



Nantucket Planning Board

APPROVED MINUTES OF 03-14-2024 @ 4:00pm

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

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

Alternates: Stephen Welch (ABSENT), Abby De Molina and John Kitchener

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

PLANNING BOARD APPROVED MINUTES

03-14-2024 @ 4:00pm

(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. **

I. Call to order:

Brooke Mohnr called the meeting to order at 4:02pm.

Chair Denise Kronau called the meeting to order at 4:03pm.

Roll Call of those participating:

Select Board Members:

Dawn Holdgate, Chair

Brook Mohr, Vice-Chair

Thomas Dixon

Matt Fee

Dr. Malcolm MacNab

Town Staff Present:

C. Elizabeth Gibson, Town Manager

Erika Mooney, Operations Administrator

Brian Turbitt, Finance Director

Susan Carmel, Assistant Finance Director

Mariya Basheva, Assistant Town Accountant

Leslie Snell, Planning Director
Meg Trudel, Senior Planner
Catherine Ancero, Administrative Specialist
William Saad, Land Use Specialist
Attorney John Giorgio, of Town Counsel's Office

Finance Committee Members:

Denice Kronau, Chair
Stephen Maury
Joanna Roche
Jill Vieth (arrived at 4:11pm)
Peter Schaeffer
Rob Giacchetti
Jeremy Bloomer (arrived 4:12pm)
Joseph Wright

Planning Board Members:

Dave Iverson, Chair
Nat Lowell
Barry Rector (arrived at 4:23pm)
Joseph Topham, Vice-Chair (ABSENT)
John Trudel (ABSENT)

Planning Board Alternate Members:

Abby De Molina
John Kitchener
Stephen Welch (ABSENT)

II. Joint meeting with Select Board and Finance Committee to review and approve motions and comments for the 2024 Annual Town Meeting:

Discussion: The Finance Committee addressed motions regarding Articles 10, 58 and 59
Chair Mohr proceeded to review the warrant addressing each article and inviting questions from the Select Board members. Article 10 was added to the agenda and discussed with a motion made and seconded. There were only minor requests for clarification. Mr. Fee appreciated the meeting and hoped for future sessions to be conducted in person.

Article 58:

Discussion: The Planning Board and Finance Committee discussed the revised motion for warrant Article 58. The original proposal was found to have legal issues based on recent court cases. The revised motion removes the application of the inclusionary housing bylaw to developments allowed by right and focuses only on those requiring Special Permits. The changes include applying the inclusionary housing requirements to flex developments and workforce homeownership housing developments for land division and to apartment buildings or workforce rental communities for multiple units. Exemption waivers were added for nonprofit organizations and the Planning Board can waive inclusionary housing requirements if the development provides community housing benefit aligned with the Town's Master Plan or Housing Production Plan. The Finance Committee raised questions about the impact on developments and the income thresholds for inclusionary housing. Attorney Giorgio informed the Board members that the recent decision regarding the Ward case which stated that short-term rentals are not permitted as of right in any residential districts in Nantucket. The Court ruled that short-term rentals can be allowed as accessory use, remanding the case

back to the Zoning Board of Appeals for further evaluation within 45 days. Attorney Giorgio stated that while the decision can be appealed, he couldn't provide further details until he had thoroughly assessed it. Ms. Kronau suggested postponing the Finance Committee's vote on a motion for Article 59.

Motion/Vote: Peter Schaffer moved to support the Planning Board revised Article 58 motion. The motion was duly seconded by Joseph Wright and the motion was carried 7-1 with Jill Vieth opposed.

Vote Taken by Roll Call from Finance Committee Members:

Peter Schaeffer, Aye
Joseph Wright, Aye
Joanna Roche, Aye
Stephen Maury, Aye
Jill Vieth, Nay
Denice Kronau (Chair), Aye
Jeremy Bloomer, Aye
Rob Giacchetti, Aye

Article 59:

Chair Iverson called the Planning Board meeting to order at 4:19 pm.

The Planning Board had discussed the article previously and there was a consensus between the proponent and the Finance Committee that the article should not move forward, at least for the time being. Mrs. Snell stated that this led to a change in the motion to "Take no action". Attorney Giorgio stated that they received the Land Court decision about an hour ago regarding the Ward case, indicating that short term rentals are not allowed as of right in any residential districts in Nantucket, however maybe allowed as an accessory use. The case was remanded back to the Zoning Board to hold another hearing within 45 days whether the use is sufficiently incidental to the primary use as to qualify as an accessory use. There was speculation about potential for appeals and the ongoing litigation process. Chair Kronau, Finance Committee stated that they will wait until May 2nd to further discuss the article allowing time for a more informed decision.

III. Adjournment:

Finance Committee Motion/Vote: Joseph Wright adjourned the Finance Committee meeting at 4:51pm. The motion was duly seconded by Peter Schaffer and the motion was carried unanimously.

Vote Taken by Roll Call:

Joseph Wright, Aye
Peter Schaeffer, Aye
Stephen Maury, Aye
Joanna Roche, Aye
Jill Vieth, Nay
Jeremy Bloomer, Aye
Rob Giacchetti, Aye
Denice Kronau (Chair), Aye

Planning Board Motion/Vote: Mr. Lowell moved to adjourn the meeting at 4:52PM. 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*

Chair Iverson *Aye*

Select Board Motion/Vote: Dr. MacNab moved to adjourn the meeting at 4:52pm. The motion was duly seconded by Mr. Fee and the motion was carried unanimously.

Select Board Members:

Matt Fee, *Aye*

Dr. Malcolm MacNab, *Aye*

Dawn Holdgate, Chair, *Aye*

Thomas Dixon, *Aye*

Brook Mohr, Vice-Chair, *Aye*

Submitted by Catherine Ancero

**PLANNING BOARD
MARCH 14, 2024 @ 4:00PM
REMOTE PARTICIPATION VIA ZOOM WEBINAR
NANTUCKET, MASSACHUSETTS**

List of documents used at the meeting:

- Draft 2024 Annual Town Meeting Warrant as of 03-12-2024
- Draft motions for Articles 10, 58 and 59