S0yVm755bg4_hg#/registration

**this meeting will be audio and video recorded **

YouTube Link (to view only):

<https://www.youtube.com/watch?v=RcSLskVvwWA>

I. Call to order:

Chair Iverson called the meeting to order at 4:04pm.

Chair Iverson 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:

Vote taken by Roll Call:

Nat Lowell *Aye*

Barry Rector *Aye*

John Trudel *Aye*

Vice-Chair Topham *Aye*

Chair Iverson *Aye*

Alternates:

John Kitchener *Aye*
Abby De Molina (*arrived late at 4:07PM*)
Stephen Welch *Absent*

Staff:

Leslie Snell *Aye*
Billy Saad *Aye*
Catherine Ancero *Aye*

II. Approval of the agenda:

Motion/Vote: Mr. Lowell moved to approve the agenda. The motion was duly seconded by Vice-Chair Topham and was carried unanimously with a vote of 5-0.

Vote taken by Roll Call:

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

III. Second Dwellings:

- **Habitat for Humanity Nantucket, Inc. – 5 Waitt Drive**
- **Habitat for Humanity Nantucket, Inc. – 9 Waitt Drive**
- **Rebecca Moesinger – 13 Bartlett Road**
- **Peter Kaizer – 6 Nobadeer Way**

Voting: (Chair) Iverson, (Vice-Chair) Topham, Nat Lowell, John Trudel, and Barry Rector

Alternates: John Kitchener

Recused: None

Documentation: File with associated plans, photos and required documentation

Discussion: None

Motion/Vote: Mr. Rector moved to approve secondary dwelling applications listed above per staff recommendation. The motion was duly seconded by Mr. Lowell and was carried unanimously with a vote of 5-0.

Vote taken by Roll Call:

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

IV. ANRs:

- **Island Gas Limited Partnership – 11 Industry Road**

Voting: (Chair) Iverson, (Vice-Chair) Topham, Nat Lowell, John Trudel, and Barry Rector

Alternates: None

Recused: Nat Lowell

Documentation: File with associated plans, photos and required documentation

Discussion: This property has a deed restriction held by the Town's Select Board. Mrs. Snell explained that while the restriction is enforceable it's not within the Board's authority to consider such restrictions when dealing with an Approval Not Required plan. Mrs. Snell stated that the Board's role is to assess if the plan meets requirements regard roadways, lot frontage, and area. The three lots in question meet these criteria the Board is obligated to endorse the plan.

Chair Iverson welcomed Ms. De Molina to the meeting at 4:07PM.

Motion/Vote: Mr. Rector moved to approve 11 Industry Road in accordance with the staff recommendations outlined in the staff report and with Mrs. Snell's comments. The motion was duly seconded by Vice-Chair Topham, and it was carried unanimously with a vote of 5-0.

Vote taken by Roll Call:

Barry Rector *Aye*

Vice-Chair Topham *Aye*

John Trudel *Aye*

Chair Iverson *Aye*

V. Public Hearings:

- **Article 59 - "Q" Zoning Bylaw Amendment: Regulating Residential Rental Use (Cohen)**
CONTINUE TO FEBRUARY 8, 2024
- **Article 46 - Zoning Map Amendment: RC-2 to CMI or CTEC – 43 Nobadeer Farm Rd**
CONTINUE TO FEBRUARY 8, 2024

Motion/Vote: Mr. Lowell moved to continue both articles listed above to the February 8th meeting. The motion was duly seconded by Vice-Chair Topham, and it was carried unanimously with a vote of 5-0.

Vote taken by Roll Call:

Nat Lowell *Aye*

Vice-Chair Topham *Aye*

Barry Rector *Aye*

John Trudel *Aye*

Chair Iverson *Aye*

Mrs. Snell stated that the Board will need to make findings under the Housing Choice legislation and which specific number it applies from the list. The staff report includes nine reasons that the Board should consider, indicating whether the quantum of vote required is 50% or 2/3.

- **Article 53 - "R" Zoning Map Amendment: LUG-2 to R:20 – 25 Rugged Road (Schreiber)**
Voting: (Chair) Iverson, (Vice-Chair) Topham, Nat Lowell, John Trudel and Barry Rector
Alternates: Stephen Welch, Abby De Molina and John Kitchener
Recused: None
Documentation: File with associated plans, photos and required documentation
Discussion: The proponent of the article was not present, suggestion to either continue the discussion until later in the meeting or postpone it to a different meeting. The Board moved on to Article 39.
- **Article 39 - Zoning Bylaw Amendment: Definitions – Apartment**
Voting: (Chair) Iverson, (Vice-Chair) Topham, Nat Lowell, John Trudel and Barry Rector
Alternates: Stephen Welch, Abby De Molina and John Kitchener
Recused: None
Documentation: File with associated plans, photos and required documentation
Discussion: Article 39 focused on defining "Apartment." The proposed change is to clarify that an apartment must be located within a commercial zone and be the main structure on the property. Mrs. Snell

stated that this is housekeeping measure rather than a substantive change to the zoning bylaw. Chair Iverson opened the floor to the public. There were no public comments and or concerns.

Motion/Vote: Mr. Rector moved to close the public hearing. The motion was duly seconded by Vice-Chair Topham and the motion was carried unanimously with a vote of 5-0.

Roll call of Board members:

Nat Lowell *Aye*
Vice-Chair Topham *Aye*
John Trudel *Aye*
Barry Rector *Aye*
Chair Trudel *Aye*

Motion/Vote: Mr. Lowell moved to give a positive recommendation to go to Town meeting with a quantum vote of 2/3. The motion was duly seconded by Vice-Chair Topham and the motion was carried unanimously with a vote of 5-0.

Roll call of Board members:

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

• **Article 40 - Zoning Bylaw Amendment: Tertiary Dwelling**

Voting: (Chair) Iverson, (Vice-Chair) Topham, Nat Lowell, John Trudel and Barry Rector

Alternates: Stephen Welch, Abby De Molina and John Kitchener

Recused: None

Documentation: File with associated plans, photos and required documentation

Discussion: The Planning Board discussed Article 40 regarding zoning bylaw amendment for tertiary dwellings. There was a decision to expand the square footage requirement from 650 to 900 square feet. References to the square footage were to be uniformly changed to 900 square feet. Mr. Trudel stated that the reasons #3 and #7 were identified as relevant to the article complying with housing choice requirements and the 50% voting threshold. Chair Iverson opened the floor to the public. There were no questions or comments from the public.

Motion/Vote: Mr. Trudel moved to close the public hearing. The motion was duly seconded by Vice-Chair Topham and the motion was carried unanimously with a vote of 5-0.

Roll call of Board members:

John Trudel *Aye*
Vice-Chair Topham *Aye*
Barry Rector *Aye*
Nat Lowell *Aye*
Chair Trudel *Aye*

Motion/Vote: Mr. Trudel moved to give a positive recommendation to go to Town meeting with reasons #7 and #3 and the 50% voting threshold. The motion was duly seconded by Mr. Rector and the motion was carried unanimously with a vote of 5-0.

Roll call of Board members:

John Trudel *Aye*
Barry Rector *Aye*
Nat Lowell *Aye*

Vice-Chair Topham *Aye*
Chair Iverson *Aye*

- **Article 41 - Zoning Bylaw Amendment: Side and Rear Yard Setbacks in R-1 to RC-2**

Voting: (Chair) Iverson, (Vice-Chair) Topham, Nat Lowell, John Trudel and Barry Rector

Alternates: Stephen Welch, Abby De Molina and John Kitchener

Recused: None

Documentation: File with associated plans, photos and required documentation

Discussion: This amendment addresses side and rear yard setbacks in R-1 to RC-2 districts. Chair Iverson stated that the amendment Article 41 is in line with housing choice #7 because it modifies dimensions. Mrs. Snell stated that the article amends two sections of the Zoning Bylaw, Section 2 which defines yard front and Section 16C3 which outlines intensity regulations, additional requirements and exceptions for yard in R-1 and RC-2 districts. These districts are being phased out as part of the master plan. Mrs. Snell stated that they are the only districts in the bylaw with different setback requirements for quorum and the reason for this discrepancy is unclear. Chair Iverson opened the floor to the public. There were no questions or comments from the public.

Motion/Vote: Vice-Chair Topham moved to close the public hearing. The motion was duly seconded by Mr. Lowell and the motion was carried unanimously with a vote of 5-0.

Roll call of Board members:

Vice-Chair Topham *Aye*

Nat Lowell *Aye*

Barry Rector *Aye*

John Trudel *Aye*

Chair Trudel *Aye*

Motion/Vote: Mr. Trudel moved to give a positive recommendation to go to Town meeting with reasons #7 with the 50% voting threshold. The motion was duly seconded by Vice-Chair Topham and the motion was carried unanimously with a vote of 5-0.

Roll call of Board members:

John Trudel *Aye*

Vice-Chair Topham *Aye*

Barry Rector *Aye*

Nat Lowell *Aye*

Chair Iverson *Aye*

- **Article 42 - Zoning Bylaw Amendment: Residential Development Options – Flex Development, Protected Open Space**

Voting: (Chair) Iverson, (Vice-Chair) Topham, Nat Lowell, John Trudel and Barry Rector

Alternates: Stephen Welch, Abby De Molina and John Kitchener

Recused: None

Documentation: File with associated plans, photos and required documentation

Discussion: This amendment focuses on addressing the open space requirement provision for flex development. The Board acknowledge previous challenges in getting appropriate agencies to accept restrictions as required by the Zoning Bylaw especially concerning affordable housing components. The proposed amendment introduces flexibility by allowing the Planning Board to waive strict compliance with the open space restriction if at least 25% of the housing is designated as affordable. Mrs. Snell stated that this provision aims to provide more options for developers while still ensuring that open space is provided. Chair Iverson opened the floor to the public. Emily Molden from the Nantucket Land and Water Council raised concerns regarding the potential impact on the permanent preservation of open space. Mrs. Snell stated that the amendment does not waive the requirement for open space but rather offers more flexibility in how the restriction is dealt with. The amendment would still require a restriction

defining the protection of open space which would be enforceable by the Town and recorded at the County Registry of Deeds.

Motion/Vote: Mr. Rector moved to close the public hearing. The motion was duly seconded by Vice-Chair Topham and the motion was carried unanimously with a vote of 5-0.

Roll call of Board members:

Barry Rector *Aye*
Vice-Chair Topham *Aye*
Nat Lowell *Aye*
John Trudel *Aye*
Chair Trudel *Aye*

Motion/Vote: Mr. Rector moved to give a positive recommendation to go to Town meeting with a 2/3 vote. The motion was duly seconded by Vice-Chair Topham and the motion was carried unanimously with a vote of 5-0.

Roll call of Board members:

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

• **Article 43 - Zoning Bylaw Amendment: Rear Lot Subdivision**

Voting: (Chair) Iverson, (Vice-Chair) Topham, Nat Lowell, John Trudel and Barry Rector

Alternates: Stephen Welch, Abby De Molina and John Kitchener

Recused: None

Documentation: File with associated plans, photos and required documentation

Discussion: The language has undergone several changes with the current version allowing for the demonstration of proof through dimensioned lotting plan or an Approval Not Required plan endorsed by the Planning Board. This amendment seeks to address concerns about unnecessary tree clearing and road construction for small subdivisions. Chair Iverson opened the floor to the public. Emily Molden from the Nantucket Land Council raised concerns about allowing plans with no legal significant to move forward. Ms. Molden stressed the importance of complying to the standard for Approval Not Required plans and expressed concern about the encouragement of additional subdivisions.

Motion/Vote: Mr. Lowell moved to close the public hearing. The motion was duly seconded by Mr. Rector and the motion was carried unanimously with a vote of 5-0.

Roll call of Board members:

Nat Lowell *Aye*
Barry Rector *Aye*
Vice-Chair Topham *Aye*
John Trudel *Aye*
Chair Trudel *Aye*

Motion/Vote: Mr. Lowell moved to give a positive recommendation to go to Town meeting with a 2/3 vote. The motion was duly seconded by Mr. Rector and the motion was carried unanimously with a vote of 5-0.

Roll call of Board members:

Nat Lowell *Aye*
Barry Rector *Aye*

Vice-Chair Topham *Aye*
John Trudel *Aye*
Chair Iverson *Aye*

- **Article 44 - Zoning Bylaw Amendment: Moorlands Management District “MMD”, Permit Granting Authority**

Voting: (Chair) Iverson, (Vice-Chair) Topham, Nat Lowell, John Trudel and Barry Rector

Alternates: Stephen Welch, Abby De Molina and John Kitchener

Recused: None

Documentation: File with associated plans, photos and required documentation

Discussion: The Board discussed a zoning bylaw amendment that involves transferring special permit granting authority from the Planning Board to the Zoning Board except for subdivisions which will remain under the Planning Board’s jurisdiction. The amendment is to streamline the process and address concerns regarding neighbor-to-neighbor issues especially involving swimming pools. The Zoning Board has expressed readiness to take on this responsibility. Chair Iverson opened the floor to the public. Emily Molden from the Nantucket Land Council expressed concerns about the implications of the amendment on subdivision proposals.

Motion/Vote: Mr. Rector moved to close the public hearing. The motion was duly seconded by Vice-Chair Topham and the motion was carried unanimously with a vote of 5-0.

Roll call of Board members:

Barry Rector *Aye*
Vice-Chair Topham *Aye*
Nat Lowell *Aye*
John Trudel *Aye*
Chair Trudel *Aye*

Motion/Vote: Mr. Rector moved to give a positive recommendation to go to Town meeting with a 2/3 vote. The motion was duly seconded by Vice-Chair Topham and the motion was carried unanimously with a vote of 5-0.

Roll call of Board members:

Barry Rector *Aye*
Vice-Chair Topham *Aye*
John Trudel *Aye*
Nat Lowell *Aye*
Chair Trudel *Aye*

- **Article 47 - Zoning Map Amendment: R-5 to RC-2 and CTEC – Pine Crest Drive (portions of)**

Voting: (Chair) Iverson, (Vice-Chair) Topham, Nat Lowell, John Trudel and Barry Rector

Alternates: Stephen Welch, Abby De Molina and John Kitchener

Recused: None

Documentation: File with associated plans, photos and required documentation

Discussion: The amendment addresses the status of Pine Crest Drive which has been considered a shared driveway despite efforts to establish it as a road. The amendment involves reclassifying two properties from RC-2 to R-5 zoning, allowing for the creation of 5000 square foot lots in line with neighboring properties. The proposed change is part of a broader plan to streamline the neighborhood’s zoning and resolve various property ownership issues. Chair Iverson opened the floor to the public. There were no questions or comments from the public.

Motion/Vote: Mr. Rector moved to close the public hearing. The motion was duly seconded by Vice-Chair Topham and the motion was carried unanimously with a vote of 5-0.

Roll call of Board members:

Barry Rector *Aye*
Vice-Chair Topham *Aye*
John Trudel *Aye*
Nat Lowell *Aye*
Chair Trudel *Aye*

Motion/Vote: Mr. Rector moved to give a positive recommendation to go to Town meeting including the language in the staff report regarding Lot 1159 on LCP 16514-160 and Lot 1166 on LCP 16514-161 currently in the R-5 district into the RC-2 district; Lots 1152, 1153, 1154 on LCP 16514-160 and Lots 1163, 1164, 11654 currently in the R-5 district into the CTEC district with a 2/3 vote. The motion was duly seconded by Vice-Chair Topham and the motion was carried unanimously with a vote of 5-0.

Roll call of Board members:

Barry Rector *Aye*
Vice-Chair Topham *Aye*
John Trudel *Aye*
Nat Lowell *Aye*
Chair Trudel *Aye*

• **Article 48 - Zoning Map Amendment: R-10 to R-10L – Nobadeer Way**

Voting: (Chair) Iverson, (Vice-Chair) Topham, Nat Lowell, John Trudel and Barry Rector

Alternates: Stephen Welch, Abby De Molina and John Kitchener

Recused: None

Documentation: File with associated plans, photos and required documentation

Discussion: There was a discussion to address a zoning map change for a subdivision that was intended to be rezoned to R-10L zoning, however an error occurred during a prior Town Meeting where the “L” designation was mistakenly dropped from the motion language. The amendment is to correct this oversight by making sure that the properties are placed in the R-10L district as originally intended. Chair Iverson opened the floor to the public. There were no questions or comments from the public.

Motion/Vote: Mr. Rector moved to close the public hearing. The motion was duly seconded by Mr. Lowell and the motion was carried unanimously with a vote of 5-0.

Roll call of Board members:

Barry Rector *Aye*
Nat Lowell *Aye*
Vice-Chair Topham *Aye*
John Trudel *Aye*
Chair Trudel *Aye*

Motion/Vote: Mr. Lowell moved to give a positive recommendation to go to Town meeting with a 2/3 vote. The motion was duly seconded by Mr. Rector and the motion was carried unanimously with a vote of 5-0.

Roll call of Board members:

Nat Lowell *Aye*
Barry Rector *Aye*
Vice-Chair Topham *Aye*
John Trudel *Aye*
Chair Trudel *Aye*

A point of order was raised by Mr. Trudel regarding the previous Article 47. The concern was whether all lots were properly listed in the motion and referenced in the staff report. Chair Iverson confirmed that all lots were indeed listed in the motion and referenced in the staff report.

- **Article 49 - Zoning Map Amendment: LUG-3 to CI and County Overlay District Change – Nantucket Airport (portion of)**

Voting: (Chair) Iverson, (Vice-Chair) Topham, Nat Lowell, John Trudel and Barry Rector

Alternates: Stephen Welch, Abby De Molina and John Kitchener

Recused: None

Documentation: File with associated plans, photos and required documentation

Discussion: Article 49 pertains to a zoning map amendment for a portion of the Nantucket Airport property. This section is planned for expansion, including paving for additional parking or taxiway. The proposal is to change the zoning from LUG-3 to CI aligning it with the Master Plan and the actual use of the property for airport operations. Chair Iverson stated that its alignment with Housing Choice #7. Chair Iverson opened the floor to the public. Mimi Huber expressed concerns regarding the amendment in front of her house and is opposed to it.

Motion/Vote: Mr. Rector moved to close the public hearing. The motion was duly seconded by Vice-Chair Topham and the motion was carried unanimously with a vote of 5-0.

Roll call of Board members:

Barry Rector *Aye*

Vice-Chair Topham *Aye*

John Trudel *Aye*

Nat Lowell *Aye*

Chair Trudel *Aye*

Motion/Vote: Mr. Rector moved to give a positive recommendation to go to Town meeting with reason #7 with the 50% voting threshold.

Mrs. Snell clarified that while the staff is recommending the rezoning for consistency with the airport's use, it doesn't imply endorsement of the airport's actions.

The motion was duly seconded by Mr. Lowell and the motion was carried unanimously with a vote of 5-0.

Roll call of Board members:

Barry Rector *Aye*

Nat Lowell *Aye*

Vice-Chair Topham *Aye*

John Trudel *Aye*

Chair Trudel *Aye*

Mrs. Snell stated that there is a funding article on the warrant for the airport, however they do not need this rezoning to move forward. The rezoning is separate therefore the airport can do whatever they're going to do in their current zone.

- **Article 50 - Zoning Map Amendment: Open Space Parcels – Various**

Voting: (Chair) Iverson, (Vice-Chair) Topham, Nat Lowell, John Trudel and Barry Rector

Alternates: Stephen Welch, Abby De Molina and John Kitchener

Recused: None

Documentation: File with associated plans, photos and required documentation

Discussion: The Board discussed the zoning map change in line with the Master Plan's goal of identifying parcels for open space. This is to rezone parcels to the lowest density available district. Chair Iverson opened the floor to the public. There were no questions or comments from the public.

Motion/Vote: Mr. Rector moved to close the public hearing. The motion was duly seconded by Vice-Chair Topham and the motion was carried unanimously with a vote of 5-0.

Roll call of Board members:

Barry Rector *Aye*
Vice-Chair Topham *Aye*
John Trudel *Aye*
Nat Lowell *Aye*
Chair Trudel *Aye*

Motion/Vote: Mr. Lowell moved to give a positive recommendation to go to Town meeting with a 2/3 vote. The motion was duly seconded by Vice-Chair Topham and the motion was carried unanimously with a vote of 5-0.

Roll call of Board members:

Barry Rector *Aye*
Vice-Chair Topham *Aye*
John Trudel *Aye*
Nat Lowell *Aye*
Chair Trudel *Aye*

• **Article 51 - “CC” Zoning Map Amendment: LUG-2 to R-40 – 71 Hummock Pond Road (Buckley)**

Voting: (Chair) Iverson, (Vice-Chair) Topham, Nat Lowell, John Trudel and Barry Rector

Alternates: Stephen Welch, Abby De Molina and John Kitchener

Recused: None

Documentation: File with associated plans, photos and required documentation

Discussion: The purpose of this zoning article is to clarify the available ground cover for this property, 71 Hummock Pond Road. This property is subject to a Conservation Restriction. Initially zoned as R-20 it was changed in March of 2020 which caused issues with ground cover calculations due to the Conservation Restriction. The purpose is to adjust the zoning to R-40 to regain lost ground cover Chair Iverson opened the floor to the public. There were no questions or comments from the public.

Motion/Vote: Mr. Rector moved to close the public hearing. The motion was duly seconded by Mr. Trudel and the motion was carried unanimously with a vote of 5-0.

Roll call of Board members:

Barry Rector *Aye*
John Trudel *Aye*
Nat Lowell *Aye*
Vice-Chair Topham *Aye*
Chair Trudel *Aye*

Motion/Vote: Mr. Rector moved to give a positive recommendation with the changes that the Board talked about to adjust where the R-40 district is going to be changed at in accordance with what both Mrs. Snell and Chair Iverson brought up with a 2/3 vote. The motion was duly seconded by Mr. Trudel and the motion was carried unanimously with a vote of 5-0.

Roll call of Board members:

Barry Rector *Aye*
John Trudel *Aye*
Nat Lowell *Aye*
Vice-Chair Topham *Aye*
Chair Trudel *Aye*

• **Article 52 - Zoning Map Amendment: Country Overlay District Change – 71 Hummock Pond Road**

Voting: (Chair) Iverson, (Vice-Chair) Topham, Nat Lowell, John Trudel and Barry Rector

Alternates: Stephen Welch, Abby De Molina and John Kitchener

Recused: None

Documentation: File with associated plans, photos and required documentation

Discussion: Mrs. Snell stated that staff only recommend that the Board place the portion of the property that the Board is proposing to place in R-40 in the Town Overlay District and the rest of it should stay in the Country Overlay District. Chair Iverson opened the floor to the public. David Buckley stated that he had no objection and sought clarification on whether Mrs. Snell confirmed that only the buildable portion would be changed to the Town Overlay. Chair Iverson confirmed that she did.

Motion/Vote: Mr. Rector moved to close the public hearing. The motion was duly seconded by Mr. Trudel and the motion was carried unanimously with a vote of 5-0.

Roll call of Board members:

Barry Rector *Aye*

John Trudel *Aye*

Nat Lowell *Aye*

Vice-Chair Topham *Aye*

Chair Trudel *Aye*

Motion/Vote: Mr. Rector moved to give a positive recommendation with the same portion that the Board voted to place R-40 in Article 51 with a 2/3 vote. The motion was duly seconded by Mr. Trudel and the motion was carried unanimously with a vote of 5-0.

Roll call of Board members:

Barry Rector *Aye*

John Trudel *Aye*

Nat Lowell *Aye*

Vice-Chair Topham *Aye*

Chair Trudel *Aye*

• **Article 54 - "A" Zoning Map Change: R-40 to CN – Evergreen Way and Airport Road (NiSHA/Huber)**

Voting: (Chair) Iverson, (Vice-Chair) Topham, Nat Lowell, John Trudel and Barry Rector

Alternates: Stephen Welch, Abby De Molina and John Kitchener

Recused: None

Documentation: File with associated plans, photos and required documentation

Discussion: The purpose of this article is to change the zoning so that NISHA can move forward with plans for construction of a new facility and employee housing. Mimi Huber expressed appreciation for the support and collaboration in implementing restrictions on the property to make sure that it aligns with the neighborhood's preferences. Mr. Rector raised concern about the permitted use for motor vehicle sale on Evergreen Way. Ms. Huber clarified that it was already permitted with a special permit. Chair Iverson opened the floor to the public. Hank and Kathy Butler expressed their appreciation for the restrictions on the residential use on the Evergreen side.

Motion/Vote: Mr. Trudel moved to close the public hearing. The motion was duly seconded by Mr. Lowell and the motion was carried unanimously with a vote of 5-0.

Roll call of Board members:

John Trudel *Aye*

Nat Lowell *Aye*

Barry Rector *Aye*

Vice-Chair Topham *Aye*

Chair Trudel *Aye*

Motion/Vote: Mr. Trudel moved to give a positive recommendation with the 50% voting threshold which complies with the Housing Choice reasons #1 and #7 and through staff recommended restrictions

as listed on the staff report. The motion was duly seconded by Vice-Chair Topham and the motion was carried unanimously with a vote of 5-0.

Roll call of Board members:

John Trudel *Aye*
Vice-Chair Topham *Aye*
Barry Rector *Aye*
Nat Lowell *Aye*
Chair Trudel *Aye*

• **Article 58 - “H” Zoning Bylaw Amendment: Middle Income Inclusionary Housing (Kuszpa)**

Voting: (Chair) Iverson, (Vice-Chair) Topham, Nat Lowell, John Trudel and Barry Rector

Alternates: Stephen Welch, Abby De Molina and John Kitchener

Recused: None

Documentation: File with associated plans, photos and required documentation

Discussion: The purpose of this article is to bring the entire property into the same zoning district and will allow further development that align with the property owner’s affordable housing initiatives. There were concerns regarding the 5000 square foot limitation on the commercial side of the property. There was suggestion of revisiting this restriction to potentially increase it to 10,000 square feet. Mrs. Snell clarified that making the restriction less stringent would be feasible however making it more restrictive would require approval from the moderator. The Board members expressed overall support for the article. Chair Iverson opened the floor to the public. There were no questions or comments from the public.

Motion/Vote: Mr. Trudel moved to close the public hearing. The motion was duly seconded by Mr. Lowell and the motion was carried unanimously with a vote of 5-0.

Roll call of Board members:

Vice-Chair Topham *Aye*
Barry Rector *Aye*
John Trudel *Aye*
Nat Lowell *Aye*
Chair Trudel *Aye*

Motion/Vote: Mr. Trudel moved to give a positive recommendation with the 50% voting threshold which complies with the Housing Choice reasons #1 and #7 and through staff recommended restrictions as listed on the staff report. The motion was duly seconded by Vice-Chair Topham and the motion was carried unanimously with a vote of 5-0.

Roll call of Board members:

John Trudel *Aye*
Vice-Chair Topham *Aye*
Barry Rector *Aye*
Nat Lowell *Aye*
Chair Trudel *Aye*

Mr. Trudel reminded to revisit Article 53 which was previously passed over.

• **Article 53 - “R” Zoning Map Amendment: LUG-2 to R:20 – 25 Rugged Road (Schreiber)**

Voting: (Chair) Iverson, (Vice-Chair) Topham, Nat Lowell, John Trudel and Barry Rector

Alternates: Stephen Welch, Abby De Molina and John Kitchener

Recused: None

Documentation: File with associated plans, photos and required documentation

Discussion: Mr. Saad mentioned that the proponent for this article had contacted him and is requesting to continue to February 8th meeting. The Board agreed to this request. Mrs. Snell stated that after this

continuation there would be four articles left for discussion and they are: Article 59 short-term rentals, Article 46 about zoning changes, Article 53 concerning a zoning map amendment and one Planning Board sponsored article which can't remember the article number right now.

Motion/Vote: Mr. Lowell moved to continue Article 53 to February 8th meeting. The motion was duly seconded by Mr. Rector and the motion was carried unanimously with a vote of 5-0.

Roll call of Board members:

Nat Lowell *Aye*
Barry Rector *Aye*
John Trudel *Aye*
Vice-Chair Topham *Aye*
Chair Trudel *Aye*

Mrs. Snell stated that the Planning Board sponsored article is addressing height in the CMI for an affordability component.

VI. Other Business:

- **Planning Board special meeting – Thursday, February 8, 2024, at 4PM via Zoom**
- **Planning Board regular meeting – Monday, February 12, 2024, at 4PM via Zoom**

XIII. Adjournment:

Mr. Lowell moved to adjourn the meeting at 5:41PM. The motion was duly seconded by Mr. Rector, and the motion was carried unanimously with a vote of 5-0.

Vote taken by Roll Call:

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

Submitted by Catherine Ancero

***Link to the Planning Board packet:**

https://www.nantucket-ma.gov/AgendaCenter/ViewFile/Agenda/_01252024-13428?html=true