Town and County of Nantucket
Select Board • County Commissioners

Jason Bridges, Chair
Matt Fee
Kristie L. Ferrantella
Dawn E. Hill Holdgate
Melissa Murphy

16 Broad Street
Nantucket, Massachusetts 02554

Telephone (508) 228-7255
Facsimile (508) 228-7272
www.nantucket-ma.gov

C. Elizabeth Gibson
Town & County Manager

AGENDA FOR THE MEETING OF THE
SELECT BOARD
FEBRUARY 2, 2022 - 5:30 PM
REMOTE PARTICIPATION VIA ZOOM WEBINAR
NANTUCKET, MASSACHUSETTS

YOU TUBE LINK:
https://youtu.be/zeDfga9vo5I

ZOOM WEBINAR REGISTRATION LINK TO VIRTUALLY ATTEND MEETING:
https://us06web.zoom.us/webinar/register/WN_znOkjQ0xRwi-T-xPyLqXQQ

I. CALL TO ORDER

II. SELECT BOARD ACCEPTANCE OF AGENDA

III. ANNOUNCEMENTS

1. The Select Board Meeting is Being Audio/Video Recorded.

2. Select Board Announcements/Comments.

IV. FOLLOW-UP ON COMMENTS FROM PRIOR SELECT BOARD MEETINGS

*V. PUBLIC COMMENT**

VI. COVID-19 UPDATE

1. Public Health Department Update.

*VII. NEW BUSINESS**

VIII. APPROVAL OF MINUTES, WARRANTS AND PENDING CONTRACTS

1. Approval of Minutes of January 26, 2022 at 5:30 PM.

2. Approval of Treasury Warrants for February 2, 2022.

3. Approval of Pending Contracts for February 2, 2022 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference.

IX. CONSENT ITEMS

1. Gift Acceptance: Our Island Home; Fire Department.

X. PUBLIC HEARINGS

1. Public Hearing to Consider Application for Change of Category from Annual Wine and Malt Beverages with Cordials Restaurant License to Annual All-Alcoholic Beverages Restaurant License for Keeping the Beet, LLC dba The Beet, Felino Samson, Manager, for Premises Located at 9 South Water Street; Request for Determination that the Premises Licensed to Sell Alcoholic Beverages is Not Detrimental to the Spiritual Activities of a Church Pursuant to Section 16C of MGL Chapter 138.

XI. TOWN MANAGER'S REPORT

1. Fire Chief: Review of Proposed Ambulance Fee Schedule Increases.

2. Licensing Administrator: Review of Nantucket Cottage Hospital's Proposed 2022 Boston Pops for Nantucket Event Scheduled for August 13, 2022 at Jetties Beach.

3. Review of Proposed Madaket and Warren's Landing Sewer Extension Conceptual Design Updated Cost Estimate.

XII. SELECT BOARD'S REPORTS/COMMENT

1. Committee Reports.

XIII. PUBLIC HEARINGS II

1. Public Hearing to Consider Appeal of Jeff Gardner, et al of Historic District Commission Approval of Certificate of Appropriateness No. HDC2021-05-3625 for a Structure Located at 8 Bank St, Map 73.1.3, Parcel 69.

XIV. ADJOURNMENT

Identified on Agenda Protocol Sheet

SELECT BOARD AGENDA PROTOCOL:

Roberts Rules: The Select Board follows Roberts Rules of Order to govern its meetings as per the Town Code Charter.

Public Comment: Public Comment is to bring matters of public interest to the attention of the Board. The Board welcomes concise statements on matters that are within the purview of the Select Board. At the Board's discretion, matters raised under Public Comment may be directed to Town Administration or may be placed on a future agenda, allowing all viewpoints to be represented before the Board takes action, if any. Except in emergencies, the Board will not normally take any other action on Public Comment in its sole discretion.

To facilitate that any individual who wishes to provide Public Comment has the opportunity and to ensure the ability of the Board to conduct its business in an orderly fashion, the following rules and procedures are adopted consistent with state and federal free speech laws:

- The agenda for regular Select Board meetings will include a Public Comment period at the beginning of the meeting unless there is more urgent business for the Board to take up first. This time is reserved for speakers to address the Board on matters that are not related to any other Agenda item. If a speaker wishes to address the Board on a matter that is related to another Agenda item, the Chair will accept public comment when that Agenda item is reached during the meeting.

- All speakers are encouraged to present their remarks in a respectful manner.

- All remarks will be addressed through the Chair of the meeting.

- The Chair of the meeting may not interrupt speakers who have been recognized to speak, except that the Chair reserves the right to terminate speech which is not constitutionally protected because it constitutes true threats, incitement to imminent lawless conduct, comments that were found by a court of law to be defamatory, and/or sexually explicit comments made to appeal to prurient interests. Verbal comments may also be curtailed if they exceed three (3) minutes and to the extent they exceed the scope of the Board's authority.

Disclaimer: Public Comment is not a time for debate or response to comments by the Board. Comments made during the Public Comment period do not reflect the views or positions of the Board. Because of constitutional free speech principles, the Board does not have authority to prevent all speech that may be upsetting and/or offensive made during the Public Comment period.

New Business: For topics not reasonably anticipated by the Chair 48 hours in advance of the meeting may be brought up for discussion in accordance with the Open Meeting Law.

Public Participation: The Board welcomes valuable input from the public at appropriate times during the meeting with recognition from the Chair at his/her sole discretion. For appropriate agenda items, the Chair will introduce the item and take public input. Individual Board Members may have questions on the clarity of the information presented. The Board will hear any staff input and then deliberate on a course of action.

Select Board Report and Comment: Individual Board Members may have matters to bring to the attention of the Board during a meeting. If the matter contemplates action by the Board, Board Members will consult with the Chair and/or Town Manager in advance and provide any needed information by the Thursday before the meeting and/or schedule the matter for a future Board meeting. Otherwise, except in emergencies, the Board will not normally take action on Select Board Comment.

Approved on February 17, 2021

EXHIBIT 1
AGREEMENTS TO BE EXECUTED BY TOWN MANAGER
UNLESS RESOLUTION OF DISAPPROVAL BY SELECT BOARD
February 2, 2022
****AMENDED January 31, 2022****

Type of Agreement/Description	Department	With	Amount	Other Information	Source of Funding	Term
Grant Agreement	Council on Aging/Saltmarsh	Mass. Association of Council on Aging & Senior Center Directors, Inc.	($7,720)	Grant award to offer scholarships for senior Nantucket caregivers for respite services	State Grant	January 17, 2022 – June 30, 2022
Professional Service Agreement	Town Admin	The Vertex Companies, Inc.	$8,000	Updated structural condition assessment for Sconset footbridge	Article 10/2021 ATM	February 2, 2022 – January 30, 2023
Professional Service Agreement	Our Island Home	Eisenstein Flaherty & Associates, LLC.	$16,000	Financial training for OIH staff including claims billing, MMQ processes, cost report preparation, COVID-19 funding tracking, etc.	Our Island Home Budget	February 2, 2022 – December 31, 2022
Amendment to Professional Service Agreement	Natural Resources	Arcadis U.S., Inc.	n/a	Extend end date of existing contract for coastal resilience planning to allow for finalization of project	n/a	February 2, 2022 – June 30, 2022
Grant Agreement	**Town Admin**	**Mass Cultural Council**	**($5,000)**	**Annual MCC grant for local cultural council use (Nantucket Cultural Council)**	**State Grant**	**July 1, 2021 – June 30, 2022**

CONSENT AGENDA ITEMS FOR 2/2/2022 SELECT BOARD MEETING

1. Gift Acceptances

Recommend the acceptance of the following gifts to Town agencies:

- Our Island Home:
  - Gift of $1,794 from The Friends of Our Island Home for the purchase of bedside tables for residents
- Fire Department:
  - Gift of $1,000 from The Sternlicht Foundation for training initiatives

Recommended Motion: To accept all gifts for their designated purposes, with thanks to the donors.

Town Administration will ensure that letters of thanks are sent.

OUR ISLAND HOME
9 East Creek Road
Nantucket, Massachusetts 02554
(508) 228-0462
FAX (508) 228-6875

January 4, 2022

Nantucket Select Board
Nantucket, MA. 02554

Dear Chairman Bridges,

I am writing to request that the Board accept the following gift for Our Island Home:

- A check in the amount of $1,794.00 from The Friends of Our Island Home for the purchase of Bedside Tables for residents

All donations will go to the Our Island Home Gift Account and the funds will be used to assist in means to enrich the daily lives of our residents.

Thank you in advance for your acceptance.

Sincerely,

Michelle L Munroe
Assistant Administrator
Our Island Home

Nantucket Fire
Department
4 Fairgrounds Road
Nantucket, MA 02554
Tel: (508) 228-2324
Fax: (508) 325-7500

January 11, 2022

SELECT BOARD
16 BROAD ST
NANTUCKET, MA 02554

Re: STERNLICHT FOUNDATION
Fire Department Training &
Equipment

Dear Chair Bridges:

The Sternlicht Foundation has made a generous donation of $1,000.00 to fund the training initiatives lead by the Fire Department. We are requesting that the select board authorize the transfer of this donation to the training account.

Please let us know if you have any questions or need anything further.

Thank you,

Stephen Murphy, Chief

SM/
Enclosure

Agenda Item Summary

Agenda Item #	X. 1.
Date	2/2/2022

Staff

Amy Baxter, Licensing Administrator

Subject

Liquor License Application – Change of Category – The BEET, 9 South Water Street

Executive Summary

Change of Category Application for Annual Wine and Malt Beverages with Cordials Restaurant License # 04909-RS-0762 at 9 South Water Street.

CHANGE OF CATEGORY:

The Beet is requesting a change from License to sell Wine and Malt Beverages and Cordials to a License to sell All Alcohol.

Staff Recommendation

There are no objections to the amendments. All required paperwork and financial documentation have been submitted and abutters notified. The Applicant's License is in good standing with no prior violations.

As the location of The Beet is within 500ft of a St. Mary's Catholic Church determine and vote that this new license is not detrimental to the spiritual activities of St. Mary's Roman Catholic Church as stated on the attached determination letter. This is a requirement of MGL 138 and must be voted on in addition to the application.

Background/Discussion

The Beet was originally granted a license to sell Wine and Malt Beverages in 2019. They were granted the addition of cordials in 2021. The Beet is located in the downtown Core district and surrounded by establishments with All Alcohol Licenses. The business is a food and beverage service establishment only with no Live Entertainment License.

Impact: Environmental ☐ Fiscal ☐ Community☐ Other☐

N/A

Board/Commission Recommendation

N/A







Public Outreach

Inquirer and Mirror Public Notice; Abutter Notification

Connection to Existing Applicable Plan (i.e., Strategic Plan, Master Plan, etc.)

N/A

Attachments

Select Board Public Hearing Process; ABCC Change of Category Application; The Beet Liquor License; Determination Letter

Select Board Liquor License Public Hearing Process

……..

Liquor License Public Hearing Process

1. The chairman opens the public hearing and may outline the procedure to be followed.

2. The applicant reviews their pending application.

3. Public comment is taken.
   - If applicable, read into record any written objections received from school, church or hospital located within 500 feet.

4. The chairman invites questions from the Board and closes the public hearing.

5. The Board makes a decision to approve or deny.

6. Pursuant to MGL c. 138, §23 and Ballarin v. Licensing Board of Boston, denials must be based on reasonable grounds; ABCC and courts prefer findings based on:
   -- the appropriateness of a liquor license at a particular location
   -- the number of existing dispensaries in Town
   -- the views of the inhabitants of the locality in which a license is sought
   -- traffic, noise, size (typically applies to a new location)
   -- the sort of operation that carries the license
   -- the reputation of the applicant

7. A written decision is required to be sent to the applicant. No need for reasons if the application if simply approved, but if there is a denial or conditions are imposed, the reasoning for this is required to be in the decision. Therefore, the Board should vote on basis for denial or conditions as well [concerns with traffic, another licensee located adjacent to property, limiting hours, etc.].

The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission

☐ For Reconsideration

LOCAL LICENSING AUTHORITY REVIEW RECORD

04909-RS-0762	Nantucket	12/21/2021
ABCC License Number	City/Town	Date Filed with LLA

TRANSACTION TYPE (Please check all relevant transactions):

☐ New License	☐ Change Corporate Name	☐ Pledge of Collateral (i.e. License/Stock)	☐ Change Corporate Structure (i.e. Corp / LLC)
☐ Transfer of License	☐ Change of DBA	☐ Change of Class (i.e. Annual / Seasonal)	☐ Change of Hours
☐ Change of Manager	☐ Alteration of Licensed Premises	☐ Change of License Type (i.e. club / restaurant)	☐ Issuance/Transfer of Stock/New Stockholder
☐ Change of Beneficial Interest	☐ Change of Location	☒ Change of Category (i.e. All Alcohol/Wine, Malt)	☐ Management/Operating Agreement

APPLICANT INFORMATION

Name of Licensee: Keeping the Beet, LLC D/B/A: The Beet

ADDRESS: 9 South Water Street CITY/TOWN: Nantucket STATE: MA ZIP CODE: 02554

Manager: Felino Samson

Granted under Special Legislation? Yes ☐ No ☒

If Yes, Chapter: ____

of the Acts of (year): ____

§12 Restaurant	Annual	All Alcoholic Beverages
Type (i.e. restaurant, package store)	Class (Annual or Seasonal)	Category (i.e. Wines and Malts / All Alcohol)

LOCAL LICENSING AUTHORITY DECISION

Please indicate the decision of the Local Licensing Authority: Approves this Application

Please indicate what days and hours the licensee will sell alcohol: Monday-Saturday 8 AM-1AM. Sunday 11 AM-1 AM

If **Approving With Modifications**, please indicate below what changes the LLA is making:

Please indicate if the LLA is downgrading the License Category (approving only Wines and Malts if applicant applied for All Alcohol): No

Changes to the Premises Description

Indoor Area Total Square Footage: ____

Patio/Deck/Outdoor Area Total Square Footage: ____

Number of Entrances: ____

Seating Capacity: ____

Number of Exits: ____

Floor Number	Square Footage	Number of Rooms

Abutters Notified: Yes ☒ No ☐ Date of Abutter Notification: 12/30/21 Date of Advertisement: 1/20/22 & 1/27/22

Please add any additional remarks or conditions here:

☐ Check here if you are attaching additional documentation

The Local Licensing Authorities By:

Alcoholic Beverages Control Commission
Ralph Sacramone
Executive Director

02/02/2022
Date APPROVED by LLA

Tuesday, December 21, 2021

Keeping the Beet LLC
dba The Beet
9 South Water Street
Nantucket, MA 02554

Nantucket Select Board
Attn: Chair, Dawn Holdgate

Dear Mrs. Holdgate,

We would like to request a Change of Category from Wine, Malt and Cordials to All Alcohol. We believe adding all alcohol to our portfolio will complement our existing offering of wine, beer, and cordials. As evident in the guest requests when we added cordial cocktails last year, guests want to be able to call what kind of cocktail they prefer, not necessarily choose from a limited list. We feel being able to offer a small variety of well know spirits would complete our ability to fully service our clientele.

The Beet is constantly evolving to compete with more established restaurants on the Nantucket dining scene. We are excited for the opportunity to enhance The Beet's offering to Nantucket's year-round and seasonal community. Our continued growth will affirm our place as an integral part of the diversity of local businesses at The Beet.

Best regards,

Amy Young and Felino Samson
Keeping the Beet LLC

Commonwealth of Massachusetts
Department of Revenue
Geoffrey E. Snyder, Commissioner

mass.gov/dor

Letter ID: L0136270528
Notice Date: December 20, 2021
Case ID: 0-001-371-496

CERTIFICATE OF GOOD STANDING AND/OR TAX COMPLIANCE

KEEPING THE BEET LLC
28 SESAPANA RD
NANTUCKET MA 02554-2850

Why did I receive this notice?

The Commissioner of Revenue certifies that, as of the date of this certificate, KEEPING THE BEET LLC is in compliance with its tax obligations under Chapter 62C of the Massachusetts General Laws.

This certificate doesn't certify that the taxpayer is compliant in taxes such as unemployment insurance administered by agencies other than the Department of Revenue, or taxes under any other provisions of law.

This is not a waiver of lien issued under Chapter 62C, section 52 of the Massachusetts General Laws.

What if I have questions?

If you have questions, call us at (617) 887-6400 or toll-free in Massachusetts at (800) 392-6089, Monday through Friday, 9:00 a.m. to 4:00 p.m..

Visit us online!

Visit mass.gov/dor to learn more about Massachusetts tax laws and DOR policies and procedures, including your Taxpayer Bill of Rights, and MassTaxConnect for easy access to your account:

- Review or update your account
- Contact us using e-message
- Sign up for e-billing to save paper
- Make payments or set up autopay

Edward W. Coyle, Jr., Chief
Collections Bureau

Charles D. Baker GOVERNOR

Karyn E. Polito LT. GOVERNOR

Keeping The Beet
9 S Water St
Nantucket, MA 02554-3554

Certificate Id:54263

381082222

Rosalin Acosta SECRETARY

Richard A. Jeffers DIRECTOR

THE COMMONWEALTH OF MASSACHUSETTS EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT DEPARTMENT OF UNEMPLOYMENT ASSISTANCE

The Department of Unemployment Assistance certifies that as of 12/20/2021, Keeping The Beet is current in all its obligations relating to contributions, payments in lieu of contributions, and the employer medical assistance contribution established in G.L.c.149,§189.

This certificate expires in 30 days from the date of issuance.

Richard A. Jeffers, Director
Department of Unemployment Assistance

The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3, Chelsea, MA 02150-2358
www.mass.gov/abcc

APPLICATION FOR AMENDMENT-Change of License Classification

☒ **Change of Category**
(e.g. All Alcohol, Wines and Malt)

- Payment Receipt
- Monetary Transmittal Form
- DOR Certificate of Good Standing
- DUA Certificate of Compliance
- Change of Category Application
- Vote of the Entity
- Abutter's Notification*
- Advertisement*

☐ **Change of Class**
(e.g. Seasonal /Annual)

- Payment Receipt
- Monetary Transmittal Form
- DOR Certificate of Good Standing
- DUA Certificate of Compliance
- Change of Classification Application
- Vote of the Entity
- Abutter's Notification*
- Advertisement*

☐ **Change of License Type**
(§12 ONLY, e.g. general on premises, tavern, inn, restaurant)

- Payment Receipt
- Monetary Transmittal Form
- Change of License Type Application
- Vote of the Entity
- Advertisement*
- Payment Receipt

**If abutter notification and advertisement are required for transaction, please see the local licensing authority.*

1. BUSINESS ENTITY INFORMATION

Entity Name	Municipality	ABCC License Number
Keeping The Beet LLC	Nantucket	04909-RS-0762

Please provide a narrative overview of the transaction(s) being applied for. Attach additional pages, if necessary.

We feel that our clientele will be better served if we change our category from Wine, Malt & Cordial to All Alcohol.

APPLICATION CONTACT
The application contact is the person who should be contacted with any questions regarding this application.

Name	Title	Email	Phone
Amy Young	Owner	hello@thebeetnantucket.com	5616015455

2. LICENSE CLASSIFICATION INFORMATION

2a. Change of License Category All Alcohol, Wine and Malt, Wine Malt and Cordials	Last-Approved License Category	Wines & Malt Beverages with Cordials/Liqu
	Requested New License Category	All Alcoholic Beverages
2b. Change of License Class Seasonal or Annual	Last-Approved License Class	
	Requested New License Class	
2c. Change of License Type* E.g. Restaurant to Club *Certain License Types CANNOT change once issued*	Last-Approved License Type	
	Requested New License Type	

APPLICANT'S STATEMENT

I, Amy Young the: ☐ sole proprietor; ☒ partner; ☐ corporate principal; ☒ LLC/LLP manager
Authorized Signatory

of Keeping The Beet LLC
Name of the Entity/Corporation

hereby submit this application (hereinafter the "Application"), to the local licensing authority (the "LLA") and the Alcoholic Beverages Control Commission (the "ABCC" and together with the LLA collectively the "Licensing Authorities") for approval.

I do hereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the Application, and as such affirm that all statements and representations therein are true to the best of my knowledge and belief. I further submit the following to be true and accurate:

(1) I understand that each representation in this Application is material to the Licensing Authorities' decision on the Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying documents in reaching its decision;

(2) I state that the location and description of the proposed licensed premises are in compliance with state and local laws and regulations;

(3) I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in disapproval of the Application;

(4) I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the ownership as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing Authorities may result in sanctions including revocation of any license for which this Application is submitted;

(5) I understand that the licensee will be bound by the statements and representations made in the Application, including, but not limited to the identity of persons with an ownership or financial interest in the license;

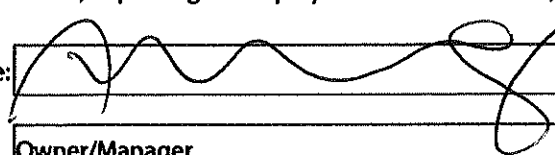
(6) I understand that all statements and representations made become conditions of the license;

(7) I understand that any physical alterations to or changes to the size of the area used for the sale, delivery, storage, or consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the Licensing Authorities;

(8) I understand that the licensee's failure to operate the licensed premises in accordance with the statements and representations made in the Application may result in sanctions, including the revocation of any license for which the Application was submitted; and

(9) I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions including revocation of any license for which this Application is submitted.

(10) I confirm that the applicant corporation and each individual listed in the ownership section of the application is in good standing with the Massachusetts Department of Revenue and has complied with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting of child support.

Signature:  Date: 12/21/2021

Title: Owner/Manager

ENTITY VOTE

The Board of Directors or LLC Managers of Keeping The Beet LLC
Entity Name

duly voted to apply to the Licensing Authority of Nantucket and the
City/Town

Commonwealth of Massachusetts Alcoholic Beverages Control Commission on 12/10/2021
Date of Meeting

For the following transactions (Check all that apply):

- ☐ Change of Class (i.e. Annual / Seasonal)
- ☐ Change of License Type (i.e. club / restaurant)
- ☒ Change of Category (i.e. All Alcohol/Wine, Malt)
- ☐ Other

"VOTED: To authorize Amy Young
Name of Person

to sign the application submitted and to execute on the Entity's behalf, any necessary papers and do all things required to have the application granted."

A true copy attest,

Corporate Officer /LLC Manager Signature

Amy Young
(Print Name)

For Corporations ONLY
A true copy attest,

Corporation Clerk's Signature

(Print Name)

LICENSE #: 04909-RS-0762 **LICENSE FEE: $2,000.00**

THE LICENSING BOARD *for the* TOWN OF NANTUCKET, MASSACHUSETTS

HEREBY GRANTS AN

ANNUAL RETAIL RESTAURANT LICENSE

TO EXPOSE, KEEP FOR SALE, AND TO SELL

WINE AND MALT BEVERAGES WITH CORDIALS

TO BE CONSUMED ON THE PREMISES

BUSINESS: **Keeping the Beet, LLC**
DBA: **The Beet**
PREMISES: **9 South Water Street**
Nantucket, MA 02554
MANAGER: **Felino Samson**

ON PREMISES DESCRIBED AS:
First floor is for table service and take out service. Second floor is for storage.

The hours during which alcoholic beverages may be sold: In accordance with MGL Chapter 138 and amendments thereto with the local provision that patrons shall not be served alcoholic beverages before 8:00AM Monday through Saturday and 11:00AM on Sunday. **No alcohol service is permitted after 1:00AM** and patrons must be off the license premises and said **premises must be closed by 1:30AM**. Any restrictions apply as are on file with the local licensing authority. In accordance with Article 40 ATM 2001, Chapter 86.1 Board of Health Regulations Prohibit Smoking in Certain Places within the Town of Nantucket.

This license is granted and accepted upon the express condition that the licensee shall, in all respects, conform to all the provisions of the Liquor Control Act, Chapter 138 of the General Laws, as amended and any rules or regulations made thereunder by the licensing authorities.

IN TESTIMONY WHEREOF, the undersigned have hereunto affixed his official signature on this 1st day of December 2021.

Jason Bridges
Chair, Select Board

THIS LICENSE WILL EXPIRE DECEMBER 31, 2022

**Unless earlier suspended, cancelled, or revoked*

This License Shall Be Displayed On the Premises in a Conspicuous Place Where it May Be Easily Seen.

TOWN AND COUNTY OF NANTUCKET

16 Broad Street
Nantucket, Massachusetts 02554

Telephone (508) 228-7255
Facsimile (508) 228-7272
www.nantucket-ma.gov

At the Select Board meeting held Wednesday, February 2, 2022 the Board approved the application for a Change of Category from Annual Wine and Malt Beverages with Cordials Restaurant License to Annual All-Alcoholic Beverages Restaurant License for Keeping the Beet, LLC, dba The Beet, Felino Samson, Manger, for the premises located at 9 South Water Street, Nantucket, MA 02554. The Board determined that this new liquor license is not detrimental to the spiritual activities of St. Mary's Roman Catholic Church, 3 Federal Street, Nantucket, MA 02554. St. Mary's Roman Catholic Church is located within 500 feet of the licensed premises of The Beet.

Jason Bridges, Chair

Dawn Hill Holdgate, Vice Chair

Matt Fee

Kristie Ferrantella

Melissa Murphy

Nantucket Fire Department

4 Fairgrounds Road
Nantucket, MA 02554
508-228-2324

Chief
Stephen A Murphy

Deputy Chief
Sean Mitchell

To: Libby Gibson, Town Manager

From Stephen A Murphy, Fire Chief

Re: Ambulance Fee Rate Adjustment

Date: December 22, 2021

In the New Year, I am requesting that the Select Board consider changes to the Ambulance rates charged by the Fire Department. Last Rate increase was approved in April of 2019. At the time, I had hoped to revisit the rates with the Board every two years, but did not feel it appropriate to bring a rate increase forward last spring. We also now have the addition of ALS to the services provided and have been billing for that service since July of 2021.

It is my opinion that rates be adjusted to the proposed rates shown below. This would be a change to match neighboring communities of Tisbury, Tri-Town ambulance (West Tisbury), Sandwich and New Bedford. The changes would also remove extra billing for Oxygen and defibrillation, as they are covered in the base rates for each level of service.

These rates would place us on the same level as other communities and reflect the increased costs that have been associated with ambulance service over the past three years.

Respectfully,

Stephen A Murphy, Fire Chief

	Current	Proposed
BLS Emergency	$1,325.50	$1,553
BLS Non-Emergency	$1,325.50	$1,553
ALS 1	$2,145.00	$2,420
ALS1 non-Emergency	$2,145.00	$2,420
ALS2 Emergency rate	$3,311.00	$3571
Mileage	$35.97	$37.31
Ferry Service	$3,256.00	$3,581
Paramedic intercept with USCG	$5,509.92	$5,509.92

Agenda Item Summary

Agenda Item #	XI. 2.
Date	02/02/2022

Staff

Amy Baxter, Licensing Administrator

Marina Dzvonik, Events Coordinator

Subject

Update on the planning for 2022 Boston Pops Concert to be held on Saturday, August 13, 2022 on Jetties Beach.

Executive Summary

The Boston Pops on Nantucket concert has been Nantucket Cottage Hospital's signature fundraiser since 1997 and is held annually on Jetties Beach. The fundraiser directly supports NCH's nonprofit healthcare operations on the island and is a critical source of the hospital's financial support. Due to significant changes in the plan of Boston Pops for 2022, an update is provided to the Select Board to include all the public safety and security changes so the Hospital can feel secure in moving forward with the planning.

In accordance with Chapter 105, §8 of the Nantucket Town Code, all events with over 250 participants must be approved by the Select Board as a Public Assembly in addition to being approved by the Town Manager or his/her designee(s).

Staff Recommendation

This report is presented as a planning update ahead of a final review for a Public Assembly permit. Staff recommends the following goals for this meeting:

1. (Licensing) Review briefly the history of the event and the background for the changes and update to the plan.
2. (Police/Fire) Public Safety to review background for the requested changes and requirements for the event in accordance with Town bylaw and Law Enforcement and Fire Codes.
3. (Hospital) Hospital to present the outline of the plan in response to Town concerns and direction.
4. (Licensing) Identify net steps for Town and Hospital Staff.
5. (Select Board) Identify any recommendations, concerns, action items.
6. (Select Board) Agree to conditions as presented to allow Hospital to move forward with securing resources for event.
7. (Select Board/Licensing) Determine further review and/or Public Hearing to issue final permits.

Background/Discussion

Over the past few years, many of the island's large-scale events have grown larger than the resources needed to manage them and often pose unnecessary risks and become unmanageable from a public safety perspective. On August 10, 2021 the Select Board held a workshop discussing large-scale events

and their impact on public safety and the community. In response to these discussions, Town and Public Safety staff are working with event managers and organizations to develop a way forward that allow for these activities to continue in a safe manner without adverse impact upon the public health, safety and order and without placing a burden on Town resources.

Below is an outline of the discussions with Public Safety and Nantucket Cottage Hospital and represent the foundation for the plan moving forward and serve as talking points for our presentation to the Select Board:

Event Maps

1. As various areas of the event discussed, a more defined map (to scale) will be needed to identify locations of resources, Law Enforcement Officers (LEO), PS, vehicles, pedestrian ways, etc.
2. Defined specific map of the event, showing placement of resources, and vehicle flow including turning areas to avoid backing.
3. Timeline needs to be added for time allowing for guest to cue, gate open and resources on scene.
4. A better defined map of where things are for each area of the event as they fit nicely on a PDF as a picture but when everything is set up as they have the room for that picture disappears.

Medical

5. Medical Plan with improved emergency medical capability. Further discussion about ambulance transport from scene is needed.
6. A more specific site plan for medical tent location.
7. Staging areas should be defined for Emergency personnel on site both contracted and local, as well as the event production equipment.

Barriers/Fencing/Parking

8. The detailed Barrier Plan to be provided. Need better definition on a map.
9. Security fencing to protect the Dunes.
10. VIP Parking Management.
11. Golf cart (not utility carts with people in the back) use needs to be addressed more. People need to be seated and designated lanes identified for any vehicle traffic among pedestrians.

General Admission Tickets/BEACH Seating Area

12. Crowd cueing plan needed to avoid 8+ hours of lines down Hulbert.
13. Security Staffing of lines recommended to reduce bunch up at entrance. Identify banned items or issues before guests get to head of line.
14. Entrance to seating area must be staffed throughout the event. Addressed below for security numbers.







15. Lighting Plan needed to identify: increased lighting at waterside; Remote operation of lighting in event of emergency (or manual operation that is staffed throughout)
16. lighting/staffing plan for general admission rows in event of emergency exit.
17. Hospital to supply Ingress and Egress lighting.

Fireworks

18. Firework permit required from NFD.
19. Full plan Review and sign-off required by NFD; Harbormaster; Coast Guard; NPD; FAA

Law Enforcement and Private Security:

20. 5500 Guests for an event with alcohol require 27 LEOs per bylaw (1 LEO per 200 guests)
21. 34 LEOs required for traffic.
22. MSP to help supplement traffic. NPD to staff more complicated intersections.
23. LEO stationed at Tent. PS to supplement with bag checks, etc.
24. LEO in venue. PS to supplement.
25. NPD to develop traffic plan around venue plan..

Licensing:

26. Licensing to work on risk assessment and insurance/bond requirement.
27. Licensing to work with ADA on accessibility requirements.
28. NPD/Licensing to work with hospital on restricted items list.
29. Licensing to work with hospital on alcohol plan. No outside alcohol allowed in venue.

Next Steps:

30. Summary of discussion
31. Deliverables – Town and Hospital
32. Schedule – Timeline for deliverables and target for final Select Board review

Impact: Environmental ☐	**Fiscal ☐**	**Community☒**	**Other☐**

N/A

Board/Commission Recommendation

N

Public Outreach

Large Scale Events Workshop with Select Board on 08/10/2021

Connection to Existing Applicable Plan (i.e., Strategic Plan, Master Plan, etc.)

N/A

Attachments

Boston Pops on Nantucket 2022 Aerial Site Plan Map, COD accessibility requirements







BOSTON POPS ON NANTUCKET • 25TH ANNIVERSARY • JETTIES BEACH • 2022 •

Highlights of Changes/Updates for 2022:

- A reduction in total ticketed attendance to 5,500.
- No outside alcohol allowed.
  - Receptions & reserved seating area include beverage service by TIPS-certified staff.
- Fireworks relocated from beach allowing for additional exit path.
- Mass State Police to be contracted by NCH to supplement NPD for traffic control and additional event security.
- Event staff presence in mobile command post to unify communications between public safety, event security, ems, and event production.
- Increased private security presence which will remain on-site for the duration of the event.
- Third-party emergency medical service to provide on-site first aid and additional ambulance capability.
- Bag checks at entrance for prohibited items.
- Additional lighting added on Bathing Beach Road and emergency exits.
- Additional delineated pathways in general admission.
- Enhanced safety and security barriers.
- Pre-event table-top safety and security exercise.
- Post-event reception ended by 10:30 p.m.



Accessibility at Outdoor Public Events

1. ***How does a person with a disability get to the Jetties or other large outdoor events?***
    a. If the event offers valet parking, then they must offer valet parking to anyone who has a disabled parking permit.
    b. If the event offers parking to the general public, there must be accessible parking spaces located closest to the accessible platform or the designated area for their patrons with disabilities.
    c. ***A driver*** can drop-off the person with the disability, who has a general admission ticket, at the same location as other people with a disability are allowed to be dropped off, and shuttled from that location to the event. Then ***the driver*** can park their vehicle anywhere the general public parks their vehicles.
    d. Shuttle bus service to and from the Jetties. Reservations strongly recommended but not necessary.
    e. How do you identify a person with a disability so that they can access the shuttle bus and the accessible platform and also be able to utilize the disabled drop-off service?
        i. Many elderly people have a disability. Simply walking short distances can be very difficult for many elderly people. They will be easy to identify as someone who can access these services. Someone with an ambulatory disability is easy to identify.
        ii. If the event is providing shuttle service to the general public and they are only using accessible shuttle busses, then anyone with a disability can travel on that bus, but must be dropped off close to the accessible platform or the designated area for their patrons who have a disability.
    f. 2 Companions should be allowed to travel with the person, who has a disability, on the shuttle busses.
    g. Advertise that you must bring your own chairs if you plan to sit on the accessible platform. There are no chairs or seats provided by the event organizers.
    h. The Shuttle buses should constantly operate to and from shuttle site to Jetties before the event. Reservations strongly encouraged but not necessary to travel on the shuttle bus.
    i. Must have safe access from departing a vehicle, golf cart or bus to the accessible viewing platform.
    j. Have shuttle busses or shuttle service available during the event if a person with a disability would like to leave before the event is over. The general public can leave anytime during the event, so the person with a disability should have the same opportunity.
    k. After the event, provide a safe environment for everyone leaving the accessible platform area to the shuttle bus, valet services and accessible parking spaces.

2. ***Provide an accessible platform along an accessible route. Family members are allowed on the accessible platform with the person who has a disability.***
    a. The accessible route from parking or drop-off must be safe for everyone accessing the accessible platform.
    b. Have several volunteers on the accessible platform assisting everyone with seating, answering questions and help wherever it is needed.
3. *Accessible Porta Potties on an accessible route from platform to Porta Potties.*
4. *Provide assistive listening devices, qualified sign language interpreters….*
5. *Have a service animal policy in place. Please state in writing that there will be fireworks or very loud noises at the event. The service dogs' owners probably do not want their dog to experience any loud noises.*
6. *Educate staff, volunteers and shuttle drivers about all the accessible features and how to sensitively handle anyone who is elderly or has a disability or has a service animal.*
7. *Provide signage, and have it very visible, directing the elderly and people with a disability to all the accessible areas including parking spaces, valet, shuttle busses, port-a-potties and accessible platform…*
8. *Actively publicize all the services and accommodations that you are providing for your event.… On all publicity including radio, television, website and informational material.*
9. *For the POPS:*
    a. *Gala tent is located on a paved parking lot so it is an accessible surface.*
    b. *5% of the tables, but not less than one, must be accessible tables. There can be no fixed seats at an accessible table.*
    c. *5% of all dinner tables shall be on an accessible surface with an accessible route to these dinner tables.*
    d. *If you have 500 Patrons sitting in the "white chairs", then you are required to have 6 wheelchair accessible spaces, 5 feet long-3 feet wide, dispersed throughout that section. They must have an accessible surface and provide an accessible route to the accessible spaces.*
    e. *If you are providing portable restrooms in the tented area, then you must provide an accessible restroom.*
    f. *Assign a Compliance Officer to oversee and implement all the accessible requirements of the POPS. The Chairman for the Commission on Disability and the Facilitator are happy to work with the Compliance Officer.*

10. *Other outdoor public events must comply with **9) a,b,c,d,e and f,** if any of those sections are pertinent to their event.*
11. *Do any of the performers need an accommodation? Ask the question.*

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REPORT

December 2021

TOWN OF
Nantucket
MASSACHUSETTS

Madaket and Warren's Landing Sewer Extension
Verification of Conceptual Sewer Design and Development of Budgeted Project Cost



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1.0 INTRODUCTION

In April 2020, Weston & Sampson, on behalf of the Town of Nantucket, MA, completed the Sewer Master Plan for the Town Sewer District wastewater collection system, which is the collection system tributary to the Surfside Wastewater Treatment Facility (WWTF).

The purpose of the Sewer Master Plan was to help the Town determine where and how to connect and route future wastewater flows into the existing wastewater collection system. The sewer master planning effort built upon the work completed in the 2014 CWMP, which updated the original 2004 CWMP. In addition to the recently completed Shimmo & Plus Area Sewer Extension Project, the 2014 CWMP recommended the following Needs Areas be connected to the municipal sewer system:

- Hummock North
- Hummock South
- Madaket & Warren's Landing
- Miacomet
- Shawkemo
- Somerset

Subsequent to completion of the Sewer Master Plan, Weston & Sampson was contracted to perform additional engineering analysis for the proposed Madaket & Warren's Landing Sewer Extension area (hereinafter the Project Area). The attached Figure 1 defines the boundaries of the Project Area and depicts the conceptual sewer system layout as illustrated in the Sewer Master Plan. The basic scope for the current project includes verification/refinement of the conceptual sewer design and development of an updated budgeted project cost based on the refined system layout and recent cost data on similar projects.

2.0 CONCEPUTAL DESIGN REFINEMENT

The initial task involved review and refinement of the conceptual engineering design of the sewage collection network for the Project Area. The specific approach was to develop a refined system layout using the preliminary conceptual layout from the Sewer Master Plan as a starting point, working toward development of a detailed collection network sufficient to form the basis of a preliminary unit priced budgeted cost.

In refining the conceptual design, we separated our analysis into two basic categories: 1) collection system (low-pressure sewers and appurtenances); and 2) conveyance to the existing system (pump station, force main and appurtenances).

2.1 Collection System

As previously discussed, the general layout provided in the Sewer Master Plan builds upon the 2004 and 2014 CWMP documents and depicts a low-pressure collection system within the Project Area discharging to a proposed pump station in the vicinity of the DPW/landfill property (188 Madaket Road) for conveyance to the existing system. With a goal of defining a more specific sewer layout to best provide service to the Madaket and Warren's Landing areas while considering resiliency, we moved forward with refinement of the conceptual layout.

The refined conceptual layout of the proposed low-pressure sewer system is depicted in Figure 2. A detailed breakdown of the steps taken, and data compiled, including critical criteria and/or assumptions used in developing the layout, is as follows:

- A base map of the project area was created using the available GIS mapping. Actual on the ground survey to identify underground utility locations and to compile house sill elevations will be required during final design and may result in further refinement of the design.

- As part of the Sewer Master Plan, the town's GIS and Assessor's data was used to determine which properties in the Needs Areas should be included in the calculation of future wastewater flows. This data was also used to determine the potential build out of properties based on current zoning and an allowance for the construction of future secondary dwellings on a property. This data revealed a potential buildout, including existing and future dwellings, in the Madaket & Warren's Landing area of approximately 620 dwellings and a total future peak wastewater flow of approximately 925,000 gpd. It should be noted that planning for potential build out controls will likely limit the total number of build out units.

- Building upon the information gathered in the Sewer Master Plan, the conceptual low-pressure sewer layout was broken down into zones, starting at the extremities of the proposed system and establishing the cumulative number of potential future dwellings (and associated grinder pumps) in each zone for the purpose of appropriately estimating the pipe sizing within the network.

- Preliminary sizing for the low-pressure sewer pipes was based on criteria established in the Water Environment Federation (WEF) Manual of Practice FD-12 (second edition) – Alternative Sewer Systems and is summarized as follows:

Number of Dwellings/Pump Units	Assumed Pipe Size
0 -10	2-inch
11 – 30	3-inch
31 – 150	4-inch
151 – 240	6-inch
241 – 560	8-inch

- Based on the above pipe sizing criteria and on the 620 anticipated dwellings in the project area at build out, it was determined that one continuous low-pressure pipe network would not be advisable based on the hydraulic complexities of so many pumps in a single network and on estimated pipe sizes required for such a network. Therefore, two separate low-pressure sewer networks discharging to the same proposed pump station location have been developed as shown on the attached Figure 3 and further defined as follows:

Network "A" Madaket Road	Network "B" Long Pond Rd/Warren's Landing
Madaket Road (Ames Ave to Long Pond Rd.)	Starbuck Road
Ames Avenue	Arkansas Avenue
Pops Lane	Mississippi Avenue
Baltimore Street	South Cambridge Street
A Street	Columbus Avenue
Macy Road	Midland Avenue
C Street	Goose Cove Avenue
D Street	Goose Cove Way
E Street	Long Pond Drive
Washington Avenue	Madaket Road (Long Pond Rd to DPW)
F Street	Ridge Lane
Tennessee Avenue	West Way
H Street	Creek Lane
Oakland Street	The Grove
Great Neck	Fisher's Landing Road
I Street	North Point Road
L Street	Warrens Landing Road
M Street	
North Cambridge Street	

- Networks "A" and "B" were broken into 45 and 38 zones respectively as depicted on Figure 3. The attached Tables 1 & 2 provide a zone-by-zone analysis of each network, including number of pumps per zone and cumulative number of pumps, which was used to establish proposed pipe sizing throughout the networks. It should be noted that although the properties on Madaket Road from Long Pond Road to the DPW site are included in Network "B", this section of roadway will have dual pressure sewer pipes since the flow from Network "A" is being transported to the same discharge point.

- In addition to the pipelines, a low-pressure sewer system includes other components such as cleanout structures as well as isolation and air release valves. For this analysis we have included terminal flushing manholes at all end runs and in-line flushing manholes at all pipe intersections and along straight runs of pipe that exceed 1,000 feet. Furthermore, we have assumed isolation valves will be included in areas threatened by coastal erosion, including influences from sea level rise, such that certain low-lying sections of the system can be isolated and abandoned while other sections remain in service. Finally, we have assumed air release valves will be required in some isolated system high points.

- Based on the conceptual sewer layout depicted in Figures 2 & 3, the following is a summary of the anticipated low-pressure sewer system components:

    - Approximately 14,700 lf of 2-inch low-pressure sewers
    - Approximately 6,800 lf of 3-inch low-pressure sewers
    - Approximately 9,700 lf of 4-inch low-pressure sewers

- Approximately 6,300 lf of 6-inch low-pressure sewers
- Approximately 11,400 lf of 8-inch low-pressure sewers
- Approximately 90 flushing manhole structures (in-line and terminal)
- Approximately 10 air release and/or isolation valves
- Up to 620 on-lot grinder pump units

2.2 Conveyance to the Existing System (Pump Station and Force Main)

It is anticipated that the low-pressure sewer collection system within the Project Area will discharge to a proposed pump station in the vicinity of the DPW/Landfill property with a new force main system configured to connect to the existing 20-inch ductile iron (DI) Sea Street Pump Station Force Main and to the proposed Sea Street Pump Station Force Main No. 3 for conveyance to the WWTF (see attached Figure 4). A detailed breakdown of the steps taken, and data compiled, including critical criteria and/or assumptions used in developing the conceptual pump station and force main system is as follows:

- As previously stated, future peak flow for the project area is estimated at 925,000 gpd (~645 gpm).

- For this conceptual stage, we have assumed the pump station will be modeled after the new Surfside Road Pump Station.
  - The controls will be in an above grade building adjacent to the wet well with a standby generator in an outdoor enclosure.
  - The station will consist of either a suction lift style (i.e. Gorman Rupp type) pumps in the above grade building, or flooded suction pumps with a deeper dry well located below the building.
  - Because of the anticipated pump size and weight required for this station, submersible pumps were ruled out due to the removal challenges for the operators.
  - The Madaket Pump Station will be of less depth than the Surfside Road Pump Station, as the influent sewers enter the wet well at a shallower depth. This may potentially reduce the overall cost of the pump station but for this exercise we have assumed the cost to be similar.

- The estimated force main length is approx. 16,500-feet along Madaket Road to the existing 20-inch DI Sea Street Pump Station Force Main in Quaker Road, with an approximate additional 2,100-feet along Main Street to the proposed location of the new Sea Street Pump Station Force Main No. 3 in Main Street at the intersection with Winter Street (~18,600-feet in total length).
  - For redundancy, it may be beneficial to have dual force mains, with one directly connected to the existing 20-inch DI Sea Street Pump Station Force Main and the other connecting directly to the proposed Sea Street Pump Station Force Main No. 3. This should be further reviewed during final design but is being assumed for budgeting purposes.
  - PVC or HDPE pipe materials are recommended.
  - Automatic air/vacuum release valves should be installed at all high points in the force main, with cleanouts installed at all low points and along straight runs of force main that exceed 1,000 feet.

- Per TR-16 recommendations, a minimum force main velocity of 3 feet-per-second (fps) is to be maintained in order to re-suspend and push solids through the force main. For the estimated flows, either an 8-inch or a 10-inch could be utilized. Because of the long length of the force main, it is recommended to go with a 10-inch force main for this application as the total dynamic head (TDH) seen by the pumps with the 8-inch force main will be significantly higher, presumably requiring much higher horsepower motors.
    - When other stations within the force main system operate, the Madaket Pump Station would see increased head/lower flows, and this should be reviewed further during final design to ensure peak flow capacity can be maintained. As the pumps will be sized a little larger than the estimated peak flows, it is assumed that with this reduction in output, the peak flows could still be maintained.
    - When the new Sea Street Pump Station Force Main No. 3 size, location and alignment are finalized, the hydraulic pumping calculations should be reviewed to ensure peak flows are maintained when the station pumps to this new force main.

3.0 Budgeted Cost

Upon refinement of the conceptual design, an updated budgeted project cost was developed. In preparing this budgeted cost it is important to note that the linear nature of a collection system leads to significant cost implications based on the following factors:

- Size and Depth of Pipe
    - Number of manholes/structures
    - Number of pump stations
    - Number of individual on-lot pumps
- Subsurface Conditions
- Method of Installation
- Surface Restoration
- Public Safety
- Easements at the pump station site and for sewer installation in private roads

In addition to pipe and appurtenances, which have been quantified above, one of the most important cost drivers impacting the construction of any wastewater collection system is the existing subsurface conditions. Because this project is in the conceptual design stage, geotechnical investigations have not been performed but such investigations would be recommended during final design. In order to evaluate the existing subsurface conditions at this time, we relied on local knowledge and recent experience in town.

The method of construction is also a contributing factor to the overall cost of a project. Considering that the proposed system consists of low-pressure and force main sewers, the cost estimate assumes open cut methods with fairly shallow/controlled trench widths and depths unless otherwise noted.

For the purpose of this updated budgeted cost, we have assumed that all sewers will be installed with open cut methods beneath the travelled way of the existing impacted roads. During final design, options of utilizing the shoulder of the road or installing pipes within the existing bike path will be explored, thereby potentially reducing surface restoration costs.

Another major factor that impacts costs is the final surface restoration of the streets (i.e. – pavement replacement within the town roads, including private ways) within the project area. As part of our analysis, we performed a windshield survey and utilized existing GIS mapping to identify all of the existing paved and gravel/dirt roads in the project area (see Table 3). Based on previous discussions with the Nantucket Department of Public Works (DPW) and upon pavement replacement methods employed on recent sewer extension projects, we determined the town's anticipated surface restoration requirements which are further defined as follows:

- Any sewer in a gravel/dirt road would be restored to its previously existing condition (i.e. – pavement not required).

- Any sewer within a paved road (public or private) would require:
  - 2-inch trench width temporary pavement prior to 90-day minimum trench settlement period
  - Full width (curb to curb) pavement pulverization prior to final pavement
  - 2 ½-inch full-width permanent binder course pavement
  - 1 ½-inch full-width permanent top course pavement

- An approximate 1,200-foot section of the force main route within Main Street is currently a brick or cobble road and it is assumed that this will be restored in kind.

- Any sidewalk/bike path impacted by the sewer construction will be restored in kind.

Another significant expense in any construction project is related to public safety (i.e. – police details). Based on previous discussions and experience with the Nantucket Police Department, we have assumed 2 police officers per day during pipeline installation within all travelled ways.

The total updated budgeted cost was calculated based on the following format:

- Construction Costs
- Design, Permitting, Land, Legal, Easements and Construction Services Costs
- Contingency Costs
- Police Detail Costs

Table 4 presents the updated budgeted cost for the conceptual sewer layout. In addition to the information presented above, a detailed breakdown of the steps taken, and data compiled during the conceptual budgeted cost process, including critical criteria and/or assumptions used in developing the budget, is as follows:

<u>Construction Costs</u>

- In determining the unit prices for all of the items presented in Table 4, we relied primarily on recent similar construction projects in Nantucket (i.e., Nantucket Harbor Shimmo and Plus Parcels Sewer Extension, Bathing Beach Road and Miscellaneous Areas Sewer Improvements and Surfside Road Sewer System Improvements). In addition, we utilized recent bid information for similar projects in the Massachusetts communities of Barnstable, Harwich, and Chatham.

- Lengths of building service connections within the existing travelled ways (from the mainline to the edge of travelled way) were estimated based on the number of properties being served multiplied by an average of 25-feet per building connection.

- As shown on Figure 2, there are two significant culvert crossings (Madaket Ditch and Long Pond) for the low-pressure sewers from each network. Understanding the ongoing resiliency considerations with regard to these culverts and the uncertain time frame for any proposed improvements to these structures, it is assumed that trenchless technologies (i.e. horizontal directional drilling) will be utilized for these crossings to protect the existing structures and to provide adequate depth of the low-pressure sewers so as not to impede or interfere with any future modifications to these structures.

- As previously stated, we have assumed the pump station will be modeled after the new Surfside Road Pump Station and have therefore used actual as-bid costs for that station as part of this budget update.

- Although work on private (on-lot) infrastructure is not part of the municipal contract, it was assumed that the Town of Nantucket would maintain the policy established as part of the Nantucket Harbor Shimmo and Plus Parcels Sewer Extension Project with regard to the purchase of on-lot grinder pumps. Under this policy, the Town performed a separate procurement for the purchase of grinder pump units and made them available to homeowners at a discounted rate.

Police Details

- Based on the current hourly rates for the Nantucket police, the cost for one police officer is approximately $600 per day (assumes 9-hour days).

- We estimated the approximate number of construction crew days at approximately 750 based on assumed production rates for all components of construction.

- The number of crew days was multiplied by two officers per day and multiplied by $600 per officer, bringing total estimated police detail costs to approximately $900,000.

Other Cost Considerations

- Once the total opinion of probable construction cost was determined, it was necessary to estimate a cost for the design, permitting, land, legal, easements and construction services. Easements will be required at the pump station site and over the private roads (see Table 3 for a breakdown of public vs. private roads). Based on our experience, the cost for these services is typically approximately 30% of the total construction costs.

- Based on the conceptual nature of the design/layout at this point, we also carried an additional 20% construction contingency to account for cost escalation and additional costs that may arise

during construction due to differing subsurface conditions, expanded scope, and other factors that could arise during the final design, permitting, and construction of the project.

Budgeted Cost Summary

The total updated budgeted cost of the proposed Madaket Sewer Extension Project is approximately $52M as broken down in Table 4 and as summarized below:

- Construction Cost - $33M
- Construction Contingency (20%) - $6.6M
- Engineering/Land/Legal Costs (30%) - $9.9M
- Public Safety (Police Details) - $0.9M
- Grinder Pumps (Purchase Only) - $1.9M
- **TOTAL -** **~$52M**

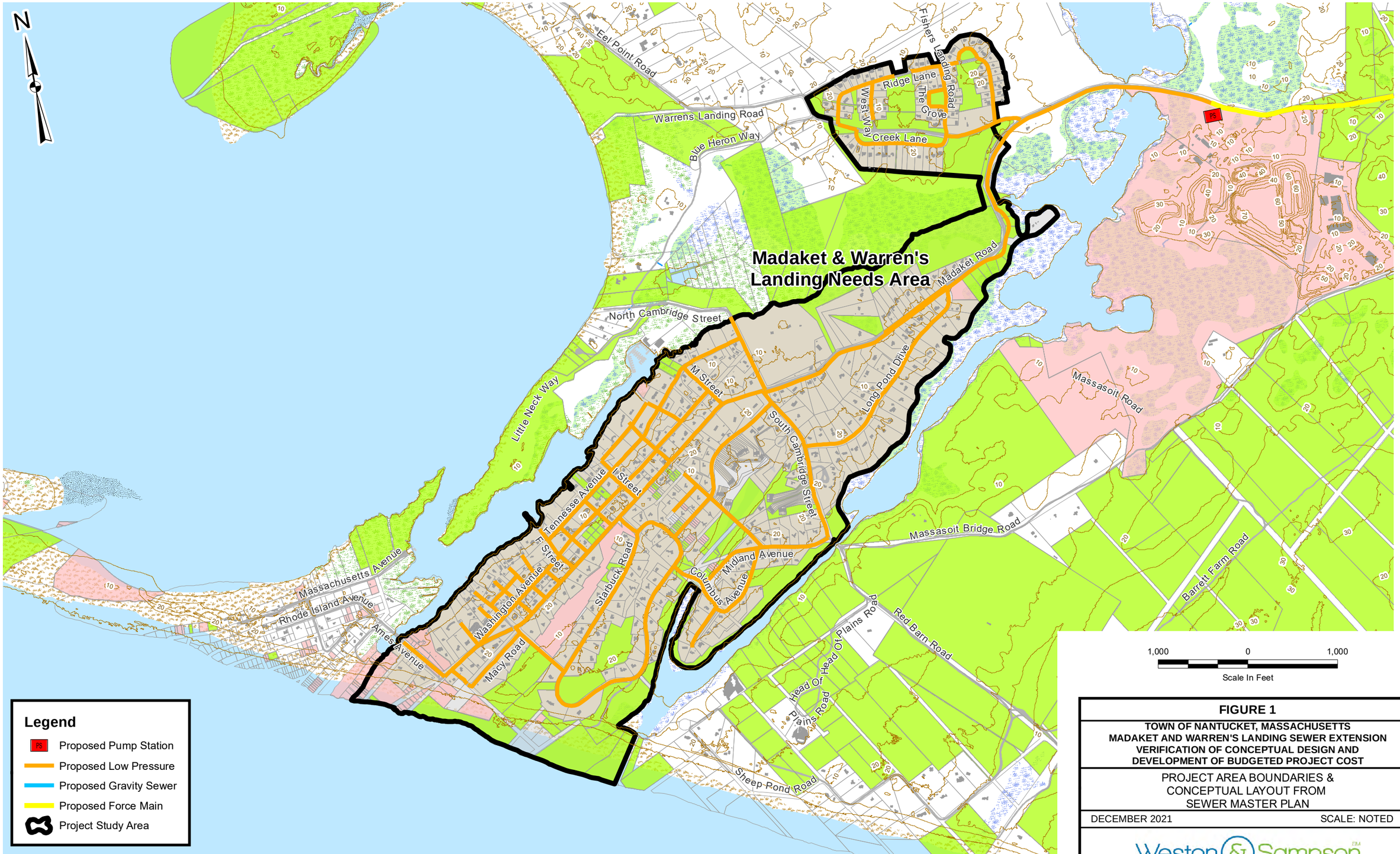
The budgeted construction cost is further broken down as follows:

- Collection System (Low-Pressure Sewers) - $8M (~24%)
- Conveyance System (PS and Force Main) - $9M (~27%)
- Surface Restoration (Primarily Paving) - $16M (~49%)
- **TOTAL -** **$33M**

Based on this further breakdown it is clear that the paving needs/assumptions are the biggest driver in this budgeted cost and, therefore, any efforts to minimize the disturbance, and subsequent restoration, of the paved surface of roads will have significant impacts on the overall cost of the project.

In summary, our intent is that the overall assumptions used herein are conservative but reflective of the costs that the Town should be prepared to incur if they vote to move forward with this important infrastructure improvement project. Depending upon the timing of such a vote, the Engineering News Record (ENR) Construction Cost Index (CCI) should be utilized to relate the CCI at the time of preparation of this report (November 2021 – 16715.19) to the then current day index.

FIGURES



Legend

- Proposed Pump Station
- Proposed Low Pressure
- Proposed Gravity Sewer
- Proposed Force Main
- Project Study Area

FIGURE 1

TOWN OF NANTUCKET, MASSACHUSETTS
MADAKET AND WARREN'S LANDING SEWER EXTENSION
VERIFICATION OF CONCEPTUAL DESIGN AND DEVELOPMENT OF BUDGETED PROJECT COST

PROJECT AREA BOUNDARIES &
CONCEPTUAL LAYOUT FROM
SEWER MASTER PLAN

DECEMBER 2021 SCALE: NOTED

Weston & Sampson

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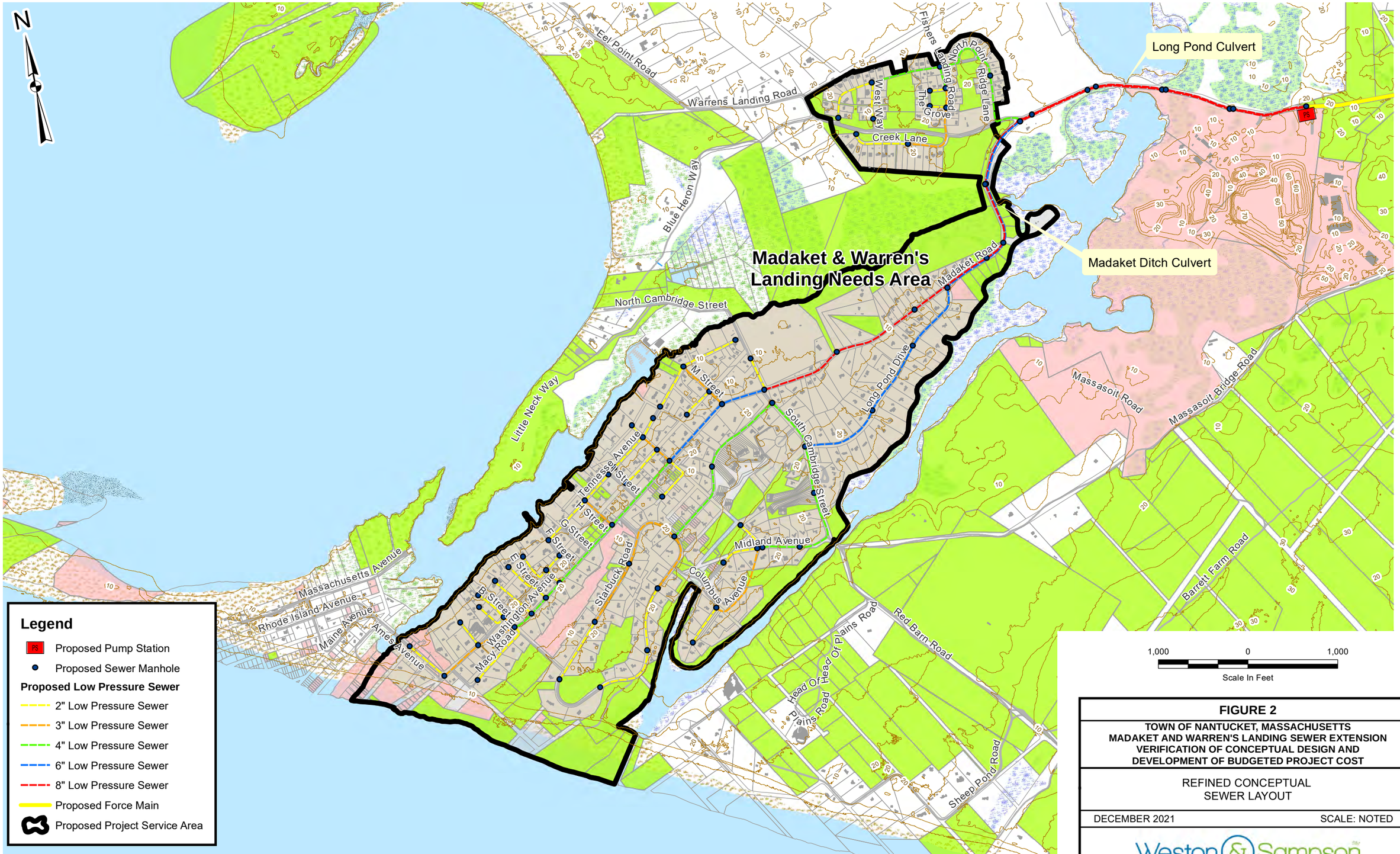


FIGURE 2

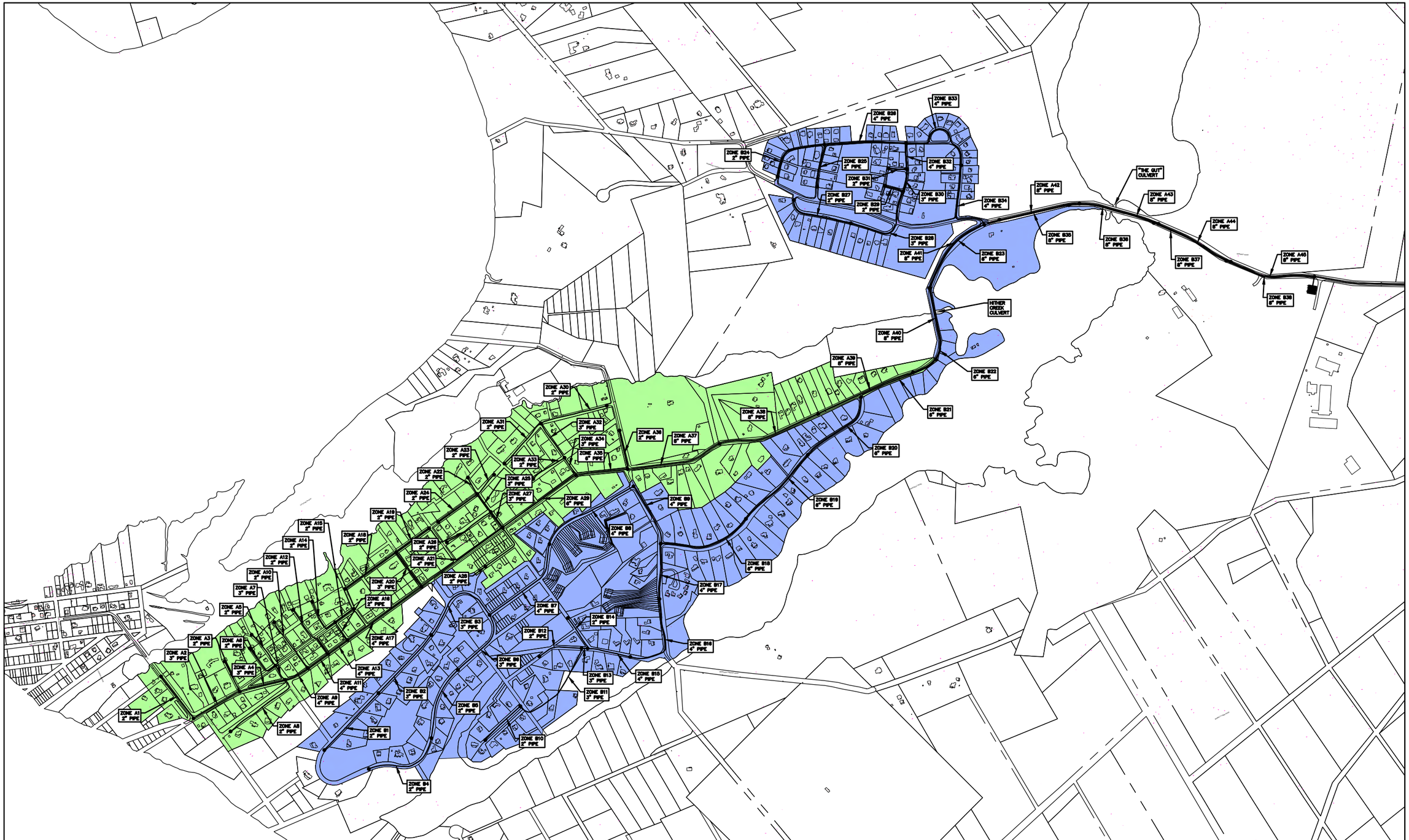
TOWN OF NANTUCKET, MASSACHUSETTS
MADAKET AND WARREN'S LANDING SEWER EXTENSION
VERIFICATION OF CONCEPTUAL DESIGN AND DEVELOPMENT OF BUDGETED PROJECT COST

REFINED CONCEPTUAL
SEWER LAYOUT

DECEMBER 2021 SCALE: NOTED

Weston & Sampson

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LEGEND	
DESCRIPTION	OBJECT
NETWORK A – MADAKET ROAD	
NETWORK B – LONG POND ROAD AND WARREN'S LANDING	

Weston & Sampson

FIGURE 3
TOWN OF NANTUCKET, MASSACHUSETTS
MADAKET AND WARREN'S LANDING SEWER EXTENSION
PROPOSED PIPE NETWORKS AND ZONES
NOT TO SCALE

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N

PROPOSED FORCE MAIN CONNECTION TO PROPOSED 20" PVC SEA STREET FORCE MAIN

PROPOSED FORCE MAIN CONNECTION TO EXISTING 20" DI SEA STREET PUMP STATION FORCE MAIN

APPROXIMATELY 1,200 LF OF COBBLESTONE/BRICK ROADWAY BETWEEN BLOOM STREET AND WINTER STREET

PROPOSED MADAKET ROAD PUMP STATION

Gosnold Road
Pilgrim Road
Priscilla Lane
West Chester Street
North Liberty Street
Hussey Street
India Street
Liberty Street
Union Street
Fair Street
Orange Street
Pine Street
Lyons Street
Pleasant Street
Mill Street
Main Street
New Lane
Woodbury Lane
Meadow Lane
Quaker Road
Copper Lane
Prospect Street
Mill Hill Lane
Vestal Street
Tulip Lane
Vesper Lane
Roberts Lane
Carol Lane
Hussey Farm Road
Pond Road
Meadow View Drive
Hawthorne Lane
Dukes Road
Millbrook Road
Burnt Swamp Lane
Hummock Pond Road
Austin Farm Drive
High Brush Path
Marsh Hawk Lane
Somerset Road
Friendship Lane
Luff Road
Mizzenmast
Deer Run
Washing Pond Road
Wannaconnet Road
Maxie Pond Road
Capaum Pond Road
Tristam Avenue
Trotts Hills Road
Eel Point Road
Dionis Beach Road
Liberty Lane
Renown Road
Ranger Road
Alliance Lane
Douglas Way
Worth Road
Greenleaf Road
Bishops Rise
Swift Rock Road
Primrose Lane
Madaket Road
Ram Pasture Road
Barrett Farm Road

1,100 0 1,100
Scale In Feet

Legend

- Proposed Dual 10" Force Main
- Proposed 10" Force Main to Proposed 20" Sea Street Force Main
- Proposed 20" Sea Street Force Main (Currently in Bidding Phase)
- Existing Force Main
- PS Proposed Pump Station

FIGURE 4

TOWN OF NANTUCKET, MASSACHUSETTS
MADAKET AND WARREN'S LANDING SEWER EXTENSION
VERIFICATION OF CONCEPTUAL DESIGN AND DEVELOPMENT OF BUDGETED PROJECT COST

CONCEPTUAL PUMP STATION AND FORCE MAIN SYSTEM LAYOUT

DECEMBER 2021 SCALE: NOTED

Weston & Sampson

TABLES

TABLE 1
NANTUCKET, MA - MADAKET AND WARREN'S LANDING SEWER EXTENSION
NETWORK "A" - MADAKET ROAD

Zone	Zone Description/Street	Zone Length	Connects to Zone	Total Lots In Zone	Vacant Lots In Zone	Existing Dwellings	Future Buildout Dwellings	Total Potential Dwellings	Number of Pumps In Zone	Cumulative Pumps	Pipe Size
1	Ames Avenue	510	2	9	4	5	3	8	8	8	2
2	Madaket Road	510	4	10	2	9	2	11	11	19	3
3	Pops Lane	325	4	5	1	4	2	6	6	6	2
4	Madaket Road	450	9	3	1	2	2	4	4	29	3
5	Baltimore Street	375	7	9	0	9	2	11	11	11	2
6	A Street	370	7	2	0	3	2	5	5	5	2
7	Baltimore Street	170	9	1	0	1	0	1	1	17	3
8	Macy Road	790	9	6	0	6	1	7	7	7	2
9	Madaket Road	255	11	0	0	0	0	0	0	53	4
10	C Street	550	11	10	0	10	2	12	12	12	2
11	Madaket Road	240	13	2	0	2	0	2	2	67	4
12	D Street	550	13	11	2	10	2	12	12	12	2
13	Madaket Road	230	17	3	0	5	0	5	5	84	4
14	E Street	400	16	6	0	8	0	8	8	8	2
15	Washington Avenue	220	16	3	1	2	1	3	3	3	2
16	E Street	205	17	0	0	0	0	0	0	11	2
17	Madaket Road	875	21	12	3	9	3	12	12	107	4
18	Tennessee Avenue	600	20	7	0	8	1	9	9	9	2
19	Tennessee Avenue	390	20	10	3	8	3	11	11	11	2
20	H Street	410	21	1	0	1	0	1	1	21	3
21	Madaket Road	960	29	16	5	11	5	16	16	144	4
22	Oakland Street	180	25	5	1	4	3	7	7	7	2
23	Tennessee Avenue	245	25	2	0	2	1	3	3	3	2
24	Tennessee Avenue	460	25	5	3	2	3	5	5	5	2
25	Oakland Street	215	27	0	0	0	0	0	0	15	3
26	Washington Avenue	510	27	5	1	6	1	7	7	7	2
27	Oakland Street	190	29	1	0	1	0	1	1	23	3
28	Great Neck	550	29	10	4	5	4	9	9	9	2
29	Madaket Road	865	35	10	1	14	1	15	15	191	6
30	Tennessee Avenue	650	32	11	2	14	2	16	16	16	2
31	Tennessee Avenue	520	32	5	2	4	2	6	6	6	2
32	M Street	300	34	4	1	3	1	4	4	26	3
33	Washington Avenue	365	34	3	0	4	0	4	4	4	2
34	M Street	200	35	0	0	0	0	0	0	30	3
35	Madaket Road	500	37	4	0	5	1	6	6	227	6
36	North Cambridge Street	380	37	3	0	3	2	5	5	5	2
37	Madaket Road	927	38	10	0	10	2	12	12	244	8
38	Madaket Road	1,000	39	13	2	13	3	16	16	260	8
39	Madaket Road	990	40	10	2	8	3	11	11	271	8
40	Madaket Road	950	41	0	0	0	0	0	0	271	8
41	Madaket Road	1,000	42	0	0	0	0	0	0	271	8
42	Madaket Road	780	43	0	0	0	0	0	0	271	8
43	Madaket Road	785	44	0	0	0	0	0	0	271	8
44	Madaket Road	780	45	0	0	0	0	0	0	271	8
45	Madaket Road	830	PS	0	0	0	0	0	0	271	8
	Subtotals - Network 'A'	23,557		227	41	211	60	271	271		

TABLE 2
NANTUCKET, MA - MADAKET AND WARREN'S LANDING SEWER EXTENSION
NETWORK "B" - LONG POND ROAD/WARREN'S LANDING

Zone	Zone Description/Street	Zone Length	Connects to Zone	Total Lots In Zone	Vacant Lots In Zone	Existing Dwellings	Future Buildout Dwellings	Total Potential Dwellings	Number of Pumps In Zone	Cumulative Pumps	Pipe Size
1	Starbuck Road	750	2	10	1	11	2	13	13	13	2
2	Starbuck Road	750	3	9	0	9	1	10	10	23	3
3	Starbuck Road	860	7	11	0	12	2	14	14	37	3
4	Starbuck Road	750	5	6	1	5	1	6	6	6	2
5	Starbuck Road	720	6	10	0	10	0	10	10	16	2
6	Starbuck Road	680	7	5	0	5	0	5	5	21	3
7	Arkansas Avenue	940	8	24	0	24	0	24	24	82	4
8	Arkansas Avenue	1,000	9	25	0	25	0	25	25	107	4
9	South Cambridge Street	620	18	9	1	8	1	9	9	116	4
10	Columbus Avenue	470	11	10	0	10	0	10	10	10	2
11	Columbus Avenue	930	13	8	1	7	1	8	8	18	3
12	Midland Avenue	430	13	3	0	4	1	5	5	5	2
13	Midland Avenue	60	15	0	0	0	0	0	0	23	3
14	Goose Cove Avenue	350	15	4	0	5	0	5	5	5	2
15	Midland Avenue	415	16	6	0	7	0	7	7	35	4
16	South Cambridge Street	845	17	9	0	9	0	9	9	44	4
17	South Cambridge Street	530	18	17	0	21	0	21	21	65	4
18	Long Pond Drive	915	19	12	0	15	1	16	16	197	6
19	Long Pond Drive	850	20	14	0	19	1	20	20	217	6
20	Long Pond Drive	795	21	12	0	13	1	14	14	231	6
21	Madaket Road	810	22	7	7	0	0	0	0	231	6
22	Madaket Road	704	23	5	4	2	0	2	2	233	6
23	Madaket Road	825	35	1	0	1	0	1	1	234	6
24	Ridge Lane	626	26	15	3	14	2	16	16	16	2
25	West Way	410	26	8	0	13	0	13	13	13	2
26	Ridge Lane	780	33	11	2	14	1	15	15	44	4
27	Creek Lane	635	28	10	2	10	2	12	12	12	2
28	Creek Lane	815	30	12	2	14	2	16	16	28	3
29	The Grove	185	30	4	0	6	0	6	6	6	2
30	Fisher's Landing Road	220	32	4	1	4	0	4	4	38	3
31	The Grove	180	32	4	0	5	0	5	5	5	2
32	Fisher's Landing Road	250	33	3	0	3	0	3	3	46	4
33	Ridge Lane	850	34	17	2	17	0	17	17	107	4
34	Ridge Lane	805	35	6	0	8	0	8	8	115	4
35	Madaket Road	830	36	0	0	0	0	0	0	349	8
36	Madaket Road	840	37	0	0	0	0	0	0	349	8
37	Madaket Road	785	38	1	0	1	0	1	1	350	8
38	Madaket Road	870	PS	0	0	0	0	0	0	350	8
	Subtotals - Network 'B'	25,080		312	27	331	19	350	350		

GRAND TOTALS - BOTH NETWORKS COMBINED

	Subtotals - Network 'A'	23,557		227	41	211	60	271			
	Subtotals - Network 'B'	25,080		312	27	331	19	350			
	Grand Total	48,637		539	68	542	79	621			

TABLE 3
NANTUCKET, MA - MADAKET AND WARREN'S LANDING SEWER EXTENSION
PROJECT AREA STREETS

STREET	ROAD DESIGNATION	ROADWAY SURFACE	ROADWAY LENGTH PAVED (FEET)	ROADWAY LENGTH UNPAVED (FEET)
A STREET	Public	Unpaved	0	275
AMES AVENUE	Public	Paved	540	0
ARKANSAS AVENUE	Private	Unpaved	0	1,927
BALTIMORE STREET	Private	Unpaved	0	458
C STREET	Private	Unpaved	0	540
COLUMBUS AVENUE	Public	Unpaved	0	466
CREEK LANE	Private	Paved	1,171	0
D STREET	Private	Unpaved	0	517
E STREET	Private	Unpaved	0	466
F STREET	Public	Paved	547	0
FISHERS LANDING ROAD	Private	Paved	760	0
GOOSE COVE AVENUE	Private	Unpaved	0	303
GOOSE COVE WAY	Private	Unpaved	0	266
GREAT NECK	Private	Unpaved	0	0
H STREET	Public	Paved	387	0
I STREET	Public	Paved	404	161
L STREET	Private	Unpaved	0	294
LONG POND DRIVE	Private	Paved	2,560	0
M STREET	Public	Unpaved	0	578
MACY ROAD	Public	Unpaved	0	820
MADAKET ROAD	Public	Paved	28,522	0
MAIN STREET	Public	Paved/Cobble	900	0
MIDLAND AVENUE	Private	Unpaved	0	2,141
MISSISSIPPI AVENUE	Private	Unpaved	0	625
NORTH CAMBRIDGE STREET	Public	Paved	626	0
NORTH POINT ROAD	Private	Paved	363	0
OAKLAND STREET	Private	Paved	670	0
POPS LANE	Private	Unpaved	0	230
RIDGE LANE	Private	Paved	2,663	0
SOUTH CAMBRIDGE STREET	Public	Unpaved/Paved	820	997
STARBUCK ROAD	Public	Unpaved	0	4,541
TENNESSEE AVENUE	Private	Unpaved/Paved	1,584	1,637
THE GROVE	Private	Paved	635	0
WARREN'S LANDING ROAD	Public	Paved	865	0
WASHINGTON AVENUE	Private	Unpaved/Paved	1,343	951
WEST WAY	Private	Paved	527	0
		Total	45,888	18,193

TABLE 4
MADAKET AND WARRENS LANDING SEWER EXTENSION
UPDATED BUDGETED COSTS

ITEM	QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL AMOUNT
1		**SEWERS COMPLETE IN PLACE**		
1e	100	12-inch PVC Sewers, 0-12 ft. deep, per linear foot	$300	$30,000
2		**BUILDING CONNECTION SYSTEMS**		
2e	620	Tee branches for pressure sewers, ea.	$250	$155,000
2f	15,500	1 -1/2-inch pressure building connections, per linear foot	$75	$1,162,500
3		**SEWAGE FORCE MAINS, PRESSURE SEWERS, AND FITTINGS**		
3a	2,100	10-inch PVC Force Main, per linear foot	$200	$420,000
3b	16,500	Dual 10-inch PVC Force Main, per linear foot	$250	$4,125,000
3c	4,600	8-inch PVC pressure sewers, per linear foot	$150	$690,000
3d	3,400	Dual 8-inch PVC pressure sewers, per linear foot	$200	$680,000
3e	6,300	6-inch PVC pressure sewers, per linear foot	$100	$630,000
3f	9,700	4-inch PVC pressure sewers, per linear foot	$90	$873,000
3g	6,800	3-inch PVC pressure sewers, per linear foot	$80	$544,000
3h	14,700	2-inch PVC pressure sewers, per linear foot	$70	$1,029,000
3i	40	Force Main Clean Out and Air Release, 6.0 ft. diameter, per manhole	$7,500	$300,000
3j	25	Terminal and in-line flushing connections, 6.0 ft. diameter per manhole	$7,500	$187,500
3k	75	Terminal and in-line flushing connections, 4.0 ft. diameter per manhole	$6,000	$450,000
3l	2	Connection to existing force main, lump sum	$10,000	$20,000
4		**ROCK EXCAVATION AND DISPOSAL**		
4a	500	Rock excavation and disposal, per C.Y.	$150	$75,000
5		**MISCELLANEOUS EARTHWORK**		
5a	1,000	Changes in earthwork, per C.Y.	$20	$20,000
5b	5,000	Earth excavation and backfill of unsuitable material above normal grade, per C.Y.	$20	$100,000
5c	1,000	Earth excavation and backfill below normal grade, per C.Y.	$20	$20,000
5d	200	Test pits, per C.Y.	$150	$30,000
6		**SEWER MANHOLES AND APPURTENANCES**		
6a	1	Precast concrete manhole bases, with standard frame and cover, 5.0 ft. diameter per manhole	$10,000	$10,000
6b	10	Precast concrete walls and cones, 5.0 ft. dia., per V.F.	$500	$5,000
7		**DRAINAGE PROTECTION, RECONSTRUCTION AND REPLACEMENT**		
7a	1	Hither Creek culvert crossing, lump sum	$50,000	$50,000
7b	1	The Gut culvert crossing, lump sum	$50,000	$50,000
8		**DEWATERING**		
8a	1	Normal dewatering, lump sum	$250,000	$250,000
9		**SURFACE RESTORATION AND PAVEMENT REPLACEMENT**		
9a	18,200	Unpaved road restoration, per linear foot	$25	$455,000
9b	45,900	Temporary pavement, 2" thick, trench width, per linear foot	$50	$2,295,000
9c	101,250	Pavement pulverization, full width, per S.Y.	$25	$2,531,250
9d	14,250	Permanent pavement, 2-1/2" binder course, full width, per ton	$400	$5,700,000
9e	8,550	Permanent pavement, 1-1/2" top course, full width, per ton	$400	$3,420,000
9f	500	Additional pavement, per ton	$500	$250,000
9g	1,500	Cobblestone/Brick Road Replacement, per sq. yd.	$400	$600,000
9h	100	Raising and adjusting castings, per casting	$300	$30,000
9i	115,000	Fast drying paint, per linear foot	$3	$345,000
10		**ENVIRONMENTAL PROTECTION**		
10b	5,000	Straw wattles, per linear foot	$20	$100,000
11		**PUMPING STATIONS AND APPURTENANT WORK**		
11a	1	Madaket pumping station, complete in place, lump sum	$3,500,000	$3,500,000
		SUBTOTAL		**$31,132,250**

TABLE 4
MADAKET AND WARRENS LANDING SEWER EXTENSION
UPDATED BUDGETED COSTS

ITEM	QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL AMOUNT
12		**MOBILIZATION**		
12a	1	Mobilization, lump sum (not more than 5% of total bid items 1-11)		$1,556,600
		TOTAL CONSTRUCTION COST		**$33,000,000**
		DESIGN, PERMITTING, LAND, LEGAL & CONSTRUCTION SERVICES (30%)		$9,900,000
		CONSTRUCTION CONTINGENCIES (20%)		$6,600,000
		POLICE DETAILS		$900,000
		GRINDER PUMPS (PURCHASE ONLY @ $3,000 PER UNIT x 620 UNITS)		$1,900,000
		GRAND TOTAL		**$52,000,000**

EXECUTIVE SUMMARY

Weston & Sampson was contracted to perform additional engineering analysis for the proposed Madaket & Warren's Landing Sewer Extension area (hereinafter the Project Area). The basic scope included verification/refinement of the conceptual sewer design and development of an updated budgeted project cost based on the refined system layout and recent cost data on similar projects.

The specific approach was to develop a refined system layout using the preliminary conceptual layout from the Sewer Master Plan as a starting point, working toward development of a detailed collection network sufficient to form the basis of a preliminary unit priced budgeted cost. The general layout provided in the Sewer Master Plan builds upon the 2004 and 2014 CWMP documents and depicts a low-pressure collection system within the Project Area. The attached Figure 2 defines the boundaries of the Project Area and depicts the refined and more specific conceptual low-pressure sewer system layout, which includes approximately 49,000 linear feet of low-pressure sewer and up to 620 on-lot grinder pump units.

It is anticipated that the low-pressure sewer collection system within the Project Area will discharge to a proposed pump station in the vicinity of the DPW/Landfill property with a dual force main system configured to connect to the existing 20-inch ductile iron (DI) Sea Street Pump Station Force Main and to the proposed Sea Street Pump Station Force Main No. 3 for conveyance to the WWTF (see attached Figure 4).

The total updated budgeted cost of the proposed Madaket & Warren's Landing Sewer Extension Project is approximately $52M as summarized below:

- Construction Cost - $33M
- Construction Contingency (20%) - $6.6M
- Engineering/Land/Legal Costs (30%) - $9.9M
- Public Safety (Police Details) - $0.9M
- Grinder Pumps (Purchase Only) - $1.9M
- **TOTAL -** **~$52M**

In summary, our intent is that the overall assumptions are conservative but reflective of the costs that the Town should be prepared to incur if they vote to move forward with this important infrastructure improvement project.

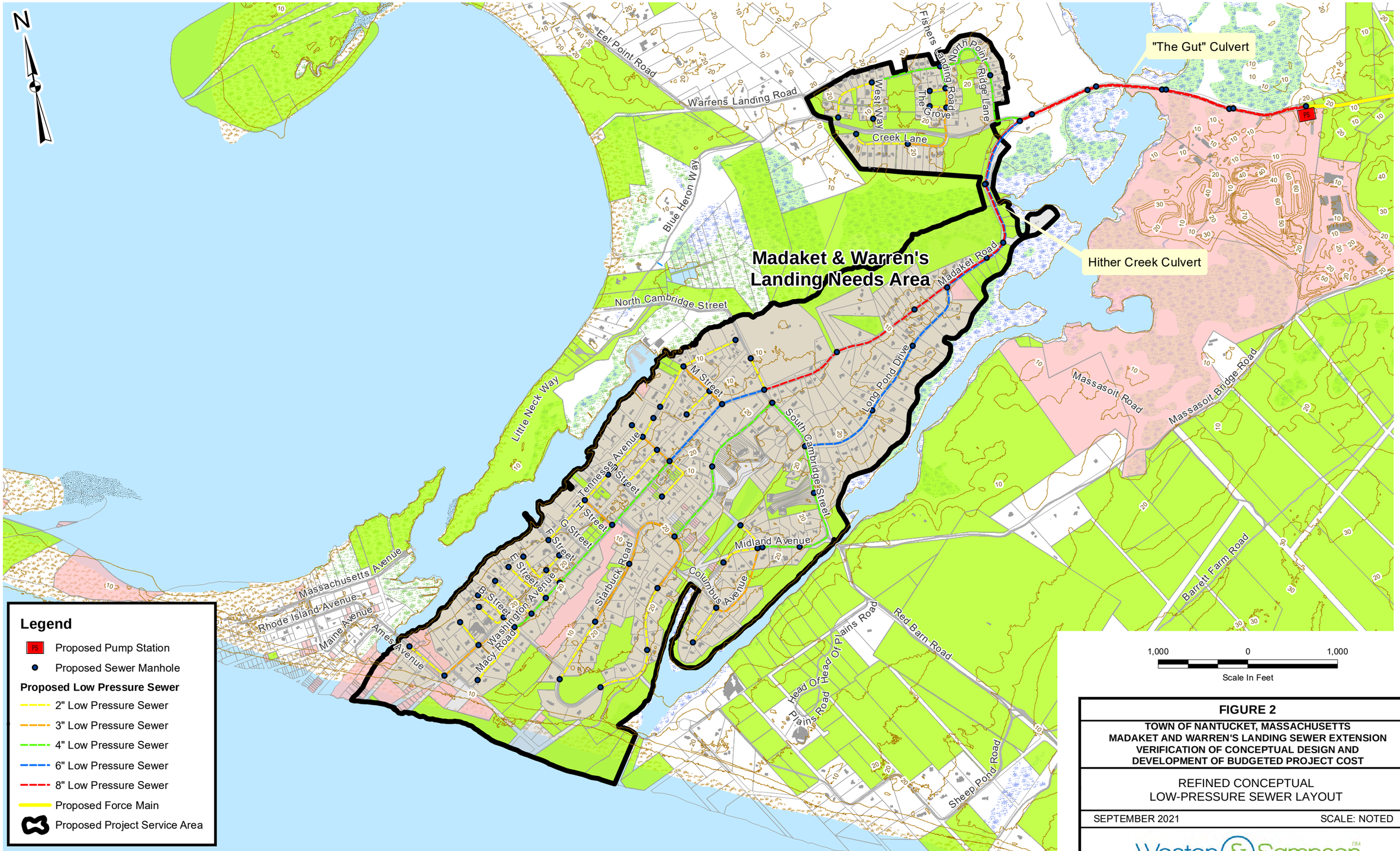


FIGURE 2

TOWN OF NANTUCKET, MASSACHUSETTS
MADAKET AND WARREN'S LANDING SEWER EXTENSION
VERIFICATION OF CONCEPTUAL DESIGN AND
DEVELOPMENT OF BUDGETED PROJECT COST

REFINED CONCEPTUAL
LOW-PRESSURE SEWER LAYOUT

SEPTEMBER 2021 SCALE: NOTED

Weston & Sampson

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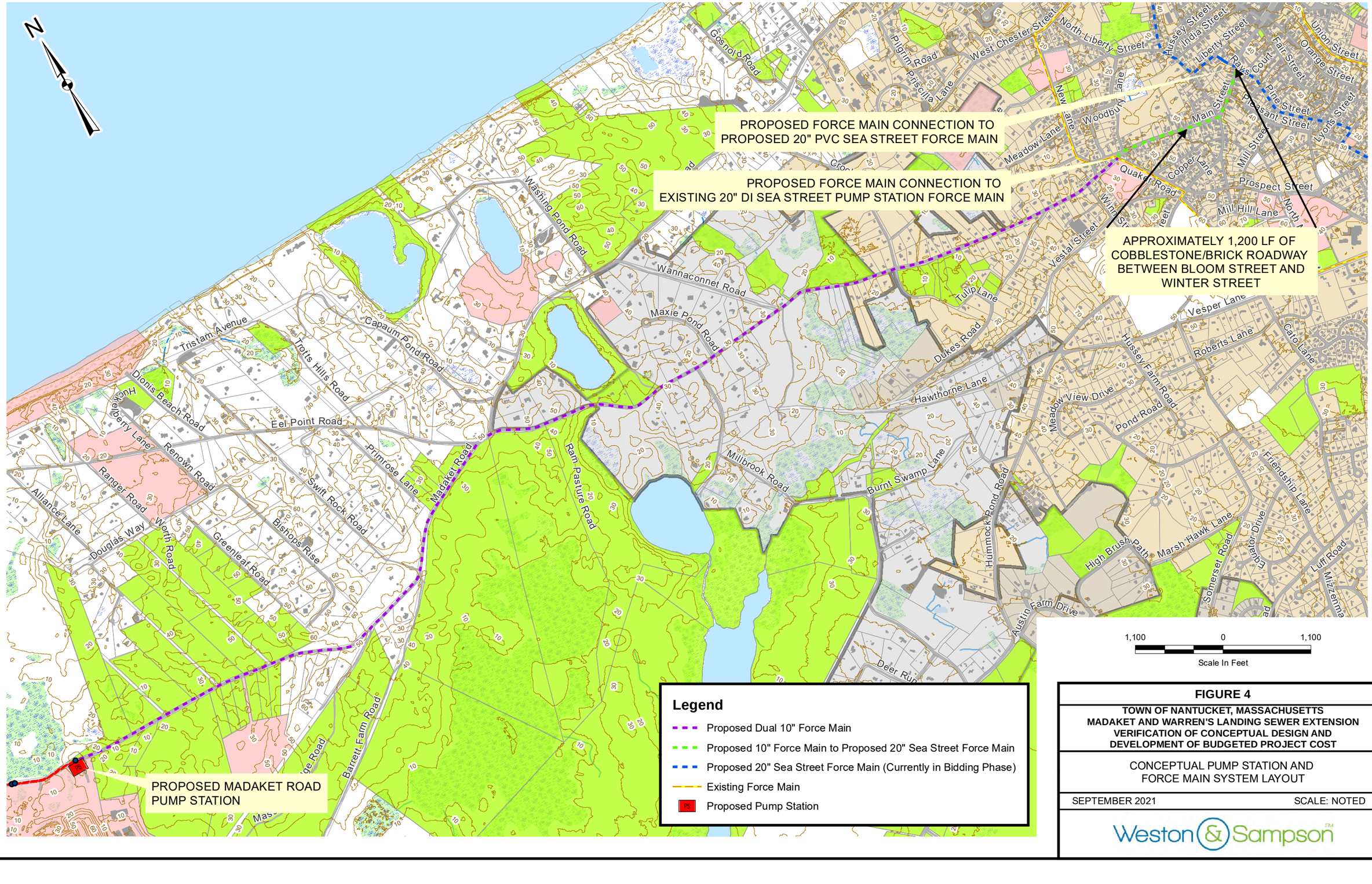


FIGURE 4

TOWN OF NANTUCKET, MASSACHUSETTS
MADAKET AND WARREN'S LANDING SEWER EXTENSION
VERIFICATION OF CONCEPTUAL DESIGN AND DEVELOPMENT OF BUDGETED PROJECT COST

CONCEPTUAL PUMP STATION AND FORCE MAIN SYSTEM LAYOUT

SEPTEMBER 2021 SCALE: NOTED

Weston & Sampson

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Technical Memorandum

To: Jeff Carlson, Natural Resources Director, Town & County of Nantucket

From: Brian Howes, Director, Coastal Systems Program, SMAST, UMassD
Ed Eichner, Principal Water Scientist, TMDL Solutions
Sean Kelley, Senior Coastal Engineer, Applied Coastal Research and Engineering
John Ramsey, Principal Coastal Engineer, Applied Coastal Research and Engineering

Date: October 21, 2019

RE: Town of Nantucket Long Pond/Madaket Harbor 2019 MEP Scenarios

I. Background

In 2015, the Massachusetts Department of Environmental Protection finalized a nitrogen Total Maximum Daily Load (TMDL) for Madaket Harbor/Long Pond estuary system that established nitrogen limits/thresholds to restore water and habitat quality throughout the system.[1] A TMDL is a regulatory limit required under the federal Clean Water Act for all surface waters that are impaired and failing to meet state standards. The Madaket Harbor/Long Pond system (**Figure 1**) was identified as having impaired water quality due to excessive nitrogen through a 2010 Massachusetts Estuaries Project (MEP) report that provided the scientific basis for the Madaket Harbor System habitat assessment and the MassDEP TMDL.[2] Since the release of the MEP report and the TMDL, the County & Town of Nantucket (Town) has been discussing options to reduce watershed nitrogen loads to and nitrogen concentrations within the Madaket Harbor/Long Pond system.

One of the key features of the MEP project was the development of estuary-specific linked watershed/embayment water quality models that were validated with collected water data in each estuary system so that the models could be reliably used to predict the water quality impacts of watershed or in-system changes. For example, in the 2010 MEP report, the MEP Technical Team, in coordination with the Town, evaluated a scenario that completely removed the nitrogen load from the Town landfill on the Madaket Harbor/Long Pond system.[3]

[1] MassDEP. 2015. Final Madaket Harbor and Long Pond Estuarine System Total Maximum Daily Loads For Total Nitrogen (CN-283.0). 41 pp.

[2] Howes B.L., J. S. Ramsey, E.M. Eichner, R.I. Samimy, R. Acker, D.R. Schlezinger (2010). Linked Watershed-Embayment Model to Determine the Critical Nitrogen Loading Threshold for the Madaket Harbor and Long Pond Estuarine System, Nantucket, Massachusetts. SMAST/DEP Massachusetts Estuaries Project, Massachusetts. Department of Environmental Protection. Boston, MA. 169 pp.

[3] See Chapter IX in MEP report

Recently, the Town asked the Coastal Systems Program from the School for Marine Science and Technology at UMass-Dartmouth (CSP/SMAST), the MEP technical lead, and the rest of the MEP Technical Team to evaluate five additional scenarios in the Madaket Harbor/Long Pond system. The results of these five scenarios are listed below and are:

1. Landfill Change (based upon an updated nitrogen load by CDM) scenario,
2. I/A System Use and Landfill Change scenario,
3. Updated Land Use scenario,
4. Enhanced Aquaculture scenario, and
5. Dredging of Hither Creek scenario

II. Scenario Details and Results

Each scenario included changes in watershed nitrogen loads, often evaluating impacts from changing one significant source (*e.g.*, using I/A systems on current septic system wastewater nitrogen loads). Some of the scenarios also included changes within the system to reduce water column nitrogen concentrations by removing nitrogen already in the water column (*i.e.*, enhanced aquaculture) or reducing how long water collects nitrogen by increasing tidal flushing (*i.e.*, Hither Creek dredging). Any reductions in nitrogen would also necessarily reduce sediment deposition and regeneration of nitrogen, which was also incorporated into each scenario. **Table 1** summarizes the whole watershed nitrogen loads by source for each scenario, while **Table 2** summarizes the subwatershed/subembayment nitrogen loads for each scenario. **Table 3** summarizes the modeled total nitrogen concentrations for each of the scenarios and compares the results to the restoration target threshold developed by the MEP (0.450 mg/L TN at monitoring station M11).[4] The following sections discuss the results from each scenario:

Scenario 1: Landfill Change

Scenario 1 was designed to evaluate the impact of reduced nitrogen loads from recent upgrades at the Town landfill on the MEP results. The Town landfill is fully within the Long Pond watershed, so all of its associated groundwater nitrogen load is discharged to Long Pond (see **Figure 1**). The MEP assessment reviewed and used available town landfill monitoring data, and other landfill data to develop the final nitrogen load to Long Pond. It was determined that the landfill had annual nitrogen load of 777 kg/yr and accounted for 24% of the total controllable watershed N load to the Long Pond.[5]

Since 2009, when the MEP analysis was completed, the Town has undertaken several landfill management activities including mining portions to recover recyclable and reusable materials and reclaim previously used space. These activities have also included installation of leachate liners for sections that have been recovered.

The Town contracted CDM Smith in 2018-19 to review current landfill impacts including groundwater monitoring data. After consultation with CSP/SMAST and TMDL Solutions staff, CDM Smith estimated that the current landfill nitrogen load had been reduced to 431 kg/yr (**Table 4**). This updated load was incorporated into the Madaket Harbor/Long Pond MEP linked

[4] See Section VIII.2 of MEP report

[5] See Figure IV-6 in MEP report

models to evaluate the impact of this load reduction on water quality throughout the Madaket Harbor System. This updated load was the only change in the existing conditions watershed nitrogen loads used in the original MEP assessment (see **Table 1**). No adjustments/updates were made to buildout loads or the MEP hydrodynamic/tidal flushing conditions in this scenario.

The reduction in the landfill nitrogen load reduces the Madaket Harbor system watershed load in Scenario 1 by -9% compared to the MEP load (see **Table 2**). The resulting TN concentration at the Hither Creek threshold station was reduced to 0.489 mg/L (-4% compared to MEP). The resulting TN concentration is greater than the 0.450 mg/L threshold concentration (see **Table 3**) and, therefore, Scenario 1 does not attain the Madaket Harbor EPA/MassDEP TMDL nitrogen level.

Scenario 2: I/A Septic Systems and Landfill Change

Scenario 2 was designed to evaluate the combined impact of reduced nitrogen loads from the Town landfill and watershed-wide installation of nitrogen-reducing innovative/alternative (I/A) septic systems. One of the standard nitrogen reduction strategies considered in watersheds to nitrogen enriched estuaries where sewer connections are not available is the implementation of I/A denitrifying septic systems for on-site wastewater treatment. In this scenario, it was assumed that all developed properties in the Madaket Harbor/Long Pond watershed would install I/A septic systems and that all I/A septic system effluent would have a total nitrogen concentration of 19 mg/L.[6] In addition, the 2019 landfill nitrogen load from Scenario 1 was also included; no other changes to the MEP existing conditions watershed nitrogen loads were included in this scenario (see **Table 1**). No adjustments/updates were made to buildout loads or the MEP hydrodynamic/tidal flushing conditions in this scenario.

The combined reduction in the landfill nitrogen load and the use of denitrifying I/A septic systems throughout the watershed in Scenario 2 reduces the Madaket Harbor system watershed load by -22% compared to the MEP load (see **Table 2**). The resulting TN concentration at the Hither Creek threshold station was reduced to 0.468 mg/L (-8% compared to MEP). The resulting TN concentration is greater than the 0.450 mg/L threshold concentration (see **Table 3**) and, therefore, Scenario 2 does not attain the Madaket Harbor nitrogen TMDL.

Scenario 3: Updated Land Use

Scenario 3 was designed to evaluate the change in watershed nitrogen loading since the MEP analysis by reviewing changes in watershed land uses. Scenarios 1 and 2 used MEP "existing conditions" watershed land use and accompanying nitrogen loads with the specified changes to the landfill load and wastewater treatment, respectively. These MEP existing conditions were developed based on 2009 Town parcels and assessor's data, water use for selected properties from 2009 to 2010, and available MassGIS impervious surface estimates (*i.e.*, road and building areas). Watershed nitrogen loads in Scenario 3 were updated to 2018 conditions. The MEP Technical Team received 2018 parcels with accompanying assessor's data and available water use for individual parcels from the Town. This information was combined with updated building areas and road surfaces from MassGIS.

[6] Selection of this concentration was based on Town guidance and the Town Board of Health I/A Tracking Program regulation (local BOH regulation 65.00)

In MEP assessments, wastewater generation is generally estimated from the measured water use of individual parcels as provided by public water suppliers. In the Madaket Harbor/Long Pond watershed, public water supply is only available for a limited number of properties (*i.e.*, within the Fisher's Landing subdivision), while the majority of developed properties utilize on-site private wells for water supply. During the MEP Madaket Harbor/Long Pond assessment, monthly water consumption rates were available for the Fisher's Landing properties, so seasonal impacts of irrigation water use, as opposed to wastewater generation, could be evaluated. This review showed that individual Fisher's Landing properties averaged 229 gpd per property, but the estimated annual average wastewater rate was 89 gpd per property after accounting for irrigation.[7] This rate was reasonably consistent with US Census occupancy information and was used for estimating wastewater load among all the other developed properties within the Madaket Harbor/Long Pond watershed.

For Scenario 3, updated water use from the Fisher's Landing properties was available from February 2016 to April 2019. This data showed that average water use was 188 gpd per property. Review and comparison of precipitation rates during this current period and the MEP period showed that the difference between the average water use could be reasonably explained by greater precipitation during the most recent period. For this reason, the 89 gpd per property used in the MEP analyses still seemed to be a valid estimate for wastewater generation among the properties using private wells and therefore was used in the Scenario 3 watershed nitrogen loading update.

Comparison of the original MEP and 2018 parcels/assessor's data showed that the parcel layout and total number of parcels had changed (see **Figure 1**). The total number of single-family residences (state land use code 101) was generally stable (343 in MEP, 342 in 2018), but the total parcel count had decreased by 45. Most of these changes were due to combining of adjacent small properties. Aside from the removal of these parcel lines, the comparison also found that many parcel layouts were slightly, but significantly, altered. As a result of the updates, watershed-wide wastewater and impervious surface nitrogen loadings increased and fertilizer loads slightly decreased. With the addition of the reduced landfill nitrogen load developed for Scenario 1, the overall watershed load for updated watershed land use decreased by ~1% (see **Table 1**). No adjustments/updates were made to buildout loads or the MEP hydrodynamic/tidal flushing conditions in this scenario.

Scenario 3 presents updated current watershed nitrogen loading conditions by incorporating 2018 land use, water use, and updated landfill nitrogen load. The combined effect reduces the Madaket Harbor system watershed load by -2% compared to the MEP load (see **Table 2**). The resulting modeled TN concentration at the Hither Creek threshold station was reduced to 0.499 mg/L (-2%). Based on this result, water quality conditions in the system should be similar to what they were at the time of the MEP. The modeled TN concentration was greater than the 0.450 mg/L threshold concentration (see **Table 3**) and, therefore, Scenario 3 does not attain the Madaket Harbor nitrogen TMDL.

[7] See Chapter IV in MEP report

Scenario 4: Enhanced Aquaculture

Scenario 4 was designed to evaluate the impact of deploying shellfish in Hither Creek for nitrogen removal when combined with the other nitrogen management changes in Scenarios 1, 2, and 3. A number of communities within the MEP study area are evaluating how the addition of shellfish to impaired estuaries may be a useful component of overall strategies to reduce estuarine nitrogen concentrations and attain TMDL compliance. There are a number of considerations in deploying shellfish including: 1) the number and species of shellfish to be deployed, 2) the specific deployment location and conditions, 3) whether deployment occurs on the surface or bottom, 4) the size/age of shellfish initially deployed and when they are harvested/removed (*e.g.*, single cohort or multiple ages).

CSP/SMAST staff have been actively involved in the assessment of the nitrogen removals by oyster aquaculture and have reviewed these various factors in a number of estuaries, as well as assisting a number of towns in the development of state and local regulatory compliance for nitrogen removal.[8] Town and CSP/SMAST staff discussed how these factors might impact shellfish deployment in Hither Creek and agreed to the following strategy for incorporation into Scenario 4:

a. Use of floating bags to keep bottom areas open for other shellfish and to protect the oysters from any low dissolved oxygen events,
b. An initial (Year 1) deployment of 2.1 million 25 mm seed over a 0.4 acre area,
c. Another similar deployment in Year 2 in order to yield a continuous annual harvest of 2-year-old oysters with approximately 210 kg N removed during each harvest (additional N removal by sediment N retention processes below the floating bags may be approved in the future).

As a result of this strategy, CSP/SMAST staff estimated that the reduction in nitrogen load would be 210 kg/yr and it would be applied within the Hither Creek section of the Madaket Harbor/Long Pond system. Refinement of this option and determination of actual nitrogen removal would require implementation of the deployment with an accompanying monitoring program similar to those previously utilized in the other towns.

Scenario 4 uses the 2018 updated current watershed nitrogen loading conditions developed in Scenario 3 and applies a) watershed-wide use of denitrifying I/A systems and b) enhanced aquaculture in Hither Creek. No adjustments/updates were made to buildout loads or the MEP hydrodynamic/tidal flushing conditions in this scenario. The combined effect reduces the Madaket Harbor system watershed load by -10% compared to the 2018 updated watershed load developed in Scenario 3 (see **Table 2**). The resulting modeled TN concentration at the Hither Creek threshold station was reduced to 0.466 mg/L (-7% compared to Scenario 3 results). Comparison of the results in Scenario 2 (I/As with MEP landuse) and Scenario 4 (I/As with 2018 updated landuse) showed that the modeled TN concentration at the threshold station were essentially the same. The modeled TN concentration in this scenario was greater than the 0.450 mg/L threshold concentration (see **Table 3**) and, therefore, Scenario 4 does not attain the Madaket Harbor nitrogen TMDL.

[8] Howes, B. and E. Eichner. 2018. Town of Orleans Lonnie's Pond Aquaculture and Nitrogen Management Plan. Coastal Systems Program, School of Marine Science and Technology (CSP/SMAST), University of Massachusetts-Dartmouth. New Bedford, MA. 128 pp.

Scenario 5: Dredging of Hither Creek

Scenario 5 was designed to evaluate the impact of dredging Hither Creek on nitrogen concentrations when combined with the nitrogen changes based on the updated watershed nitrogen loading developed in Scenarios 1 and 3. During the development of the MEP, project staff completed bathymetric surveys throughout the system for incorporation into the hydrodynamic model.[9] Following discussion with Town staff including the Harbormaster, ACRE staff adjusted the MEP bathymetry to establish a dredging footprint for the navigational channel to the Hither Creek Boatyard based on a channel bottom width of 30 feet and depth of -8 feet MLLW (**Figure 2**).[10] This generalized footprint is not an engineering final version, which would require additional review to consider design issues, such as slope stability, and permitting issues, such as saltmarsh impacts and dredge disposal. No changes in MEP tidal range, culverts in the rest of the system, or other tidal factors were made in this scenario.

In this scenario, the estimated dredging of Hither Creek was combined with the 2018 updated watershed nitrogen loads developed in Scenario 3, including the updated landfill nitrogen load from Scenario 1. No adjustments/updates were made to buildout loads in this scenario. The resulting modeled TN concentration at the Hither Creek threshold station was reduced to 0.497 mg/L (-0.4% compared to Scenario 3 results). Comparison of the results in Scenario 3 (2018 updated landuse) and Scenario 5 (2018 updated landuse with dredging in Hither Creek) showed that the modeled TN concentration at the threshold station were essentially the same. The modeled TN concentration in this scenario was greater than the 0.450 mg/L threshold concentration (see **Table 3**) and, therefore, Scenario 5 does not attain the Madaket Harbor nitrogen TMDL.

III. Conclusions/Discussion

Though none of the scenarios attained the Madaket Harbor nitrogen TMDL, comparison between the scenario results provided a number of insights for the Town to consider for future development of nitrogen management strategies:

a. Watershed nitrogen loads have not increased since the MEP assessment (based on 2009 land use). Wastewater loads did increase, but this was offset by nitrogen loading reductions at the Town landfill.
b. The scenarios with results closest to the TMDL were those that included reduction of wastewater nitrogen loads. Scenarios 2 and 4, which utilized installation of denitrifying I/A septic systems throughout the watershed, had total nitrogen concentrations closest to the 0.450 mg/L TMDL concentration. These scenario results, combined with the other scenario results, suggest that wastewater nitrogen reductions provide the most significant improvements in TN concentrations in the Harbor. The results of the scenarios also indicate that total nitrogen reductions assumed for the I/A systems will have to be increased if wastewater treatment is the only nitrogen management strategy that is utilized. It should also be noted that some I/A systems are discharging effluent at TN levels <19 mg/L, so large-scale implementation of these systems would result in even lower TN levels. However, lower effluent nitrogen concentrations would require MassDEP approval to ensure regulatory compliance.

[9] See Section V.2.1 in MEP report

[10] NOAA the offshore channel depths in Madaket Harbor are ~7 feet MLLW

c. Enhanced aquaculture would need to be more extensive than what was applied in Scenario 4. The total nitrogen concentrations in Scenario 4 were essentially the same as Scenario 2, which did not include the enhanced aquaculture, likely due to the aquaculture area being so close to Madaket Harbor and the system inlet. It should be noted that the proposed enhanced aquaculture removed 210 kg/yr of N would be the equivalent of completely removing ~10% of the overall watershed wastewater N load, so significant removals could be achieved through utilizing enhanced aquaculture of an integrated nitrogen management approach.
d. Dredging within Hither Creek also had only a small impact on total nitrogen concentrations. Scenario 5 included the dredging with the updated 2018 watershed land use, while Scenario 3 only included the updated land use. The total nitrogen concentration results in these two scenarios were essentially the same, indicating that the dredging had only minimal impact. It should be noted, however, that optimization of dredging as part of an integrated nitrogen management approach may have significant benefits beyond the Scenario 5 configuration.

Table 1. 2019 Madaket Harbor/Long Pond Scenarios: Overall Watershed Nitrogen Loads. System-wide annual nitrogen loads in kilograms are shown for each scenario with loads within each of the categories used in the 2010 MEP watershed nitrogen load (also shown for comparison and described in Chapter IV of the MEP Report).

		Wastewater	Landfill	Fertilizers	Impervious Surfaces	Water Surface	Natural Surfaces	Total N Load
Scenario	Description	kg/yr	kg/yr	kg/yr	kg/yr	kg/yr	kg/yr	kg/yr
MEP	Baseline – 2010	1,904	777	272	346	4,128	387	7,814
1	MEP Landuse + Landfill Update	1,904	431	272	346	4,128	387	7,468
2	MEP Landuse + Watershed-wide I/A denitrifying septic systems + Landfill Update	1,378	431	272	346	4,128	387	6,942
3	2018 Landuse + Landfill Update	2,153	431	274	367	4,141	389	7,755
4	Enhanced Aquaculture + 2018 Landuse + Watershed-wide I/A denitrifying septic systems + Landfill Update	1,559	431	274	367	4,141	389	6,950* *includes -210 kg/yr for aquaculture
5	Hither Creek Dredging + 2018 Landuse + Landfill Update	2,153	431	274	367	4,141	389	7,755

Table 2. 2019 Madaket Harbor/Long Pond Scenarios: Watershed, Benthic Flux, and Direct Atmospheric Nitrogen Loads. These are the nitrogen loads used in the water quality modeling of each scenario. Subwatershed loads include all nitrogen sources, including septic wastewater loads, impervious surface runoff, and lawn fertilizers. Direct atmospheric deposition loads are nitrogen loads on the surface of each of the subembayments. Net benthic flux loads are nitrogen regenerated from sediments within each subembayment. MEP present conditions nitrogen loads from the 2010 Report are also shown for comparison. All nitrogen loads are presented as kilograms per day.

	Total watershed loads (kg/d N)						direct atmospheric deposition (kg/day N)	benthic flux net (kg/d N)					
Sub-Embayment	MEP	Scen. 1	Scen. 2	Scen. 3	Scen. 4	Scen. 5	MEP & All scenarios	MEP	Scen. 1	Scen. 2	Scen. 3	Scen. 4	Scen. 5
Madaket Bay	0.663	0.663	0.559	0.811	0.674	0.811	8.603	17.952	17.952	17.485	17.952	17.485	17.952
Hither Creek	4.041	4.041	3.238	4.052	2.679	4.052	0.534	-0.583	-0.583	-0.583	-0.583	-0.583	-0.583
Madaket Ditch	2.433	2.433	2.016	3.112	2.507	3.112	-	0.061	0.049	0.043	0.055	0.043	0.055
North Head Long Pond	0.238	0.238	0.219	0.241	0.222	0.241	0.693	0.995	0.995	0.829	0.995	0.829	0.995
Long Pond	3.230	2.282	2.186	2.192	2.121	2.192	0.975	3.065	2.627	2.408	2.846	2.408	2.846
SYSTEM TOTAL	**10.605**	**9.658**	**8.219**	**10.408**	**8.203**	**10.408**	**10.805**	**21.490**	**21.040**	**20.182**	**21.264**	**20.182**	**21.264**

Table 3. 2019 Madaket Harbor/Long Pond Scenarios: Average Model Total N Concentrations. Comparison of model average total N concentrations resulting from each of the indicated N loading scenarios. During the MEP, project staff identified a threshold station where achieving the selected total N concentration would restore benthic infauna communities throughout the estuary system. The threshold station in Hither Creek is shown in **bold** print and the total nitrogen threshold to restore benthic infauna communities at this station is **0.450 mg N L-1**.

Sub-Embayment	Monitoring Station	MEP baseline (mg/L N)	Scen. 1 (mg/L N)	Scen. 2 (mg/L N)	Scen. 3 ((mg/L N)	Scen. 4 (mg/L N)	Scen. 5 (mg/L N)
Madaket Bay	M1	0.311	0.310	0.310	0.311	0.310	0.311
Madaket Bay	M2	0.321	0.320	0.319	0.320	0.319	0.320
Madaket Bay	M3	0.328	0.327	0.325	0.327	0.325	0.328
Hither Creek	M4	0.464	0.447	0.431	0.455	0.430	0.458
Hither Creek	M5	0.613	0.579	0.549	0.595	0.552	0.589
Madaket Bay	M6	0.316	0.315	0.315	0.316	0.315	0.316
Madaket Bay	M10	0.327	0.325	0.324	0.326	0.324	0.326
Hither Creek	**M11**	**0.511**	**0.489**	**0.468**	**0.499**	**0.466**	**0.497**
Long Pond	LOPO1	1.040	0.934	0.883	0.955	0.882	0.947
Long Pond	LOPO2	0.983	0.888	0.840	0.908	0.839	0.899
Long Pond	LOPO3	0.883	0.807	0.763	0.826	0.764	0.814
Long Pond	LOPO4	0.852	0.782	0.739	0.802	0.740	0.789
North Head Long Pond	LOPO5	0.894	0.828	0.779	0.846	0.780	0.835

Table 4. 2019 Update of Nitrogen Loading from Town of Nantucket Landfill. Factors for determining the landfill nitrogen load were based on an updated review conducted through coordination between CDM Smith, CSP/SMAST, and TMDL Solutions staff. MEP estimated annual nitrogen load from the landfill was 777 kg/yr. CDM Smith divided the estimated landfill nitrogen plume among north and south flow paths and a shallow and deep portions of the aquifer thickness. TN concentrations within the plume were based on groundwater monitoring in 2018 and 2019 and were adjusted to account for upgradient, background concentrations.

	Plume Section	North-Deep	North-Shallow	South-Deep	South-Shallow
Factor	Factor Units				
Hydraulic conductivity (K)	ft/d	75	34	39	80
Hydraulic gradient (i)	ft/ft	0.0012	0.0009	0.0011	0.001
Portion of aquifer thickness	ft	81	30	81	30
Portion of cross-sectional width	ft	580	580	580	580
Plume cross-sectional area (A)	ft^2	46,980	17,400	46,980	17,400
Plume flow (Q=KiA)	ft^3/d	4,235	528	2,015	1,392
Total N concentration	mg/L	0.8	1.8	3.9	21.2
TN loading (Q*TN conc)	kg/yr	35.0	9.8	81.2	305.0
TOTAL Landfill TN Load (∑ plume quadrant loads)	kg/yr	431			

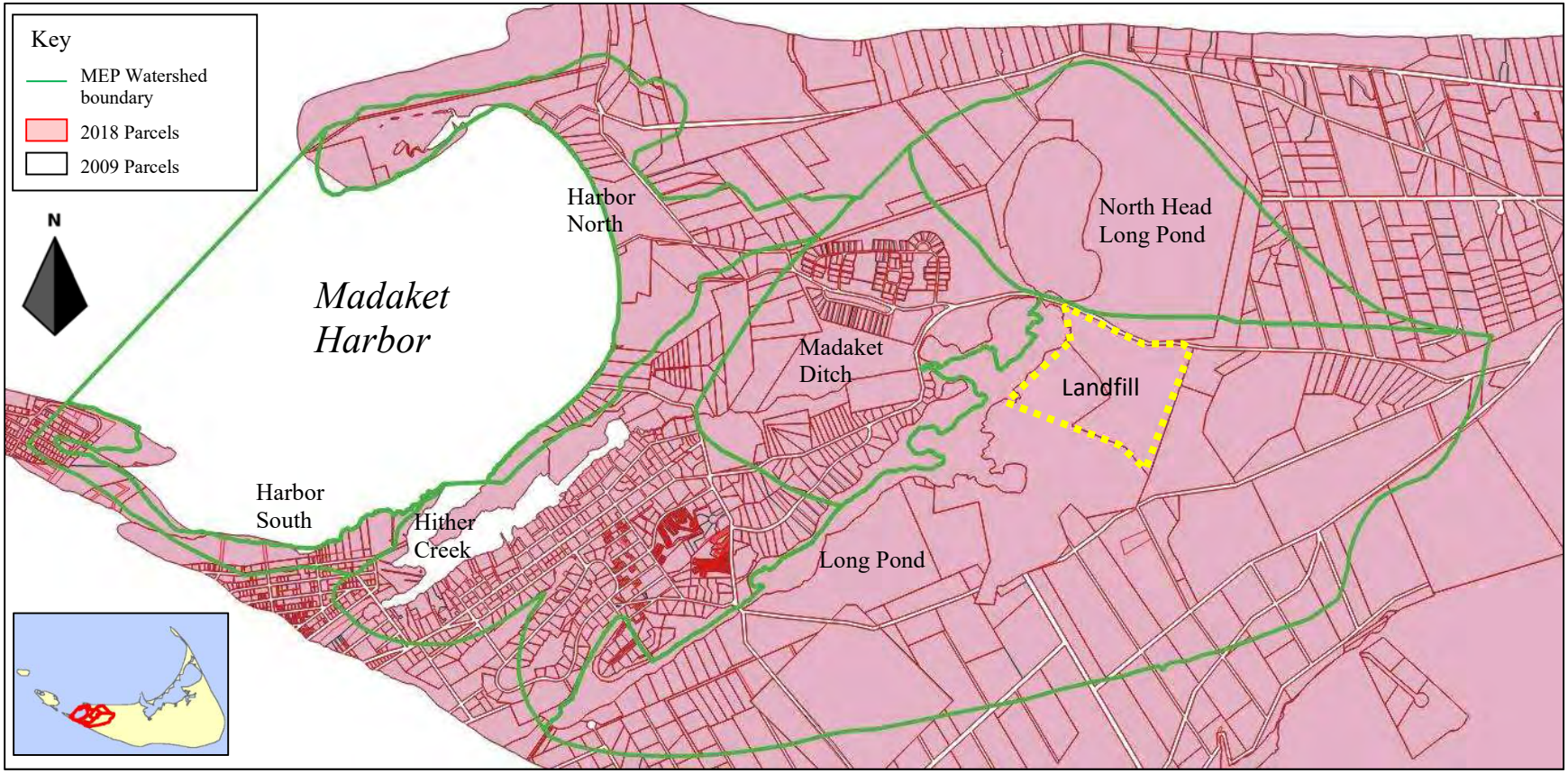


Figure 1. Madaket Harbor/Long Pond Watershed, Town Parcels, and Landfill Location. The MEP watershed is outlined in green and subwatersheds are labeled. 2009 Town parcels were used in the MEP assessment and are overlaid on the 2018 Town parcels that were used for the scenario updates. Parcels where black outlines of 2009 parcels are visible were adjusted in the 2018 parcel coverage. The approximate outline of the Town landfill is shown within the Long Pond subwatershed.

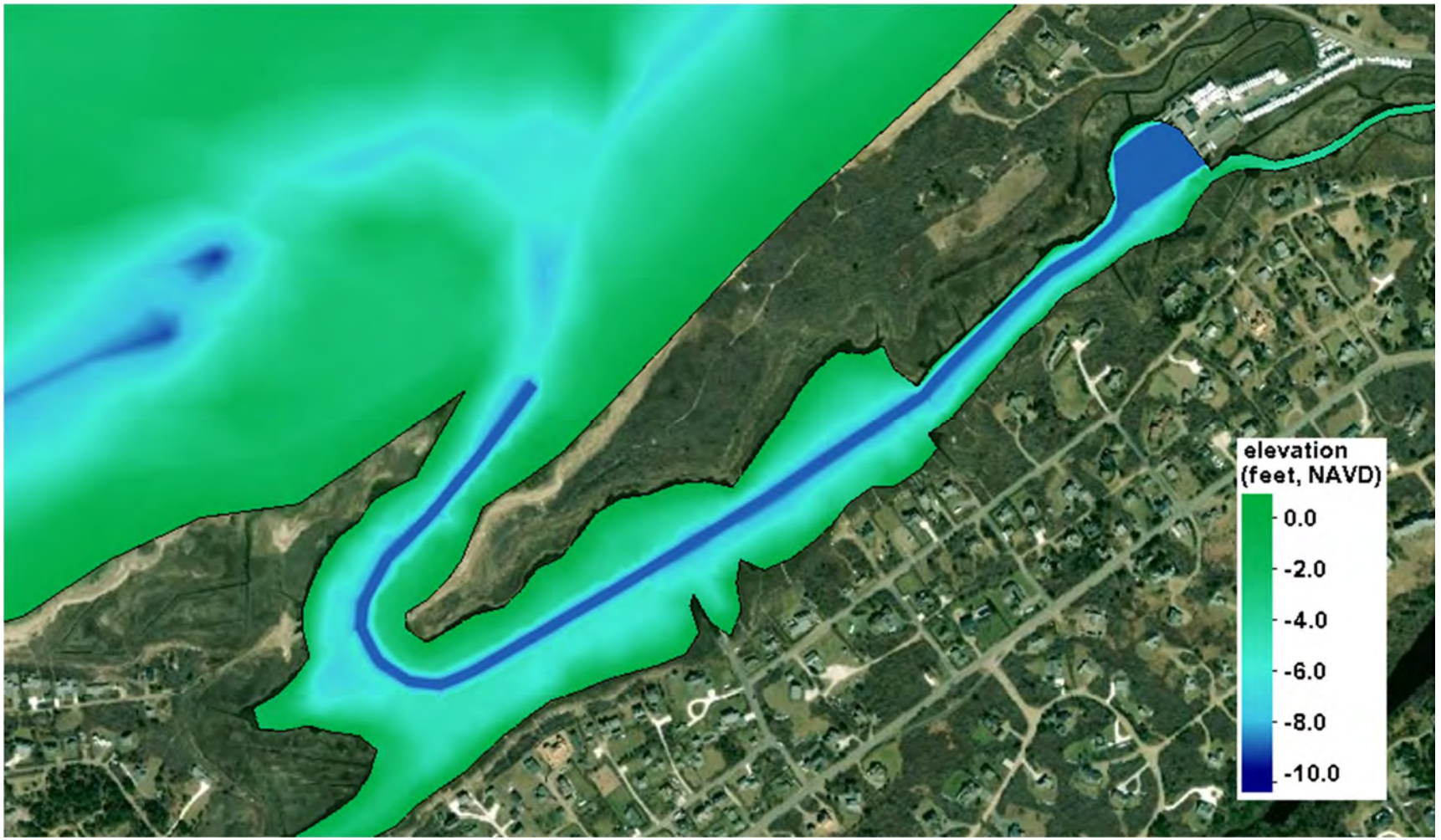


Figure 2. Scenario 5 Hither Creek Dredging Depth Contours. Following consultation with Town staff, project staff adjusted the measured MEP bathymetry to establish an estimated dredging footprint for the navigational channel to the Hither Creek Boatyard based on a 30-foot-wide channel dredged to -8 feet MLLW between the inlet of Hither Creek and the Madaket Marine boat basin. Based on this approximate footprint, 44,800 cubic yards would be dredged for the 4,300 feet of channel and deepening of existing boat basin at Madaket Marine.

TOWN OF NANTUCKET NATURAL RESOURCES DEPARTMENT

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NANTUCKET, MA 02554

EXECUTIVE SUMMARY

TOWN OF NANTUCKET LONG POND/MADAKET HARBOR 2019 MEP SCENARIOS

INTRODUCTION:

In 2015, the Massachusetts Department of Environmental Protection (MassDEP) finalized a nitrogen Total Maximum Daily Load (TMDL) for Madaket Harbor/Long Pond estuary system that established nitrogen limits/thresholds to restore water and habitat quality throughout the system. A TMDL is a regulatory limit required under the federal Clean Water Act for all surface waters that are impaired and failing to meet state standards. The Madaket Harbor/Long Pond system was identified as having impaired water quality due to excessive nitrogen through a 2010 Massachusetts Estuaries Project (MEP) report that provided the scientific basis for the Madaket Harbor System habitat assessment and the MassDEP TMDL. The County & Town of Nantucket (Town) has been discussing options to reduce watershed nitrogen loads to and nitrogen concentrations within the Madaket Harbor/Long Pond system.

STATEMENT OF PROBLEM:

As increasing numbers of people occupy coastal watersheds, the associated coastal waters receive increasing pollutant loads. Coastal embayments throughout the Commonwealth of Massachusetts are becoming nutrient enriched. The primary nutrient causing the increasing impairment of our coastal embayments is nitrogen, with its primary sources being wastewater disposal, and nonpoint source runoff that carries nitrogen *(e.g.*, fertilizers) from a range of other sources.

Analyses of the Madaket Harbor / Long Pond embayment system was performed to assist the Town with upcoming nitrogen management decisions associated with the Towns' current and future wastewater planning efforts, as well as wetland restoration, anadromous fish runs, shell fishery, open-space, and harbor maintenance programs.

One of the key features of the MEP project was the development of estuary-specific linked watershed/embayment water quality models that were validated with collected water data in each estuary system so that the models could be reliably used to predict the water quality impacts of watershed or in-system changes. Recently, the Town asked the School for Marine Science and Technology at UMass-Dartmouth (SMAST) to evaluate five additional scenarios in the Madaket Harbor/Long Pond system. The results of these five scenarios are listed below.

Results:

	Scenario	Description	TMDL (goal 0.450 mg/L)
1	Landfill Change *(based upon an updated N load by CDM)*	Evaluated the impact of reduced nitrogen loads from recent upgrades at the Town landfill on the MEP results.	0.489 mg/L
2	Innovative/alternative (I/A) System Use and Landfill Change	Evaluated the combined impact of reduced nitrogen loads from the Town landfill and watershed-wide installation of nitrogen-reducing I/A septic systems.	0.468 mg/L
3	Updated Land Use	Evaluated the change in watershed nitrogen loading since the MEP analysis by reviewing changes in watershed land uses. *Scenarios 1 and 2 used MEP "existing conditions" watershed land use and accompanying nitrogen loads with the specified changes to the landfill load and wastewater treatment, respectively.*	0.499 mg/L
4	Enhanced Aquaculture	Evaluated the impact of deploying shellfish in Hither Creek for nitrogen removal when combined with the other nitrogen management changes in Scenarios 1, 2, and 3.	0.466 mg/L
5	Dredging of Hither Creek	Evaluated the impact of dredging Hither Creek on nitrogen concentrations when combined with the nitrogen changes based on the updated watershed nitrogen loading developed in Scenarios 1 and 3.	0.497 mg/L

MAJOR FINDINGS:

Zero scenarios attained the Madaket Harbor nitrogen TMDL of 0.450 mg/L.

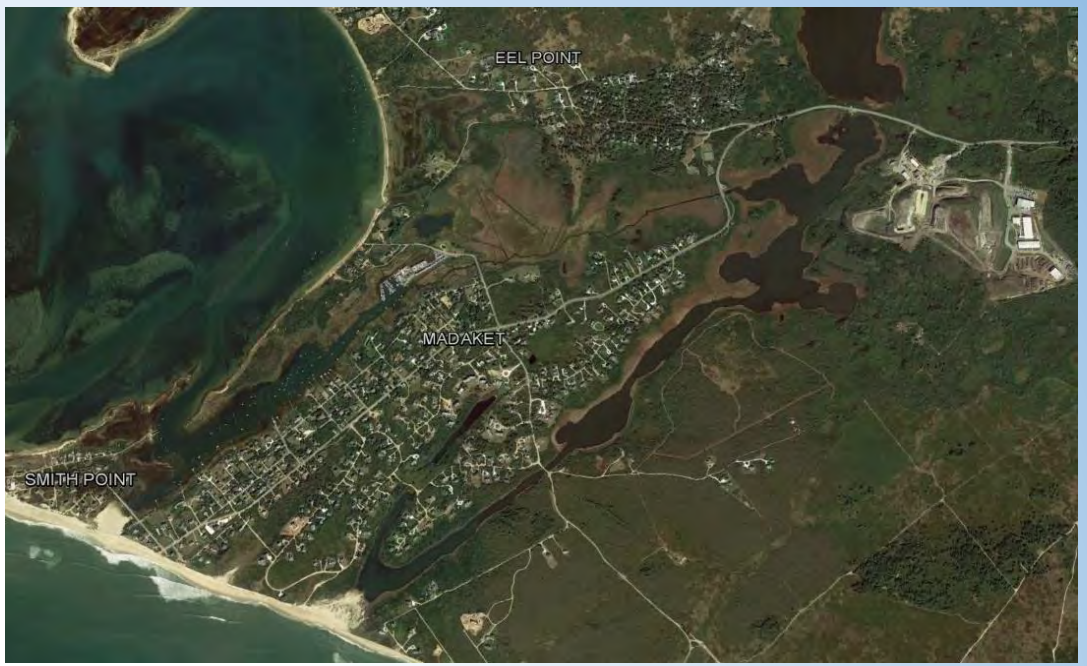
CONCLUSIONS:

Though none of the scenarios attained the Madaket Harbor nitrogen TMDL, comparison between the scenario results provided several insights for the Town to consider for future development of nitrogen management strategies:

- Watershed nitrogen loads have not increased since the MEP assessment (based on 2009 land use). *Wastewater loads did increase, but this was offset by nitrogen loading reductions at the Town landfill.*
- The scenarios with results closest to the TMDL were those that included reduction of wastewater nitrogen loads. *These scenario results, suggest that wastewater nitrogen reductions provide the most significant improvements in TN concentrations in the Harbor.*
- Enhanced aquaculture would need to be more extensive than what was applied in Scenario 4. The total nitrogen concentrations in Scenario 4 were essentially the same as Scenario 2, which did not include the enhanced aquaculture, likely due to the aquaculture area being so close to Madaket Harbor and the system inlet. *The proposed enhanced aquaculture removed ~10% of the overall watershed wastewater N load.*
- Dredging within Hither Creek had minimal impact on total nitrogen concentrations.

Town of Nantucket

Madaket and Warren's Landing Conceptual Sewer Design and Budgeted Cost



Select Board Presentation

February 2, 2022

Town of Nantucket

Madaket & Warren's Landing Sewers

Agenda

- Project Background
- Conceptual Layout
- Project Details
- Budgeted Costs
- Next Steps
- Questions & Discussion



Town of Nantucket

Madaket & Warren's Landing Sewers

Project Background - A Look Back:

- Comprehensive Wastewater Management Planning (CWMP – 2004 & 2014)
- SMAST Report - 2019
- Sewer Master Plan – 2020



Project Background - A Look Back:

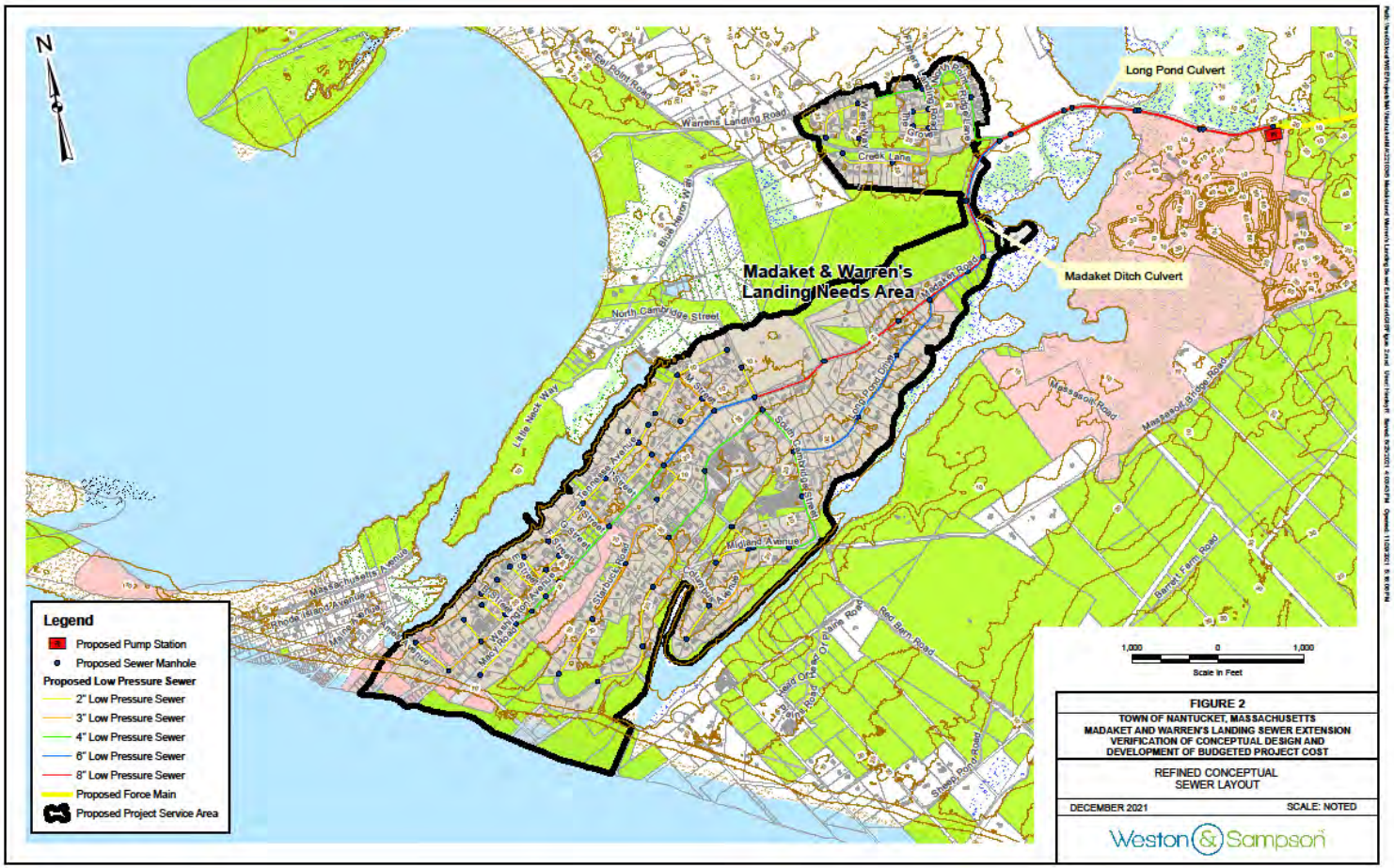
- October 2016 STM
  - Passed STM
  - Failed on Ballot
- Requested Amount - $80M
  - $62M for Madaket & Warren's Landing
  - Included $18M for Somerset



Town of Nantucket

Madaket & Warren's Landing Sewers

Conceptual Low-Pressure Sewer Layout

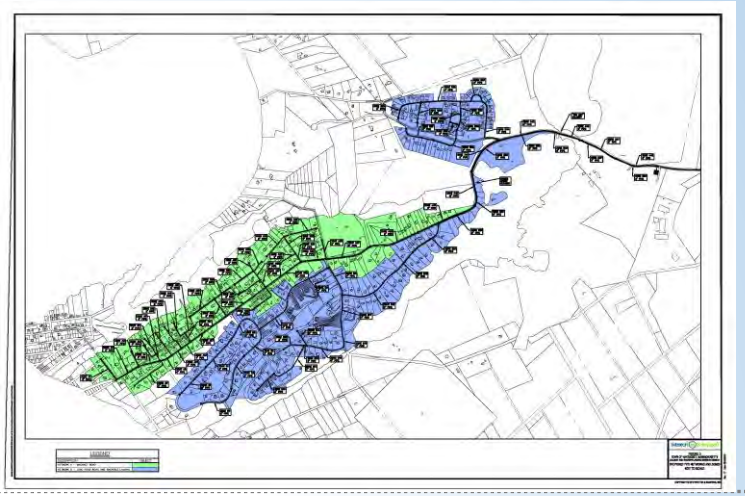


Town of Nantucket

Madaket & Warren's Landing Sewers

Conceptual Layout - Project Details (Approx.)

- 49,000 l.f. of Low-Pressure Sewers
  - Public & Private Roads
  - Paved & Unpaved Roads
- 540 Existing Lots
- 620 Estimated Future Dwellings (Existing + Future)



Coastal Resiliency Considerations

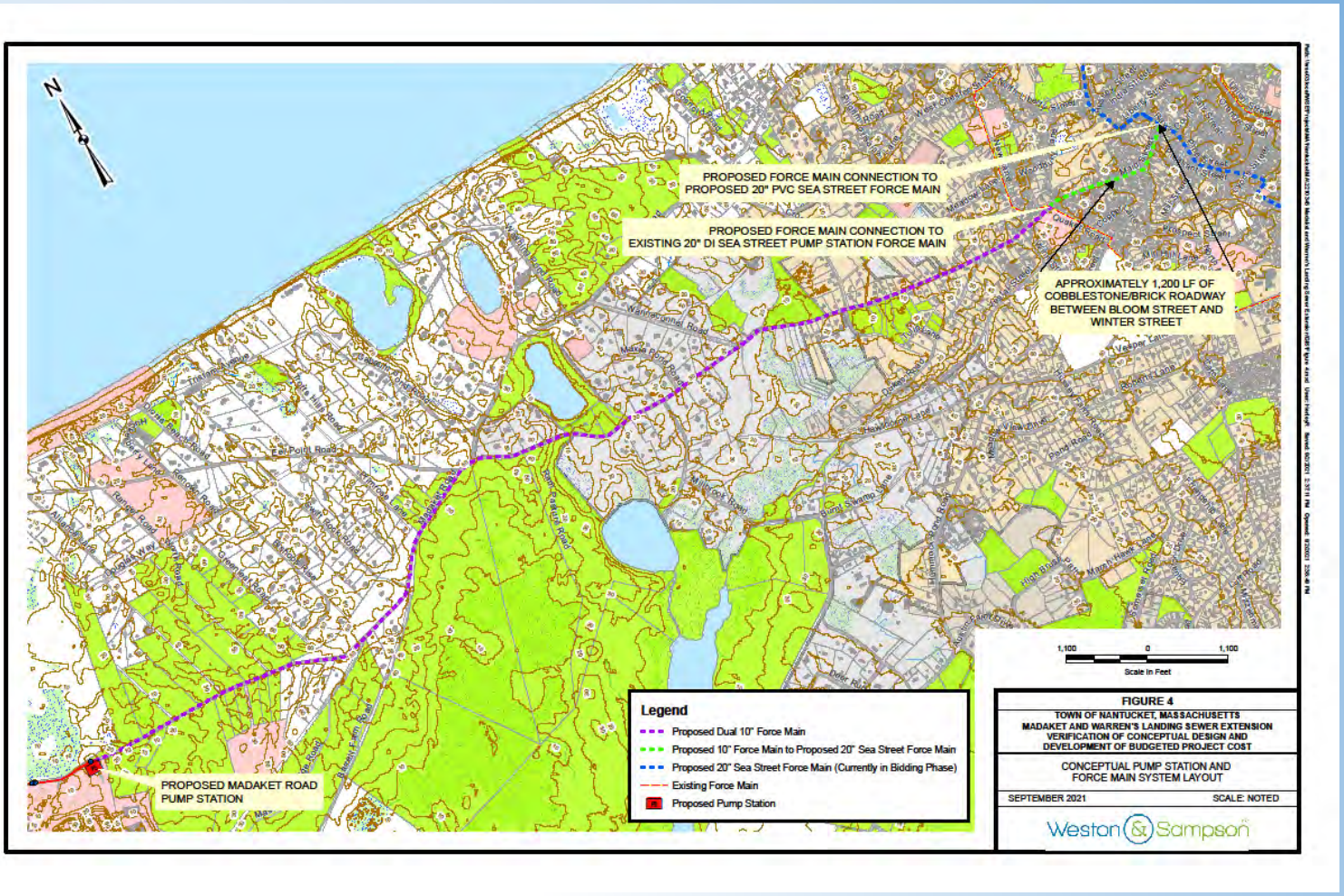
- Sea Level Rise/Coastal Erosion
- Sewer System Considerations
  - Sealed System
  - Isolation Valves
  - Pump Station Design
  - Culvert Crossings
- Other Considerations
  - Road Elevations
  - Culvert Conversions to Bridges



Town of Nantucket

Madaket & Warren's Landing Sewers

Conveyance to Existing Sewer System

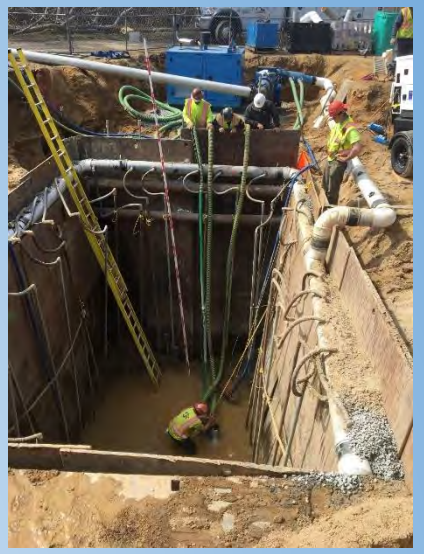


Town of Nantucket

Madaket & Warren's Landing Sewers

Conveyance System Details (Approx.)

- Proposed Pump Station at or near DPW/Landfill
- 16,500 l.f. of Dual 10-inch Force Main
  - Connect One Force Main to the Existing 20-inch DI Sea Street Force Main at Quaker Road
- Additional 2,100 l.f. of Single 10-inch Force Main
  - Connect to the Proposed Sea Street Pump Station Force Main No. 3 at the Intersection of Main Street and Winter Street
- Provides Redundancy/Resiliency



Town of Nantucket

Madaket & Warren's Landing Sewers

Project Cost Drivers



- Length, Size and Depth of Pipe
  - Number of Manholes/Structures
  - Type and Size of Pump Station
  - Grinder Pump Procurement
- Subsurface Conditions
- Method of Installation
- **Surface Restoration**
- Public Safety
- Easements (Pump Stations & Private Roads)

Town of Nantucket

Madaket & Warren's Landing Sewers

Budgeted Cost

- Construction Cost - $33M
- Construction Contingency (20%) - $6.6M
- Engineering/Land/Legal Costs – (30%) - $9.9M
- Public Safety (Police Details) - $0.9M
- Grinder Pumps (Purchase Only) - $1.9M
- Total - $52M





Town of Nantucket

Madaket & Warren's Landing Sewers

Construction Cost Breakdown

- Total Estimated Construction Cost - $33M
- Collection System (Low-Pressure Sewer) - $8M (24%)
- Conveyance System (PS and Force Main) - $9M (27%)
- Surface Restoration (Primarily Paving) - $16M (49%)





Town of Nantucket

Madaket & Warren's Landing Sewers

Next Steps:

- Authorization of Design Funds
  - Design & Permitting
  - Refined Construction Cost
  - Funding Application(s)
  - Public Outreach
- Authorization of Construction Funds



Town of Nantucket

Madaket & Warren's Landing Sewers

Questions & Discussion



HDC Appeal of 8 Bank Street

FITCH

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NANTUCKET TOWN ADMINISTRATION

JONATHAN W. FITCH
jwf@fitchlp.com

FITCH LAW PARTNERS LLP
84 STATE STREET
BOSTON, MA 02109

December 20, 2021

BY HAND

The Select Board of Nantucket
16 Broad Street, #2
Nantucket, MA 02554

Re: Appeal of Certificate of Appropriateness No. HDC2021-05-3625

Dear Members of the Select Board,

Pursuant to the provisions of Section 11 of the Nantucket Historic District Commission Act (St. 1970 c. 395) (the "Act"), Jeff Gardner, as Manager of 9 Broadway LLC, Anne Reilly, Margaret Van Deusen and Isabel Landzert, as Trustees of the Van Deusen Realty Trust, Joseph and Kathy Arvay, Mary Williams, Janet Ballou, Sherry Kelley, Samuel Daniel, and Helen Strong, (collectively the "Appellants") hereby appeal the Certificate of Appropriateness No. HDC2021-05-3625, showing inaccurately a "date issued: 9/7 2021," (the "COA"). The COA effectively allows the destruction of an iconic historic structure and the construction of a new dwelling at 8 Bank Street, Siasconset (the "Demolition Project").

Jeff Gardner, as Manager of 9 Broadway LLC, is the record owner of 9 Broadway/9 Front Street, Sconset, which directly abuts 8 Bank Street. Anne Reilly, Margaret Van Deusen and Isabel Landzert, as Trustees of the Van Deusen Realty Trust, own the premises at 7 Front Street, which is the first house on the east side of Front Street between the steps that lead down to Codfish Park, and Middle Gully. The property is located across Middle Gully from 8 Bank Street. Joseph and Kathy Arvay reside at 11 Front Street, which is directly above and to the north of 8 Bank Street. Mary Williams, 7 and 10 Broadway, Janet Ballou, 21 Front Street, Sherry Kelley, 5 Broadway, Samuel Daniel, 6 Broadway, and Helen Strong, 18 Broadway, are long-time owners, co-owners or trustees of historic houses in the Sconset Old Historic District. Their houses are located in close proximity to the Demolition Project (abutters and neighbors collectively the "Appellants").

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Timeliness of Appeal

The appeal of the COA is timely under Section 11 of the Act because it is filed within 10 days of December 9, 2021, the date of notice to the Appellants that the HDC issued the COA and approved the Demolition Project. The Appellants received first notice of the COA at a meeting of the Nantucket Zoning Board of Appeals (ZBA) on December 9, 2021. The Supreme Judicial Court has held in various contexts that a cause of action accrues on the happening of an event likely to put the plaintiff on notice. See, e.g., Kramer v. Zoning Bd. of Appeals of Somerville, 65 Mass.App.Ct. 186, 193 (2005)("where no notice has been provided under [the statute], the ninety-day statute of limitations does not begin to run until the aggrieved party becomes aware of the project to which he objects"). The Appellants have not waived their right to appeal the allowance of the Demolition Project.

The official records of the Historic District Commission indicate that the Members of the Commission did not intend to approve a COA at the September 7, 2021 hearing:

> Motion. Motion to Approve (McLaughlin) Not Carried 2-2//Coombs and Camp abstain
> **Motion to Hold for revisions. (Thornewill)**
> Roll-call Vote Carried 4-0// Camp, McLaughlin, Thornewill, and Coombs - aye

The September 7 HDC meeting minutes thus state that a vote to approve the Demolition Project did not carry and there was a unanimous vote to hold for further revisions. Yet with no notice to the abutters or other community participants in the HDC process, the plans were at some point stamped "HDC approved." No further HDC meeting minutes ever issued. Despite widespread abutter and community opposition to this project as currently proposed, multiple comments by abutters, the Siasconset Civic Association and community members, and participation at all HDC meetings at which 8 Bank Street was on the agenda, no notification was provided to abutters, or we believe, to anyone else (other than to the applicants or their representatives). This raises serious Open Meeting Law questions: no one at the September 7 meeting---neither the HDC members, Angus MacLeod on behalf of the owners, or the abutters and the public present at that meeting believed the project had been approved.

Appellant Jeff Gardner made a further submission to the HDC dated September 9, 2021, a copy of which is attached as **Exhibit A**.

Appellants only learned at the December 9, 2021 ZBA meeting that a COA had been issued based on advice of town counsel John Giorgio on October 25, 2021. To date, Appellants have not seen Mr. Giorgio's memo. They were stunned at the December 9 ZBA meeting to learn that this is what had transpired. Nor was the Demolition Project listed in the HDC approvals published weekly in the Inquirer and Mirror. A certified copy of the COA submitted with this appeal is stamped as received by the Clerk's Office on October 26, 2021.

8 Bank Street

8 Bank Street is an historic structure 9 feet in height located on a tiny lot at the foot of cobblestoned Middle Gully, which connects iconic Front Street with Codfish Park and the Atlantic Ocean. The house, nestled next to the gully, sits at the entrance to Codfish Park, where fishermen cast their nets in the Atlantic for cod and built small squatter cottages on the sand below the bank.

As the filmmaker John Shea eloquently wrote, "sea-shelled Front Street is one of the most important historic locations in Sconset, maybe in America: arguably the intersection of Front Street and Middle Gully Road is an aorta at the very heart of our Village." Front Street, Middle Gully and the entrance to Codfish Park with 8 Bank Street singly and together are essential elements in the Sconset Old Historic District.

The Demolition Project seeks to construct a new building that will more than double the height of the existing building, which is right up against the gully and the coastal bank; the new structure will overtop the bank, blocking much admired views to the ocean from Front Street and towering over Middle Gully. It will be visible from three directions on Front Street and a large second story dormer on the west side will face Middle Gully and Front Street. No structure higher than the bank this close to the bank has been permitted in Codfish Park. If allowed, this profoundly vertical structure with a planned 8 to 9-foot basement of living space will fundamentally change the look and experience of these important contributing elements of the historic district. Consequently, there is widespread opposition to the project by the neighborhood and community, including by the Siasconset Civic Association, which rarely takes a position on construction, but felt compelled to do so here.

The COA is Otherwise Defective

Additionally, the COA, which is backdated to September 7, 2021, appears to be otherwise invalid. This is because the COA erroneously describes the work to be performed as that described in the original plans filed in April, 2021. Those plans were superseded by Mr. MacLeod's revised submission during the HDC process. It stands to reason that the filing of a COA endorsing the original plans is without legal effect. Unless and until the HDC issues a proper COA containing a correct work description, there is no valid COA.

The Appellants Are Persons Aggrieved

All of the Appellants are abutters or neighbors who participated in the HDC process. They have standing to bring this appeal under Section 11 of the Act because they are all persons aggrieved by the ruling of the HDC. The Act protects the visual interests that are connected with preserving the historic integrity of the Village of Siasconset and its neighborhoods. It protects exterior architectural features of an existing building or structure - to the extent that those features are subject to public view from a public street, way or place. It also protects buildings or structures "of such architectural interest that, in the Commission's opinion, their removal would be detrimental to the public interest of the town of Nantucket or the Village of Siasconset." See

Sections 5 and 6 of the Act and Montgomery v. Board of Selectmen of Nantucket, 95 Mass. App. Ct. 65, 70-75. (Copy attached as **Exhibit B**.)

As in Montgomery, the Appellants sufficiently demonstrate that the Demolition Project would have a substantial negative effect on the historical character of their neighborhood's "streetscape" and their own enjoyment of it. They allege a detrimental impact on the neighborhood's visual character and particularized harm to their own property. The appellants are also concerned that the project's excavation of a significant lower level floor into the base of the embankment will jeopardize the integrity of the banks on which they live. These factors confer their standing to appeal to the BOS. Id.

Relief Requested

The Appellants submit that the public interest in the integrity of the HDC hearing process and the applicable law require that the BOS (1) vacate the COA and (2) remand the matter to the HDC for new hearings, or (3) provide other proper relief. Appellants propose January 26, February 2 or 9, 2022, for this to be heard.

Jeff Gardner, as manager of 9 Broadway LLC, Joseph and Kathy Arvay, Sherry Kelley and Mary Williams,

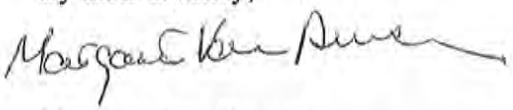
By their attorney,



Jonathan W. Fitch
(jwf@fitchlp.com)

Anne Reilly, Margaret Van Deusen, Isabel Landzert, Helen Strong and Sam Daniel, and Janet Ballou,

By their attorney,



Margaret Van Deusen
(margaretvandeusen@gmail.com)

cc: Nantucket Historic District Commission (By Hand)

Exhibit A

September 9, 2021

Dear Members of the Historic District Commission,

As a follow-up to my comments submitted 9/1/21 regarding the proposed construction of a building located at 8 Bank Street, Sconset, please see the digest of comments previously submitted to the HDC by other concerned residents for your consideration.

As you see, the voices in opposition are no 'vocal minority' as was characterized by the architect during the meeting Tuesday, Sept. 7. They are in fact many.

Additionally, please see the attached height analysis which concludes that the roof height at Middle Gully/9 Front Street is between and 5'2" and 7'5" above the bank rather than the 3'2" presented in the topographic section provided by Jeff Blackwell and Assoc., subcontractor to Angus Macleod Designs. The Blackwell drawings are NOT accurate.

Thank you for your consideration and review of the attached information.

Jeff & Ann Gardner
9 Broadway/9 Front Street

==========

Comments in Opposition

Helen Strong - 18 Broadway
"Joining other neighbors, I also wanted to reiterate my strong opposition to this project... I am writing again to object to the proposed construction at 8 Bank St. in Codfish Park."

Robin Gorham - 9 King Street
"The proposed structure would be too high and would impact the houses around it and the historic district."

Emily Maletta - 15 Broadway
"I am writing as a concerned neighbor to object to the work that will be soon done to the historic building now found at 8 Bank Street in Codfish Park, Sconset..."

Rena Crisp – 10 Clifton St.
"I am strongly opposed to this transformation from a small "cottage" (a.k.a. one-room fishing shack/ice cream stand) to a two-story house which would impact the entire character of this treasured part of the village..."

Pamela Suan - 2 Broadway
"The proposed structure changes the character, blocks historic views, and is not in keeping with the character of the area. I hope the HDC will not allow this to be changed..."

Mary Williams - 7 Broadway, 10 Broadway, 3 Magnolia, 11 Pochick

"I feel if the Nantucket boards let a person show up on this historic scene and ignore the restraints we and so many others have upheld to maintain this historic area would be a shame... It appears to me as though this is a selfish wish of an applicant who just wants to be here in this little village and benefit from these historic settings enough to squat and expand both up and down, into and above this ground without any regard or respect for this fragile area."

Eric & Beatriz Olson - 7 Sconset Ave.
"We oppose the modifications to the 8 Bank Street home, both for how the elevated second floor will block views ... as well as how the basement installation may affect the stability of the bank."

Janet Ballou - 21 Front Street
"I would like to add my support to my neighbors in Sconset village who have voiced concern and opposition to the proposed construction at 8 Bank Street... The argument that it is in keeping with roof heights of other constructed buildings in Codfish Park is a nonsensical one; past mistakes should not justify future endeavors... I sincerely hope your commission will rule to reject such an inappropriately large piece of architecture at the base of Middle Gully Road."

Ann Riley - 7 Front Street
"We ask the HDC to limit the height of the building so that the roof line does not exceed the top of the bank."

Lynn Filipski - Sconset Civic Assoc.
"We do not consider the proposed height in keeping with the physical location nor the neighborhood... The Board of the Siasconset Civic Association continues to urge the HDC to deny the pending application for the proposed renovation at 8 Bank Street on the ground that a higher structure in this specific location would disturb the balance and rhythm of architecture in this historic neighborhood."

Peter and Kitty Goldsmith - 3 Broadway
"Middle Gully is a road... for emergency exit. Has everyone forgotten the storm that took some Codfish Park houses out to sea?! Could happen again!! As we mentioned in our earlier email, we are saddened by the loss of "old Sconset." This project is not in keeping with the historic district of core Sconset."

Carol Krogh - 16 Broadway
"I TOTALLY OPPOSE THIS PROJECT... Everything about this project is wrong. It will change Codfish Park/Bank Street and Sconset in ways that will destroy the beauty and integrity of this very special place on the eastern shore of Nantucket. PLEASE DO NOT LET THIS TRAGEDY HAPPEN TO OUR BEAUTIFUL AND VERY SPECIAL VILLAGE"

Annie Carter – 8 Mckinley Ave.
"My opinion of this project is that it is way beyond the scope of the property."

Tim Cashman - 7 Hawks Circle
"I write to you today to voice my support of the Siasconset Civic Association letter in opposition to the submitted renovations of 8 Bank Street... I strongly recommend that these currently submitted plans not be approved."

Samantha Freemont-Smith - 27 Main Street
"As a longtime Sconset summer resident, I would like to voice my opposition to the expansion of 8 Bank Street in Codfish Park... The "McMansioning" of this neighborhood, already in progress with a second story going up is exactly what we should prevent... The HDC's mission is to protect the Historic District. If Codfish Park is not historic, with its role in fishing history on Island, then nothing in Nantucket is."

Lisa Camesano - 7 Meetinghouse Lane
"I respectfully oppose the plan to replace the existing one-story house at the foot of the Middle Gully Road with a two-story structure on a sliver of land... an exceptional aspect of 'Sconset will be lost forever if this plan is approved."

Sherry Rodts Kelly - 5 Broadway
"I have lived at #5 Broadway, 'Sconset for 63 years....The proposed house design is lovely, but way too big for the space. Nothing over a 1-story house should be built there, or it would block one of the iconic views of Codfish Park and the ocean from Front Street... If the HDC allows the new design to be built, there might as well not be any controls on building on Nantucket because it is so obviously wrong on so many levels."

George and Ann Hubbs - 20 Broadway
"We are opposed to the approval of this project because... plan is not in keeping with the historic size and massing of the buildings which have been on this lot... this application should be rejected and sent back for more considered thought..."

Kathy Anselmi - 23R Bank Street
"I am opposed to the renovation project cited for the cottage "Tours End" at 8 Bank Street that was in Gail Nickerson Johnson's family for eight generations.. The disturbance of one part of the bank threatens the integrity of the entire bank along Bank Street... a two-story dwelling is not in conformity with the surroundings... Middle Gully Road is an access way in an emergency that we all rely upon."

Lisa Soeder - 13 Broadway
"Both sets of my previously submitted comments reflect my fervent opposition to any renovation that would i) increase the height of 8 Bank Street above the bank or ii) include a basement or foundation or the removal of the existing tree without a report from the appropriate environmental or zoning expert that such a change to the embankment will further endanger the embankment."

Jeff & Ann Gardner - 9 Broadway, 9 Front Street
"I join the growing list of Sconset residents and property owners in voicing our concerns regarding the height of the roofline and potential destabilization of the bank supporting Middle Gully and Front Street above... The proposed roofline is simply too tall and will have a very negative impact on the viewscape along Front Street; one of only two areas open to the east... the digging of a basement so close to the bank could compromise the stability of the building foundations above."

Sam Daniel - 6 Broadway
"8 Bank Street is a tiny cottage on a tiny lot that is right up against the bluff and the Middle Gully wall. I worry that an enlarged cottage with basement will compromise this setting... I like and approve of Angus's revisions, but, again, can't the 21 foot height be lowered a few feet?"

Exhibit B

95 Mass.App.Ct. 65
Appeals Court of Massachusetts,
Nantucket..

Thomas M. MONTGOMERY & others [1]
v.
BOARD OF SELECTMEN
OF NANTUCKET & others. [2]

No. 17-P-1432
|
Argued October 2, 2018
|
Decided March 14, 2019

Synopsis

Background: Neighbors sought judicial review of board of selectmen's decision, affirming a second historic district commission decision allowing removal and relocation of a barn, after barn owner had appealed earlier commission decision denying removal. The Superior Court, Elizabeth M. Fahey, J., entered judgment giving the first commission decision, denying removal, full force and effect. Owner of the barn appealed.

Holdings: The Appeals Court, Massing, J., held that:

[1] neighbors were aggrieved by the commission decision, and thus had standing to seek judicial review;

[2] remand for consideration of additional consideration and explanation was required for commission decision denying an owner permission to remove the barn; and

[3] remand was required for historic district commission decision allowing removal of the barn.

Vacated and remanded.

Procedural Posture(s): On Appeal; Review of Administrative Decision; Judgment.

West Headnotes (20)

[1] **Environmental Law** 🔑 Cognizable interests and injuries, in general

Status as a person aggrieved is a prerequisite for standing to maintain an appeal under the Historic Districts Act. Mass. Gen. Laws Ann. ch. 40C, § 5.

[2] **Action** 🔑 Persons entitled to sue

A party has standing when it can allege an injury within the area of concern of the statute or regulatory scheme under which the injurious action has occurred.

[3] **Zoning and Planning** 🔑 Administrative review

Zoning and Planning 🔑 Right of Review; Standing

A "person aggrieved" under the Zoning Act, as required to seek administrative and judicial review, is one who suffers some infringement of his legal rights. Mass. Gen. Laws Ann. ch. 40A, § 13.

[4] **Zoning and Planning** 🔑 Administrative review

Zoning and Planning 🔑 Right of Review; Standing

The term a person aggrieved under the Zoning Act, as required to seek administrative and judicial review, is not to be narrowly construed, but it requires a showing of more than minimal or slightly appreciable harm. Mass. Gen. Laws Ann. ch. 40A, § 13.

[5] **Zoning and Planning** 🔑 Administrative review

Zoning and Planning 🔑 Right of Review; Standing

The right or interest asserted by the person claiming to be aggrieved under the Zoning Act, as required to seek administrative or judicial review, must be one that the governing zoning scheme is intended to protect. Mass. Gen. Laws Ann. ch. 40A, § 13.

[6] **Zoning and Planning** ⊸ Right of Review; Standing

In the context of the Zoning Act, demonstrating aggrievement requires a plaintiff to show she has suffered a specialized, cognizable injury not merely reflective of the concerns of the community. Mass. Gen. Laws Ann. ch. 40A, §§ 13, 17.

[7] **Zoning and Planning** ⊸ Administrative review

Zoning and Planning ⊸ Right of Review; Standing

An adverse effect on a plaintiff must be substantial enough to constitute actual aggrievement under the Zoning Act, as required to seek administrative or judicial review of a zoning decision, such that there can be no question that the plaintiff should be afforded the opportunity to seek a remedy. Mass. Gen. Laws Ann. ch. 40A, §§ 13, 17.

[8] **Zoning and Planning** ⊸ Permits, certificates, and approvals

Concerns about the visual impact of a proposed structure on abutting property generally are insufficient to confer standing under the Zoning Act; however, these concerns may warrant standing where the local zoning bylaw specifically provides that visual consequences should be taken into account. Mass. Gen. Laws Ann. ch. 40A, §§ 13, 17.

[9] **Environmental Law** ⊸ Cognizable interests and injuries, in general

Zoning and Planning ⊸ Right of Review; Standing

Although statute establishing Historic Nantucket District, the Zoning Act, and the Historic Districts Act all use the term "person aggrieved," the legally cognizable injuries under each are not identical. Mass. Gen. Laws Ann. ch. 40A, §§ 13, 17.

[10] **Environmental Law** ⊸ Other particular parties

Neighbors were aggrieved by historic district commission decision allowing removal and relocation of a barn, and thus had standing to seek judicial review under statute establishing Historic Nantucket District; views that the neighbors enjoyed coincided with the public views that the act was intended to protect, neighbors had a legitimate interest in preserving the integrity of the district in which both their properties and the barn were located, and removal of the barn would have a substantial effect on the historical character of their neighborhood's streetscape and neighbors' enjoyment of the streetscape.

[11] **Environmental Law** ⊸ Persons Entitled to Sue or Seek Review; Standing

Environmental Law ⊸ Scope of review

The issue of aggrievement, as required to challenge a zoning decision under statute establishing Historic Nantucket District, is a question of fact for the judge, and the judge's ultimate findings on the issue will not be disturbed unless clearly erroneous.

[12] **Environmental Law** ⊸ Construction, demolition, alteration, or repair

Act establishing Historic Nantucket District is intended to protect the visual consequences of an alteration to the exterior architectural features of an existing building or structure -- to the extent that those features are subject to public view from a public street, way or place.

[13] **Environmental Law** ⚿ Remand to administrative agency

Remand for consideration of additional consideration and explanation was required for historical district commission decision denying an owner permission to remove a barn, under statute establishing Historic Nantucket District, where the commission had taken inconsistent positions on similar proposals, without exploring or explaining the inconsistency.

[14] **Administrative Law and Procedure** ⚿ Adjudications

An administrative remand order is generally viewed as interlocutory and not appealable.

[15] **Environmental Law** ⚿ Historical preservation

In reviewing the decisions of historic district commissions and boards of selectmen, appellate courts apply a standard analogous to that governing exercise of the power to grant or deny special permits.

[16] **Environmental Law** ⚿ Administrative review of administrative decisions

Environmental Law ⚿ Historical preservation

The decision of a historic district commission cannot be disturbed either by board of selectmen or by a court unless it is based on a legally untenable ground, or is unreasonable, whimsical, capricious or arbitrary.

[17] **Environmental Law** ⚿ Construction, demolition, alteration, or repair

Act establishing Historic Nantucket District confers on historic district commission a substantial measure of discretionary power with respect to the appropriateness of exterior architectural features and congruity to historic aspects of the surroundings and the district.

[18] **Environmental Law** ⚿ Administrative review of administrative decisions

On review, a board of selectmen does not have the same discretionary power as a historic district commission; the purpose of the board's review is either to confine the power of the commission within authorized limits, or to prevent its abuse, for example, by decisions based on peculiar individual tastes.

[19] **Environmental Law** ⚿ Remand to administrative agency

Remand was required for historic district commission decision, finding a barn not to be architecturally or historically significant as required for removal of the barn, under statute establishing Historic Nantucket District, where a chair of the commission had ex parte communications with barn owner, the chair chose one associate commissioner over another to participate in the decision, and that associate commissioner had a switch in vote.

[20] **Municipal Corporations** ⚿ Quorum or number required to be present or act

In the absence of statutory restriction the general rule is that a majority of a council or board is a quorum and a majority of the quorum can act.

**1248 Historic District Commission, Decision, Appeal. Practice, Civil, Historic district appeal, Standing. Zoning, Person aggrieved. Words, "Person aggrieved."

CIVIL ACTIONS commenced in the Superior Court Department on February 5 and June 24, 2015.

After consolidation, the case was heard by Elizabeth M. Fahey, J.

Attorneys and Law Firms

Jonathan W. Fitch (Andrea Peraner-Sweet also present) Boston, for Jeffery Kaschuluk & others.

Kenneth R. Berman, Boston, (Sarah F. Alger, Nantucket, also present) for the plaintiffs.

Present: Massing, Neyman, & Ditkoff, JJ.

Opinion

MASSING, J.

*66 This appeal arises out of a dispute between the owner of a historic property in Nantucket and his neighbors over whether the owner may remove an ancillary structure, a barn, from the premises. Over the course of the administrative proceedings and ensuing litigation, relevant officials in Nantucket have taken inconsistent positions concerning the historical significance of the barn. Ultimately, a Superior Court judge held a bench trial on three consolidated complaints for judicial review. The judge found, first, that the neighbors had **1249 standing to oppose removal of the barn and, second, that the first decision of the Nantucket historic district commission (commission), denying the owner's application to remove the barn, must stand. On the owner's appeal, we determine that the judge did not err in finding that the neighbors have standing; however, we vacate the judgment and remand with respect to the commission's first decision.

Background. 1. The property. The Seth Ray house on North Liberty Street, built in the mid-1700s, is one of the most historic structures in one of the most historic districts of old Nantucket. Seth Ray's cooper shop, where barrels were made to supply Nantucket's whale oil trade, stands on the adjacent parcel. Two structures of lesser pedigree share the same parcel with the Seth Ray house: the barn, completed in or around 1972, stands between the house and the cooper shop, and an antique shop built in the 1930s is located on the other side of the house. The barn and the antique shop were built to match their surroundings in style and materials. Tour guides walking visitors down North Liberty Street point to the Seth Ray house, the cooper shop, and the barn (despite its relatively recent construction) as representative of life in Nantucket at the turn of the Nineteenth Century.

A barn not being a necessity of life in the Twenty-first Century, even in old Nantucket, the owner[3] of the Seth Ray structures sought to remove the barn from its present location and relocate *67 it to elsewhere on the island. As the first step toward realizing this goal, the owner applied to the commission for permission.

2. The act. In 1970, the Legislature created the Nantucket historic district (St. 1970, c. 395 [the act]), including "the land and waters comprising the town of Nantucket," id. at § 4, and the commission, id. at § 3.[4] The act was adopted "to promote the general welfare of the inhabitants of the town of Nantucket through the preservation and protection of historic buildings, places and districts of historic interest." Id. at § 2. To erect or alter any building or structure in Nantucket, an owner must first obtain a permit from the commission, in the form of a certificate of appropriateness (certificate). Id. at § 5. In deciding whether to grant a certificate, the commission must consider the effect a proposed alteration would have on the "exterior architectural features which are subject to public view from a public street, way or place." Id. A permit is also required to raze or to remove any building or structure; the act empowers the commission "to refuse such a permit for any building or structure of such architectural or historic interest, the removal of which in the opinion of said commission would be detrimental to the public interest of the town of Nantucket or the village of Siasconset." Id. at § 6. "[A]ny person aggrieved" by a decision of the commission may appeal to the board of selectmen (board), id. at § 11, and "[a]ny person or the [commission], aggrieved" by a decision of the board may appeal to the Superior Court, id. at § 12.

3. The proceedings. The commission voted three to two[5] to deny the owner's **1250 request to remove the barn. In its first decision, the commission noted that "[t]he streetscape of this area of North Liberty Street has particular historical importance and has been described as iconic," and that although the barn was built between 1972 and 1975, it "has become an important part of the historical context and streetscape of the area." Also, expressing "great concern" and uncertainty about the "potential of a new structure being placed in that space" -- the application did not disclose the owner's plans for the property after removing the barn -- the commission *68 concluded that removal of the barn "would negatively impact the historic character of the neighborhood, the historic value of the existing remaining structure and the streetscape."

The owner appealed the commission's first decision to the board. The board noted that its review was limited, and that it "must be careful not to substitute its judgment for that of

the [commission]." Nonetheless, two members of the board questioned the validity of the commission's determination that removal of the barn would be "detrimental to the public interest," given that it was a relatively recent addition to the property. One board member "questioned the rationale for the decision in light of [the owner's] evidence of numerous other permitted removals of structures which were of allegedly much greater historic significance" than the barn. Town counsel suggested that a closer comparison of the other permitted removals would be necessary to determine whether the denial was arbitrary and capricious. By a vote of four to one, the board issued its first decision, remanding the matter to the commission for a further hearing to consider the "foregoing issues, questions, and comments."

Opposing the remand order, a group of neighbors, including the owners of the parcels abutting and directly across the street from the owner's property, filed a complaint in the Superior Court seeking judicial review of the board's first decision, followed shortly thereafter by an emergency motion to stay proceedings before the commission. A Superior Court judge denied the motion for a stay.

On remand from the board, the commission, with different participating membership, took an entirely different view of the barn and its relationship to its surroundings. In its second decision, the commission emphasized that the space occupied by the barn had lain vacant for forty to seventy years before the barn was built, providing the neighbors with an unobstructed view of Lily Pond, and that "[a]nother historic structure" had been moved down the street to "open up Lily Pond vistas as an example of historical context for views of Lily Pond in this immediate area." The commission further noted that the two-story barn was not built "in the same style as the original ancillary one-story structure it replaced," but instead was designed in the gambrel style of the adjacent Seth Ray house. The commission also found that the streetscape had been altered many times over the past century, that the barn "has no historically significant architectural value," and that its removal "would not negatively impact the historic character of the neighborhood, the historic value of the significant *69 remaining structure or streetscape." Further noting that any speculation regarding the owner's future plans for the property would be **1251 improper,[6] the commission voted three to two[7] to grant a certificate permitting removal and relocation.

Now the neighbors appealed to the board. In its second decision, the board expressed concern that its prior remand decision "may have involved the [b]oard's substitution of its judgment for the judgment of the [commission] members rather than a decision whether the [commission] decision was arbitrary and capricious." Noting that the Superior Court appeal of the board's first decision had not yet been adjudicated, the board voted to set aside the certificate issued in the second commission decision and instructed the commission "to revisit the application following resolution of the related appeal in Nantucket Superior Court." Both the owner and the neighbors filed new complaints in the Superior Court seeking judicial review of second board decision.

The three complaints for judicial review were consolidated for trial in the Superior Court. In her thorough written findings, rulings, and order for judgment issued after a five-day bench trial, the judge found as a threshold matter that the neighbors had standing to challenge the commission's issuance of the certificate. On the merits, the judge determined that the commission's denial of the certificate in its first decision was not arbitrary and capricious and was based on substantial evidence, and that the board's ruling in its first decision to vacate the first commission decision was improper. Consequently, she concluded that "neither [the second commission decision nor the second board decision] can stand" and annulled those decisions. The net result was that the first commission decision, which denied the owner permission to remove the barn, "remain[ed] in full force and effect." The owner appeals.

*70 [1] Discussion. 1. Standing of the neighbors. a. Legal landscape. The act permits "any person aggrieved" by a ruling of the commission to appeal to the board, and "[a]ny person" or the commission "aggrieved" by a decision of the board to seek judicial review in the Superior Court. St. 1970, c. 395, §§ 11-12. Status as a "person aggrieved" is a prerequisite for standing to maintain an appeal under the act. Cf. 81 Spooner Rd., LLC v. Zoning Bd. of Appeals of Brookline, 461 Mass. 692, 700, 964 N.E.2d 318 (2012); Barvenik v. Aldermen of Newton, 33 Mass. App. Ct. 129, 131, 597 N.E.2d 48 (1992). The act, however, does not define "person aggrieved."

[2] "A party has standing when it can allege an injury within the area of concern of the statute or regulatory scheme under which the injurious action has occurred." Massachusetts Ass'n of Indep. Ins. Agents & Brokers, Inc. v. Commissioner of Ins., 373 Mass. 290, 293, 367 N.E.2d 796 (1977). See generally **1252 Ginther v. Commissioner of Ins.,

427 Mass. 319, 322-323, 693 N.E.2d 153 (1998). Because "[w]e read the [act] in the light of the more general statutes providing for zoning, G. L. c. 40A, and for historic districts, G. L. c. 40C," Gumley v. Selectmen of Nantucket, 371 Mass. 718, 719, 358 N.E.2d 1011 (1977), we examine how the term has been construed in those related contexts.

The analysis of standing under the Historic Districts Act[8] is straightforward, as G. L. c. 40C, § 5, supplies a specific definition of the term "person aggrieved": "the applicant, an owner of adjoining property, an owner of property within the same historic district as property within one hundred feet of said property lines and any charitable corporation in which one of its purposes is the preservation of historic structures or districts." This definition was the result of an amendment to c. 40C, which previously limited the right to obtain administrative and judicial review of a decision of a historic district commission to the "applicant." Springfield Preservation Trust, Inc. v. Springfield Historical Comm'n, 380 Mass. 159, 160-161, 402 N.E.2d 488 (1980). See St. 1983, c. 429, § 1.

The c. 40C definition of "person aggrieved" thus provides standing to owners of nearby property in the same historic district as the structure under consideration, as well as to organizations dedicated to historic preservation. The Legislature recognized that these persons *71 and entities have a legitimate interest and a right to be heard to protect the historic integrity of their neighborhoods. Under c. 40C, all of the neighbors here, who live within the same historic district as the property and are either abutters or reside across the street, would have standing.

[3] [4] Determining who is a "person aggrieved" under G. L. c. 40A is far more complex. The Zoning Act allows a "person aggrieved" by a zoning decision to seek administrative and judicial review, see G. L. c. 40A, §§ 13 & 17, but it does not define the term. By judicial construction, "[a] 'person aggrieved' is one who 'suffers some infringement of his legal rights.' " 81 Spooner Rd., LLC, 461 Mass. at 700, 964 N.E.2d 318, quoting Marashlian v. Zoning Bd. of Appeals of Newburyport, 421 Mass. 719, 721, 660 N.E.2d 369 (1996). The term is "not to be narrowly construed," Marotta v. Board of Appeals of Revere, 336 Mass. 199, 204, 143 N.E.2d 270 (1957), but it "requires a showing of more than minimal or slightly appreciable harm," Kenner v. Zoning Bd. of Appeals of Chatham, 459 Mass. 115, 121, 944 N.E.2d 163 (2011).

[5] [6] [7] The "right or interest" asserted by the person claiming to be aggrieved must be one that the governing zoning scheme is intended to protect. 81 Spooner Rd., LLC, 461 Mass. at 700, 964 N.E.2d 318. Kenner, 459 Mass. at 120, 944 N.E.2d 163. In the context of the Zoning Act, "[d]emonstrating aggrievement requires a plaintiff to show she has suffered a specialized, cognizable injury 'not merely reflective of the concerns of the community.' " Murrow v. Esh Circus Arts, LLC, 93 Mass. App. Ct. 233, 235, 101 N.E.3d 959 (2018), quoting Denneny v. Zoning Bd. of Appeals of Seekonk, 59 Mass. App. Ct. 208, 211-212, 794 N.E.2d 1269 (2003). "The adverse effect on a plaintiff must be substantial enough to constitute actual aggrievement such that there can be no **1253 question that the plaintiff should be afforded the opportunity to seek a remedy." Kenner, supra at 122, 944 N.E.2d 163.

[8] Concerns about the visual impact of a proposed structure on abutting property generally are insufficient to confer standing under the Zoning Act; however, these concerns may warrant standing where the local zoning bylaw specifically provides that visual consequences should be taken into account. Thus, where the local zoning bylaw required the permit-granting authority to consider "[v]isual [c]onsequences" on public ways and properties in the vicinity, an abutter had standing as a person aggrieved to challenge a proposed "towering steeple" atop a temple that would be visible from most of her property, day and night. Martin v. Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints, 434 Mass. 141, 146-147, 747 N.E.2d 131 (2001). See *72 Monks v. Zoning Bd. of Appeals of Plymouth, 37 Mass. App. Ct. 685, 688, 642 N.E.2d 314 (1994) (where zoning bylaw protected visual character of adjacent buildings and neighborhoods, summary judgment erroneously ordered against plaintiffs who established that cellular telephone tower would have visual impact on both their home and neighborhood). By contrast, an abutter lacked standing to challenge a special permit to construct a communications tower where the local zoning bylaw did not address visual consequences. See Denneny, 59 Mass. App. Ct. at 213-215, 794 N.E.2d 1269. See also Kenner, 459 Mass. at 123, 944 N.E.2d 163 (plaintiffs not aggrieved by proposed erection of new house across street in same

footprint as existing house, but seven feet taller; although bylaw protected visual interests, judge found that increased height "would have a de minimis impact on the [plaintiffs'] view of the ocean").

[9] In summary, although the act, the Zoning Act, and the Historic Districts Act all use the term "person aggrieved," the legally cognizable injuries under each are not identical. See Standerwick v. Zoning Bd. of Appeals of Andover, 447 Mass. 20, 28, 849 N.E.2d 197 (2006) (while Zoning Act and comprehensive permit statute, G. L. c. 40B, both refer to person aggrieved, interests they protect differ). If anything, the interests protected by the act here are more closely aligned with those protected by the Historic Districts Act. We turn next to the act itself and the judge's findings thereunder.

[10] [11] b. Standing under the act. Standing was a contested issue at trial. The judge took a view and heard substantial testimony regarding the North Liberty Street neighborhood, the property, the barn, and the injuries that the neighbors alleged would attend its removal. All of the neighbors testified about the high value they placed on the historic character of their neighborhood when seen from their homes and from the street when they drive, bicycle, walk, or run by their homes -- and their concern that removal of the barn would damage the neighborhood's historic integrity. The judge concluded that the act required consideration of the visual impact of the proposed removal, and that, as abutters, each of the neighbors "qualifie[d] as a 'person aggrieved' because the barn's removal would significantly impact the visual character and quality of their view." The issue of aggrievement is a question of fact for the judge, and the judge's ultimate findings on the issue will not be disturbed unless clearly erroneous. See Kenner, 459 Mass. at 119, 944 N.E.2d 163; Marashlian, 421 Mass. at 722, 660 N.E.2d 369; Talmo v. Zoning Bd. of Appeals of Framingham, 93 Mass. App. Ct. 626, 630, 107 N.E.3d 1188 (2018).

*73 **1254 [12] The act is intended to protect the visual consequences of an alteration to the "exterior architectural features" of an existing building or structure -- to the extent that those features are "subject to public view from a public street, way or place." St. 1970, c. 395, § 5. It also protects buildings or structures "of such architectural or historic interest" that, in the commission's opinion, their removal "would be detrimental to the public interest of the town of Nantucket or the village of Siasconset." St. 1970, c. 395, § 6. That is, the act protects visual interests that are connected with preserving the historic integrity of Nantucket and its neighborhoods.

Focusing on the act's stated interest in protecting and preserving historical buildings and exteriors only to the extent that they are visible from public ways, the owner contends that the neighbors' interest in their private views are not protected, or, alternatively, that any diminution of the neighbors' views does not affect them any differently from how it affects the general public. In Higgins v. Department of Envtl. Protection, 64 Mass. App. Ct. 754, 754-755, 757, 835 N.E.2d 610 (2005), the plaintiff owners of office property abutting a proposed waterfront hotel in Newburyport sought an adjudicatory hearing to challenge a waterways license approved by the Department of Environmental Protection. The administrative law judge dismissed the challenge on the ground that the plaintiffs lacked standing, a determination that we affirmed on certiorari review. Id. at 755, 757, 835 N.E.2d 610. Although the plaintiffs were able to demonstrate that "the impact on their views from their private offices differ[ed] in kind or magnitude from that of the general public," id. at 757, 835 N.E.2d 610,[9] the waterways statute specified that it was concerned only with waterfront views from public places, such as parks and esplanades. Id. In addition, the administrative law judge rejected the plaintiffs' claim that they used the public areas more frequently than the general public because of the proximity of their workplace, and we upheld this interpretation of the regulation as not being patently wrong, unreasonable, arbitrary, or capricious. Id. at 758, 835 N.E.2d 610.

Unlike the views from the offices in Higgins, the views that the neighbors enjoy coincide with the public views that the act is intended *74 to protect. Moreover, the neighbors' regular use and enjoyment of the public ways on which their homes are situated is patently more intensive than the office workers' incidental use of the nearby public waterfront areas in Newburyport. The neighbors' claimed injuries are "personal to [them], not merely reflective of the concerns of the community." Denneny, 59 Mass. App. Ct. at 211, 794 N.E.2d 1269.

In addition to their visual interests, as owners of property located in the Nantucket historic district, the neighbors have "a legitimate interest in preserving the integrity of the district" in which both their properties and the barn are located. Murray

v. Board of Appeals of Barnstable, 22 Mass. App. Ct. 473, 476, 494 N.E.2d 1364 (1986). See Harvard Sq. Defense Fund, Inc. v. Planning Bd. of Cambridge, 27 Mass. App. Ct. 491, 495, 540 N.E.2d 182 (1989) (denying standing to parties who did not own or occupy property in same zoning district as proposed buildings). This interest is particularly relevant in the context of the Historic Districts Act. See **1255 G. L. c. 40C, § 5; Kelley v. Cambridge Historical Comm'n, 84 Mass. App. Ct. 166, 180 n.25, 993 N.E.2d 1228 (2013) (plaintiffs unable to rely on c. 40C "for standing as owners of property within the same historic district, because ... no historic district has ever been established in the area," and they did not otherwise qualify as aggrieved persons under G. L. c. 40C, § 5). While this interest may carry less weight under the Zoning Act, see Denneny, 59 Mass. App. Ct. at 215-216, 794 N.E.2d 1269, it supports the neighbors' standing under the act at issue here.

The act protects the historic integrity of the public views of all of Nantucket, including where the neighbors reside. They sufficiently demonstrated that the removal of the barn would have a substantial effect on the historical character of their neighborhood's "streetscape" (in the commission's parlance) and their own enjoyment of it. That is, they alleged "a particularized harm to [their] own property and a detrimental impact on the neighborhood's visual character." Kenner, 459 Mass. at 121, 944 N.E.2d 163. Moreover, the neighbors' claim of aggrievement is substantial enough to confer on them a right to be heard. Under the owner's reading of the act, no property owner in Nantucket other than the applicant would ever have standing to challenge a decision of the commission. The act's use of the term "person aggrieved" rather than "applicant" indicates that standing is not so limited. See *75 Springfield Preservation Trust, Inc., 380 Mass. at 160-161, 402 N.E.2d 488. [10]

The owner also refers us to a handful of decisions of the Land Court and the Appellate Division of the District Court Department in which residents of neighborhoods were denied standing to challenge a decision of a historic district commission. All of those cases concerned parties that were at some remove from the challenged development; none of those cases involved an abutter. See Kelley, 84 Mass. App. Ct. at 180, 993 N.E.2d 1228 (plaintiffs, who were not abutters but lived "in close proximity" to church with municipal landmark status, lacked standing to challenge alteration to church under landmark regulations).

In Kenner, where the neighbor across the street was denied aggrieved person status under the Zoning Act because the judge found that an addition that would raise the challenged property's roof line by seven feet was de minimis, the appellate court could not say that the **1256 trial judge's decision was clearly erroneous. 459 Mass. at 123, 944 N.E.2d 163. Here, the owner proposes to remove an entire building, which is more than de minimis. See Butts v. Zoning Bd. of Appeals of Falmouth, 18 Mass. App. Ct. 249, 253, 464 N.E.2d 108 (1984) (abutter who established that his ocean view would be "completely blocked" by proposed remodeling of neighbor's home had standing as person aggrieved). The owner here has not shown that the trial judge's decision was clearly erroneous. Thus, we agree with the judge's determination that the neighbors are persons aggrieved under the act.

[13] [14] 2. Decisions of the commission and the board. Before we review the judge's determination that the remand order in the first board decision was improper, and that the first commission decision, denying the owner permission to remove the barn, must therefore stand, we address a significant threshold issue. An administrative *76 remand order is generally viewed as interlocutory and not appealable. See Wrentham v. West Wrentham Village, LLC, 451 Mass. 511, 514-515, 887 N.E.2d 210 (2008); East Longmeadow v. State Advisory Comm'n, 17 Mass. App. Ct. 939, 940, 457 N.E.2d 636 (1983). The owner contends that the judge should not have considered the propriety of the first board decision, as it was not a final order. Indeed, the same logic might apply to the second board decision, which also remanded the application to the commission for further consideration, albeit with the further instruction that the commission await the resolution of the Superior Court litigation. Given the unusual circumstances of this case, where the unorthodox remand order in the second board decision was followed by the adjudication of three consolidated Superior Court complaints, culminating in a judicial remand order requiring the commission to deny the certificate, reaching the merits is the prudent course of action. Cf. Federman v. Board of Appeals of Marblehead, 35 Mass. App. Ct. 727, 730, 626 N.E.2d 8 (1994) ("If an order of remand allows the administrative tribunal no leeway, the order takes on the character of finality, and an appeal is in order").

[15] [16] In reviewing the decisions of the commission and the board, we apply a standard "analogous to that governing exercise of the power to grant or deny special permits."

Gumley, 371 Mass. at 719, 358 N.E.2d 1011. "The decision of the commission cannot be disturbed either by the board or by the court 'unless it is based on a legally untenable ground, or is unreasonable, whimsical, capricious or arbitrary.' " Id. at 724, 358 N.E.2d 1011, quoting MacGibbon v. Board of Appeals of Duxbury, 369 Mass. 512, 515-516, 340 N.E.2d 487 (1976).

[17] [18] The trial judge concluded that the first commission decision was sufficient on its face, supported by substantial evidence, and not arbitrary or capricious. See Warner v. Lexington Historic Dists. Comm'n, 64 Mass. App. Ct. 78, 82-83, 831 N.E.2d 380 (2005). Because, in her view, the first commission decision was valid, the judge concluded that the board's remand order in its first decision was not. It is true that the act "confers on the commission a substantial measure of discretionary power with respect to 'the appropriateness of exterior architectural features' and congruity to historic aspects of the surroundings and the district." Gumley, 371 Mass. at 723, 358 N.E.2d 1011. On review, the board does not have the same discretionary power as the commission; the purpose of the board's review is "either to confine the power of the commission within authorized limits, or to prevent its abuse, for example, by decisions based on peculiar individual tastes." Id.

*77 That said, it was within the board's discretion to remand the application to the commission to consider additional facts to inform its deliberations, to provide additional explanation, and thus to ensure a decision that is not arbitrary or capricious. [11] The possibility that the commission **1257 may have taken inconsistent positions on similar proposals, without exploring or explaining the inconsistency, is a particularly relevant concern. See Steamboat Realty, LLC v. Zoning Bd. of Appeal of Boston, 70 Mass. App. Ct. 601, 606, 875 N.E.2d 521 (2007) (affirming order denying request for height variance where board had "well-established interest in preserving the architectural integrity of a historic neighborhood" and "a record of furthering such an interest by consistently denying all requests for a height variance"); Fafard v. Conservation Comm'n of Reading, 41 Mass. App. Ct. 565, 568, 672 N.E.2d 21 (1996) (agency acts arbitrarily when "the basis for action is not uniform, and, it follows, is not predictable"). We discern no error of law or abuse of discretion in the first board decision, which remanded the matter for further consideration.

[19] [20] The second commission decision, finding the barn not to be architecturally or historically significant "upon further consideration of the prior record and consideration of the new materials," like the first commission decision, appears facially valid. But the irregularities in the proceedings noted by the trial judge -- the chair's ex parte communications, her choice of one associate commissioner over another to participate in the decision, and the chosen associate commissioner's switch in vote, see notes 5 and 7, supra -- raise the specter that the commission may have considered improper factors or acted for reasons outside of its mandate. See Clear Channel Outdoor, Inc. v. Zoning Bd. of Appeals of Salisbury, 94 Mass. App. Ct. 594, 599-600, 116 N.E.3d 1219 (2018); Fafard, 41 Mass. App. Ct. at 568, 672 N.E.2d 21. In these circumstances, so much of the second board decision as set aside the second commission decision for still further consideration appears to us to be a lawful exercise of the board's authority. [12] As a result, the commission *78 was to have one more "opportunity to exercise its discretionary power, applying the statutory criteria." Gumley, 371 Mass. at 725, 358 N.E.2d 1011.

Accordingly, the judgment is vacated. A new judgment shall enter affirming the second board decision to the extent that it set aside the certificate and remanded the owner's application to the commission. The commission shall consider any application in accordance with the act and consistent with this opinion.

So ordered.

All Citations

95 Mass.App.Ct. 65, 120 N.E.3d 1246

Footnotes

1 Barry H. Berman, Peggy McCarthy Berman, Joan M. Hoyt, Philip Hoyt, and Margot S. Montgomery.

2 Jeffery Kaschuluk, Michael J. Maitino, the Nantucket historic district commission, and Westbay Development, Inc.

3 The application was filed by then-owner defendant Michael J. Maitino, working together with real estate developer defendant Jeffery Kaschuluk and defendant Westbay Development, Inc., a corporation owned and controlled by Kaschuluk. Kaschuluk purchased the property from Maltino at some point during the course of the litigation.

4 The act repealed and replaced St. 1955, c. 601, which had divided Nantucket into two historic districts.

5 The majority consisted of commissioner John McLaughlin and associate commissioners Jascin Leonardo-Finger and Abigail Camp. The chair of the commission, Linda F. Williams, and commissioner Ray Pohl made up the minority. The trial judge found that Williams had engaged in "entirely improper" ex parte communications with the owner prior to the hearing.

6 Under the act, the owner would need to apply to the commission for another certificate to erect any replacement building. St. 1970, c. 395, § 5.

7 Commissioner Linda F. Williams and commissioner Ray Pohl, who had voted in the first commission decision to approve removal, were joined by associate commissioner Abigail Camp, who had voted against removal in the first decision, to form the new majority approving removal in the second commission decision. See note 5, supra. The minority in the second commission decision was made up of commissioner John McLaughlin, who had voted against removal in the first decision, and commissioner Diane Coombs, who had not participated in the first decision. The trial judge found it "more than troubling" that the chair, Williams, had assigned Camp to be the fifth commissioner to hear the case on remand instead of associate commissioner Jascin Leonardo-Finger, who had seniority and would have been chosen in the ordinary course.

8 The Historic Districts Act enables cities and towns to establish their own historic districts, with discretion to determine the scope of the district and the precise interests to protect. See G. L. c. 40C, § 3. As the Legislature created and has amended the Nantucket historic district through special acts over the years, Nantucket has never needed to resort to using c. 40C.

9 The relevant regulations defined "aggrieved person" as someone who "may suffer an injury in fact, which is different either in kind or magnitude, from that suffered by the general public" and within the scope of interests protected by the waterways statute. Higgins, 64 Mass. App. Ct. at 756, 835 N.E.2d 610, quoting 310 Code Mass. Regs. § 9.02 (2000).

10 At the other extreme, the neighbors cite cases from other jurisdictions that permit a broad range of persons with interests in the integrity of protected districts to challenge development that might adversely affect those places. See, e.g., Sierra Club v. Jewell, 764 F.3d 1, 5 (D.C. Cir. 2014) (conferring standing on persons "who view and enjoy the [Blair Mountain, West Virginia,] Battlefield's aesthetic features, or who observe it for purposes of studying and appreciating its history" to litigate its listing in National Register of Historic Places to prevent surface coal mining); Dover Historical Soc'y v. Dover Planning Comm'n, 838 A.2d 1103, 1114 (Del. 2003) (standing conferred on landowner residents of Historic District of Dover based on their "enforceable right in the 'aesthetic benefit' derived from the Historic District as a whole"). We need not adopt the neighbors' very broad concept of standing to uphold the judge's finding that they have asserted a cognizable interest in the fate of the barn.

11 Neither Gumley nor § 11 of the act supports the neighbors' bald assertion that the board "had only two choices: either affirm [the first commission decision] or annul it. Nothing else."

12 We are not persuaded by the owner's argument that the second board decision is invalid because it was decided by a two-to-one vote with only three of the five board members participating. The act requires the board's decisions to be "determined by a majority vote of the members of the board," St. 1970, c. 395, § 11, but it contains no requirement that all members of the board participate in the board's decisions. "In the absence of statutory restriction the general rule is that a majority of a council or board is a quorum and a majority of the quorum can act." Clark v. City Council of Waltham, 328 Mass. 40, 41, 101 N.E.2d 369 (1951), quoting Merrill v. Lowell, 236 Mass. 463, 467, 128 N.E. 862 (1920).

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CERTIFICATE NO: HDC2021-05-3625 DATE ISSUED: 9/7/2021

Application to the HISTORIC DISTRICT COMMISSION, Nantucket, Massachusetts, for a

CERTIFICATE OF APPROPRIATENESS

for structural work.

All blanks must be filled in using BLUE OR BLACK INK (no pencil) or marked N/A.

NOTE: It is strongly recommended that the applicant be familiar with the HDC guidelines, *Building with Nantucket in Mind*, prior to submittal of application. Please see other side for submittal requirements. Incomplete applications will not be reviewed by the HDC.

This is a contractual agreement and must be filled out in ink. An application is hereby made for issuance of a Certificate of Appropriateness under Chapter 395 of the Acts and Resolves of Mass., 1970, for proposed work as described herein and on plans, drawings and photographs accompanying this application and made a part hereof by reference.

The certificate is valid for three years from date of issuance. No structure may differ from the approved application. Violation may impede issuance of Certificate of Occupancy.

PROPERTY DESCRIPTION

TAX MAP N°: 17.3.1 PARCEL N°. 69

Street & Number of Proposed Work: 8 BANK ST., 'SCONSET

Owner of record: KRISTINA & NICHOLAS AMENDOLARE

Mailing Address: 538 LYNN FELLS PARKWAY

MELROSE, MA 02176

Contact Phone #: (617) 717-8339 E-mail: AMENDOLARE@GMAIL.COM

AGENT INFORMATION (if applicable)

Name: ANGUS MACLEOD

Mailing Address: P.O. BOX 7055

'SCONSET, MA 02564

Contact Phone #: (508) 257-6789 E-mail: ANGUSONMACK@GMAIL.COM

FOR OFFICE USE ONLY V481

Date application received: 4/20/2021 Fee Paid: $ 101.40

Must be acted on by: ~~5/30/2021~~ 9/30/21 ~~12/31/21~~

Extended to:

Approved: Y Disapproved:

Chairman: (acting)

Member:

Member:

Member: D. Druce W.B. Combs

Member:

Notes - Comments - Restrictions - Conditions

DESCRIPTION OF WORK TO BE PERFORMED

See reverse for required documentation.

☐ New Dwelling ☑ Addition ☐ Garage ☐ Driveway/Apron ☐ Commercial ☐ Historical Renovation ☐ Deck/Patio ☐ Steps ☐ Shed

☐ Color Change ☐ Fence ☐ Gate ☐ Hardscaping ☐ Move Building ☐ Demolition ☐ Revisions to previous Cert. No.

☐ Pool (Zoning District) ☐ Roof ☐ Other

Size of Structure or Addition: Length: 6'-8" TO 17' Sq. Footage 1st floor: 160 SF Decks/Patio: Size: 8' x 9' ☑ 1st floor ☐ 2nd floor

Width: 17'-0" Sq. footage 2nd floor: 346 SF Size: ☐ 1st floor ☐ 2nd floor

Sq. footage 3rd floor:

Difference between existing grade and proposed finish grade: North Ø South Ø East Ø West Ø

Height of ridge above final finish grade: North 18'-0" South 21'-0" East 21'-0" West 14'-9"

Additional Remarks

Historic Name: UNKNOWN

Original Date: 1930

Original Builder: UNKNOWN

Is there an HDC survey form for this building attached? ☐ Yes ☐ N/A

REVISIONS* (describe)

1. East Elevation RAISE EAVE 6', RAISE RIDGE 9', REMOVE CHIMNEY, FENESTRATION
2. South Elevation 6'-8" ADDITION, 2ND FLOOR ADDITION, MOVE SHOWER, & FEN.
3. West Elevation RAISE EAVE 6', RAISE RIDGE 9', ADD 9' DORMER, & FENESTRATION
4. North Elevation RAISE RIDGE 9', ADD 8'x9' COVERED PORCH, FEN., WINDOW WELL

FREE MACRIS SURVEY

*Cloud on drawings and submit photographs of existing elevations.

DETAIL OF WORK TO BE PERFORMED

Foundation: Height Exposed 8" ☐ Block ☑ Block Parged ☐ Brick (type) ☑ Poured Concrete ☐ Piers

Masonry Chimney: ☐ Block Parged ☐ Brick (type) ☐ Other

Roof Pitch: Main Mass 9 /12 Secondary Mass 4.5 /12 Dormer 4.5 /12 Other

PORCH

Roofing material: ☐ Asphalt: ☐ 3-Tab ☐ Architectural

☑ Wood (Type: Red Cedar, White Cedar, Shakes, etc.) RED CEDAR

Fence: Height: Type: Length:

Skylights (flat only): Manufacturer VELUX FS-M02 Rough Opening Size 30" x 30" Location WEST ELEVATION

Manufacturer W/ CEDAR SL COVER Rough Opening Size Location

Gutters: ☑ Wood ☐ Aluminum ☐ Copper ☑ Leaders (material) COPPER

Leaders (material and size): 2" COPPER

Sidewall: ☑ White cedar shingles ☐ Clapboard (exposure: inches) Front ☐ Side

☐

☐ Other

Trim: A. Wood ☐ Pine ☐ Redwood ☑ Cedar ☐ Other

B. Treatment ☐ Paint ☑ Natural to weather ☐ Other

C. Dimensions: Fascia 1x6 Rake 1x6 Soffit (Overhang) 6" Corner boards 1x6 Frieze 1x6

Window Casing 2"x3" PLANK Door Frame 2"x3" PLANK Columns/Posts: Round Square 4x4

Windows*: ☑ Double Hung ☐ Casement ☑ All Wood ☐ Other HOPPER AND SINGLE-HUNG

☑ True Divided Lights(muntins), single pane ☐ SDL's (Simulated Divided Lights) Manufacturer BOSTON SASH

Doors* (type and material): ☑ TDL ☐ SDL Front WOOD PLANK Rear WOOD PLANK W/ HG Side WOOD PLANK

Garage Door(s): Type Material

Hardscape materials: Driveways Walkways ORIGINAL BRICK Walls PARGE EXIST. CONC. BLOCK

* Note: Complete door and window schedules are required.

COLORS

Sidewall NATURAL Clapboard (if applicable) Roof NATURAL

Trim NATURAL Sash ESSEX GREEN Doors ESSEX GREEN

Deck NATURAL Foundation NATURAL Fence Shutters

* Attach manufacturer's color samples if color is not from HDC approval list.

I hereby authorize the agent named above to act on my behalf to make changes in the specifications or the plans contained in this application in order to bring the application into compliance with the HDC guidelines. I hereby agree to abide by and comply with the terms and conditions of this application. I hereby agree that the submission of any revisions to this application will initiate a new sixty-day review period.

Date 4/12/2021 Signature of owner of record K. Amendolare Signed under penalties of perjury

ATTEST: TRUE COPY

NANTUCKET TOWN & COUNTY CLERK

25. Kristina Amendolare **05-3625**	8 Bank Street	Addition	73.1.3/69	Angus MacLeod

Voting: Pohl, Coombs, McLaughlin, Camp, Oliver
Alternates: Thornewill
Recused: None
Documentation: Architectural elevation plans, site plan, photos, correspondence, historic documentation, and advisory comments.
Representing: Angus MacLeod
Public: Anne Reilly, abutter
Concerns (8:55):

MacLeod – Presented project; the "front porch" is an 18X9 awning; the length increases about 7 feet and will be no higher than the roof across the street.

Backus – Circa 1930 contributing per NHL. Read SAB comments: there is a loss of the existing chimney, the overall concept is attractive and an improvement; question the barn doors and whether or not they will be open.

Reilly – Concerned about the impact on the character of the neighborhood by adding a 2nd-floor. This might create a tunnel between Front and Bank Street. Extending the front porch would take up all the front yard. She thinks it's important that the view lines not be adversely impacted. West elevation skylight, asked if it could be moved to the east elevation.

Camp – Appreciates Ms. Reilly's concerns; she doesn't think it will impair the view of Codfish Park. Doesn't understand how the barn doors will work. A view with height poles will help us envision how this would look.

Coombs – It seems we are losing this very simple building and its originality; it's very eye-catching at its current height.

Oliver – She likes the simplicity of the design. The end with the loft could be dropped to break it up the ridge a little. Asked what happens when the barn doors open (there's a screen door in there).

McLaughlin – The design is very compatible and antique looking.

Pohl – It is a very charming and sensitive design. Suggested viewing with height poles.

Motion: **Motion to View with height poles. (Camp)**
Roll-call Vote: Carried 5-0//Coombs, Oliver, McLaughlin, Camp, and Pohl-aye Certificate #

Rest held for Thursday May 20th.

26.	Sharon Lefevre **05-3626**	30 Pine Street	Rev. 2302: ODS/AC/skylight	42.3.2/46	Angus MacLeod
27.	72 Pocomo Road, LLC **05-3628**	72 Pocomo Road	Move off/demo MH	15/37	Botticelli + Pohl
28.	72 Pocomo Road, LLC **05-3629**	72 Pocomo Road	Move off/demo pool house	15/37	Botticelli + Pohl
29.	72 Pocomo Road, LLC **05-3630**	72 Pocomo Road	New dwelling	15/37	Botticelli + Pohl
30.	Anne Delaney **05-3631**	4 Old Quidnet Milk Road	Rooftop solar - house	20/53	ACK Smart
31.	Anne Delaney **05-3632**	4 Old Quidnet Milk Road	Rooftop solar – cottage	20/53	ACK Smart
32.	Jane Stoddard **05-3633**	6 Quaker Road	Rooftop solar	41/522	ACK Smart
33.	Conway Family Trust **05-3634**	11 Western Avenue	Mveoff/prt demo	87/117	Permits Plus
34.	Terry Noyes **05-3635**	17 Hooper Farm Road	Move on from 11 Western	55/220.5	Permits Plus
35.	Westmoor Club **05-3636**	105/109 West Chester Street	Dorm "A"	41/805	G.Goldsmith Arch
36.	Westmoor Club **05-3637**	105 West Chester Street	Dorm "B"	41/805	G.Goldsmith Arch
37.	Westmoor Club **05-3638**	105 West Chester Street	Addition	41/805	G.Goldsmith Arch
38.	Greg Raiff **04-3564**	100 Low Beach Road	Rev. 09-1845: pergola + ODS	75/27	Emeritus
39.	Trogoh NT **05-3640**	26 Easy Street	Mixed use structure	42.4.2/23	Emeritus
40.	Jeffrey Krupa **05-3641**	95 West Chester Street	Shed	41/93.1	Emeritus
41.	One Folger Road, LLC **05-3642**	1 Folger Road	Studio	30/195.1	Studio Ppark
42.	22 Easton Street, LLC **05-3643**	22/24 Easton Street	Main house	42.1.4/12 + 12.1	Workshop APD
43.	22 Easton Street, LLC **05-3644**	22/24 Easton Street	East garage	42.1.4/12 + 12.1	Workshop APD
44.	22 Easton Street, LLC **05-3645**	22/24 Easton Street	West garage	42.1.4/12 + 12.1	Workshop APD
45.	22 Easton Street, LLC **05-3646**	22/24 Easton Street	Gym pavilion	42.1.4/12 + 12.1	Workshop APD

VI. OLD BUSINESS (05/03/21)

	Property owner name	Street Address	Scope of work	Map/Parcel	Agent
1.	Eliza Silva **04-3391**	16 Helen's Drive	Roof top solar	66/53	ACK Smart
2.	Michael Robinsn **03-3088**	13 Fayette Street	New deck, chimney	42.3.2/28	Sanne Payne
3.	Back 41, LLC **03-3154**	105 Tom Nevers Road	New dwelling	91/25	CWA
4.	Eric Needleman **03-3276**	6 Macy Road	Pool and hardscape	60/144	Atlantic Lndscpng
5.	Gary Creem **03-3265**	6 + 8 Hydrangea Lane	Pool and hardscape	73/87 + 88	Atlantic Lndscpng
6.	George Balboa **03-3087**	71R Cliff Road	New dwelling	30/160.1	B. Meerbergen
7.	George Balboa **03-3102**	71R Cliff Road	New dwelling	30/160.1	B. Meerbergen
8.	Zero India St **03-3268**	1 Cambridge Street	Addition	42.3.1/130.2	Emeritus
9.	Andrew Reger **03-3241**	7 East Lincoln Avenue	Garage/apartment	42.4.1/8	Emeritus
10.	7 New Street **03-3290**	7 New Street	MH + garage connector	55.4.1/37	Workshop APD
11.	7 New Street **03-3286**	7 New Street	New Studio	55.4.1/37	Workshop APD
12.	Chris Skehel **03-3239**	61A Cato Lane	Garage/apartment	56/49	LINK
13.	Thomas Keegan **04-3328**	41B Cliff Road	Pool and hardscape	29/40	JB Studio
14.	Mark Norris **04-3415**	14A Lowell Place	Cottage-resite/additions	41/164	Emeritus
15.	14 MVR LLC **04-3420**	14 Madequecham Valley Rd	New dwelling	89/13	Emeritus
16.	Richard Hohlt **04-3384**	121 Madaket Road	Pool-spa	40/60.1	Botticelli & Pohl

Oliver – She doesn't understand Nr 2 under "all elevation proposals" it says, "interior photos are highly encouraged, only if the interior floorplans are to be changed to accommodate building elevation."
Coombs – Asked for a hardcopy of the document.
Backus – She can print off a copy. Explained that the national Historic Landmark District Data Sheet is available on the Town website. We have applied for Federal funding to upgrade our historic structures survey to ensure information provided to the HDC is accurate.
McLaughlin – He read the whole document; it's well written and explanations are down to the detail.

Motion: **Motion to Adopt the Guidelines as amended in today's discussion. (Oliver)**
Roll-call Vote: Carried 5-0//Thornewill, Camp, McLaughlin, Oliver, and Coombs-aye

III. CONSENT

	Property owner name	Street Address	Scope of work	Map/Parcel	Agent
1.	3 Old Mill Court	3 Old Mill Court	Rev. 73363: add window	55/927	E. McMorrow
2.	Michael& Rachel Watts **05-3896**	20 Lincoln Avenue	New gate	30/115	Sanne Payne
3.	LBC Sconset, LLC **05-3826**	9 Hawk's Circle	Re-site 5 deg./bump out	74/37.1	JGG Architects
4.	Beach Not, LLC **05-3828**	16 Cannonbury Lane	Rev. 3026: re-site & window	74/12	JGG Architects

Voting: Coombs, McLaughlin, Camp, Oliver, Thornewill
Alternates: None
Recused: None
Documentation: None
Representing: None
Public: None
Concerns: No concerns.
Motion: **Motion to Approve. (Oliver)**
Roll-call Vote: Carried 5-0//Camp, Thornewill, McLaughlin, Oliver, and Coombs-aye — Certificate # **HDC2021-(as noted)**

IV. SIGNS

	Property owner name	Street Address	Scope of work	Map/Parcel	Agent
1.	Union Lodge Masons	30A Main Street	Projecting sign	42.3.1/2.5	Linda Williams
2.	Union Lodge Masons	30 Main Street	Master sign plan	42.3.1/2.5	Linda Williams

Voting: Coombs, McLaughlin, Camp, Oliver, Thornewill
Alternates: None
Recused: None
Documentation: None
Representing: None
Sign Advisory: None
Concerns: **Flynn** – Item 1 is held for revisions. Item 2 is approvable per SAC comments.
Motion: **Motion to Hold for revisions per SAC recommendations. (Oliver)**
Roll-call Vote: Carried 5-0//Thornewill, Camp, McLaughlin, Oliver, and Coombs-aye — Certificate #
Motion: **Motion to Approve through staff per SAC comments. (Oliver)**
Roll-call Vote: Carried 5-0//Thornewill, Camp, McLaughlin, Oliver, and Coombs-aye — Certificate # **HDC2021-**

V. OLD BUSINESS

	Property owner name	Street Address	Scope of work	Map/Parcel	Agent
1.	Kristina Amendolare **05-3625**	8 Bank Street	Addition	72.1.3/69	Angus MacLeod

Voting: Coombs, McLaughlin, Camp, Oliver, Thornewill
Alternates: None
Recused: None
Documentation: Architectural elevation plans, plan, photos, historic documentation, advisory comments, and height comparison bar graph.
Representing: Angus MacLeod
Public: Jeff Gardner, 9 Broadway & 9 Front Street
Margaret Van Deusen, 7 Front Street
Lisa Soeder, 13 Broadway
Concerns (1:39): **MacLeod** – Thinks there's confusion about the date; an old photo shows a 1-story structure that is not what is now known as the hotdog stand. Reviewed photos of approved construction which has not been sympathetic to historic 'Sconset and obliterated the façades of historic structures. Reviewed photos of the height poles with line drawings of the roof and massing. Reviewed the proposed elevations. Pointed out that skylights were advertised for sale on Island in the 1850s.
Backus – SAB had no further discussion on this; they had no overall concerns in their original review; there was a question about the what would be seen when the barn doors are open. The proposal is more of a new structure than an addition.
Gardner – He blocked out the drawings Mr. MacLeod provided to give a sense of the mass. It's too tall and going from 9' tall to 21' tall and sits at least 3' higher than other structures in Codfish Park. Asked the commission seek revisions lowering the height.
Van Deusen – Mr. Gardner's photos show how the blockiness and verticality will detract from the views from Front Street. Her concern is that allowing this will set a precedent. Asked the HDC to require it be substantially lowered. East

elevation, the sliding barn doors when they are open will give Bank Street a different look. West elevation, the 1st-floor windows and the dormer are right against Middle Gully Road and the wall will close the road in.

Soeder – When this is constructed, she will lose all her views of the water. She's opposed to the height. She's also concerned about construction so close to the bank. Asked that the height be lowered.

Camp – Mr. MacLeod understand 'Sconset vernacular and this is a hard site to renovate; if anyone can do it, he can. Given the history, we have to ask what we are looking for: historic fishing cottages or a compromise for today. Suggested dropping the front portion and stepping up in the rear to follow the topography.

Thornewill – As a threshold into Codfish park, the massing is monolithic and agrees with Ms. Camp that the massing should be broken down. Appreciates the simplicity; however, not everything is simple in 'Sconset any longer; simplicity is working against you in this location by creating one big mass. The proposed is not preserving a historic building but creating a new structure.

Oliver – She likes the design. In the first meeting she mentioned breaking up the roof line to have more additive massing. Simplicity is the key. We are not in the business of preserving people's private views; we are in the business of ensuring a structure is appropriate.

McLaughlin – The windows are the wrong type for its size and there's too much lattice work.

Camp – We are committed to preserving the streetscape and the neighborhood. Agrees with Ms. Camp's suggestion and reducing the height. Thinks the chimney should be restored.

MacLeod – Responded to comments: it will be all natural to weather and will blend in; he believes the strength is in the simplicity; the dormer is to get legal head-height for the bathroom; the proposed porch lowers the south gable; we will do everything we can to preserve the tree.

Motion **Motion to Hold for revisions. (Camp)**

Roll-call Vote Carried 5-0//Thornewill, Camp, McLaughlin, Oliver, and Coombs-aye Certificate #

VI. NEW BUSINESS (05/18/21)

	Property owner name	Street Address	Scope of work	Map/Parcel	Agent
1.	Village Way R.T. **05-3782**	6 Village Way	New dwelling	14/42	Workshop APD

Voting Coombs, McLaughlin, Camp, Oliver, Thornewill

Alternates None

Recused None

Documentation Architectural elevation plans, site plan, and photos.

Representing Irina Matos, Workshop APD

Public None

Concerns (2:34) **Matos** – Mr. Kotchen asked this be held for Tuesday, June 15th.

Not opened at this time.

Motion **Motion to Hold at applicant's request. (Oliver)**

Roll-call Vote Carried 5-0//Thornewill, Oliver, Camp, McLaughlin, and Coombs-aye Certificate #

2.	Dolores Martin **05-3796**	80 Easton Street	Spa & fence.	42.4.2/6	Self

Voting Coombs, McLaughlin, Oliver, Thornewill

Alternates None

Recused None

Documentation Landscape design plans, site plan, photos, and advisory comments.

Representing Dolores Martin, owner

Public None

Concerns (2:36) **Martin** – Presented project; 9X16.5 with autocover and fence; 48" to 52" deep; top set 1' to 1.5' above grade; there is existing privet, which is very full in the summer; equipment will be located behind the studio.

Backus – Read HSAB comments: need more information about the spa - size, above or below ground, exact location. It looks like there would be no visibility, but more information is needed

Oliver – The application is incomplete. We need to know what the fence will look like, a picture of the spa, and better information written on the plan.

Thornewill – The spa equipment can't be in the 5' set back. We need a surveyed site plan.

Coombs – We need to know where the equipment will go.

Motion **Motion to Hold for further information and for a second viewing and to come back on Tuesday, June 15th. (McLaughlin)**

Roll-call Vote Carried 4-0//Thornewill, Oliver, McLaughlin, and Coombs-aye Certificate #

PROPOSED

15. John Berry **05-3838** | 22 Eel Point Road | New dwelling | 40/45 | Emeritus

Voting	Pohl, Camp, McLaughlin, Coombs, Welch
Alternates	Thornewill
Recused	None
Documentation	Architectural elevation plans, site plan, and photos.
Representing	Matt MacEachern, Emeritus Development
Public	None
Concerns (8:12)	**MacEachern** – Reviewed changes made per previous concerns; white sash and trim. **McLaughlin** – Overall, it is very harmonious to itself. **Camp** – This is very long and there is so much going on with the different roof lines. The 1st floor works well. The large gables flanked by huge shed dormers is overwhelming. The windows drawn dark throw her perception off. **Welch** – This is large but it's well balanced and well designed. Concerned about some termination points of dormers to the ridge. He'd like to see a cross section of existing and proposed topography. This does have additive massing. **Coombs** – The front door should be more prominent. East elevation, there are a lot of pointy gables making it very busy. **Pohl** – It's an attractive building; but it's long, white, and close to the road. Agrees about seeing a topographical cross section; it doesn't look like there is any cut in grade, just fill.
Motion	**Motion to Hold for revisions and more information. (Coombs)**
Vote	Carried 5-0

Certificate #

16. John Berry **05-3956** | 22 Eel Point Road | New guest house | 40/45 | Emeritus

17. John Berry **05-3955** | 22 Eel Point Road | New garage | 40/45 | Emeritus

Voting	Pohl, Camp, McLaughlin, Coombs, Welch
Alternates	Thornewill
Recused	None
Documentation	Architectural elevation plans, site plan, and photos.
Representing	Matt MacEachern, Emeritus Development
Public	None
Concerns (8:27)	**MacEachern** – Asked that these be held to track.
Motion	**Motion to Hold to track with the main house. (Coombs)**
Vote	Carried 5-0

Certificate #

18. Kristina Amendalore **05-3625** | 8 Bank Street | Addition revisions | 72.1.3/69 | Angus MacLeod

Voting	Coombs (acting chair), McLaughlin, Camp, Thornewill
Alternates	None
Recused	None
Documentation	Architectural elevation plans, site plan, photos, correspondence, historic documentation, and advisory comments.
Representing	Angus MacLeod
Public	Janet Ballou, 21 Front Street Helen Strong, 18 Broadway Ann Riley
Concerns (8:30)	**MacLeod** – Reviewed changes made per previous concerns; he did a horizontal shot from the fence on the bank to the ridge; this is about at waist height with Front Street. **Backus** – Ms. Flynn has forwarded to the commissioners the abutter comments regarding stability of the coastal bank and Middle Gulley Road and reducing the height. This is circa 1930 contributing; appreciates reduction in massing; plans should reflect historic vernacular related to the proposed addition; open barn door a concern. Read SAB comments: keeping the height lower in relationship to the coastal bank was discussed. About the stability of Middle Gulley and the coastal bank, looking into that would be a concern and will be reviewed with an engineer at the building permit stage; it is not under HDC jurisdiction. A stable bank is important for coastal resiliency. If there is more information on the age, that would be helpful. This is not an addition, it is a reconstruction. **Ballou** – George Hubbs expressed concern about engineering and weight bearing of Middle Gulley Road should it have to be used as an emergency access; encouraged the Town and commission to investigate the road's structural integrity. There's concern about climate change compromising Codfish Park. **Strong** – The main problem is the height would close off an iconic public viewshed of the beach; it's too big for this site. **Riley** – This is a difficult site to build on; the roof line will be 6' above the coastal bank and impact the streetscape view. We don't see houses built against the coastal bank. It doesn't feel like an addition, but like the original house is being demolished and replaced. According to the Benchley book, which came out recently, this is circa late 1800s. **Flynn** – Read a letter of concerns from Peter and Kitty Goldsmith, 3 Broadway, into the record. **Camp** – Her concern is the massing of this on the site. Thinks the height could come down more; the typical buildings in the area are still very small. **Thornewill** – Appreciates the form it's taken; proportions are great. To mitigate the presence on the corner, suggested pushing it to the end of the property. The height is the issue; make it a little thinner and drop it down. **McLaughlin** – No comment. **Coombs** – She'd like to see it shortened to save the tree.
Motion	**Motion to Hold for revisions and more information. (Camp)**
Vote	Carried 4-0

Certificate #

7. Mark Atkinson **06-4023** 82 Baxter Road Addition 49/39 Botticelli + Pohl

Voting	Camp (acting chair), McLaughlin, Coombs, Oliver, Welch
Alternates	None
Recused	Pohl
Documentation	Architectural elevation plans, site plan, photos, historic documentation, and advisory comments.
Representing	Lisa Botticelli, Botticelli & Pohl
Public	None
Concerns (6:45)	**Botticelli** – Reviewed changes made per previous concerns; this is "Footlight"; we're thinking of the new addition windows being 2-over-2 so it looks like it was added at a later date. **Backus** – Contributing structure circa 1923 listed on National Historic List (NHL) registry; recommend dropping the ridge lower; right addition overwhelms the main mass. **Welch** – Appreciates changes; they are appropriate. Noted the "high hat" of the new covered porch; feels not everything has to be exactly the same proportion; part of the design he likes is the concept of the windows being infill to a previously existing porch. **Oliver** – Agrees with Mr. Welch. Asked if it would be possible on the east to carry a porch roof in front of the infill sun porch; that might mitigate the high eave line. **Coombs** – Agrees with Mr. Welch about the porch; though, she could approve this. **McLaughlin** – It's a good style cottage for 'Sconset. South elevation, the sunporch windows should be double hung or fixed. **Camp** – You don't usually see a 2nd floor over a sun porch; would prefer the ridge be dropped more. East elevation, the right side is too large and competes with the main mass. Likes Ms. Oliver's suggestion about incorporating the sun room into the front porch. There is a house in 'Sconset with a sunporch on the 1st floor and 2nd floor; doing that might not look so heavy.
Motion	**Motion to Approve as submitted. (Welch)**
Roll-call Vote	Carried 5-0//Welch, Coombs, Oliver, McLaughlin, and Camp-aye Certificate # **HDC2021-06-4023**

8. Carol Anne Surface **04-3606** 47 Warren's Landing Road Pool 38/54 BPC

Voting	Coombs (acting chair), McLaughlin, Camp, Oliver, Thornewill
Alternates	None
Recused	None
Documentation	Landscape design plans, site plan, and photos.
Representing	Joe Paul, BPC
Public	None
Concerns (7:02)	**Paul** – Reviewed changes made per previous concerns; pool has an autocover and equipment behind the cabana; the light pole will be removed. **Thornewill** – There is a huge hedgerow of Leland Cyprus right of the driveway; that and the house will block a lot of the view. Doesn't think it will be visible. **Oliver** – We'll add our caveat. Her opinion is there is too much hardscaping; it takes up as much area as the new house. **Camp** – It looks very exposed, and the landscaping is changing the natural area. **McLaughlin** – Confirmed the pool has an autocover. **Coombs** – The patio should not be so squared off.
Motion	**Motion to Approve with the pool not to be visible at time of inspection and thereafter. (Oliver)**
Roll-call Vote	Carried 4-1//Thornewill, Oliver, McLaughlin, and Coombs-aye; Camp-nay Certificate # **HDC2021-04-3606**

9. Kristine Amendolare **05-3625** 8 Bank Street Sias Additions 72.1.3/69 Angus Macleod

Voting	Coombs (acting chair), McLaughlin, Camp, Thornewill
Alternates	None
Recused	None
Documentation	Architectural elevation plans, site plan, photos, correspondence, historic documentation, and advisory comments.
Representing	Angus MacLeod
Public	Helen Strong, 18 Broadway Isabel Landzert, 7 Front Street Janet Ballou, 21 Front Street
Concerns (7:14)	**MacLeod** – Presented the revised plan addressing concerns; height now 20'; referenced a chart of alterations to structures in Codfish Park; the reinforced foundation will reinforce the bank; reviewed historical photos of the lot. The existing structure is 9' tall. **Backus** – She appreciate the reduction in height; it would be helpful to see an overlay of the existing structure elevations. Read SAB comments from 8/2. Read into the record a letter of concerns from John Shae. This is a circa 1920s-1930s structure. **Strong** – Lowering the roof line 1' is not an appropriate response to the outpouring of concerns from the residents. The 'Sconset Civic Association voted unanimously to keep the roof line at or below the top of the bank. There has also been an outpouring of letters from area residents expressing concerns that the HDC should consider.

Landzett – What's happening at this property along with other construction on Beach Street, HDC should look at this structure relevant to the rest of Codfish Park. This will encroach into the bank and obstruct the view from Front Street. The roof line shouldn't go above the bank.
Ballou – Thinks a topographical map would be very helpful in understanding the relativity of the height.
Thornewill – This is charming and very appropriate. All of Codfish Park has pumped up; for this, the ridge and length have come down to be as small as it could reasonably get with a mud sill. No grade change has been represented.
Camp – She worries about what would happen to this building if a plan like this doesn't go through. If it could come down one more foot, it's visibility from Front Street would be mitigated.
McLaughlin – At this point, it is a nice, adaptable structure that fits into Codfish Park. Minor changes would make it approvable but not at this time; he has a huge stack of information to read; Mr. MacLeod's report is very comprehensive.
Coombs – We have a lot of letters from area residents. If it could come down to 19', that would be acceptable.

Motion	**Motion to Hold for revisions. (McLaughlin)**	
Roll-call Vote	Carried 4-0//Camp, Thornewill, McLaughlin, and Coombs-aye	Certificate #

VI. NEW BUSINESS (08/3/2021

	Property owner name	Street Address	Scope of work	Map/Parcel	Agent
1.	Nant 24 Mill St, LLC 07-4269	24 Mill Street	Demo shed	55.4.4/97	Self
2.	Nant 24 Mill St, LLC 07-4270	24 Mill Street	120 sf shed	55.4.4/97	Self

Voting	Pohl, Camp, McLaughlin, Coombs, Oliver
Alternates	Welch, Thornewill
Recused	None
Documentation	None
Representing	None
Public	None
Concerns (8:00)	**McCarthy** – The applicant asked these be held for Thursday's meeting. Not opened at this time.
Motion	**Motion to Hold Items 1 & 2 for Thursday at applicant's request. (Camp)**
Roll-call Vote	Carried 5-0//Oliver, McLaughlin, Coombs, Camp, and Pohl-aye Certificate #

3. Julius Pasys 07-4217 — 6 Bayberry Lane — Addition — 67/73 — Thornewill Dsgn

Voting	Pohl, Camp, McLaughlin, Coombs, Oliver
Alternates	Welch
Recused	Thornewill
Documentation	Architectural elevation plans, site plan, and photos.
Representing	Carrie Thornewill, Thornewill Design
Public	None
Concerns (8:01)	**Thornewill** – Presented project. No concerns.
Motion	**Motion to Approve as submitted. (McLaughlin)**
Roll-call Vote	Carried 5-0//Camp, Oliver, Coombs, McLaughlin, and Pohl-aye Certificate # **HDC2021-07-4217**

4. Eileen Harkness 07-4215 — 5 Gardner Perry Lane — Demo shed — 55/32.1 — Thornewill Dsgn

Voting	Pohl, Camp, McLaughlin, Coombs, Oliver
Alternates	Welch
Recused	Thornewill
Documentation	Architectural elevation plans, site plan, photos, historic documentation, and advisory comments.
Representing	Carrie Thornewill, Thornewill Design
Public	None
Concerns (8:06)	**Thornewill** – Presented project; if someone wants it they can have it. **Backus** – Read HSAB comments 8/9: no concerns. No concerns.
Motion	**Motion to Approve. (McLaughlin)**
Roll-call Vote	Carried 5-0//Coombs, Camp, Oliver, McLaughlin, and Pohl-aye Certificate # **HDC2021-07-4215**

6. Kristine Amendolare **05-3625** 8 Bank Street Sias Additions 72.1.3/69 Angus Macleod

Voting	Coombs (acting chair), McLaughlin, Camp, Thornewill
Alternates	None
Recused	None
Documentation	Architectural elevation plans, site plan, photos, correspondence, historic documentation, advisory comments, and topographical information
Representing	Angus MacLeod
Public	Margaret Van Deusen, 7 Front Street Joe Arvay, 11 Front Street Isabel Landzert – 7 Front Street John Shae, 'Sconset Civic Assn
Concerns (7:15)	**MacLeod** – Reviewed changes made per previous concerns; the engineers and excavators have figured out how not to destabilize the bank. There are letters supporting this proposal but those aren't being read into the record. This was designed to be as low as possible and still function; we can't go any lower. **Backus** – No additional SAB comments. This is a proposed alteration to an 1923-1926 structure. We've received abutters' letters of concerns and have forwarded those to commissioners. If this is a proposed addition, questions what of the original structure is being maintained. Read into the record letters of concerns from the 'Sconset Civic Association (SCA) and the Gardeners of 9 Broadway & 9 Front Street. **Van Deusen** – This is the 1st building that would be right against and into the bank; the proposed height makes it more visually impactful at the entrance to Codfish Park. Referenced Mr. John Shae's letter describing the area's sense of place and history. If this is approved, it will "open a floodgate of change." Asked for a denial. **Arvay** – Questions what is remaining of the original structure. Concurs with comments about the strategic positioning of this building. **Landzert** – That SCA, which represents the village, objects to this should be carefully considered. Though this is aesthetically pleasing, it is not appropriate in this location. People come here to watch the sunrise, which is over rooftops, not the ocean. **Shae** – This vote could change 'Sconset forever. **Camp** – The problem is how perfectly the existing structure hugs the bank; there would be no better proposal for this location. She voted against 15 Beach Street. Likes Ms. Thornewill's suggestion to push it north. **Thornewill** – This building is appropriate and throws back to historic Codfish Park buildings. With a zoning variance, it might be shifted back onto the retaining wall; that moves it away from the corner and lower bank. **McLaughlin** – The design as proposed is appropriate to the neighborhood. **Coombs** – Concerns about digging into the bank affecting its stability is not within HDC purview. She has concerns about SCA's claim regarding 15 Beach Street; this is not taller than that. Asked if the ridge could be reduced to 19'.
Motion	Motion to Approve. (McLaughlin) Not carried 2-2//Coombs and Camp abstain **Motion to Hold for revisions. (Thornewill)**
Roll-call Vote	Carried 4-0//Camp, McLaughlin, Thornewill, and Coombs-aye Certificate #

7. Westmoor Club, LLC **07-4189** 105 West Chester Street Tennis/pickleball courts 41/805 JGG Architects

Voting	Camp (acting chair), McLaughlin, Coombs, Thornewill
Alternates	None
Recused	None
Documentation	Architectural elevation plans, site plan, and photos.
Representing	Adam Davis, J. G. Goldsmith Architects
Public	None
Concerns (7:57)	**Davis** – Reviewed changes made per previous concerns; no proposing to put tennis in at southern-most point. **Backus** – They will have to do a separate application to change the internal tennis courts into the pickleball courts on the other lot. **Thornewill** – Appreciates moving the pickleball courts away from the street and extensive planting plan. **McLaughlin** – No concerns and he'd approve as submitted. **Coombs** – Pickleball makes more noise than tennis; she's glad it's moving inward. As much vegetation as possible would be appreciated. **Camp** – Double up the trees in front of the future barn is; the more the better.
Motion	**Motion to Approve as submitted. (McLaughlin)**
Roll-call Vote	Carried 4-0//Coombs, Thornewill, McLaughlin, and Camp-aye Certificate # **HDC2021-07-4189**

HDC File

HISTORIC DISTRICT COMMISSION

2 Fairgrounds Road
Nantucket, Massachusetts 02554

Telephone: 508.325.7587 Fax: 508.228.7298

COMMISSIONERS

Ray Pohl
Chairman

Diane Coombs
Vice-Chairman

Val Oliver

Abigail Camp

John McLaughlin

ASSOCIATE COMMISSIONERS

Jesse Dutra

Stephen Welch

STAFF

Esmeralda Martinez
Administrative Specialist
emartinez@nantucket-ma.gov

STAFF LIAISON

Holly E. Backus
Preservation Planner
hbackus@nantucket-ma.gov

January 26, 2022

Dear Select Board,

On behalf of the Nantucket Historic District Commission (HDC), I am responding to the appeal filed related to the COA Approval September 7, 2021 Kristine Amendolare, addition HDC2021-05-3625. To watch the discussion at the HDC September 7, 2021 meeting, please click on the following link: Nantucket Historic District Commission - 9/7/21 - YouTube Fast forward to 2:15 – 2:57.

This application was reviewed by the Commission on (05/18/2021, 6/11/21, 7/20/21, 8/17/21, and 9/7/21.) During the five hearings, there were requests from the public, abutter's, and some HDC Commissioners for revisions on the proposed height with its relationship to the Bank of Historic Codfish Park. As with any contentious application, the HDC file includes letters from concerned neighbors for the Commission's consideration in the review of the application.

There were no Open Meeting Law violations. The Nantucket Historic District Commission did not deliberate outside of the September 7, 2021 date, as alleged. At the last hearing of this project on September 7, 2021, there were only four (4) sitting members on this application. As indicated by KP Law's letter (Town Counsel) to the Attorney General on the appellant's Open Meeting Law Complaint, there were two members who voted in favor of the application and two members who abstained from the vote. It was assumed by both the acting chair and staff that the motion did not carry, as the majority of the board members did not vote in favor, however it has been determined by Town Counsel that the motion on the vote of 2 in favor (with zero for denial) and 2 abstentions was sufficient for the motion for approval to pass. It was determined that the first motion was approved, as a majority of those members were present and voted. Therefore, the later motion to "hold for revisions" was moot. Furthermore, the HDC members have been reminded that an abstention vote does not count.

In addition to no Open Meeting Law violation; the COA was filed with the Town Clerk's office on October 25, 2021, within the 60 days required pursuant to Section 9(f) of Chapter A301 Special Act of the Nantucket Historic District Commission. The "appeal" letter assumes the first notice of the COA approval was at the December 9, 2021 ZBA hearing, when in fact, it was already filed with the Town Clerk's office accordingly. In addition, the appeal of this COA was not filed within the required 10 days of its filing with the Town Clerk's office. Further, the notion that the project was not listed in the HDC approvals published in the Inquirer & Mirror newspaper is irrelevant and not the responsibility of the HDC nor its staff.

Although, it is agreed that the minutes will need to be corrected to accurately reflect the record of the application as to the carried motion, one can conclude that the Commissioners made a motion that was passed by a majority of the sitting board. The HDC and its staff hold the upmost respect to the public interest in the integrity of the Special Act A301 and the hearing process; to imply otherwise is appalling.

Sincerely,

Holly E. Backus,
Preservation Planner / Local CLG Coordinator

From:	John Giorgio
To:	Leslie Snell
Cc:	Andrew Vorce; Libby Gibson; George Pucci
Subject:	RE: Robert"s Rules on majority vote/8 Bank HDC
Date:	Monday, October 25, 2021 11:49:48 AM
Attachments:	image001.png

Dear Leslie

I apologize for the delay in responding. I had actually drafted my opinion shortly after you sent your request, but it was still in draft form in my Outlook cabinet when you sent your reminder.

For the reasons stated below, it is my opinion that the voted to approve the application on a vote of 2-0-2 was sufficient. Furthermore, in my opinion, the subsequent alternative motion to "hold for revisions" was unnecessary and is therefore moot."

The general rule regarding votes of municipal boards is that a quorum must be present. Here, because 4 of the 5 HDC members were present, a quorum to vote on the application was present. The general rule is then that a motion passes if it approved by a majority of those present and voting. In my opinion an abstention is not a vote. It is as if the members who abstained remained silent and did not vote. Hence, since there were two votes in favor of the motion and no negative votes, the motion was approved by a majority of those members present and voting.

Please note that the answer would be different if the enabling language of the HDC said that for a motion to passed it must be approved by a majority of the full or entire commission. No such language, however, exists in the HDC special acts.

I am including a link to the firm's guide to calculating a majority vote: http://k-plaw.com/wp-content/uploads/2020/01/KP-709985-v1-MMA_Calculation_of_Majority_Vote.pdf

Please note the discussion regarding historic district commissions. Although G.L. c. 40C includes language requiring the approval of "a majority of the members of the Commission", as you know the Nantucket HDC is governed by the provisions of a special act so this language in Chapter 40C does apply to the Nantucket Historic District Commission.

Please let me know if you have any questions.

John

John W. Giorgio, Esq.
KP | LAW
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From: Leslie Snell <LSnell@nantucket-ma.gov>
Sent: Thursday, September 30, 2021 4:30 PM
To: John Giorgio <JGiorgio@k-plaw.com>
Cc: Andrew Vorce <AVorce@nantucket-ma.gov>
Subject: FW: Robert's Rules on majority vote/8 Bank HDC

Hi John –

The HDC created issues seem to be in abundance right now…

We've had an internal discussion, as well as with the attorney for the applicant, about a HDC vote that occurred on September 7. No one seems to fully agree on what it means, so I'm reaching out to you for advice.

With 4 out of 5 members participating on an application for 8 Bank Street, a motion was made to approve the application. The vote was 2 in favor (McLaughlin and Thornewill), 0 against, and 2 abstentions (Coombs and Camp). The minutes note that the motion didn't carry and that an alternative motion was made to "hold for revisions". That motion passed unanimously.

The applicants attorney (see email below) has taken the position that (1) since a majority of the Commission was participating, the 2 abstentions essentially mean nothing and the motion did carry by the 2 voting in favor, and (2) that because the motion did carry the alternative motion was unnecessary and is invalid. My analysis was also that the abstentions essentially mean nothing, but a majority of the participating members did not vote in favor, therefore the motion failed and the alternative motion is valid.

Thanks for taking time to consider this issue.

Leslie

_____

Leslie Woodson Snell, AICP, LEED AP BD+C
Deputy Director of Planning

Nantucket Planning & Economic Development Commission
Planning & Land Use Services (PLUS) Department
2 Fairgrounds Road
Nantucket, MA 02554

Telephone: 508-325-5385

From: Michael Wilson <mjw@mjwilsonlaw.com>
Sent: Monday, September 20, 2021 7:26 PM
To: Leslie Snell <LSnell@nantucket-ma.gov>
Cc: Andrew Vorce <AVorce@nantucket-ma.gov>
Subject: Robert's Rules on majority vote/8 Bank HDC

Leslie-
Thanks for taking the time to listen to me today I know you've got a million things to do. I did some simple research online for Robert's Rules. It was pretty available but basically Majority vote - defined as more than half of the votes cast by those present and voting unless the organization's rules specify otherwise, like matters requiring a 2/3 vote. Since an abstention isn't a vote all the commissioners who voted all voted in favor of approval. It seems odd that a commission can just choose not to vote on an application doesn't it? Where does that leave the applicant does she have to start over? Any guidance would be greatly appreciated so I can help these people understand what to do next.
As always, thank you
Mike

Michael Wilson
1 Hooper Farm Road
Nantucket, MA. 02554
508-228-1929
mjw@mjwilsonlaw.com

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WIRE FRAUD ALERT: Email hacking to fraudulently misdirect funds is on the rise. ALWAYS CONFIRM WIRE INSTRUCTIONS. If you receive an email or other communication from this office requesting that you wire or otherwise transfer funds, please contact this office to confirm the request and any corresponding instructions before you initiate any transfer. We are not responsible for any wires sent by you to an incorrect bank account. Our wiring instructions NEVER change.

KP | LAW eUpdate

Calculation of Majority Vote

Prepared for the Massachusetts Municipal Association Meeting, January 2020

We are often asked to determine whether the vote of a municipal body is valid. Questions often arise when one or more members of a board were absent or had abstained from voting. This memorandum outlines the approaches that Massachusetts courts have taken in their interpretation of what constitutes a valid majority vote.

I. General Rule – Vote of a Majority is Sufficient

The general common law rule is that, in the absence of an express statute or regulation to the contrary, a simple majority vote (i.e., one vote more than fifty percent) will prevail. Shrewsbury Edgemere Assocs. v. Board of Appeals of Shrewsbury, 409 Mass. 317, 321 (1991). Further, when a quorum is present, a majority of that quorum has the right to take any action which is within the power of the entire body. District Attorney for the Northwestern Dist. v. Board of Selectmen of Sunderland, 11 Mass. App. Ct. 663, 665 (1981), quoting from FTC v. Flotill Prod. Inc., 389 U.S. 179, 183 (1967).

Majority of Members Present

Massachusetts courts have applied this general rule to hold that a requisite majority vote is calculated based on the number of members present, not on the entire membership, present or absent. Ellison v. Haverhill, 309 Mass. 350, 351 (1941). Thus, when a statute states that a valid vote requires "a majority of the Board," a municipality should not read this as requiring that a majority of the full membership must vote in favor. Instead, as long as a quorum is present, the calculation of a "majority" should be based on only those members present. Absent members of the board do not affect the vote.

The most common example is that of a five-member board. If three members are present (which is a quorum), then a 2-1 vote is a valid, majority vote of the board.

Abstentions are Not Counted

Furthermore, the general common law rule is that, given the presence of a quorum, a majority of the votes actually cast is sufficient. It is not essential that at least a quorum should actually vote. Nor is it required that the action receive the favorable votes of a majority of all members present. A board member who is present for the vote may abstain from voting and not affect the outcome.

The Massachusetts Supreme Judicial Court implicitly applied this common law rule when it approved a city council vote in Clark v. City Council of Waltham, 328 Mass. 40 (1951). The council consisted of eleven members, ten of whom were present to vote, but only five councilors voted: four in favor, one opposed. In declaring that the four-

to-one vote carried, the court did not count the five abstentions in its determination of the majority. Instead, the court counted only the votes cast.

Some statutes, ordinances or by-laws specify that a vote is valid if a majority of the members present and voting are in favor of the action. To calculate a vote based on the number of members present and voting, a municipality should count only those members present at the meeting who have actually voted. The absence or abstention of a member does not affect the calculation. Doherty v. Mayor of Everett, 13 Mass. App. Ct. 202 (1982).

Three-Member Boards

A Massachusetts case involving a three-member board focused on the particular issues presented by this smaller board. See District Attorney for the Northwestern Dist. v. Board of Selectmen of Sunderland, 11 Mass. App. Ct. 663 (1981). In this case, as a result of two abstentions, the final vote was one-to-zero in favor of the motion. The court stated, "Under no circumstances can one vote constitute a majority of a quorum of a three-member board." at 666. In these limited circumstances of a three-member board, an abstention has the effect of a negative vote.

II. Express Stipulations as to Requisite Majority

For some municipal matters, the basis for computing the requisite voting majority has been fixed by statute, by-law or ordinance and thus supersedes the common law rule. Statutes containing language such as the "majority of the members then in office" or "vote of four members of a five-member board" have been interpreted by the courts as follows.

"Majority of the Members"

Sometimes it is clearly specified that a vote requires the majority of the entire membership either of the board or then in office. For example, G.L. c.40C, sec. 11, governing the activities of history district commissions, requires "the concurring vote of a majority of the members of the Commission" to issue permits. Similarly, the Wetlands Protection Act Regulations specify that an order or notification shall be signed by a "majority of the members then in office." 310 CMR 10.05(2). In these situations, the specific wording must be followed.

Some municipal by-laws or ordinances may specify situations in which the vote of a majority of the entire membership is required. You may wish to review your by-laws or ordinances to identify any such situations.

Explicit Provision for More than Simple Majority

Some statutes explicitly provide for the number of votes required for a municipal body's approval, and courts interpret these statutes literally. If a law states that a certain number of members must vote in favor of a motion, a municipality must follow the literal language of the statute. For example, if a statute requires that five-member boards can effect action only by a vote of four or five members, the temporary vacancy of a member does not work a metamorphosis of the board into one of fewer than five members. Gamache v. Acushnet, 14 Mass. App. Ct. 215 (1982) (interpreting G.L. c.40A, sec. 15).

In interpreting these statutes strictly, the Massachusetts Appeals Court has struck down a town by-law requiring fewer concurring votes than mandated by the statute. Mullin v. Planning Board of Brewster, 17 Mass. App. Ct. 139 (1983). In Mullin, the Town of Brewster had enacted a zoning by-law requiring only a concurring vote of four or more members of the seven-member Planning Board in order to grant a special permit. The Zoning Act, however, requires a two-thirds vote of a special permit granting authority with more than five members. The Court struck down the Brewster by-law concluding that the requirement of only four votes was inconsistent with the statute's mandate of a favorable vote of at least five members of the seven-member board.

III. Calculation of Percentage Vote Resulting in a Fraction

Occasionally the question arises as to how many votes constitute a valid two-thirds or three-quarters vote. The issue arises when a percentage vote results in a fraction. For example, two-thirds of 100 Town Meeting voters would require 66.6 votes. The question is whether to round the fraction up (so as to require an additional vote to achieve the majority) or down.

Although the Massachusetts courts have not directly addressed this issue, other jurisdictions have stated that, when a percentage vote of municipal body results in requiring so many whole votes and a fraction, "it is always necessary to count the fraction as a whole vote…. The fraction cannot be lopped off or ignored." Bonney v. Smith, 147 P.2d 771, 773 (Okl. 1944) (all three members of a three-member board must vote in favor of a motion in order for it to be a valid three-quarters vote).

We recommend that municipalities follow this procedure and round the votes required for a majority up to the next whole vote. For example, a requirement of a two-thirds vote of a board with seven members voting would require the affirmative vote of five members.

Please visit our website at www.k-plaw.com or contact any attorney at the firm with questions.

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CERTIFICATE NO: HDC2021-05-3625 DATE ISSUED: 9/7/2021

Application to the HISTORIC DISTRICT COMMISSION, Nantucket, Massachusetts, for a

CERTIFICATE OF APPROPRIATENESS

for structural work.

All blanks must be filled in using BLUE OR BLACK INK (no pencil) or marked N/A.

NOTE: It is strongly recommended that the applicant be familiar with the HDC guidelines, *Building with Nantucket in Mind,* prior to submittal of application. Please see other side for submittal requirements. Incomplete applications will not be reviewed by the HDC.

This is a contractual agreement and must be filled out in ink. An application is hereby made for issuance of a Certificate of Appropriateness under Chapter 395 of the Acts and Resolves of Mass., 1970, for proposed work as described herein and on plans, drawings and photographs accompanying this application and made a part hereof by reference.

The certificate is valid for three years from date of issuance. No structure may differ from the approved application. Violation may impede issuance of Certificate of Occupancy.

PROPERTY DESCRIPTION

TAX MAP N°: 17.3.1 PARCEL N°. 69

Street & Number of Proposed Work: 8 BANK ST., 'SCONSET

Owner of record: KRISTINA & NICHOLAS AMENDOLARE

Mailing Address: 538 LYNN FELLS PARKWAY

MELROSE, MA 02176

Contact Phone #: (617) 717-8339 E-mail: AMENDOLARE@GMAIL.COM

AGENT INFORMATION (if applicable)

Name: ANGUS MACLEOD

Mailing Address: P.O. BOX 7055

'SCONSET, MA 02564

Contact Phone #: (508) 257-6789 E-mail: ANGUSONHACK@GMAIL.COM

FOR OFFICE USE ONLY V481

Date application received: 4/29/2021 Fee Paid: $ 101.40

Must be acted on by: 5/30/2021 9/30/21 - 12/31/21

Extended to: _____

Approved: ✓ Disapproved: _____

Chairman: _____ (acting)

Member: _____

Member: _____

Member: _____

Member: _____

Notes - Comments - Restrictions - Conditions

DESCRIPTION OF WORK TO BE PERFORMED

See reverse for required documentation.

☐ New Dwelling ☑ Addition ☐ Garage ☐ Driveway/Apron ☐ Commercial ☐ Historical Renovation ☐ Deck/Patio ☐ Steps ☐ Shed

☐ Color Change ☐ Fence ☐ Gate ☐ Hardscaping ☐ Move Building ☐ Demolition ☐ Revisions to previous Cert. No. _____

☐ Pool (Zoning District _____) ☐ Roof ☐ Other _____

Size of Structure or Addition: Length: 6'-8" TO 17' Sq. Footage 1st floor: 167 SF

Width: 17'-0" Sq. footage 2nd floor: 346 SF

Sq. footage 3rd floor: _____

Decks/Patio: Size: 8' x 9' ☑ 1st floor ☐ 2nd floor

Size: _____ ☐ 1st floor ☐ 2nd floor

Difference between existing grade and proposed finish grade: North Ø South Ø East Ø West Ø

Height of ridge above final finish grade: North 18'-0" South 21'-0" East 21'-0" West 14'-9"

Additional Remarks

Historic Name: UNKNOWN

Original Date: 1930

Original Builder: UNKNOWN SEE MACRIS SURVEY

Is there an HDC survey form for this building attached? ☐ Yes ☐ N/A

REVISIONS* (describe)

1. East Elevation RAISE ELEV 6', RAISE RIDGE 9', REMOVE CHIMNEY, FENESTRATION
2. South Elevation 6'-8" ADDITION, 2ND FLOOR ADDITION, MOVE SHOWER, & FEN.
3. West Elevation RAISE ELEV 6', RAISE RIDGE 9', ADD 9' DORMER, & FENESTRATION
4. North Elevation RAISE RIDGE 9', ADD 8'x9' COVERED PORCH, FEN., WINDOW WELL

*Cloud on drawings and submit photographs of existing elevations.

DETAIL OF WORK TO BE PERFORMED

Foundation: Height Exposed 8" ☐ Block ☑ Block Parged ☐ Brick (type) _____ ☑ Poured Concrete ☐ Piers

Masonry Chimney: ☐ Block Parged ☐ Brick (type) _____ ☐ Other _____

Roof Pitch: Main Mass 9 /12 Secondary Mass (PORCH) 4.5 /12 Dormer 4.5 /12 Other _____

Roofing material: ☐ Asphalt: ☐ 3-Tab ☐ Architectural

☑ Wood (Type: Red Cedar, White Cedar, Shakes, etc.) RED CEDAR

Fence: Height: _____ Type: _____ Length: _____

Skylights (flat only): Manufacturer VELUX VS-M02 Rough Opening _____ Size 30" x 30" Location WEST ELEVATION

Manufacturer W/ CEDAR 3L. COVER Rough Opening _____ Size _____ Location _____

Gutters: ☑ Wood ☐ Aluminum ☐ Copper ☑ Leaders (material) COPPER

Leaders (material and size): 2" COPPER

Sidewall: ☑ White cedar shingles _____ ☐ Clapboard (exposure: _____ inches) Front ☐ _____ Side ☐ _____

☐ Other _____

Trim: A. Wood ☐ Pine ☐ Redwood ☑ Cedar ☐ Other _____

B. Treatment ☐ Paint ☑ Natural to weather ☐ Other _____

C. Dimensions: Fascia 1x6 Rake 1x6 Soffit (Overhang) 6" Corner boards 1x6 Frieze 1x6

Window Casing 2"x3" PLANK Door Frame 2"x3" PLANK Columns/Posts: Round _____ Square 4x4

Windows*: ☑ Double Hung ☐ Casement ☑ All Wood ☐ Other HOPPER AND SINGLE-HUNG

☑ True Divided Lights(muntins), single pane ☐ SDL's (Simulated Divided Lights) Manufacturer BOSTON SASH

Doors* (type and material): ☑ TDL ☐ SDL Front WOOD PLANK Rear WOOD PLANK W/ GLT Side WOOD PLANK

Garage Door(s): Type _____ Material _____

Hardscape materials: Driveways _____ Walkways ORIGINAL BRICK Walls PARGE EXIST. CONC. BLOCK

* Note: Complete door and window schedules are required.

COLORS

Sidewall NATURAL Clapboard (if applicable) _____ Roof NATURAL

Trim NATURAL Sash ESSEX GREEN Doors ESSEX GREEN

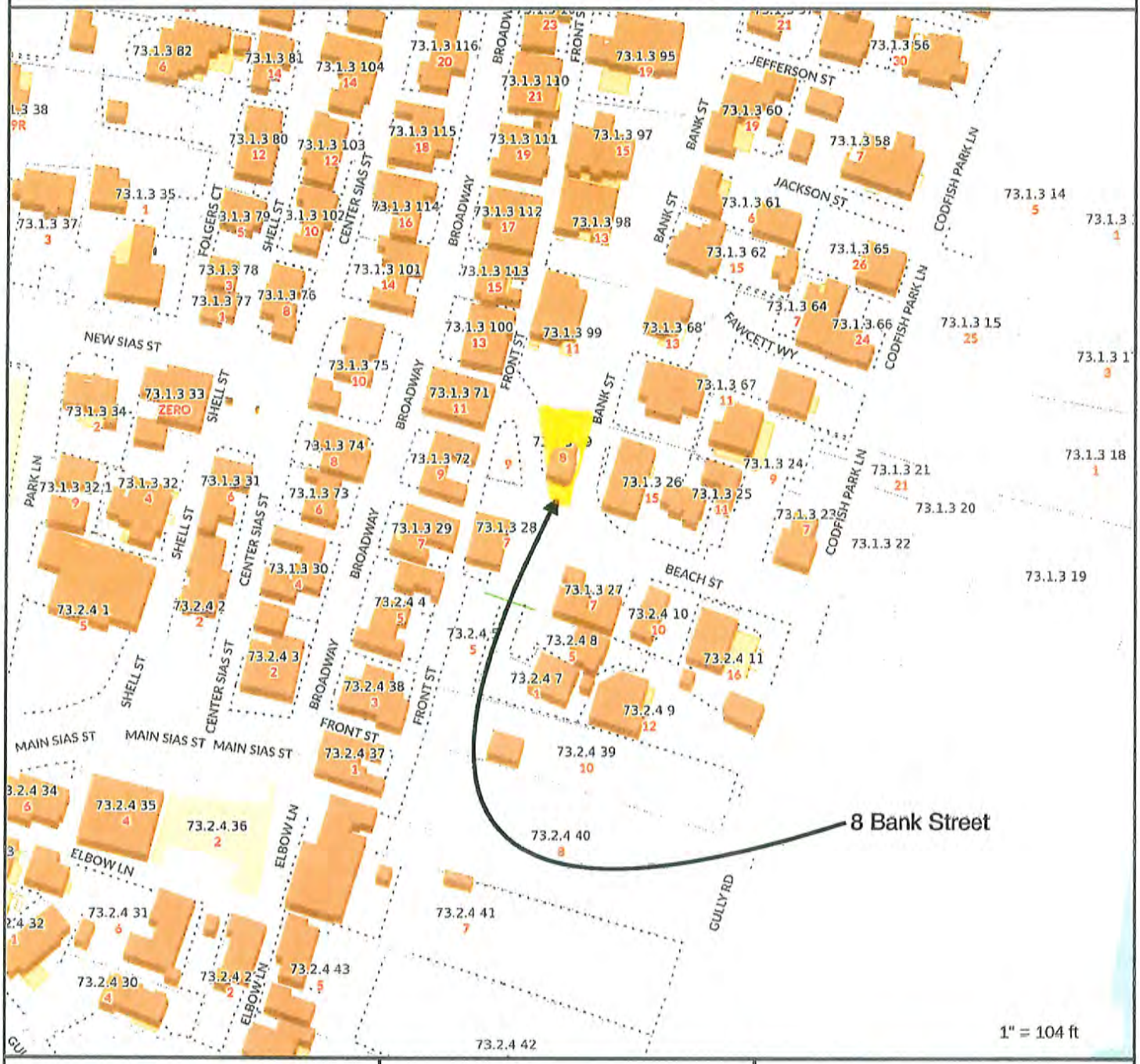
Deck NATURAL Foundation NATURAL Fence _____ Shutters _____

* Attach manufacturer's color samples if color is not from HDC approval list.

I hereby authorize the agent named above to act on my behalf to make changes in the specifications or the plans contained in this application in order to bring the application into compliance with the HDC guidelines. I hereby agree to abide by and comply with the terms and conditions of this application. I hereby agree that the submission of any revisions to this application will initiate a new sixty-day review period.

Date 4/12/2021 Signature of owner of record K. Amendolare Signed under penalties of perjury

Amendolare: Locus Plan

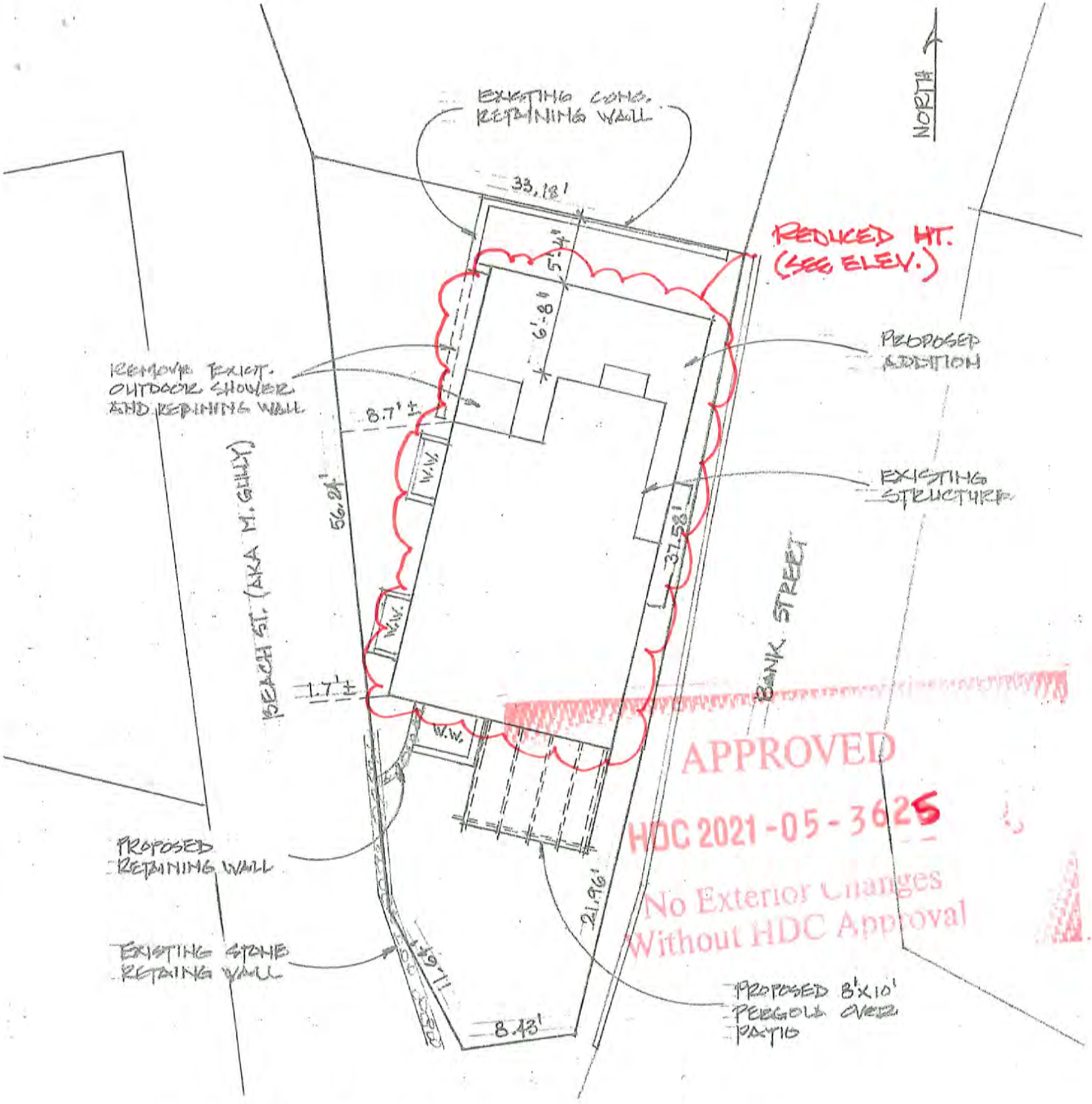


MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

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

RECEIVED
AUG 19 2021
By



SITE PLAN
SCALE: 1" = 10'

AMENDOLARE RESIDENCE
8 BANK STREET
GLOUCESTER, MA

ANGUS MACLEOD DESIGNS
P.O. BOX 7055
GLOUCESTER, MA
(508) 257-6789

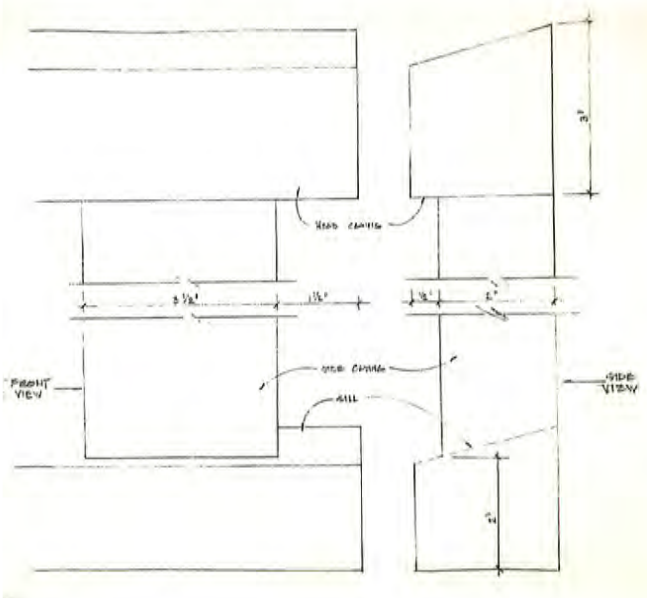
Angus MacLeod Designs
P.O.Box 7055
Sconset, MA
02564

Amendalore: Window Schedule

No	Unit Size	Manu.	Glass size	Type	Notes	Quant.
1	1' - 8" x 2' - 1"	Boston Sash	8 x10	4 (2H2W) Light Hopper Window	Single	2
2	2' - 6" x 3' - 1"	Boston Sash	8 x10	9 (3H3W) Light Single-Hung Window	Single	2
3	2' - 8" x 1'-11"	Boston Sash	7 x 9	8 (2H4W) Light Hopper Window	Single	2
4	2' - 8" x 2' - 8"	Boston Sash	7 x 9	12 (3H4W) Light Hopper Window	Single	2
5	2' - 8" x 4'-11"	Boston Sash	7 x 9	12/12 Double-Hung Window	Single	5
6	3' - 9" x 3' - 1"	Boston Sash	8 x10	15 (3H5W) Light Single-Hung Window	Single	1
7	2' - 8" x 4'-11"	Boston Sash	7 x 9	12/12 Double-Hung Window	Single	1
8	2' - 8" x 3' -	Boston Sash	7 x 9	8/8 Double-Hung Window	Single	1
9	3' - 0" x 7' - 0"	Custom	8 x10	4 Light Plank Door	Single	1
10	3' - 0" x 7' - 0"	Custom		Plank Door	Single	1
11	6' - 9" x 8' - 0"	Custom		Plank Door	Single	1

Window Notes:

* Casings to be Cedar Plank Frame with "horns" (see sketch detail below)
* Windows to have "Western Style" Casing for inset storm/screens
* Double-Hung windows to have concealed balances
* All Window panes to be Bendheim "Light Restoration" Glass
* Prime Sash / Casings natural to weather



7. Mark Atkinson **06-4023** 82 Baxter Road Addition 49/39 Botticelli + Pohl

Voting	Camp (acting chair), McLaughlin, Coombs, Oliver, Welch
Alternates	None
Recused	Pohl
Documentation	Architectural elevation plans, site plan, photos, historic documentation, and advisory comments.
Representing	Lisa Botticelli, Botticelli & Pohl
Public	None
Concerns (6:45)	**Botticelli** – Reviewed changes made per previous concerns; this is "Footlight"; we're thinking of the new addition windows being 2-over-2 so it looks like it was added at a later date. **Backus** – Contributing structure circa 1923 listed on National Historic List (NHL) registry; recommend dropping the ridge lower; right addition overwhelms the main mass. **Welch** – Appreciates changes; they are appropriate. Noted the "high hat" of the new covered porch; feels not everything has to be exactly the same proportion; part of the design he likes is the concept of the windows being infill to a previously existing porch. **Oliver** – Agrees with Mr. Welch. Asked if it would be possible on the east to carry a porch roof in front of the infill sun porch; that might mitigate the high eave line. **Coombs** – Agrees with Mr. Welch about the porch; though, she could approve this. **McLaughlin** – It's a good style cottage for 'Sconset. South elevation, the sunporch windows should be double hung or fixed. **Camp** – You don't usually see a 2nd floor over a sun porch; would prefer the ridge be dropped more. East elevation, the right side is too large and competes with the main mass. Likes Ms. Oliver's suggestion about incorporating the sun room into the front porch. There is a house in 'Sconset with a sunporch on the 1st floor and 2nd floor; doing that might not look so heavy.
Motion	**Motion to Approve as submitted. (Welch)**
Roll-call Vote	Carried 5-0//Welch, Coombs, Oliver, McLaughlin, and Camp-aye Certificate # **HDC2021-06-4023**

8. Carol Anne Surface **04-3606** 47 Warren's Landing Road Pool 38/54 BPC

Voting	Coombs (acting chair), McLaughlin, Camp, Oliver, Thornewill
Alternates	None
Recused	None
Documentation	Landscape design plans, site plan, and photos.
Representing	Joe Paul, BPC
Public	None
Concerns (7:02)	**Paul** – Reviewed changes made per previous concerns; pool has an autocover and equipment behind the cabana; the light pole will be removed. **Thornewill** – There is a huge hedgerow of Leland Cyprus right of the driveway; that and the house will block a lot of the view. Doesn't think it will be visible. **Oliver** – We'll add our caveat. Her opinion is there is too much hardscaping; it takes up as much area as the new house. **Camp** – It looks very exposed, and the landscaping is changing the natural area. **McLaughlin** – Confirmed the pool has an autocover. **Coombs** – The patio should not be so squared off.
Motion	**Motion to Approve with the pool not to be visible at time of inspection and thereafter. (Oliver)**
Roll-call Vote	Carried 4-1//Thornewill, Oliver, McLaughlin, and Coombs-aye; Camp-nay Certificate # **HDC2021-04-3606**

9. Kristine Amendolare **05-3625** 8 Bank Street Sias Additions 72.1.3/69 Angus Macleod

Voting	Coombs (acting chair), McLaughlin, Camp, Thornewill
Alternates	None
Recused	None
Documentation	Architectural elevation plans, site plan, photos, correspondence, historic documentation, and advisory comments.
Representing	Angus MacLeod
Public	Helen Strong, 18 Broadway Isabel Landzert, 7 Front Street Janet Ballou, 21 Front Street
Concerns (7:14)	**MacLeod** – Presented the revised plan addressing concerns; height now 20'; referenced a chart of alterations to structures in Codfish Park; the reinforced foundation will reinforce the bank; reviewed historical photos of the lot. The existing structure is 9' tall. **Backus** – She appreciate the reduction in height; it would be helpful to see an overlay of the existing structure elevations. Read SAB comments from 8/2. Read into the record a letter of concerns from John Shae. This is a circa 1920s-1930s structure. **Strong** – Lowering the roof line 1' is not an appropriate response to the outpouring of concerns from the residents. The 'Sconset Civic Association voted unanimously to keep the roof line at or below the top of the bank. There has also been an outpouring of letters from area residents expressing concerns that the HDC should consider.

'Scosnet Advisory Board (SAB) recommendations for HDC

7/19/21 via Zoom

Present: R. Benchley, Chair; Angus Macleod, Caroline Ellis, Clement Durkes, Mary Lathrop Will

***

Included by reference are all electronic submissions, prior and current: plans, documents, letters and recorded video of this meeting.

***

1) 6A Morey Lane—Earret LLC

Concerns: Revised plans submitted are not substantive to prior concerns of both the SAB and the HDC, with regard to size, height, massing, lot use and neighborhood compatibility. Applicant's representative was not present at hearing.

Recommendations: Submit a comprehensive plan, reflecting the above un-addressed items, including the prior proposal to move or demo the historic on-site barn.
SAB requests a review of these revisions.

2) 8 Bank Street-- Kristina Amendalore REVISIONS

Recused: Angus MacLeod

Public Comment:
Neighbors along Front Street concerned that the ridge-line is too tall and could impact a so-called "viewshed" of Codfish Park over Middle Gully Road; many concerns voiced regarding any potential damage done to the bank and the road during and after construction.

SAB Comments:

1) Revised plans show a 30% reduction along the roofline per earlier concerns.
2) Design is "very much in keeping" with Codfish Park
3) Design stands out for what it doesn't have: roof walk, 2nd floor deck, French doors, etc.
4) Ridge is waist-high from Front Street view, and does not "tower" as stated during public comment.
5) Bank and road stability concerns are not in the purview of the SAB

Recommendations: None

***

Respectfully submitted: Rob Benchley, SAB Chair

'Scosnet Advisory Board (SAB) recommendations for HDC

8/2/21 via Zoom

Present: R. Benchley, Chair; Angus Macleod, Caroline Ellis, Clement Durkes

Absent: Mary Lathrop Will

***

Included by reference are all electronic submissions, prior and current: plans, documents, letters and recorded video of this meeting.

***

New Business:
1) 7 Bunker Hill Road New Dwelling
" " Pool & Hardscape

Held for Representation; request to review again by SAB

Old Business:

1) 8 Bank Street-- Kristina Amendalore REVISIONS

Recused: Angus MacLeod

Public Comment:

Kathy Arvay, 11 Front Street: Too tall for that area; project will "destroy the look of Middle Gully Road."

Lynn Filipski, for the Siasconset Civic Association: Visual impact is quite significant; losing a key component of Codfish Park. Concerned that the proposal presents an engineering problem related to the coastal bank and the access road to Codfish Park.

Katherine Anselmi, former Codfish Park resident: building does not belong in Codfish Park and will impede access.

George Hubbs, 20 Broadway: Suggest that the maximum height be limited to the bank height or less; much bigger than was historically there.

Margaret VanDeusen, 7 Front Street: Lowering the ridgeline one foot isn't responsive to the HDC's prior comments.

Joe Arvay, 11 Front Street: Suggests an environmental study.

(Continued next page)

Angus MacLeod, Architect for applicant:

1) Feels the concern for height and massing is misguided.
2) Compared to current and recent construction, 8 Bank would be one of the smallest buildings in Codfish Park.
3) The existing house is not the original historic building.

SAB Comments:

Ellis: Understands that this is a change; this is a lovely change
Durkes: Charming and in keeping with Codfish Park
Benchley: So unlike a lot of the more modern things that have been allowed to be built down there. If possible to bring it down even more, that would be great.

***

Respectfully submitted on 8/5/21: Rob Benchley, SAB Chair

From: Angus Macleod angusonack@gmail.com
Subject: 8 Bank Street ~ Codfish Park House Alterations
Date: Aug 17, 2021 at 4:25:28 PM
To: Angus angusonack@gmail.com

16 Codfish Park Houses that have been altered with HDC approval

Copies of Documentation have been filed with PLUS for HDC meeting

9 Beach Street ~	2 story building, addition ~	22'+ High
10 Beach Street ~	Demo 1 story, build 2 story ~	22' High
15 Beach Street ~	Demo 1 story, build 2 story ~	23.5' High
7 Bank Street ~	Reconfigure, build 2 story ~	23.5' High
11 Bank Street ~	2 story building, add balcony ~	21.5' High
19 Bank Street ~	Reconfigure, build 2 story ~	19' High
23 Bank Street ~	Move/Reconfigure, 2 story ~	18' High
23R Bank Street ~	Build New 2 story ~	22' High
25 Bank Street ~	2 story building, add balcony ~	19.5' High
12 Codfish Park Road ~	Demo 1 story, build 2 story ~	25' High
16 Codfish Park Road ~	Demo 1 story, build 2 story ~	24.5' High
34 Codfish Park Road ~	Demo 1 story, build 2 story ~	23.3' High
36 Codfish Park Road ~	1 story, 2 story addition ~	23.5' High
7 Fawcett Road ~	1 story, 2 story addition ~	22.5' High
3 North Gully Road ~	2 story building, addition ~	20.6' High
8 North Gully Road ~	Demo 1 story, build 2 story ~	19.6' High



Town of Nantucket - GIS Mapsheet

8/19/2021



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 but 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.

8/10/2021

Town of Nantucket - GIS Mapsheet

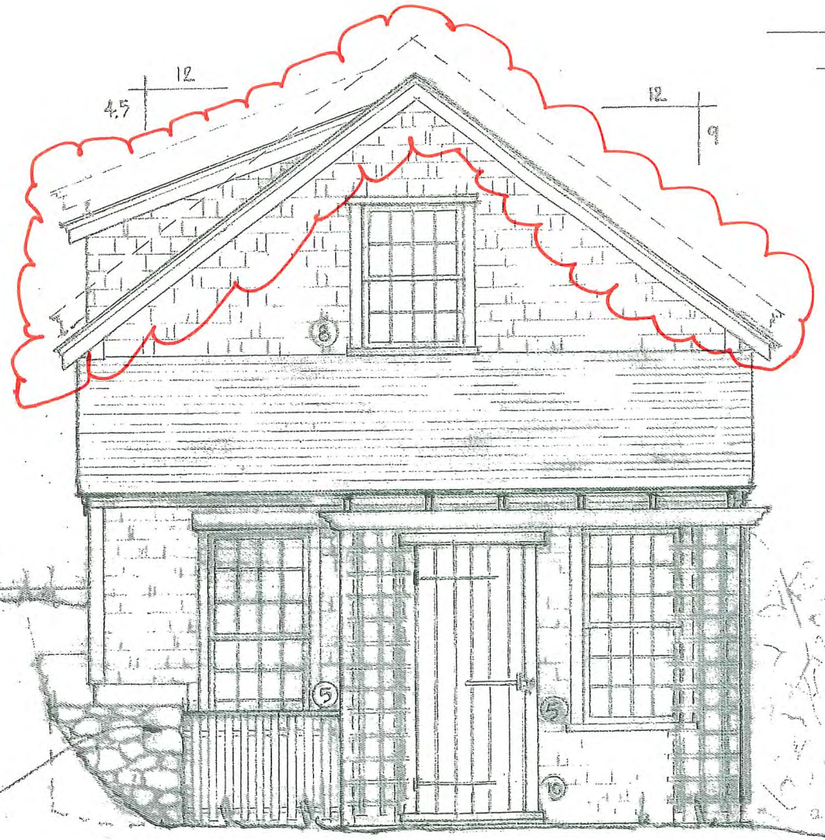
Nantucket governmental agencies will not necessarily approve applications based solely on GIS data. Applicants for permits and licenses must inquire of the relevant agency for applicable requirements.

The presence of information on this mapsheet does not necessarily imply public right-of-way or the right of public access.

The planimetric data on this mapsheet is based primarily upon interpretation of April, 2003 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, 2014.


1 inch = 33 feet
40 20 0 40 Feet



SOUTH ELEVATION
SCALE: 1/4"=1'-0"

APPROVED
HDC 2021-05-3625
No Exterior Changes
Without HDC Approval

RECEIVED
AUG 19 2021
By

AMENDOLARE RESIDENCE
8 BANK STREET
UCONSET, MA

ANGUS MACLEOD DESIGNS
P.O. BOX 7055
UCONSET, MA
(508) 257-6789

REDUCE TOTAL HT. BY 1'-0"

20'-10" EXIST. GRADE

MIDDLE GULLEY PATH

12

5

EXISTING RETAINING WALL

6

2

2

11

RECEIVED
AUG 19 2021
By

APPROVED
HDC 2021.115 - 3625
No Exterior Changes Without HDC Approval

EAST ELEVATION
SCALE: 1/4"=1'-0"

AMENDOLARE RESIDENCE
8 BANK STREET
BOONSET, MA

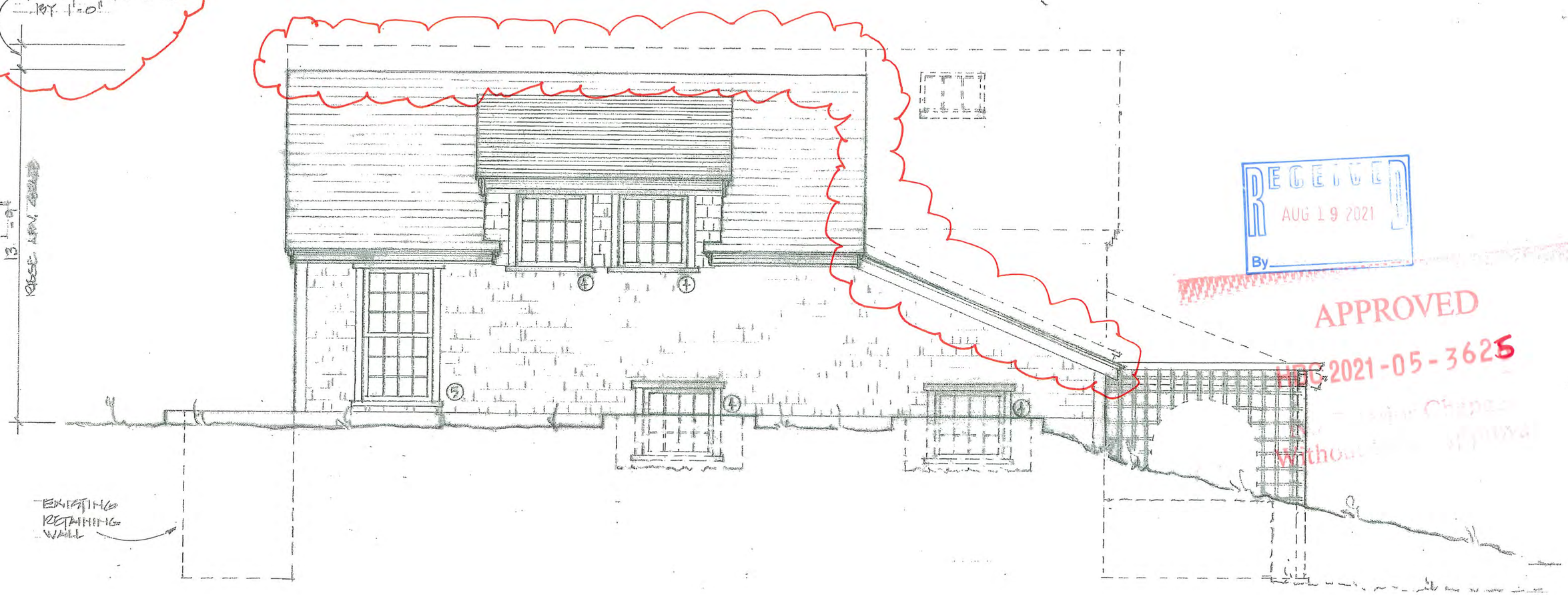
ANGUS MACLEOD DESIGNS
P.O. BOX 7055
BOONSET, MA
(508) 257-6789

REDUCE TOTAL HT. BY 1'-0"

13'-9"

ROOF LINE

EXISTING RETAINING WALL



WEST ELEVATION

SCALE: 1/4" = 1'-0"

RECEIVED
AUG 19 2021
By

APPROVED
HDC 2021-05-3625
without Changes
Approval

AMENDOLARE RESIDENCE
8 BANK STREET
GOOSET, MA.

ANGUS MACLEOD DESIGNS
P.O. BOX 7055
GOOSET, MA.
(508) 257-6789

MIDDLE GULLEY PATH

EXISTING STONE WALL

REDUCE HT. (SEE ELEV.)

N

SHALLOW WINDOW WELL

EXISTING RETAINING WALL

RETAINING WALL

SEATING

DW

LANDING

SHOWER

UP

FENCE

WINDOW WELL

TRELLIS (TYPICAL)

FRIG. P.D.W.

UP

DN

GRILL

CATHEDRAL CEILING

YARD

8'X10' PATIO W/ PERGOLA ABOVE

W/D

PORCH

PROPOSED 30" TYPE 2 FENCE/GATE

PLANTING

PLANTING

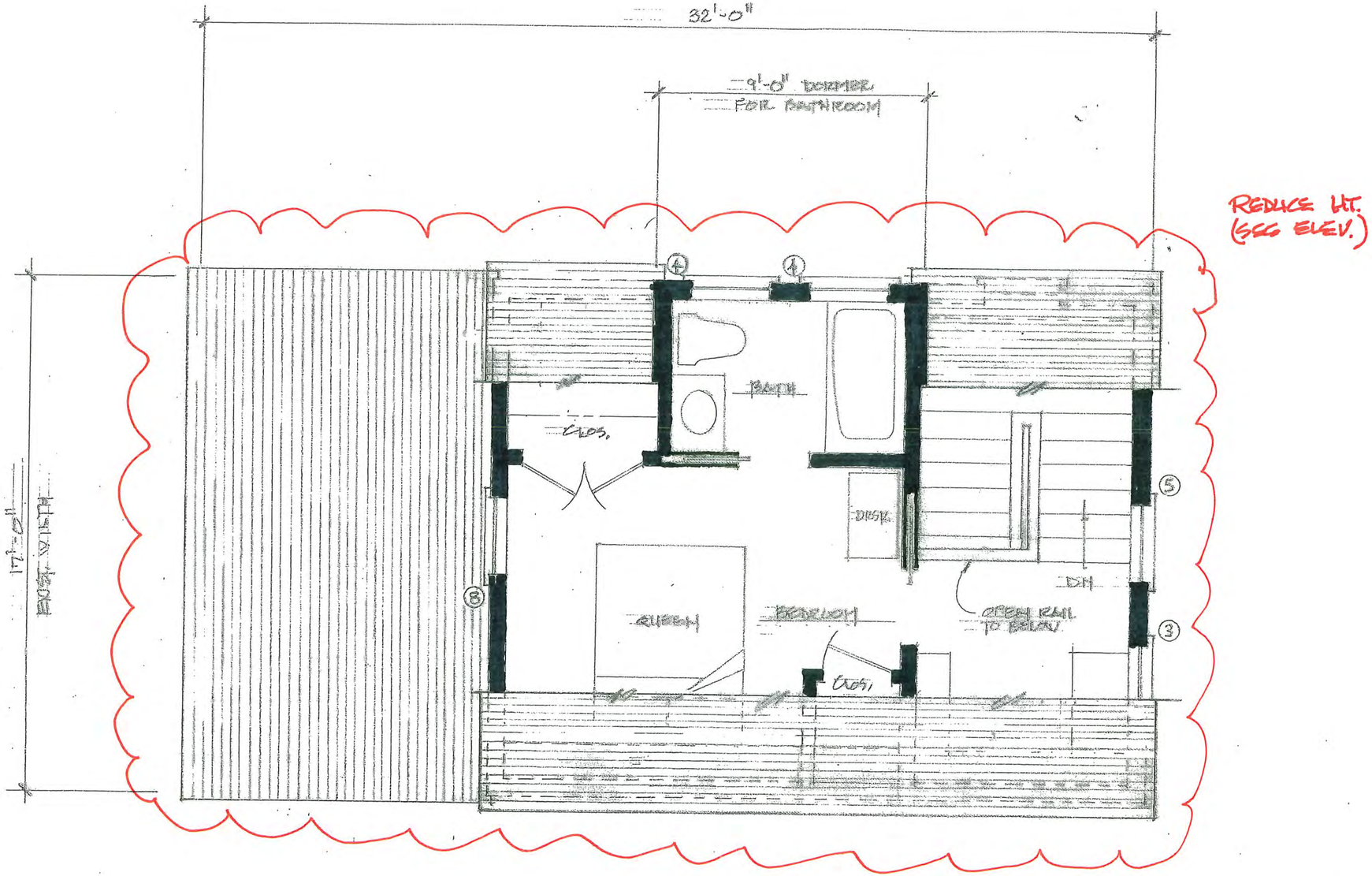
STREET CURB

FIRST FLOOR PLAN

SCALE: 1/4" = 1'-0"

AMENDOLARE RESIDENCE
8 BANK STREET
GLOUCESTER, MA

ANGUS MACLEOD DESIGNS
P.O. BOX 7095
GLOUCESTER, MA
(508) 257-6789



① SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"

AMENDOLARE RESIDENCE
8 BONK STREET
GLOUCESTER, MA

ANGUS MACLEOD DESIGNS
P.O. BOX 7055
GLOUCESTER, MA
(508) 257-6789

Kristine & Nicholas Amendolare

8 Bank Street

COA# HDC 2021-05-3625

MINUTES

6. Kristine Amendolare **05-3625** 8 Bank Street Sias Additions 72.1.3/69 Angus Macleod

Voting	Coombs (acting chair), McLaughlin, Camp, Thornewill
Alternates	None
Recused	None
Documentation	Architectural elevation plans, site plan, photos, correspondence, historic documentation, advisory comments, and topographical information
Representing	Angus MacLeod
Public	Margaret Van Deusen, 7 Front Street Joe Arvay, 11 Front Street Isabel Landzert – 7 Front Street John Shae, 'Sconset Civic Assn
Concerns (7:15)	**MacLeod** – Reviewed changes made per previous concerns; the engineers and excavators have figured out how not to destabilize the bank. There are letters supporting this proposal but those aren't being read into the record. This was designed to be as low as possible and still function; we can't go any lower. **Backus** – No additional SAB comments. This is a proposed alteration to an 1923-1926 structure. We've received abutters' letters of concerns and have forwarded those to commissioners. If this is a proposed addition, questions what of the original structure is being maintained. Read into the record letters of concerns from the 'Sconset Civic Association (SCA) and the Gardeners of 9 Broadway & 9 Front Street. **Van Deusen** – This is the 1st building that would be right against and into the bank; the proposed height makes it more visually impactful at the entrance to Codfish Park. Referenced Mr. John Shae's letter describing the area's sense of place and history. If this is approved, it will "open a floodgate of change." Asked for a denial. **Arvay** – Questions what is remaining of the original structure. Concurs with comments about the strategic positioning of this building. **Landzert** – That SCA, which represents the village, objects to this should be carefully considered. Though this is aesthetically pleasing, it is not appropriate in this location. People come here to watch the sunrise, which is over rooftops, not the ocean. **Shae** – This vote could change 'Sconset forever. **Camp** – The problem is how perfectly the existing structure hugs the bank; there would be no better proposal for this location. She voted against 15 Beach Street. Likes Ms. Thornewill's suggestion to push it north. **Thornewill** – This building is appropriate and throws back to historic Codfish Park buildings. With a zoning variance, it might be shifted back onto the retaining wall; that moves it away from the corner and lower bank. **McLaughlin** – The design as proposed is appropriate to the neighborhood. **Coombs** – Concerns about digging into the bank affecting its stability is not within HDC purview. She has concerns about SCA's claim regarding 15 Beach Street; this is not taller than that. Asked if the ridge could be reduced to 19'.
Motion	Motion to Approve. (McLaughlin) Not carried 2-2//Coombs and Camp abstain **Motion to Hold for revisions. (Thornewill)**
Roll-call Vote	Carried 4-0//Camp, McLaughlin, Thornewill, and Coombs-aye Certificate #

7. Westmoor Club, LLC **07-4189** 105 West Chester Street Tennis/pickleball courts 41/805 JGG Architects

Voting	Camp (acting chair), McLaughlin, Coombs, Thornewill
Alternates	None
Recused	None
Documentation	Architectural elevation plans, site plan, and photos.
Representing	Adam Davis, J. G. Goldsmith Architects
Public	None
Concerns (7:57)	**Davis** – Reviewed changes made per previous concerns; no proposing to put tennis in at southern-most point. **Backus** – They will have to do a separate application to change the internal tennis courts into the pickleball courts on the other lot. **Thornewill** – Appreciates moving the pickleball courts away from the street and extensive planting plan. **McLaughlin** – No concerns and he'd approve as submitted. **Coombs** – Pickleball makes more noise than tennis; she's glad it's moving inward. As much vegetation as possible would be appreciated. **Camp** – Double up the trees in front of the future barn is; the more the better.
Motion	**Motion to Approve as submitted. (McLaughlin)**
Roll-call Vote	Carried 4-0//Coombs, Thornewill, McLaughlin, and Camp-aye Certificate # **HDC2021-07-4189**

3. Trogoh Nom. Trust **05-3640**	26 Easy Street	Mixed use structure	42.4.2/23	Emeritus

Voting	Pohl, McLaughlin, Coombs, Oliver, Thornewill
Alternates	None
Recused	None
Documentation	Architectural elevation plans, site plan, photos, advisory comments, and alternative concepts.
Representing	Matt MacEachern, Emeritus Development
Public	None
Concerns (6:38)	**MacEachern** – Reviewed changes made per previous concerns; presented conceptual alternatives; 34' from grade. **Pohl** – Given the 11th hour aspect of the concept, neither Ms. Backus nor HSAB have seen it. **Oliver** – She likes the simplicity of the concept though the size on that corner is a concern. The cupola would be more successful with less dormers. The historic photos showed large buildings with less fenestration, so the dormer should be eliminated. Facing Easy Street, the deck is a concern and the bracketed posts look old-west. **Coombs** – South elevation has too many windows; no other building down there in the last 100 years was 34' tall, had that many windows, and 3rd-floor dormers; the 3rd-floor dormer makes it too heavy. East elevation, agrees about the bracketed posts; there should be no deck; okay with the simple 3rd-floor windows. **Thornewill** – Agrees with what's been said. The 10/12 roof is too tall and could be reduced; the 3rd-floor dormers should be smaller in scale with shorter windows to look more utilitarian. Appreciates the from its taking. **McLaughlin** – The cupola is not appropriate in that area and is oversized. There are a lot of doors; those could be reduced. **Pohl** – Appreciates the simplicity and it looks more like a large warehouse building. One historic photos showed small gable dormers; another had a simple cupola with one small window per side.
Motion	**Motion to Hold for revisions and the changes to go to HSAB for review. (Oliver)**
Roll-call Vote	Carried 5-0//Thornewill, McLaughlin, Coombs, Oliver, and Pohl-aye Certificate #

4. Craig Majernik **07-4240**	63 Burnell Street	New main house	49.3.2/1.1	Workshop APD

Voting	Pohl, Camp, McLaughlin, Coombs, Oliver
Alternates	Welch, Thornewill
Recused	None
Documentation	Architectural elevation plans, site plan, photos, correspondence, and advisory comments.
Representing	Andrew Kotchen, Workshop APD
Public	None
Concerns (6:54)	**Kotchen** – Reviewed changes made per previous concerns; north elevation he could eliminate the middle dormer window. **Backus** – SAB did not review the changes. Reminds the commissioner about abutter comments. Recommend 2nd-floor deck be shingled rail to be less visible. **Oliver** – Appreciate many of the changes. Natural trim and black sash is atypical for 'Sconset. **Camp** – Her only concern is the north elevation, it doesn't feel like 'Sconset but more urban. Likes the idea of the partially shingled balustrade. West elevation, the left shed with the "D" window is still a concern. Agrees that black is not 'Sconset. **McLaughlin** – West elevation, the porch posts are too far apart; it needs more posts. Same on the north elevation porch. **Coombs** – West elevation, the deck should remain with spindles; the front door needs more trim. North elevation, the dormer windows should be separated; keep the porch railing open. **Pohl** – Agrees with Mr. McLaughlin that the west elevation porch could use posts were the sconces are shown. Agrees about the need for another frontispiece around the door.
Motion	**Motion to Approve through staff with more trim around front door; remove north elevation center dormer window; and add 2 columns to the front porch. (Coombs)**
Roll-call Vote	Carried 5-0//Oliver, McLaughlin, Camp, Coombs, and Pohl-aye Certificate # **HDC2021-07-4240**

5. Craig Majernik **07-4241**	63 Burnell Street	New garage/studio	49.3.2/1.1	Workshop APD

Voting	Pohl, Camp, McLaughlin, Coombs, Oliver
Alternates	Welch, Thornewill
Recused	None
Documentation	Architectural elevation plans, site plan, photos, and advisory comments.
Representing	Andrew Kotchen, Workshop APD
Public	None
Concerns (7:12)	**Kotchen** – Review changes made per previous concerns. No concerns.
Motion	**Motion to Approve as submitted. (Coombs)**
Roll-call Vote	Carried 5-0//Oliver, McLaughlin, Camp, Coombs, and Pohl-aye Certificate # **HDC2021-07-4241**

5. Craig Majernik **07-4240**	63 Burnell Street	New main house	49.3.2/1.1	Workshop APD
6. Craig Majernik **07-4241**	63 Burnell Street	New garage/studio	49.3.2/1.1	Workshop APD

Voting	Pohl, McLaughlin, Coombs, Oliver
Alternates	None
Recused	None
Documentation	None
Representing	None
Public	None
Concerns	**McCarthy** – They have asked these be held for Tuesday. Not opened at this time.
Motion	**Motion to Hold for Tuesday, September 7th. (Coombs)**
Roll-call Vote	Carried 4-0//Oliver, McLaughlin, Coombs, and Pohl-aye

Certificate #

7. Kristine Amendolare **05-3625**	8 Bank Street Sias	Additions	72.1.3/69	Angus Macleod

Voting	Coombs (acting chair), McLaughlin
Alternates	None
Recused	None
Documentation	None
Representing	None
Public	None
Concerns	No quorum
Motion	**No quorum, no action**
Roll-call Vote	N/A

Certificate #

8. Westmoor Club, LLC **07-4189**	105 West Chester Street	Tennis/pickleball courts	41/805	JGG Architects

Voting	Pohl, McLaughlin, Coombs
Alternates	None
Recused	None
Documentation	None
Representing	None
Public	None
Concerns	Not opened at this time.
Motion	**Motion to Hold for Tuesday, September 7th. (Coombs)**
Roll-call Vote	Carried 3-0//McLaughlin, Coombs, and Pohl-aye

Certificate #

IV. NEW BUSINESS 08/31/2021

Property owner name	Street Address	Scope of work	Map/Parcel	Agent
1. Charles Davidson **08-4449**	10 Quince Street	Add French door	42.3.4/103	NAG

Voting	Pohl, McLaughlin, Coombs, Oliver, Welch
Alternates	None
Recused	None
Documentation	None
Representing	None
Public	None
Concerns	**McCarthy** – Mr. Theroux is not in the queue. Not opened at this time.
Motion	**Motion to Hold for Tuesday September 7th. (Coombs)**
Roll-call Vote	Carried 5-0//Oliver, Welch, McLaughlin, Coombs, and Pohl-aye

Certificate #

2. Nant Westmoor Frms, LLC **08-4394**	8 Old Westmoor Farm	New cabana	41/822	Workshop APD
3. Nant Westmoor Frms, LLC **08-4391**	8 Old Westmoor Farm	Rev. 2918: raise grg/chg fenst	41/822	Workshop APD

Voting	Pohl, McLaughlin, Coombs, Oliver. Welch
Alternates	None
Recused	None
Documentation	None
Representing	Andrew Kotchen, Workshop APD
Public	None
Concerns	**Kotchen** – Asked to hold Not opened at this time.
Motion	**Motion to Hold for Tues at applicant's request. (Coombs)**
Roll-call Vote	Carried 5-0//Oliver, Welch, McLaughlin, Coombs, and Pohl-aye

Certificate #

7. Mark Atkinson **06-4023** 82 Baxter Road Addition 49/39 Botticelli + Pohl

Voting	Camp (acting chair), McLaughlin, Coombs, Oliver, Welch
Alternates	None
Recused	Pohl
Documentation	Architectural elevation plans, site plan, photos, historic documentation, and advisory comments.
Representing	Lisa Botticelli, Botticelli & Pohl
Public	None
Concerns (6:45)	**Botticelli** – Reviewed changes made per previous concerns; this is "Footlight"; we're thinking of the new addition windows being 2-over-2 so it looks like it was added at a later date. **Backus** – Contributing structure circa 1923 listed on National Historic List (NHL) registry; recommend dropping the ridge lower; right addition overwhelms the main mass. **Welch** – Appreciates changes; they are appropriate. Noted the "high hat" of the new covered porch; feels not everything has to be exactly the same proportion; part of the design he likes is the concept of the windows being infill to a previously existing porch. **Oliver** – Agrees with Mr. Welch. Asked if it would be possible on the east to carry a porch roof in front of the infill sun porch; that might mitigate the high eave line. **Coombs** – Agrees with Mr. Welch about the porch; though, she could approve this. **McLaughlin** – It's a good style cottage for 'Sconset. South elevation, the sunporch windows should be double hung or fixed. **Camp** – You don't usually see a 2nd floor over a sun porch; would prefer the ridge be dropped more. East elevation, the right side is too large and competes with the main mass. Likes Ms. Oliver's suggestion about incorporating the sun room into the front porch. There is a house in 'Sconset with a sunporch on the 1st floor and 2nd floor; doing that might not look so heavy.
Motion	**Motion to Approve as submitted. (Welch)**
Roll-call Vote	Carried 5-0//Welch, Coombs, Oliver, McLaughlin, and Camp-aye Certificate # **HDC2021-06-4023**

8. Carol Anne Surface **04-3606** 47 Warren's Landing Road Pool 38/54 BPC

Voting	Coombs (acting chair), McLaughlin, Camp, Oliver, Thornewill
Alternates	None
Recused	None
Documentation	Landscape design plans, site plan, and photos.
Representing	Joe Paul, BPC
Public	None
Concerns (7:02)	**Paul** – Reviewed changes made per previous concerns; pool has an autocover and equipment behind the cabana; the light pole will be removed. **Thornewill** – There is a huge hedgerow of Leland Cyprus right of the driveway; that and the house will block a lot of the view. Doesn't think it will be visible. **Oliver** – We'll add our caveat. Her opinion is there is too much hardscaping; it takes up as much area as the new house. **Camp** – It looks very exposed, and the landscaping is changing the natural area. **McLaughlin** – Confirmed the pool has an autocover. **Coombs** – The patio should not be so squared off.
Motion	**Motion to Approve with the pool not to be visible at time of inspection and thereafter. (Oliver)**
Roll-call Vote	Carried 4-1//Thornewill, Oliver, McLaughlin, and Coombs-aye; Camp-nay Certificate # **HDC2021-04-3606**

9. Kristine Amendolare **05-3625** 8 Bank Street Sias Additions 72.1.3/69 Angus Macleod

Voting	Coombs (acting chair), McLaughlin, Camp, Thornewill
Alternates	None
Recused	None
Documentation	Architectural elevation plans, site plan, photos, correspondence, historic documentation, and advisory comments.
Representing	Angus MacLeod
Public	Helen Strong, 18 Broadway Isabel Landzert, 7 Front Street Janet Ballou, 21 Front Street
Concerns (7:14)	**MacLeod** – Presented the revised plan addressing concerns; height now 20'; referenced a chart of alterations to structures in Codfish Park; the reinforced foundation will reinforce the bank; reviewed historical photos of the lot. The existing structure is 9' tall. **Backus** – She appreciate the reduction in height; it would be helpful to see an overlay of the existing structure elevations. Read SAB comments from 8/2. Read into the record a letter of concerns from John Shae. This is a circa 1920s-1930s structure. **Strong** – Lowering the roof line 1' is not an appropriate response to the outpouring of concerns from the residents. The 'Sconset Civic Association voted unanimously to keep the roof line at or below the top of the bank. There has also been an outpouring of letters from area residents expressing concerns that the HDC should consider.

Landzert – What's happening at this property along with other construction on Beach Street, HDC should look at this structure relevant to the rest of Codfish Park. This will encroach into the bank and obstruct the view from Front Street. The roof line shouldn't go above the bank.
Ballou – Thinks a topographical map would be very helpful in understanding the relativity of the height.
Thornewill – This is charming and very appropriate. All of Codfish Park has pumped up; for this, the ridge and length have come down to be as small as it could reasonably get with a mud sill. No grade change has been represented.
Camp – She worries about what would happen to this building if a plan like this doesn't go through. If it could come down one more foot, it's visibility from Front Street would be mitigated.
McLaughlin – At this point, it is a nice, adaptable structure that fits into Codfish Park. Minor changes would make it approvable but not at this time; he has a huge stack of information to read; Mr. MacLeod's report is very comprehensive.
Coombs – We have a lot of letters from area residents. If it could come down to 19', that would be acceptable.

Motion **Motion to Hold for revisions. (McLaughlin)**
Roll-call Vote Carried 4-0//Camp, Thornewill, McLaughlin, and Coombs-aye Certificate #

VI. NEW BUSINESS (08/3/2021

	Property owner name	Street Address	Scope of work	Map/Parcel	Agent
1.	Nant 24 Mill St, LLC **07-4269**	24 Mill Street	Demo shed	55.4.4/97	Self
2.	Nant 24 Mill St, LLC **07-4270**	24 Mill Street	120 sf shed	55.4.4/97	Self

Voting Pohl, Camp, McLaughlin, Coombs, Oliver
Alternates Welch, Thornewill
Recused None
Documentation None
Representing None
Public None
Concerns (8:00) **McCarthy** – The applicant asked these be held for Thursday's meeting.
Not opened at this time.
Motion **Motion to Hold Items 1 & 2 for Thursday at applicant's request. (Camp)**
Roll-call Vote Carried 5-0//Oliver, McLaughlin, Coombs, Camp, and Pohl-aye Certificate #

3. Julius Pasys **07-4217** 6 Bayberry Lane Addition 67/73 Thornewill Dsgn

Voting Pohl, Camp, McLaughlin, Coombs, Oliver
Alternates Welch
Recused Thornewill
Documentation Architectural elevation plans, site plan, and photos.
Representing Carrie Thornewill, Thornewill Design
Public None
Concerns (8:01) **Thornewill** – Presented project.
No concerns.
Motion **Motion to Approve as submitted. (McLaughlin)**
Roll-call Vote Carried 5-0//Camp, Oliver, Coombs, McLaughlin, and Pohl-aye Certificate # **HDC2021-07-4217**

4. Eileen Harkness **07-4215** 5 Gardner Perry Lane Demo shed 55/32.1 Thornewill Dsgn

Voting Pohl, Camp, McLaughlin, Coombs, Oliver
Alternates Welch
Recused Thornewill
Documentation Architectural elevation plans, site plan, photos, historic documentation, and advisory comments.
Representing Carrie Thornewill, Thornewill Design
Public None
Concerns (8:06) **Thornewill** – Presented project; if someone wants it they can have it.
Backus – Read HSAB comments 8/9: no concerns.
No concerns.
Motion **Motion to Approve. (McLaughlin)**
Roll-call Vote Carried 5-0//Coombs, Camp, Oliver, McLaughlin, and Pohl-aye Certificate # **HDC2021-07-4215**

25.	Kristina Amendolare **05-3625**	8 Bank Street	Addition	73.1.3/69	Angus MacLeod

Voting	Pohl, Coombs, McLaughlin, Camp, Oliver
Alternates	Thornewill
Recused	None
Documentation	Architectural elevation plans, site plan, photos, correspondence, historic documentation, and advisory comments.
Representing	Angus MacLeod
Public	Anne Reilly, abutter
Concerns (8:55)	**MacLeod** – Presented project; the "front porch" is an 18X9 awning; the length increases about 7 feet and will be no higher than the roof across the street. **Backus** – Circa 1930 contributing per NHL. Read SAB comments: there is a loss of the existing chimney, the overall concept is attractive and an improvement; question the barn doors and whether or not they will be open. **Reilly** – Concerned about the impact on the character of the neighborhood by adding a 2nd-floor. This might create a tunnel between Front and Bank Street. Extending the front porch would take up all the front yard. She thinks it's important that the view lines not be adversely impacted. West elevation skylight, asked if it could be moved to the east elevation. **Camp** – Appreciates Ms. Reilly's concerns; she doesn't think it will impair the view of Codfish Park. Doesn't understand how the barn doors will work. A view with height poles will help us envision how this would look. **Coombs** – It seems we are losing this very simple building and its originality; it's very eye-catching at its current height. **Oliver** – She likes the simplicity of the design. The end with the loft could be dropped to break it up the ridge a little. Asked what happens when the barn doors open (there's a screen door in there). **McLaughlin** – The design is very compatible and antique looking. **Pohl** – It is a very charming and sensitive design. Suggested viewing with height poles.
Motion	**Motion to View with height poles. (Camp)**
Roll-call Vote	Carried 5-0//Coombs, Oliver, McLaughlin, Camp, and Pohl-aye Certificate #

Rest held for Thursday May 20th.

26.	Sharon Lefevre **05-3626**	30 Pine Street	Rev. 2302: ODS/AC/skylight	42.3.2/46	Angus MacLeod
27.	72 Pocomo Road, LLC **05-3628**	72 Pocomo Road	Move off/demo MH	15/37	Botticelli + Pohl
28.	72 Pocomo Road, LLC **05-3629**	72 Pocomo Road	Move off/demo pool house	15/37	Botticelli + Pohl
29.	72 Pocomo Road, LLC **05-3630**	72 Pocomo Road	New dwelling	15/37	Botticelli + Pohl
30.	Anne Delaney **05-3631**	4 Old Quidnet Milk Road	Rooftop solar - house	20/53	ACK Smart
31.	Anne Delaney **05-3632**	4 Old Quidnet Milk Road	Rooftop solar – cottage	20/53	ACK Smart
32.	Jane Stoddard **05-3633**	6 Quaker Road	Rooftop solar	41/522	ACK Smart
33.	Conway Family Trust **05-3634**	11 Western Avenue	Mveoff/prt demo	87/117	Permits Plus
34.	Terry Noyes **05-3635**	17 Hooper Farm Road	Move on from 11 Western	55/220.5	Permits Plus
35.	Westmoor Club **05-3636**	105/109 West Chester Street	Dorm "A"	41/805	G.Goldsmith Arch
36.	Westmoor Club **05-3637**	105 West Chester Street	Dorm "B"	41/805	G.Goldsmith Arch
37.	Westmoor Club **05-3638**	105 West Chester Street	Addition	41/805	G.Goldsmith Arch
38.	Greg Raiff **04-3564**	100 Low Beach Road	Rev. 09-1845: pergola + ODS	75/27	Emeritus
39.	Trogoh NT **05-3640**	26 Easy Street	Mixed use structure	42.4.2/23	Emeritus
40.	Jeffrey Krupa **05-3641**	95 West Chester Street	Shed	41/93.1	Emeritus
41.	One Folger Road, LLC **05-3642**	1 Folger Road	Studio	30/195.1	Studio Ppark
42.	22 Easton Street, LLC **05-3643**	22/24 Easton Street	Main house	42.1.4/12 + 12.1	Workshop APD
43.	22 Easton Street, LLC **05-3644**	22/24 Easton Street	East garage	42.1.4/12 + 12.1	Workshop APD
44.	22 Easton Street, LLC **05-3645**	22/24 Easton Street	West garage	42.1.4/12 + 12.1	Workshop APD
45.	22 Easton Street, LLC **05-3646**	22/24 Easton Street	Gym pavilion	42.1.4/12 + 12.1	Workshop APD

VI. OLD BUSINESS (05/03/21)

	Property owner name	Street Address	Scope of work	Map/Parcel	Agent
1.	Eliza Silva **04-3391**	16 Helen's Drive	Roof top solar	66/56	ACK Smart
2.	Michael Robinsn **03-3088**	13 Fayette Street	New deck, chimney	42.3.2/28	Sanne Payne
3.	Back 41, LLC **03-3154**	105 Tom Nevers Road	New dwelling	91/25	CWA
4.	Eric Needleman **03-3276**	6 Macy Road	Pool and hardscape	60/144	Atlantic Lndscpng
5.	Gary Creem **03-3265**	6 + 8 Hydrangea Lane	Pool and hardscape	73/87 + 88	Atlantic Lndscpng
6.	George Balboa **03-3087**	71R Cliff Road	New dwelling	30/160.1	B. Meerbergen
7.	George Balboa **03-3102**	71R Cliff Road	New dwelling	30/160.1	B. Meerbergen
8.	Zero India St **03-3268**	1 Cambridge Street	Addition	42.3.1/130.2	Emeritus
9.	Andrew Reger **03-3241**	7 East Lincoln Avenue	Garage/apartment	42.4.1/8	Emeritus
10.	7 New Street **03-3290**	7 New Street	MH + garage connector	55.4.1/37	Workshop APD
11.	7 New Street **03-3286**	7 New Street	New Studio	55.4.1/37	Workshop APD
12.	Chris Skehel **03-3239**	61A Cato Lane	Garage/apartment	56/49	LINK
13.	Thomas Keegan **04-3328**	41B Cliff Road	Pool and hardscape	29/40	JB Studio
14.	Mark Norris **04-3415**	14A Lowell Place	Cottage-resite/additions	41/164	Emeritus
15.	14 MVR LLC **04-3420**	14 Madequecham Valley Rd	New dwelling	89/13	Emeritus
16.	Richard Hohlt **04-3384**	121 Madaket Road	Pool-spa	40/60.1	Botticelli & Pohl

7. Mark Atkinson **06-4023** 82 Baxter Road Addition 49/39 Botticelli + Pohl

Voting	Camp (acting chair), McLaughlin, Coombs, Oliver, Welch
Alternates	None
Recused	Pohl
Documentation	Architectural elevation plans, site plan, photos, historic documentation, and advisory comments.
Representing	Lisa Botticelli, Botticelli & Pohl
Public	None
Concerns (6:45)	**Botticelli** – Reviewed changes made per previous concerns; this is "Footlight"; we're thinking of the new addition windows being 2-over-2 so it looks like it was added at a later date. **Backus** – Contributing structure circa 1923 listed on National Historic List (NHL) registry; recommend dropping the ridge lower; right addition overwhelms the main mass. **Welch** – Appreciates changes; they are appropriate. Noted the "high hat" of the new covered porch; feels not everything has to be exactly the same proportion; part of the design he likes is the concept of the windows being infill to a previously existing porch. **Oliver** – Agrees with Mr. Welch. Asked if it would be possible on the east to carry a porch roof in front of the infill sun porch; that might mitigate the high eave line. **Coombs** – Agrees with Mr. Welch about the porch; though, she could approve this. **McLaughlin** – It's a good style cottage for 'Sconset. South elevation, the sunporch windows should be double hung or fixed. **Camp** – You don't usually see a 2nd floor over a sun porch; would prefer the ridge be dropped more. East elevation, the right side is too large and competes with the main mass. Likes Ms. Oliver's suggestion about incorporating the sun room into the front porch. There is a house in 'Sconset with a sunporch on the 1st floor and 2nd floor; doing that might not look so heavy.
Motion	**Motion to Approve as submitted. (Welch)**
Roll-call Vote	Carried 5-0//Welch, Coombs, Oliver, McLaughlin, and Camp-aye Certificate # **HDC2021-06-4023**

8. Carol Anne Surface **04-3606** 47 Warren's Landing Road Pool 38/54 BPC

Voting	Coombs (acting chair), McLaughlin, Camp, Oliver, Thornewill
Alternates	None
Recused	None
Documentation	Landscape design plans, site plan, and photos.
Representing	Joe Paul, BPC
Public	None
Concerns (7:02)	**Paul** – Reviewed changes made per previous concerns; pool has an autocover and equipment behind the cabana; the light pole will be removed. **Thornewill** – There is a huge hedgerow of Leland Cyprus right of the driveway; that and the house will block a lot of the view. Doesn't think it will be visible. **Oliver** – We'll add our caveat. Her opinion is there is too much hardscaping; it takes up as much area as the new house. **Camp** – It looks very exposed, and the landscaping is changing the natural area. **McLaughlin** – Confirmed the pool has an autocover. **Coombs** – The patio should not be so squared off.
Motion	**Motion to Approve with the pool not to be visible at time of inspection and thereafter. (Oliver)**
Roll-call Vote	Carried 4-1//Thornewill, Oliver, McLaughlin, and Coombs-aye; Camp-nay Certificate # **HDC2021-04-3606**

9. Kristine Amendolare **05-3625** 8 Bank Street Sias Additions 72.1.3/69 Angus Macleod

Voting	Coombs (acting chair), McLaughlin, Camp, Thornewill
Alternates	None
Recused	None
Documentation	Architectural elevation plans, site plan, photos, correspondence, historic documentation, and advisory comments.
Representing	Angus MacLeod
Public	Helen Strong, 18 Broadway Isabel Landzert, 7 Front Street Janet Ballou, 21 Front Street
Concerns (7:14)	**MacLeod** – Presented the revised plan addressing concerns; height now 20'; referenced a chart of alterations to structures in Codfish Park; the reinforced foundation will reinforce the bank; reviewed historical photos of the lot. The existing structure is 9' tall. **Backus** – She appreciate the reduction in height; it would be helpful to see an overlay of the existing structure elevations. Read SAB comments from 8/2. Read into the record a letter of concerns from John Shae. This is a circa 1920s-1930s structure. **Strong** – Lowering the roof line 1' is not an appropriate response to the outpouring of concerns from the residents. The 'Sconset Civic Association voted unanimously to keep the roof line at or below the top of the bank. There has also been an outpouring of letters from area residents expressing concerns that the HDC should consider.

Kristina A 9/31/21 12/31/21

15. John Berry **05-3838**	22 Eel Point Road	New dwelling		40/45	Emeritus

Hold

Voting	Pohl, Camp, McLaughlin, Coombs, Welch
Alternates	Thornewill
Recused	None
Documentation	Architectural elevation plans, site plan, and photos.
Representing	Matt MacEachern, Emeritus Development
Public	None
Concerns (8:12)	**MacEachern** – Reviewed changes made per previous concerns; white sash and trim. **McLaughlin** – Overall, it is very harmonious to itself. **Camp** – This is very long and there is so much going on with the different roof lines. The 1st floor works well. The large gables flanked by huge shed dormers is overwhelming. The windows drawn dark throw her perception off. **Welch** – This is large but it's well balanced and well designed. Concerned about some termination points of dormers to the ridge. He'd like to see a cross section of existing and proposed topography. This does have additive massing. **Coombs** – The front door should be more prominent. East elevation, there are a lot of pointy gables making it very busy. **Pohl** – It's an attractive building; but it's long, white, and close to the road. Agrees about seeing a topographical cross section; it doesn't look like there is any cut in grade, just fill.
Motion	**Motion to Hold for revisions and more information. (Coombs)**
Vote	Carried 5-0

			Certificate #	
16. John Berry **05-3956**	22 Eel Point Road	New guest house	40/45	Emeritus
17. John Berry **05-3955**	22 Eel Point Road	New garage	40/45	Emeritus

Voting	Pohl, Camp, McLaughlin, Coombs, Welch
Alternates	Thornewill
Recused	None
Documentation	Architectural elevation plans, site plan, and photos.
Representing	Matt MacEachern, Emeritus Development
Public	None
Concerns (8:27)	**MacEachern** – Asked that these be held to track.
Motion	**Motion to Hold to track with the main house. (Coombs)**
Vote	Carried 5-0

Kristina A. 9/21/21

			Certificate #	
18. Kristina Amendalore **05-3625**	8 Bank Street	Addition revisions	72.1.3/69	Angus MacLeod

Voting	Coombs (acting chair), McLaughlin, Camp, Thornewill
Alternates	None
Recused	None
Documentation	Architectural elevation plans, site plan, photos, correspondence, historic documentation, and advisory comments.
Representing	Angus MacLeod
Public	Janet Ballou, 21 Front Street Helen Strong, 18 Broadway Ann Riley
Concerns (8:30)	**MacLeod** – Reviewed changes made per previous concerns; he did a horizontal shot from the fence on the bank to the ridge; this is about at waist height with Front Street. **Backus** – Ms. Flynn has forwarded to the commissioners the abutter comments regarding stability of the coastal bank and Middle Gulley Road and reducing the height. This is circa 1930 contributing; appreciates reduction in massing; plans should reflect historic vernacular related to the proposed addition; open barn door a concern. Read SAB comments: keeping the height lower in relationship to the coastal bank was discussed. About the stability of Middle Gulley and the coastal bank, looking into that would be a concern and will be reviewed with an engineer at the building permit stage; it is not under HDC jurisdiction. A stable bank is important for coastal resiliency. If there is more information on the age, that would be helpful. This is not an addition, it is a reconstruction. **Ballou** – George Hubbs expressed concern about engineering and weight bearing of Middle Gulley Road should it have to be used as an emergency access; encouraged the Town and commission to investigate the road's structural integrity. There's concern about climate change compromising Codfish Park. **Strong** – The main problem is the height would close off an iconic public viewshed of the beach; it's too big for this site. **Riley** – This is a difficult site to build on; the roof line will be 6' above the coastal bank and impact the streetscape view. We don't see houses built against the coastal bank. It doesn't feel like an addition, but like the original house is being demolished and replaced. According to the Benchley book, which came out recently, this is circa late 1800s. **Flynn** – Read a letter of concerns from Peter and Kitty Goldsmith, 3 Broadway, into the record. **Camp** – Her concern is the massing of this on the site. Thinks the height could come down more; the typical buildings in the area are still very small. **Thornewill** – Appreciates the form it's taken; proportions are great. To mitigate the presence on the corner, suggested pushing it to the end of the property. The height is the issue; make it a little thinner and drop it down. **McLaughlin** – No comment. **Coombs** – She'd like to see it shortened to save the tree.
Motion	**Motion to Hold for revisions and more information. (Camp)**
Vote	Carried 4-0

Certificate #

Hold

Oliver – She doesn't understand Nr 2 under "all elevation proposals" it says, "interior photos are highly encouraged, only if the interior floorplans are to be changed to accommodate building elevation."
Coombs – Asked for a hardcopy of the document.
Backus – She can print off a copy. Explained that the national Historic Landmark District Data Sheet is available on the Town website. We have applied for Federal funding to upgrade our historic structures survey to ensure information provided to the HDC is accurate.
McLaughlin – He read the whole document; it's well written and explanations are down to the detail.

Motion: **Motion to Adopt the Guidelines as amended in today's discussion. (Oliver)**
Roll-call Vote: Carried 5-0//Thornewill, Camp, McLaughlin, Oliver, and Coombs-aye

III. CONSENT

	Property owner name	Street Address	Scope of work	Map/Parcel	Agent
1.	3 Old Mill Court	3 Old Mill Court	Rev. 73363: add window	55/927	E. McMorrow
2.	Michael& Rachel Watts **05-3896**	20 Lincoln Avenue	New gate	30/115	Sanne Payne
3.	LBC Sconset, LLC **05-3826**	9 Hawk's Circle	Re-site 5 deg./bump out	74/37.1	JGG Architects
4.	Beach Not, LLC **05-3828**	16 Cannonbury Lane	Rev. 3026: re-site & window	74/12	JGG Architects

Voting: Coombs, McLaughlin, Camp, Oliver, Thornewill
Alternates: None
Recused: None
Documentation: None
Representing: None
Public: None
Concerns: No concerns.
Motion: **Motion to Approve. (Oliver)**
Roll-call Vote: Carried 5-0//Camp, Thornewill, McLaughlin, Oliver, and Coombs-aye Certificate # **HDC2021-(as noted)**

Kristina A 9/31/21

IV. SIGNS

	Property owner name	Street Address	Scope of work	Map/Parcel	Agent
1.	Union Lodge Masons	30A Main Street	Projecting sign	42.3.1/2.5	Linda Williams
2.	Union Lodge Masons	30 Main Street	Master sign plan	42.3.1/2.5	Linda Williams

Voting: Coombs, McLaughlin, Camp, Oliver, Thornewill
Alternates: None
Recused: None
Documentation: None
Representing: None
Sign Advisory: None
Concerns: **Flynn** – Item 1 is held for revisions. Item 2 is approvable per SAC comments.
Motion: **Motion to Hold for revisions per SAC recommendations. (Oliver)**
Roll-call Vote: Carried 5-0//Thornewill, Camp, McLaughlin, Oliver, and Coombs-aye Certificate #
Motion: **Motion to Approve through staff per SAC comments. (Oliver)**
Roll-call Vote: Carried 5-0//Thornewill, Camp, McLaughlin, Oliver, and Coombs-aye Certificate # **HDC2021-**

V. OLD BUSINESS

	Property owner name	Street Address	Scope of work	Map/Parcel	Agent
1.	Kristina Amendolare **05-3625**	8 Bank Street	Addition	72.1.3/69	Angus MacLeod

Voting: Coombs, McLaughlin, Camp, Oliver, Thornewill
Alternates: None
Recused: None
Documentation: Architectural elevation plans, plan, photos, historic documentation, advisory comments, and height comparison bar graph.
Representing: Angus MacLeod
Public: Jeff Gardner, 9 Broadway & 9 Front Street
Margaret Van Deusen, 7 Front Street
Lisa Soeder, 13 Broadway
Concerns (1:39): **MacLeod** – Thinks there's confusion about the date; an old photo shows a 1-story structure that is not what is now known as the hotdog stand. Reviewed photos of approved construction which has not been sympathetic to historic 'Sconset and obliterated the façades of historic structures. Reviewed photos of the height poles with line drawings of the roof and massing. Reviewed the proposed elevations. Pointed out that skylights were advertised for sale on Island in the 1850s.
Backus – SAB had no further discussion on this; they had no overall concerns in their original review; there was a question about the what would be seen when the barn doors are open. The proposal is more of a new structure than an addition.
Gardner – He blocked out the drawings Mr. MacLeod provided to give a sense of the mass. It's too tall and going from 9' tall to 21' tall and sits at least 3' higher than other structures in Codfish Park. Asked the commission seek revisions lowering the height.
Van Deusen – Mr. Gardner's photos show how the blockiness and verticality will detract from the views from Front Street. Her concern is that allowing this will set a precedent. Asked the HDC to require it be substantially lowered. East

View

25. Kristina Amendolare **05-3625**	8 Bank Street	Addition	73.1.3/69	Angus MacLeod

Voting	Pohl, Coombs, McLaughlin, Camp, Oliver
Alternates	Thornewill
Recused	None
Documentation	Architectural elevation plans, site plan, photos, correspondence, historic documentation, and advisory comments.
Representing	Angus MacLeod
Public	Anne Reilly, abutter
Concerns (8:55)	**MacLeod** – Presented project; the "front porch" is an 18X9 awning; the length increases about 7 feet and will be no higher than the roof across the street. **Backus** – Circa 1930 contributing per NHL. Read SAB comments: there is a loss of the existing chimney, the overall concept is attractive and an improvement; question the barn doors and whether or not they will be open. **Reilly** – Concerned about the impact on the character of the neighborhood by adding a 2nd-floor. This might create a tunnel between Front and Bank Street. Extending the front porch would take up all the front yard. She thinks it's important that the view lines not be adversely impacted. West elevation skylight, asked if it could be moved to the east elevation. **Camp** – Appreciates Ms. Reilly's concerns; she doesn't think it will impair the view of Codfish Park. Doesn't understand how the barn doors will work. A view with height poles will help us envision how this would look. **Coombs** – It seems we are losing this very simple building and its originality; it's very eye-catching at its current height. **Oliver** – She likes the simplicity of the design. The end with the loft could be dropped to break it up the ridge a little. Asked what happens when the barn doors open (there's a screen door in there). **McLaughlin** – The design is very compatible and antique looking. **Pohl** – It is a very charming and sensitive design. Suggested viewing with height poles.
Motion	**Motion to View with height poles. (Camp)**
Roll-call Vote	Carried 5-0//Coombs, Oliver, McLaughlin, Camp, and Pohl-aye Certificate #

Rest held for Thursday May 20th.

26.	Sharon Lefevre **05-3626**	30 Pine Street	Rev. 2302: ODS/AC/skylight	42.3.2/46	Angus MacLeod
27.	72 Pocomo Road, LLC **05-3628**	72 Pocomo Road	Move off/demo MH	15/37	Botticelli + Pohl
28.	72 Pocomo Road, LLC **05-3629**	72 Pocomo Road	Move off/demo pool house	15/37	Botticelli + Pohl
29.	72 Pocomo Road, LLC **05-3630**	72 Pocomo Road	New dwelling	15/37	Botticelli + Pohl
30.	Anne Delaney **05-3631**	4 Old Quidnet Milk Road	Rooftop solar - house	20/53	ACK Smart
31.	Anne Delaney **05-3632**	4 Old Quidnet Milk Road	Rooftop solar – cottage	20/53	ACK Smart
32.	Jane Stoddard **05-3633**	6 Quaker Road	Rooftop solar	41/522	ACK Smart
33.	Conway Family Trust **05-3634**	11 Western Avenue	Mveoff/prt demo	87/117	Permits Plus
34.	Terry Noyes **05-3635**	17 Hooper Farm Road	Move on from 11 Western	55/220.5	Permits Plus
35.	Westmoor Club **05-3636**	105/109 West Chester Street	Dorm "A"	41/805	G.Goldsmith Arch
36.	Westmoor Club **05-3637**	105 West Chester Street	Dorm "B"	41/805	G.Goldsmith Arch
37.	Westmoor Club **05-3638**	105 West Chester Street	Addition	41/805	G.Goldsmith Arch
38.	Greg Raiff **04-3564**	100 Low Beach Road	Rev. 09-1845: pergola + ODS	75/27	Emeritus
39.	Trogoh NT **05-3640**	26 Easy Street	Mixed use structure	42.4.2/23	Emeritus
40.	Jeffrey Krupa **05-3641**	95 West Chester Street	Shed	41/93.1	Emeritus
41.	One Folger Road, LLC **05-3642**	1 Folger Road	Studio	30/195.1	Studio Ppark
42.	22 Easton Street, LLC **05-3643**	22/24 Easton Street	Main house	42.1.4/12 + 12.1	Workshop APD
43.	22 Easton Street, LLC **05-3644**	22/24 Easton Street	East garage	42.1.4/12 + 12.1	Workshop APD
44.	22 Easton Street, LLC **05-3645**	22/24 Easton Street	West garage	42.1.4/12 + 12.1	Workshop APD
45.	22 Easton Street, LLC **05-3646**	22/24 Easton Street	Gym pavilion	42.1.4/12 + 12.1	Workshop APD

VI. OLD BUSINESS (05/03/21)

	Property owner name	Street Address	Scope of work	Map/Parcel	Agent
1.	Eliza Silva **04-3391**	16 Helen's Drive	Roof top solar	66/53	ACK Smart
2.	Michael Robinsn **03-3088**	13 Fayette Street	New deck, chimney	42.3.2/28	Sanne Payne
3.	Back 41, LLC **03-3154**	105 Tom Nevers Road	New dwelling	91/25	CWA
4.	Eric Needleman **03-3276**	6 Macy Road	Pool and hardscape	60/144	Atlantic Lndscpng
5.	Gary Creem **03-3265**	6 + 8 Hydrangea Lane	Pool and hardscape	73/87 + 88	Atlantic Lndscpng
6.	George Balboa **03-3087**	71R Cliff Road	New dwelling	30/160.1	B. Meerbergen
7.	George Balboa **03-3102**	71R Cliff Road	New dwelling	30/160.1	B. Meerbergen
8.	Zero India St **03-3268**	1 Cambridge Street	Addition	42.3.1/130.2	Emeritus
9.	Andrew Reger **03-3241**	7 East Lincoln Avenue	Garage/apartment	42.4.1/8	Emeritus
10.	7 New Street **03-3290**	7 New Street	MH + garage connector	55.4.1/37	Workshop APD
11.	7 New Street **03-3286**	7 New Street	New Studio	55.4.1/37	Workshop APD
12.	Chris Skehel **03-3239**	61A Cato Lane	Garage/apartment	56/49	LINK
13.	Thomas Keegan **04-3328**	41B Cliff Road	Pool and hardscape	29/40	JB Studio
14.	Mark Norris **04-3415**	14A Lowell Place	Cottage-resite/additions	41/164	Emeritus
15.	14 MVR LLC **04-3420**	14 Madequecham Valley Rd	New dwelling	89/13	Emeritus
16.	Richard Hohlt **04-3384**	121 Madaket Road	Pool-spa	40/60.1	Botticelli & Pohl

Kristina Amendolare 5/20/21 9/30/21

CERTIFICATE NO: HDC2021-05-3625 DATE ISSUED: 9/7/2021

Application to the HISTORIC DISTRICT COMMISSION, Nantucket, Massachusetts, for a

CERTIFICATE OF APPROPRIATENESS

for structural work.

All blanks must be filled in using BLUE OR BLACK INK (no pencil) or marked N/A.

NOTE: It is strongly recommended that the applicant be familiar with the HDC guidelines, *Building with Nantucket in Mind*, prior to submittal of application. Please see other side for submittal requirements. Incomplete applications will not be reviewed by the HDC.

This is a contractual agreement and must be filled out in ink. An application is hereby made for issuance of a Certificate of Appropriateness under Chapter 395 of the Acts and Resolves of Mass., 1970, for proposed work as described herein and on plans, drawings and photographs accompanying this application and made a part hereof by reference.

The certificate is valid for three years from date of issuance. No structure may differ from the approved application. Violation may impede issuance of Certificate of Occupancy.

PROPERTY DESCRIPTION

TAX MAP N°: 17.3.1 PARCEL N°. 69

Street & Number of Proposed Work: 8 BANK ST., 'SCONSET

Owner of record: KRISTINA & NICHOLAS AMENDOLARE

Mailing Address: 538 LYNN FELLS PARKWAY

MELROSE, MA 02176

Contact Phone #: (617) 717-8339 E-mail: AMENDOLARE@GMAIL.COM

AGENT INFORMATION (if applicable)

Name: ANGUS MACLEOD

Mailing Address: P.O. BOX 7055

'SCONSET, MA 02564

Contact Phone #: (508) 257-6789 E-mail: ANGUSONJACK@GMAIL.COM

FOR OFFICE USE ONLY V481

Date application received: 4/29/2021 Fee Paid: $ 101.40

Must be acted on by: 5/30/2021 9/30/21 - 12/31/21

Extended to:

Approved: ✓ Disapproved:

Chairman: (Acting)

Member:

Member:

Member: Diane W. Bombs

Member:

Notes - Comments - Restrictions - Conditions

DESCRIPTION OF WORK TO BE PERFORMED

See reverse for required documentation.

☐ New Dwelling ☑ Addition ☐ Garage ☐ Driveway/Apron ☐ Commercial ☐ Historical Renovation ☐ Deck/Patio ☐ Steps ☐ Shed

☐ Color Change ☐ Fence ☐ Gate ☐ Hardscaping ☐ Move Building ☐ Demolition ☐ Revisions to previous Cert. No.

☐ Pool (Zoning District ____) ☐ Roof ☐ Other

Size of Structure or Addition: Length: 6'-8" To 17' Sq. Footage 1st floor: 167 SF Decks/Patio: Size: 8' x 9' ☑ 1st floor ☐ 2nd floor

Width: 17'-0" Sq. footage 2nd floor: 346 SF Size: ☐ 1st floor ☐ 2nd floor

Sq. footage 3rd floor:

Difference between existing grade and proposed finish grade: North Ø South Ø East Ø West Ø

Height of ridge above final finish grade: North 18'-0" South 21'-0" East 21'-0" West 14'-9"

Additional Remarks

Historic Name: UNKNOWN

Original Date: 1930

Original Builder: UNKNOWN

Is there an HDC survey form for this building attached? ☐ Yes ☐ N/A

REVISIONS* (describe)

1. East Elevation RAISE ELEV 6', RAISE RIDGE 9', REMOVE CHIMNEY, FENESTRATION
2. South Elevation 6'-8" ADDITION, 2ND FLOOR ADDITION, MOVE SHOWER, ↓ FEN
3. West Elevation RAISE ELEV 6', RAISE RIDGE 9', ADD 9' DORMER, ↓ FENESTRATION
4. North Elevation RAISE RIDGE 9', ADD 8'x9' COVERED PORCH, FEN, WINDOW WELL

SEE MACKEY SURVEY

*Cloud on drawings and submit photographs of existing elevations.

DETAIL OF WORK TO BE PERFORMED

Foundation: Height Exposed 8" ☐ Block ☑ Block Parged ☐ Brick (type) ☑ Poured Concrete ☐ Piers

Masonry Chimney: ☐ Block Parged ☐ Brick (type) ☐ Other

Roof Pitch: Main Mass 9 /12 Secondary Mass 4.5 /12 PORCH Dormer 4.5 /12 Other

Roofing material: ☐ Asphalt: ☐ 3-Tab ☐ Architectural

☑ Wood (Type: Red Cedar, White Cedar, Shakes, etc.) RED CEDAR

Fence: Height: Type: Length:

Skylights (flat only): Manufacturer VELUX VS-M02 Rough Opening Size 30" x 30" Location WEST ELEVATION

Manufacturer W/ CEDAR SURROUND Rough Opening Size Location

Gutters: ☑ Wood ☐ Aluminum ☐ Copper ☑ Leaders (material) COPPER

Leaders (material and size): 2" COPPER

Sidewall: ☑ White cedar shingles ☐ Clapboard (exposure: ____ inches) Front ☐ ____ Side ☐ ____

☐ Other

Trim: A. Wood ☐ Pine ☐ Redwood ☑ Cedar ☐ Other

B. Treatment ☐ Paint ☑ Natural to weather ☐ Other

C. Dimensions: Fascia 1x6 Rake 1x6 Soffit (Overhang) 6" Corner boards 1x6 Frieze 1x6

Window Casing 2"x3" PLANK Door Frame 2"x3" PLANK Columns/Posts: Round ____ Square 4x4

Windows*: ☑ Double Hung ☐ Casement ☑ All Wood ☐ Other HOPPER AND SINGLE-HUNG

☑ True Divided Lights(muntins), single pane ☐ SDL's (Simulated Divided Lights) Manufacturer BOSTON SASH

Doors* (type and material): ☑ TDL ☐ SDL Front WOOD PLANK Rear WOOD PLANK W/ 4LT Side WOOD PLANK

Garage Door(s): Type Material

Hardscape materials: Driveways Walkways ORIGINAL BRICK Walls PARGE EXIST. CONC. BLOCK

* Note: Complete door and window schedules are required.

COLORS

Sidewall NATURAL Clapboard (if applicable) Roof NATURAL

Trim NATURAL Sash ESSEX GREEN Doors ESSEX GREEN

Deck NATURAL Foundation NATURAL Fence Shutters

* Attach manufacturer's color samples if color is not from HDC approval list.

I hereby authorize the agent named above to act on my behalf to make changes in the specifications or the plans contained in this application in order to bring the application into compliance with the HDC guidelines. I hereby agree to abide by and comply with the terms and conditions of this application. I hereby agree that the submission of any revisions to this application will initiate a new sixty-day review period.

Date 4/12/2021 Signature of owner of record K. Amendolare Signed under penalties of perjury

Planning and Land Use Services (PLUS)
HISTORIC DISTRICT COMMISSION

Established 1955

2 Fairgrounds Road
Nantucket, Massachusetts 02554

Telephone: 508.325.7587

COMMISSIONERS

Ray Pohl
Chair

Diane Coombs
Vice Chair

Abigail Camp

Val Oliver

John McLaughlin

ASSOCIATE COMMISSIONERS

Stephen Welch

Jesse Dutra

Carrie Thornewill

STAFF

Cathy Flynn
Land Use Specialist
cflynn@nantucket-ma.gov

EXTENSION AGREEMENT

Date Signed: May 20,2021

Map: 73.1.3 **Parcel** 69

Address of Property: 8 Bank Street

Applicant(s)/Owner(s)/Representative(s) Name:

Angus MacLeod

Scope of Work: Addition

A voluntary extension of the Nantucket Historic District Commission's ("HDC") action deadline on the above noted Application has been granted to the HDC by the above named Applicant(s)/Owner(s)/ Representative(s) up to and including the following date:

September 30, 2021

Month/day/year of extension termination

Signature of Applicant/Owner/Representative

Angus MacLeod

Please print name of signatory

LETTERS

Holly Backus

From: Kadeem McCarthy
Sent: Monday, July 19, 2021 10:39 AM
To: Angus Macleod; Caroline Ellis; Clement Durkes; Mary Will; Rob Benchley (rbenchleyiii@gmail.com)
Cc: Holly Backus; Cathy Flynn
Subject: FW: 8 Bank Street Renovation

Categories: HDC

From: Terri Sabol <terrisabol@gmail.com>
Sent: Monday, July 19, 2021 10:33 AM
To: Kadeem McCarthy <kmccarthy@nantucket-ma.gov>
Subject: 8 Bank Street Renovation

Hello,
We are a direct abutter to 8 Bank Street and would like to offer our approval and support of the renovation proposed by the Amendolares. We feel the design is thoughtful and consistent with the landscape of Codfish Park.

Thank you,

Terri & Mark Burlingham
15 Beach St.

This email was scanned by Bitdefender

Holly Backus

From: Kadeem McCarthy
Sent: Tuesday, August 17, 2021 4:17 PM
To: 'Angus Macleod'; Cathy Flynn
Cc: Holly Backus
Subject: RE: 8 Bank Street ~ 16 Codfish Park Alterations

Angus,

I've printed this email to be added to the file.

Kadeem O. McCarthy
PLUS Administrative Specialist
Town of Nantucket
2 Fairgrounds Road
Nantucket, MA 02554
508-325-7587 ext. 7016

From: Angus Macleod <angusonack@gmail.com>
Sent: Tuesday, August 17, 2021 4:14 PM
To: Cathy Flynn <cflynn@nantucket-ma.gov>; Kadeem McCarthy <kmccarthy@nantucket-ma.gov>
Cc: Holly Backus <hbackus@nantucket-ma.gov>
Subject: 8 Bank Street ~ 16 Codfish Park Alterations

Hi Cathy,

Could please add this to the rest of the documents for the HDC review of 8 Bank St.

Thanks,
Angus

16 Codfish Park Houses that have been altered with HDC approval
Copies of Documentation have been filed with PLUS for HDC meeting

9 Beach Street ~	2 story building, addition ~	22'+ High
10 Beach Street ~	Demo 1 story, build 2 story ~	22' High
15 Beach Street ~	Demo 1 story, build 2 story ~	23.5' High
7 Bank Street ~	Reconfigure, build 2 story ~	23.5' High
11 Bank Street ~	2 story building, add balcony ~	21.5' High
19 Bank Street ~	Reconfigure, build 2 story ~	19' High
23 Bank Street ~	Move/Reconfigure, 2 story ~	18' High
23R Bank Street ~	Build New 2 story ~	22' High
25 Bank Street ~	2 story building, add balcony ~	19.5' High
12 Codfish Park Road ~	Demo 1 story, build 2 story ~	25' High

Holly Backus

From: Kadeem McCarthy
Sent: Tuesday, August 31, 2021 5:55 PM
To: abbycamp (abigailcamp@comcast.net); ackval62@gmail.com; Carrie Thornewill; 'Diane Coombs'; jesse@waterscapesdesigngroup.com; jobeco@comcast.net; Ray Pohl; Stephen Welch
Cc: Holly Backus; Esmeralda Martinez
Subject: FW: 8 Bank Street
Attachments: Letter to HDC 08-31-21- Soeder.docx

Hello all,

Please see the attached letter from an abutter of 8 Bank Street. Thank you.

Kadeem O. McCarthy
Land Use Specialist
Planning and Land Use Services (PLUS)
2 Fairgrounds Road
Nantucket, MA 02554
508-325-7587 ext. 7016

From: Lisa Soeder <lsoeder@soeder-associates.com>
Sent: Tuesday, August 31, 2021 5:47 PM
To: Kadeem McCarthy <kmccarthy@nantucket-ma.gov>
Subject: 8 Bank Street

Dear Ms. McCarthy-

Please find attached a letter to supplement my previous comments regarding the proposed construction at 8 Bank Street. I would appreciate your passing them on to the HDC.

Thanking you in advance,

Lisa P. Soeder

Lisa P. Soeder
13 Broadway, Siasconset, MA 02564
860-685-0678

Soeder & Associates, LLC
280 Trumbull Street, 21st Floor
Hartford, CT 06103
Telephone (860) 246-1600
Fax (860) 246-1700
Writer's Direct Line: (860) 246-1800
Cellular (860) 685-0678
E-mail: lsoeder@soeder-associates.com
Web Site: www.soeder-associates.com

August 31, 2021

RE: 8 Bank Street

Dear Chairwoman Coombs and Members of the Historic District Commission:

I write this letter, as a follow up to my June 10th and July 9th letters, in response to the modifications to the 8 Bank Street plans submitted to the HDC on August 19, 2021. Again, I write as a concerned year-round resident and owner of an historic home at 13 Broadway backing onto Front Street at Middle Gully. The August 19, 2021 proposal appears to reflect no changes from the previous filing in regards to the height of the structure. I was under the impression that the August 17, 2021 HDC decision was for the owner and architect to further reduce the height of the roofline. The new plans, like the older plans, show the roof line at 20 feet, ignoring the request of the HDC, the concerns of the Sconset Civic Association and the multitude of comments from the Sconset community.

I am in complete accord with the comments submitted today by Margaret Van Duesen, Anne Reilly and Isabel Landzert which take into account the effect of the topography (that the site in question is already nearly 20 feet above sea level) on the overall height of the proposed new construction at 8 Bank Street. And I reiterate my prior request that any construction approved for this site be of a height that, after taking into account the sea level of the site itself, will not exceed the height of the embankment. (As the Sconset Bank in this area ranges from elevation 25 feet to 29 feet, it would appear that the building should not be much more than 10 feet high.)

I also reiterate my prior request, given the location of 8 Bank Street (against an endangered embankment and in close proximity to Middle Gully) that submission of an engineering report indicating that the construction of the proposed project will not adversely impact the structural integrity of the embankment be imposed as a condition precedent to any approval of a project that involves the digging of a foundation or an increase in height to one that exceeds the height of the bank.

I, too, consider the quotes from John Shea's letter (referenced in the Van Duesen/Reilly/Landzert letter) a beautifully eloquent and succinct description of the importance of the Middle Gully viewscape and of precisely what draws visitors and artists and residents alike to this magical and treasured gateway to our country's and our island's easternmost shore. It is incumbent on all of us to protect treasures such as this one.

Consequently, I ask that the HDC (i) require a significant height reduction (to one that does not exceed the height of the embankment) as a prerequisite to approval of any iteration of plans for 8 Bank Street and (ii) deny any request for the construction of a basement or a foundation that is not accompanied by an engineer's opinion that such construction is not detrimental to the embankment.

Thank you in advance for your consideration of my additional comments.

Sincerely,

Lisa P. Soeder

Lisa P. Soeder
13 Broadway, Siasconset, MA 02564
860-685-0678

Holly Backus

From: Kadeem McCarthy
Sent: Tuesday, August 31, 2021 6:11 PM
To: abbycamp (abigailcamp@comcast.net); ackval62@gmail.com; Carrie Thornewill; 'Diane Coombs'; jesse@waterscapesdesigngroup.com; jobeco@comcast.net; Ray Pohl; Stephen Welch
Cc: Holly Backus; Esmeralda Martinez
Subject: FW: 8 Bank Street additional comments

Hello all,

Please see the below comment sent by an abutter of 8 Bank Street.

Kadeem O. McCarthy
Land Use Specialist
Planning and Land Use Services (PLUS)
2 Fairgrounds Road
Nantucket, MA 02554
508-325-7587 ext. 7016

From: Margaret Van Deusen <margaretvandeusen@gmail.com>
Sent: Tuesday, August 31, 2021 4:53 PM
To: Kadeem McCarthy <kmccarthy@nantucket-ma.gov>
Subject: 8 Bank Street additional comments

Good afternoon Kadeem,
Thank you for your return call.
Below are additional comments we would like to submit in response to the most recent submission by 8 Bank. Please distribute to the members of the HDC.
Best,
Margaret Van Deusen

Dear Members of the HDC:

The current proposal (August 19,2021) appears to have no changes from the previous filing dated July 22, 2021 when it comes to height of the roofline following the HDC's decision to hold for revisions at its August 17th meeting. Both appear to show the roof line at 20 feet, -- reduced from the original 21 feet on the south elevation. This minimal reduction is not responsive to the HDC process and the concerns of the community that have been expressed in numerous comments to the HDC, including by the Sconset Civic Association.

The topographical map (#13 in submission) demonstrates that this will be the tallest building in Codfish Park. It will also tower 10 plus feet above the 'Sconset Bank.

- This is because the site elevation is 19 to 20 feet above sea level, one of the highest points in Codfish Park. Consequently, the top of the building at 20 feet above the ground will be about 39 feet above sea level (19 feet + 20 feet). The Sconset Bank in this area ranges from elevation 25 feet to 29 feet according to the topographical map. The proposed 8 Bank's adverse impact will also be

compounded by its location right up against the bank and Middle Gully. It will be five feet higher than Front Street!

- As a comparison, 15 Beach Street, recently approved by the HDC at 23.5 feet tall, is in fact several feet lower than the 8 Bank Street proposal--it sits on land at elevation 13 feet (23.5 feet + 13 feet = 36.5 feet). Although the 8 Bank *building* itself is not as tall, its actual *height is greater.* It is the height that generates its adverse impact on the historic district, its viewscapes, and on the community itself.

- In citing other buildings in Codfish Park as taller than the proposed structure (# 10 in submission) to bolster the claim that this is in line with other CFP structures, fails to account for the ground elevation of the site. Consequently, the heights of other structures in Codfish Park are not really relevant. And importantly, none of these houses is located against the coastal bank with the nearness of the perspective right above the bank.

We agree with John Shea's eloquent comment that "Certainly, sea-shelled Front Street is one of the most important historic locations in Sconset, maybe in America: arguably the intersection of Front Street and Middle Gully is an aorta at the very heart of our village." Mr. Shea explains that he chose this for the only scene in *Grey Lady* shot in Sconset for "its beauty, romance, symmetry, for the cobblestone and brick road going up from Codfish Park, for the white wooden handrail, for the charming cottage at the foot of wild Bank Street that will now be replaced."

We ask that the HDC require the height to be significantly reduced. Thank you in advance for your consideration of our comments.

Sincerely,
Anne Reilly
Isabel Landzert
Margaret Van Deusen
7 Front Street

This email was scanned by Bitdefender

Holly Backus

From: Kadeem McCarthy
Sent: Thursday, September 2, 2021 7:16 AM
To: abbycamp (abigailcamp@comcast.net); ackval62@gmail.com; Carrie Thornewill; 'Diane Coombs'; jesse@waterscapesdesigngroup.com; jobeco@comcast.net; Ray Pohl; Stephen Welch
Cc: Holly Backus; Esmeralda Martinez
Subject: FW: Letter of Support

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Hello all,

Please see the message below in support of the 8 Bank Street additions proposal that has been and will be again back in front of the board. Thank you!

Kadeem O. McCarthy
Land Use Specialist
Planning and Land Use Services (PLUS)
2 Fairgrounds Road
Nantucket, MA 02554
508-325-7587 ext. 7016

-----Original Message-----
From: linda del vecchio <delvecchio7421@me.com>
Sent: Wednesday, September 1, 2021 9:38 PM
To: Kadeem McCarthy <kmccarthy@nantucket-ma.gov>
Subject: Letter of Support

Good Evening Kadeem,

How are you? I hope you are enjoying the summer. Ruby and I are in Codfish Park!!! Oh yeah, my husband too....

Could the following note please be included in support of 8 Bank Street.

To Whom It May Concern:

The purpose of this letter is to express strong support of our neighbors', Nicholas and Kristi Amendolare, proposed project at 8 Bank Street in Codfish Park. As new home owners of 11 Beach Street, my husband and I respect the historical charm of Codfish Park and are very familiar with Building with Nantucket in Mind. So when Nicholas and Kristi kindly and openly shared with us their projects design, we were pleased to see that the design is aligned 100% with Building with Nantucket in Mind, but not only that. The design is historically appropriate for Codfish Park and will maintain a charming architectural structure.

Sincerely,
Adam and Linda Gilbert

Sent from my iPhone

Holly Backus

From: Kadeem McCarthy
Sent: Monday, September 6, 2021 3:08 PM
To: Holly Backus
Subject: FW: 8 Bank Steet CFP Section.pdf
Attachments: 8 Bank Steet CFP Section.pdf

Categories: HDC

FYI - It's also in the O-drive with tomorrow's meeting.

Kadeem O. McCarthy
Land Use Specialist
Planning and Land Use Services (PLUS)
2 Fairgrounds Road
Nantucket, MA 02554
508-325-7587 ext. 7016

-----Original Message-----
From: Angus Macleod <angusonack@gmail.com>
Sent: Friday, September 3, 2021 12:59 PM
To: HDC Submissions <hdcsubmissions@nantucket-ma.gov>
Cc: Kadeem McCarthy <kmccarthy@nantucket-ma.gov>
Subject: 8 Bank Steet CFP Section.pdf

Hi Kadeem ~

Please add this to our 8/19/21 Old Business submission.

Thanks!
Angus

This email was scanned by Bitdefender

Holly Backus

From: Kadeem McCarthy
Sent: Monday, September 6, 2021 3:15 PM
To: abbycamp (abigailcamp@comcast.net); ackval62@gmail.com; Carrie Thornewill; 'Diane Coombs'; jesse@waterscapesdesigngroup.com; jobeco@comcast.net; Ray Pohl; Stephen Welch
Cc: Holly Backus; Brook Meerbergen
Subject: FW: Comments regarding 8 Bank Street (August 19 submission)
Attachments: 8 Bank Street_ltr to HDC_2Sept2021_signed.pdf

Categories: HDC

Hello All,

Please see the attached letter from the Siasconset Civic Association regarding 8 Bank Street.

Kadeem O. McCarthy
Land Use Specialist
Planning and Land Use Services (PLUS)
2 Fairgrounds Road
Nantucket, MA 02554
508-325-7587 ext. 7016

From: Siasconset Civic Association <sconsetcivic@gmail.com>
Sent: Thursday, September 2, 2021 3:52 PM
To: Kadeem McCarthy <kmccarthy@nantucket-ma.gov>
Subject: Comments regarding 8 Bank Street (August 19 submission)

Dear Kadeem,

Please forward the attached letter to members of both the HDC and Sconset Advisory Board regarding the proposed renovation at 8 Bank Street in Codfish Park in 'Sconset, as revised August 19.

Thank you.

Board of Directors
Siasconset Civic Association

This email was scanned by Bitdefender

Siasconset Civic Association

P.O. Box 360
Siasconset, MA 02564

September 2, 2021

Via E-Mail
Nantucket Historic District Commission
2 Fairgrounds Road
Nantucket, MA 02554

Re: 8 Bank Street, Siasconset

Dear Commissioners

On behalf of the Board of the Siasconset Civic Association, I am writing again to express our concerns about the revised plans for 8 Bank Street.

Despite recommendations for a lower roofline at the HDC meeting on August 17, the proposed structure is still 20 ft high. This is roughly 2-3 feet higher than 15 Beach Street, the new house being built nearby that is much taller than the houses around it. Additionally, the structure would be five feet higher than Front Street – the first and only structure in Codfish Park that would be higher than that iconic street -- and loom over Middle Gully Road.

Historically, the structure at 8 Bank Street has always been one story. That scale is in keeping with the original fishing shacks that once predominated Codfish Park. Because of the property's location on a higher point of land than other houses in Codfish Park, the proposed two-story structure would be the highest roofline in the entire neighborhood.

The most outstanding feature of this part of 'Sconset is the continuity of architectural elements where no building diminishes another. The preservation of the scale of the houses and streetscape are essential to keeping the character of Codfish Park intact. We do not consider the proposed height in keeping with the physical location nor the neighborhood.

The Board of the Siasconset Civic Association continues to urge the HDC to deny the pending application for the proposed renovation at 8 Bank Street on the ground that a higher structure in this specific location would disturb the balance and rhythm of architecture in this historic neighborhood.

Respectfully,

Lynn Filipski
President, Siasconset Civic Association

cc. Sconset Advisory Board (via e-mail)

Holly Backus

From: Kadeem McCarthy
Sent: Monday, September 6, 2021 3:22 PM
To: abbycamp (abigailcamp@comcast.net); ackval62@gmail.com; Carrie Thornewill; 'Diane Coombs'; jesse@waterscapesdesigngroup.com; jobeco@comcast.net; Ray Pohl; Stephen Welch
Cc: Angus Macleod; Holly Backus
Subject: FW: 8 Bank Street

Categories: HDC

Hello again,

Please see the email below regarding the proposed work at 8 Bank Street.

Kadeem O. McCarthy
Land Use Specialist
Planning and Land Use Services (PLUS)
2 Fairgrounds Road
Nantucket, MA 02554
508-325-7587 ext. 7016

-----Original Message-----
From: Lisa Camesano <jwblmc@comcast.net>
Sent: Thursday, September 2, 2021 5:32 PM
To: Kadeem McCarthy <kmccarthy@nantucket-ma.gov>
Subject: 8 Bank Street

Hi Kadeem,

Please send my comments to the HDC regarding 8 Bank Street. It is my understanding that the discussion has been moved from today to next week.

I respectfully oppose the plan to replace the existing one-story house at the foot of the Middle Gully Road with a two-story structure on a sliver of land. The HDC is charged with "promoting the general welfare of the inhabitants of the Town of Nantucket through the preservation and protection of historic buildings, places, and districts ..." The intersection of Front St. and Middle Gully, with it's very special view, is not a building but rather a place that requires the HDC's protection. Allowing a building to jam right up against this view will negatively impact everyone's enjoyment of this area and will therefore be a disservice to the inhabitants of Nantucket. An exceptional aspect of 'Sconset will be lost forever if this plan is approved.

Sincerely,
Lisa Camesano
7 Meetinghouse Lane

This email was scanned by Bitdefender

Holly Backus

From: Kadeem McCarthy
Sent: Thursday, September 9, 2021 10:40 AM
To: abbycamp (abigailcamp@comcast.net); ackval62@gmail.com; Carrie Thornewill; 'Diane Coombs'; jesse@waterscapesdesigngroup.com; jobeco@comcast.net; Ray Pohl; Stephen Welch
Cc: Holly Backus; Esmeralda Martinez
Subject: FW: Please distribute re: application for 8 Bank Street, Sconcet
Attachments: 8 Bank St - Height Clarification.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: HDC

Hello all,

Please see below and the attached regarding 8 Bank Street. I'm not certain when this application, with revisions, will be before us again but I wanted to get this out of the way. I will have it available again when the application is brought forth.

Kadeem O. McCarthy
Land Use Specialist
Planning and Land Use Services (PLUS)
2 Fairgrounds Road
Nantucket, MA 02554
508-325-7587 ext. 7016

From: Jeff Gardner <jeffgardnertx@gmail.com>
Sent: Thursday, September 9, 2021 10:33 AM
To: Kadeem McCarthy <kmccarthy@nantucket-ma.gov>
Subject: Please distribute re: application for 8 Bank Street, Sconcet

Hi, Kadeem.

Can you please distribute the attached comments and PDF to the members of the HDC in re: 8 Bank Street application?

Thank you.

Jeff Gardner

==========

Dear Members of the Historic District Commission,

As a follow-up to my comments submitted 9/1/21 regarding the proposed construction of a building located at 8 Bank Street, Sconset, please see the digest of comments previously submitted to the HDC by other concerned residents for your consideration.

As you see, the voices in opposition are no 'vocal minority' as was characterized by the architect during the meeting Tuesday, Sept. 7. They are in fact many.

Additionally, please see the attached height analysis which concludes that the roof height at Middle Gully/9 Front Street is between and 5'2" and 7'5" above the bank rather than the 3'2" presented in the topographic section provided by Jeff Blackwell and Assoc., subcontractor to Angus Macleod Designs.

Thank you for your consideration and review of the attached information.

Jeff & Ann Gardner
9 Broadway/9 Front Street

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"I am strongly opposed to this transformation from a small "cottage" (a.k.a. one-room fishing shack/ice cream stand) to a two-story house which would impact the entire character of this treasured part of the village..."

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"We are opposed to the approval of this project because... plan is not in keeping with the historic size and massing of the buildings which have been on this lot... this application should be rejected and sent back for more considered thought..."

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"8 Bank Street is a tiny cottage on a tiny lot that is right up against the bluff and the Middle Gully wall. I worry that an enlarged cottage with basement will compromise this setting... I like and approve of Angus's revisions, but, again, can't the 21 foot height be lowered a few feet?"

Kadeem McCarthy

From: linda del vecchio <delvecchio7421@me.com>
Sent: Wednesday, September 1, 2021 9:38 PM
To: Kadeem McCarthy
Subject: Letter of Support

Good Evening Kadeem,

How are you? I hope you are enjoying the summer. Ruby and I are in Codfish Park!!! Oh yeah, my husband too....

Could the following note please be included in support of 8 Bank Street.

To Whom It May Concern:

The purpose of this letter is to express strong support of our neighbors', Nicholas and Kristi Amendolare, proposed project at 8 Bank Street in Codfish Park. As new home owners of 11 Beach Street, my husband and I respect the historical charm of Codfish Park and are very familiar with Building with Nantucket in Mind. So when Nicholas and Kristi kindly and openly shared with us their projects design, we were pleased to see that the design is aligned 100% with Building with Nantucket in Mind, but not only that. The design is historically appropriate for Codfish Park and will maintain a charming architectural structure.

Sincerely,
Adam and Linda Gilbert

Sent from my iPhone

This email was scanned by Bitdefender

9/1/2021

Dear Members of the Historic District Commission,

I submit the attached comments as follow-up to my previous submissions regarding the proposed demolition and new construction of a building located at 8 Bank Street, Sconset.

A review of the drawings submitted by the architect in response to the HDC's requests for a reduction in height indicates that he did not fully understand the request, or he is ignoring it altogether. This issue has been discussed by the commission several times now; the height is little changed.

I join the growing list of Sconset residents and property owners in voicing our concerns regarding the height of the roofline and potential destabilization of the bank supporting Middle Gully and Front Street above. The proposed roofline is simply too tall and will have a very negative impact on the viewscape along Front Street; one of only two areas still open to the east. Additionally, the digging of a basement so close to the bank could compromise the stability of the building foundations above.

I repeat my previous request that the basement dig and removal of the large Maple tree be reviewed by a structural engineer, and the costs quantified by a general contractor with relevant experience BEFORE approval from the HDC is granted. The structural and financial risks impact the preservation of historic Front Street and Middle Gully. Shoring up a hillside involves setting anchors to a retaining wall deep into the hillside. There is additional risk in that. We request a guaranty from the owner before starting construction that if the bank is compromised, they will pay for ALL costs to stabilize it and rebuild the retaining wall(s) if necessary. Funds should be set aside for this purpose in a reserve account controlled by the Town of Nantucket, to be returned if unused.

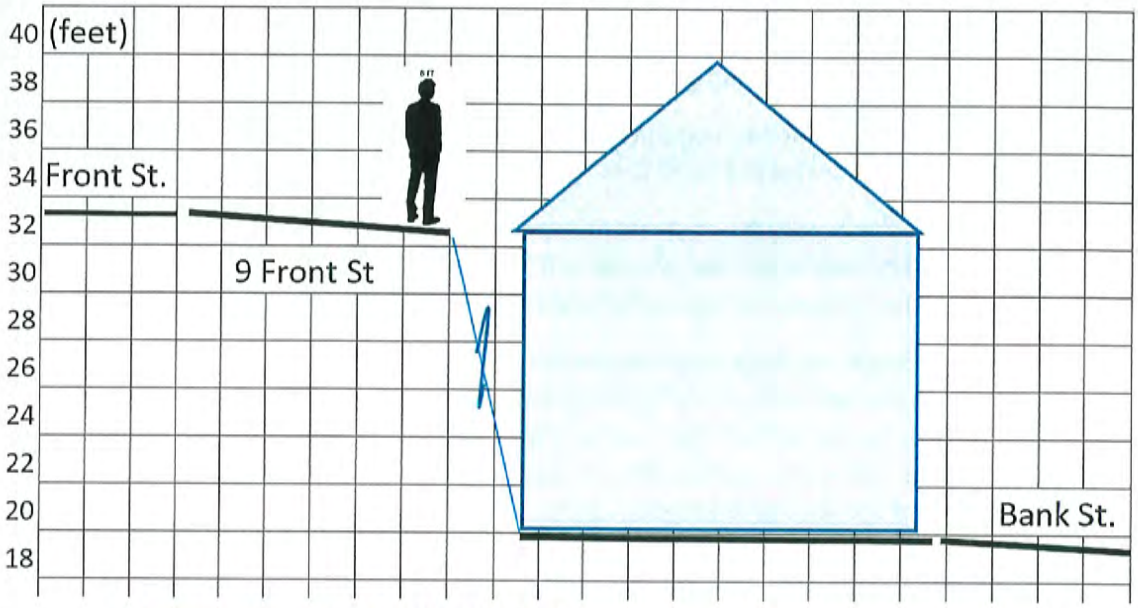
Please see the diagram below for an explanation of how the height of the structure will impact the neighborhood along Front Street. The numbers along the y-axis represent the approximate height above sea-level as labeled on the GIS map included in the Viewpack. Additionally, I have included 'before and after' photographs illustrating the mass of the proposed structure when viewed from a standing position on Front Street.

The renderings included in the Viewpack provide us with images of how the structure will appear from street level below, on Bank Street. For some reason, the architect has not included a rendering of how the building will appear when viewed from ABOVE, on Front Street – a view of the structure that will certainly be seen by hundreds, if not thousands more visitors to the neighborhood. The architect should provide the Commission with a rendering of this view, as well.

I ask the HDC to require revisions of the previously submitted plans/design; revisions to include 1) a reduction in height, lowering the roofline of the proposed structure to no higher than street level at Front Street - 33 feet according to the GIS topographic map; 2) structural engineering design of the temporary and permanent retaining walls necessary for the basement addition and corresponding budget estimate; and 3) any other changes that would contribute to the protection and preservation of this historic district.

Sincerely,

Jeff & Ann Gardner
9 Broadway/9 Front Street, Sconset


40 (feet)
38
36
34 Front St.
32
30
28
26
24
22
20
18
9 Front St
Bank St.





Kadeem McCarthy

From: Jeff Gardner <jeffgardnertx@gmail.com>
Sent: Thursday, September 9, 2021 10:33 AM
To: Kadeem McCarthy
Subject: Please distribute re: application for 8 Bank Street, Sconcet
Attachments: 8 Bank St - Height Clarification.pdf

Hi, Kadeem.

Can you please distribute the attached comments and PDF to the members of the HDC in re: 8 Bank Street application?

Thank you.

Jeff Gardner

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This email was scanned by Bitdefender

August 31, 2021

RE: 8 Bank Street

Dear Chairwoman Coombs and Members of the Historic District Commission:

I write this letter, as a follow up to my June 10th and July 9th letters, in response to the modifications to the 8 Bank Street plans submitted to the HDC on August 19, 2021. Again, I write as a concerned year-round resident and owner of an historic home at 13 Broadway backing onto Front Street at Middle Gully. The August 19, 2021 proposal appears to reflect no changes from the previous filing in regards to the height of the structure. I was under the impression that the August 17, 2021 HDC decision was for the owner and architect to further reduce the height of the roofline. The new plans, like the older plans, show the roof line at 20 feet, ignoring the request of the HDC, the concerns of the Sconset Civic Association and the multitude of comments from the Sconset community.

I am in complete accord with the comments submitted today by Margaret Van Duesen, Anne Reilly and Isabel Landzert which take into account the effect of the topography (that the site in question is already nearly 20 feet above sea level) on the overall height of the proposed new construction at 8 Bank Street. And I reiterate my prior request that any construction approved for this site be of a height that, after taking into account the sea level of the site itself, will not exceed the height of the embankment. (As the Sconset Bank in this area ranges from elevation 25 feet to 29 feet, it would appear that the building should not be much more than 10 feet high.)

I also reiterate my prior request, given the location of 8 Bank Street (against an endangered embankment and in close proximity to Middle Gully) that submission of an engineering report indicating that the construction of the proposed project will not adversely impact the structural integrity of the embankment be imposed as a condition precedent to any approval of a project that involves the digging of a foundation or an increase in height to one that exceeds the height of the bank.

I, too, consider the quotes from John Shea's letter (referenced in the Van Duesen/Reilly/Landzert letter) a beautifully eloquent and succinct description of the importance of the Middle Gully viewscape and of precisely what draws visitors and artists and residents alike to this magical and treasured gateway to our country's and our island's easternmost shore. It is incumbent on all of us to protect treasures such as this one.

Consequently, I ask that the HDC (i) require a significant height reduction (to one that does not exceed the height of the embankment) as a prerequisite to approval of any iteration of plans for 8 Bank Street and (ii) deny any request for the construction of a basement or a foundation that is not accompanied by an engineer's opinion that such construction is not detrimental to the embankment.

Thank you in advance for your consideration of my additional comments.

Sincerely,

Lisa P. Soeder

Lisa P. Soeder
13 Broadway, Siasconset, MA 02564
860-685-0678

Esmeralda Martinez

From: Kadeem McCarthy
Sent: Tuesday, August 31, 2021 6:11 PM
To: abbycamp (abigailcamp@comcast.net); ackval62@gmail.com; Carrie Thornewill; 'Diane Coombs'; jesse@waterscapesdesigngroup.com; jobeco@comcast.net; Ray Pohl; Stephen Welch
Cc: Holly Backus; Esmeralda Martinez
Subject: FW: 8 Bank Street additional comments

Hello all,

Please see the below comment sent by an abutter of 8 Bank Street.

Kadeem O. McCarthy
Land Use Specialist
Planning and Land Use Services (PLUS)
2 Fairgrounds Road
Nantucket, MA 02554
508-325-7587 ext. 7016

From: Margaret Van Deusen <margaretvandeusen@gmail.com>
Sent: Tuesday, August 31, 2021 4:53 PM
To: Kadeem McCarthy <kmccarthy@nantucket-ma.gov>
Subject: 8 Bank Street additional comments

Good afternoon Kadeem,
Thank you for your return call.
Below are additional comments we would like to submit in response to the most recent submission by 8 Bank. Please distribute to the members of the HDC.
Best,
Margaret Van Deusen

Dear Members of the HDC:

The current proposal (August 19,2021) appears to have no changes from the previous filing dated July 22, 2021 when it comes to height of the roofline following the HDC's decision to hold for revisions at its August 17th meeting. Both appear to show the roof line at 20 feet, -- reduced from the original 21 feet on the south elevation. This minimal reduction is not responsive to the HDC process and the concerns of the community that have been expressed in numerous comments to the HDC, including by the Sconset Civic Association.

The topographical map (#13 in submission) demonstrates that this will be the tallest building in Codfish Park. It will also tower 10 plus feet above the 'Sconset Bank.

- This is because the site elevation is 19 to 20 feet above sea level, one of the highest points in Codfish Park. Consequently, the top of the building at 20 feet above the ground will be about 39 feet above sea level (19 feet + 20 feet). The Sconset Bank in this area ranges from elevation 25 feet to 29 feet according to the topographical map. The proposed 8 Bank's adverse impact will also be

compounded by its location right up against the bank and Middle Gully. It will be five feet higher than Front Street!

- As a comparison, 15 Beach Street, recently approved by the HDC at 23.5 feet tall, is in fact several feet lower than the 8 Bank Street proposal--it sits on land at elevation 13 feet (23.5 feet + 13 feet = 36.5 feet). Although the 8 Bank *building* itself is not as tall, its actual *height is greater.* It is the height that generates its adverse impact on the historic district, its viewscapes, and on the community itself.

- In citing other buildings in Codfish Park as taller than the proposed structure (# 10 in submission) to bolster the claim that this is in line with other CFP structures, fails to account for the ground elevation of the site. Consequently, the heights of other structures in Codfish Park are not really relevant. And importantly, none of these houses is located against the coastal bank with the nearness of the perspective right above the bank.

We agree with John Shea's eloquent comment that "Certainly, sea-shelled Front Street is one of the most important historic locations in Sconset, maybe in America: arguably the intersection of Front Street and Middle Gully is an aorta at the very heart of our village." Mr. Shea explains that he chose this for the only scene in *Grey Lady* shot in Sconset for "its beauty, romance, symmetry, for the cobblestone and brick road going up from Codfish Park, for the white wooden handrail, for the charming cottage at the foot of wild Bank Street that will now be replaced."

We ask that the HDC require the height to be significantly reduced. Thank you in advance for your consideration of our comments.

Sincerely,
Anne Reilly
Isabel Landzert
Margaret Van Deusen
7 Front Street

This email was scanned by Bitdefender

15. John Berry **05-3838** | 22 Eel Point Road | New dwelling | 40/45 | Emeritus

Voting: Pohl, Camp, McLaughlin, Coombs, Welch
Alternates: Thornewill
Recused: None
Documentation: Architectural elevation plans, site plan, and photos.
Representing: Matt MacEachern, Emeritus Development
Public: None
Concerns (8:12): **MacEachern** – Reviewed changes made per previous concerns; white sash and trim.
McLaughlin – Overall, it is very harmonious to itself.
Camp – This is very long and there is so much going on with the different roof lines. The 1st floor works well. The large gables flanked by huge shed dormers is overwhelming. The windows drawn dark throw her perception off.
Welch – This is large but it's well balanced and well designed. Concerned about some termination points of dormers to the ridge. He'd like to see a cross section of existing and proposed topography. This does have additive massing.
Coombs – The front door should be more prominent. East elevation, there are a lot of pointy gables making it very busy.
Pohl – It's an attractive building; but it's long, white, and close to the road. Agrees about seeing a topographical cross section; it doesn't look like there is any cut in grade, just fill.
Motion: **Motion to Hold for revisions and more information. (Coombs)**
Vote: Carried 5-0

Certificate #

16. John Berry **05-3956** | 22 Eel Point Road | New guest house | 40/45 | Emeritus
17. John Berry **05-3955** | 22 Eel Point Road | New garage | 40/45 | Emeritus

Voting: Pohl, Camp, McLaughlin, Coombs, Welch
Alternates: Thornewill
Recused: None
Documentation: Architectural elevation plans, site plan, and photos.
Representing: Matt MacEachern, Emeritus Development
Public: None
Concerns (8:27): **MacEachern** – Asked that these be held to track.
Motion: **Motion to Hold to track with the main house. (Coombs)**
Vote: Carried 5-0

Certificate #

18. Kristina Amendalore **05-3625** | 8 Bank Street | Addition revisions | 72.1.3/69 | Angus MacLeod

Voting: Coombs (acting chair), McLaughlin, Camp, Thornewill
Alternates: None
Recused: None
Documentation: Architectural elevation plans, site plan, photos, correspondence, historic documentation, and advisory comments.
Representing: Angus MacLeod
Public: Janet Ballou, 21 Front Street
Helen Strong, 18 Broadway
Ann Riley
Concerns (8:30): **MacLeod** – Reviewed changes made per previous concerns; he did a horizontal shot from the fence on the bank to the ridge; this is about at waist height with Front Street.
Backus – Ms. Flynn has forwarded to the commissioners the abutter comments regarding stability of the coastal bank and Middle Gulley Road and reducing the height. This is circa 1930 contributing; appreciates reduction in massing; plans should reflect historic vernacular related to the proposed addition; open barn door a concern. Read SAB comments: keeping the height lower in relationship to the coastal bank was discussed. About the stability of Middle Gulley and the coastal bank, looking into that would be a concern and will be reviewed with an engineer at the building permit stage; it is not under HDC jurisdiction. A stable bank is important for coastal resiliency. If there is more information on the age, that would be helpful. This is not an addition, it is a reconstruction.
Ballou – George Hubbs expressed concern about engineering and weight bearing of Middle Gulley Road should it have to be used as an emergency access; encouraged the Town and commission to investigate the road's structural integrity. There's concern about climate change compromising Codfish Park.
Strong – The main problem is the height would close off an iconic public viewshed of the beach; it's too big for this site.
Riley – This is a difficult site to build on; the roof line will be 6' above the coastal bank and impact the streetscape view. We don't see houses built against the coastal bank. It doesn't feel like an addition, but like the original house is being demolished and replaced. According to the Benchley book, which came out recently, this is circa late 1800s.
Flynn – Read a letter of concerns from Peter and Kitty Goldsmith, 3 Broadway, into the record.
Camp – Her concern is the massing of this on the site. Thinks the height could come down more; the typical buildings in the area are still very small.
Thornewill – Appreciates the form it's taken; proportions are great. To mitigate the presence on the corner, suggested pushing it to the end of the property. The height is the issue; make it a little thinner and drop it down.
McLaughlin – No comment.
Coombs – She'd like to see it shortened to save the tree.
Motion: **Motion to Hold for revisions and more information. (Camp)**
Vote: Carried 4-0

Certificate #

Cathy Flynn

From: Kitty Goldsmith <kittygoldsmith10@gmail.com>
Sent: Tuesday, July 20, 2021 4:23 PM
To: Cathy Flynn
Subject: 8 Bank Street

Please do not let this addition/ total gut go through! It is not in keeping with Sconset!! It will look ridiculous...way too tall! It will jeopardize the bank of middle gully! Seems old Sconset is disappearing!! So sad! It will never come back with such projects approved! PLEASE STOP IT!

We own property at 3 Broadway & 10 Codfish Park Road. Have been here for 65 years!!

Peter & Kitty Goldsmith

Sent from my iPhone

This email was scanned by Bitdefender

FILE COPY

FILE COPY

July 18, 2021

Dear Chairperson Coombs and Members of the Historic District Commission,

We are writing in reference to the plans that have been submitted for the property at 8 Bank Street, Siasconset. We reside at 11 Front Street in 'Sconset which is just adjacent to the 8 Bank Street property. We have previously submitted a letter outlining our concerns with the size and scope of the house the property owners have proposed. We understand that there are revised plans that have been submitted, but we still have concerns.

As past Chair of Preservation for the 'Sconset Trust, I have a great interest in preserving the history of the village. The cottage at 8 Bank Street has a great history as a a fishing shack and then an ice cream and hotdog store. Some of our neighbors remember buying candy at the store as children. Please see the photo attached of the Middle Gully Road and structure from the late nineteenth century.

Besides the historic significance of the house, it is a small one bedroom cottage that presently barely fits on its lot size. The size of the house proposed is completely out of scope with its surroundings. The proposed height of the house will completely close off the view of Codfish Park and the ocean from Front Street and Middle Gully Road. Islanders as well as tourists flock to Front Street for one of the most iconic views on the island.

Lastly, digging a basement for the proposed structure could potentially jeopardize the stability of the bank and the integrity of Middle Gully Road. Middle Gully Road presently serves as the emergency access for Codfish Park if Gully Road access is cutoff.

Sincerely,

Kathy and Joseph Arvay
11 Front Street Siasconse

FILE COPY

Cathy Flynn

From: Margaret Van Deusen <margaretvandeusen@gmail.com>
Sent: Sunday, July 18, 2021 12:47 PM
To: Cathy Flynn
Subject: Fwd: Your email to HDC with attachments

Dear Cathy,
I am forwarding an email from Chris Holland, who requested on June 11, 2021 that I include it with comments. Because I cannot find a record of sending this to the HDC, I am forwarding it now and request that you distribute it to HDC and SAB.
Thank you,
Margaret Van Deusen

---------- Forwarded message ---------
From: **Chris Holland** <cfholland42@icloud.com>
Date: Fri, Jun 11, 2021 at 12:27 PM
Subject: Re: Your email to HDC with attachments
To: Margaret Van Deusen <margaretvandeusen@gmail.com>

Dear Margaret, if you have time, I include my comments.

COD FISH PARK DISAPPEARING? EROSION, SPECULATION

The HDC has before it a cottage in Cod Fish Park, now a historic district. A cottage which reflects the simple one story cottages that CFP was made up of. The proposed "town house" bears little resemblance to the Cod Fish Park of old. Please retain the single story. And the full basement is curious in a flood zone! The Atlantic washed against this very bluff; will it do so again? The Architect needs to take a second look, one more caring.

The proposed is geared for rental income, taking advantage of the siting near the water. At the rate of erosion, it won't be another century of life; it's more likely one can count on 20-25 years before the tides rush in. It behooves the HDC to nip this loss of character and request a more simple one story solution. Certainly the buyers were aware of the traditions of CFP in architecture. The erosion is a well known factor. Give us the respect for the community and CFP in particular.

The Architect and Owners need to take another look at Sconset, but CFP in particular. CFP is evolving into a resort community; this proposal offers a chance for the HDC to put its foot down, stay with the single story and the simplicity. Not crowd a lot with all the building it can hold. Fortunately there exist enough cottages to still give CFP the sense of an individual area; let's please preserve it.

Further, having examined the drawings it's only speculation, but it's almost inevitable that the sliding doors facing the street will unveil either glass or screening, not the garage or barn like interior, not appropriate for Cod Fish Park.

Christopher F. Holland, Architect

Cfholland42@icloud.COM

This email was scanned by Bitdefender

FILE COPY

Cathy Flynn

From: Prudence Bell <pruebell55@gmail.com>
Sent: Sunday, July 18, 2021 1:21 PM
To: Cathy Flynn
Subject: 8 bank street

As someone who has been coming to Sconset for 70 years I am writing to oppose the height and size of the proposed construction at 8 Bank street in Sconset. I believe it will adversely affect the bank and cobblestone gully. The bluff is fragile and digging a basement and removing any vegetation will weaken it. Please do not let this plan go through.
Thank you.
Prudence Bell
2 Chapel street

Sent from my iPhone
Prue Bell
(203) 536-4207

This email was scanned by Bitdefender

FILE COPY

Cathy Flynn

From: Sam Daniel <svdiii@comcast.net>
Sent: Sunday, July 18, 2021 12:47 PM
To: Cathy Flynn; Holly Backus
Subject: 8 BANK STREET CONCERNS

Categories: IMPORTANT

HDC Commissioners,

I don't have copies of my earlier e-mail concerns to you about the proposed reconstruction of 8 Bank Street, so pardon any repetitions, herein.

Sadly, in 'Sconset's Codfish Park, the HDC's past approvals for demolitions or changes to cottages that were too-high/too-large now serve as precedents. As they say, once you let the camel's nose under the tent, you get the whole camel.

8 Bank Street is a tiny cottage on a tiny lot that is right up against the bluff and the middle gulley wall. I worry that an enlarged cottage with basement will compromise this setting.

My cottage ridge height is 14', and I bend over when in my loft, but I could easily stand and move about in my loft if my ridge was 18', especially if it had shed dormers, so why does 8 Bank Street need a 21' ridge?

8 Bank Street's proposal for a barn-like door and its placement is rather odd. Could this better work with a window or regular door, instead?

I hope that you will seriously consider my concerns, and those of the other neighbors of 8 Bank Street.

Sam Daniel
6 Broadway

This email was scanned by Bitdefender

Cathy Flynn

From: WILHEMINA MARVEL <dvilliers@aol.com>
Sent: Monday, July 19, 2021 9:14 AM
To: Cathy Flynn
Subject: 8 Bank Street, Siasconset

FILE COPY

Dear Cathy,

After buying 11 Broadway in 1998 or 1999, Sandy Kendall gave me a copy of Building With Nantucket in Mind. I stuck with its precepts in renovating. The aggressive and overblown re-do proposed for 8 Bank Street makes fools of those of us who did stick to the rules. My neighbors to either side have spoken to the issue of the viewshed: extinguish it with this project and you lose more than just a view and property value.

Thank you for your attention, and to the HDC for its work on these difficult matters-

Wilhemina Austin

Sent from my iPhone

This email was scanned by Bitdefender

Cathy Flynn

From: Linda Delvecchio <linda7421@aol.com>
Sent: Sunday, July 18, 2021 8:44 PM
To: Cathy Flynn
Subject: 8 Bank Street: Letter of Support

FILE COPY

Good Evening Ms. Flynn,

The purpose of this letter is to express **strong** support of our neighbors', Nicholas and Kristi Amendolare, proposed project at 8 Bank Street in Codfish Park. As new home owners of 11 Beach Street, my husband and I respect the historical charm of Codfish Park and are very familiar with *Building with Nantucket in Mind*. So when Nicholas and Kristi kindly and openly shared with us their projects design, we were pleased to see that the design is aligned 100% with *Building with Nantucket in Mind*, but not only that. The design is historically appropriate for Codfish Park and will maintain a charming architectural structure.

Please feel free to contact me with any questions.

Sincerely,
Linda Del Vecchio-Gilbert & Adam Gilbert
11 Beach Street
(401) 742-0414

Cathy Flynn

From: Robert Franklin <robfranklin@me.com>
Sent: Sunday, July 18, 2021 7:29 PM
To: Cathy Flynn
Subject: Proposed Middle Gully Construction in Sconset

FILE COPY

The house, as proposed, is totally out proportion with its surroundings. I believe it's construction would have a deleterious impact on the entire village... terrible for the abutters but also for Sconset residents from other areas of the village who use that gully as an access Codfish Park. What is already happening at North Gully is already enough of an abomination.

Please save our village from this creeping gentrification. We don't need it and don't want it.

Robert Franklin

Sent from robert's iPhone

This email was scanned by Bitdefender

RECEIVED
JUL 16 2021
By
FILE COPY

Via email

July 8, 2021

Re: Additional comments on 8 Bank Street

Dear Chairwoman Coombs and Members of the Historic District Commission:

We are submitting these comments to supplement our June 9, 2021 photographs and comments to the HDC and as follow-up to the discussion at the HDC's June 11, 2021, meeting and the proponent's proposed revisions.

As members of the HDC recognize, this is a very difficult site on which to build. We believe that any construction here may require an order of conditions and zoning relief in addition to HDC approval.

The 8 Bank Street lot is tiny at approximately 0.03 acres. A one story structure has always been on this site and it is our understanding that the building's historic footprint and envelope remain unchanged today. Many in Sconset fondly remember the building as a hotdog and ice cream stand. A photo of the building from the 1880s is attached. Today, it is a one bedroom home that is tucked under the Siasconset bank right up against Middle Gully.

We agree that the proposed plans will to transform the character of this building and raise it to a height of 21 feet by adding a full basement of living space and a second story is not sympathetic to the roots of Codfish Park. Codfish Park began as squatter shacks used by the fishermen on the sandy flats below the bank and their replacement over time with small beach cottages.

If allowed by the HDC to build 21 feet high,[1] the building because of the elevated site grade and its near perspective will loom over Middle Gully and Front Street. The current house is nine feet in height.

This extreme transformation at 8 Bank Street will eliminate an important and much admired viewshed from Front Street over the roofs of Codfish Park to the ocean. Its impact will be visible from three directions above the bank and it will fundamentally change the look and experience of both Front Street and Middle Gully. In an important sense this view to the place where Nantucket meets the sea is a view into history.

This is not about individual property owners' private views. Rather, it concerns a shared, cherished viewshed for the entire island community and its visitors, one that requires HDC

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[1] The elimination of the second story sleeping loft at the front of the house is the only change to the building dimensions the proponent has made.

vigilance and protection. When a multiplication in height of a structure against the bank would destroy important elements of the historic district only the HDC can address this.

This is an inappropriately-scaled house on this site—one that will adversely impact the historic district. While Mr. Macleod in his presentation lauded the sweeping views at the beginning of Front Street, he did not discuss that this tall building would block those views before, not after, Middle Gully. Currently Front Street to the north does not begin to close in until after Middle Gully. It would also set a terrible precedent for building up against and taller than the bank. We estimate that the proposed building would overtop the bank by as much as 6 feet! At a minimum, the HDC should not allow this particular structure, nor any structure, with a roof line that exceeds the top of the bank when it is this close to the bank.

Middle Gully is a cultural asset and an important element in the historic district. This cobblestoned byway is well-traveled today to access the beach and the Atlantic, just as fisherman did several centuries ago. The gully is one of three in Sconset along with what is now Gully Road to the south and North Gully at the beginning of the bluff walk. The proposed building will close in the gully and will block any views from it until reaching Bank Street at the bottom. The house's windows and dormers will dominate the gully.

Mr. Macleod opined that the project engineer would determine whether the tall sycamore maple located between the house and the east side of the gully would need to be removed. However, given its location between the house and Middle Gully there is little doubt that the tree would be removed for construction. Removal of this tree with roots underneath the gully could compromise the integrity of the gully itself. While not within your purview, the water line for Codfish Park runs under the center of Middle Gully.

In the revision, the proponent is now proposing to replace a covered front porch with an 8x10 foot patio and pergola right at the bottom of Middle Gully. No house on Bank or Beach Street, which runs perpendicular to Bank, has porch or patio space that is directly on the public way at grade. This site is also incapable of being screened. [2] The HDC should not allow this element, which is grossly out of character with the neighborhood.

Given the small size of the front yard, the patio would eliminate most of the yard along with opportunities for greenscaping. There is a small patio on the back of the house that is more in keeping with the neighborhood and its surroundings. If the HDC is inclined to allow hardscape on the front lawn, a simple, more traditional covered porch is preferable, and its dimensions should be halved. It should not be enclosed with lattice, which in effect would create an outdoor "room." We note that the septic system, which received a variance in 2018, is under the front yard. Additionally, building to the lot lines and eliminating much of the front yard will prevent stormwater infiltration, causing site runoff to discharge down Beach Street to the intersection with Codfish Park Road, which already floods.

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[2] A patio at 7 Bank Street is hidden by tall privet and not visible from the street.

There is no question that the proposed current dimensions of this house will have an adverse effect on the historic district. Its height this close to the bank is inappropriate and detrimental to the interest of the Village of Siasconset, and to all Nantucket residents.

We ask the HDC to require plan revisions to significantly reduce the building's height and groundcover in order to reduce its adverse impacts on Front Street and Middle Gully, and to require such other changes as are necessary to protect the historic district.

Sincerely,
Margaret Van Deusen
Anne Reilly
Isabel Landzert
7 Front Street

Cathy Flynn

FILE COPY

From: Anne Maletta <mal7669@gmail.com>
Sent: Friday, June 11, 2021 10:48 AM
To: Cathy Flynn; margaretVanDeusen@gmail.com; Helen Strong; Lisa Soeder
Subject: 8 Bank Street

Dear Members of the Historic District Commission and Ms. Flynn,

It is my understanding that 8 Bank Street is under review today.
Unfortunately, time is of the essence as no notification was received regarding the proposed building. Not being within 35' of the property, I appreciate the mistaken lack of need to notify all neighbors affected. However, several additional neighbors such as myself will be directly impacted by obscured views and therefore, might also have standing before you today.

The Front Street is a unique shell and grass road and an historic promenade which is known for both its panoramic and intimate flower-filled vistas. (From this promenade emanate both Middle Gully and Upper Gully which are contributing lanes.) The streetscape of both Front Street and Middle Gully are put in direct jeopardy by the proposed buildings. This includes views as seen from upper windows of neighbors to the North of Front Street (specifically 15 and 17 Broadway, which back onto Front.)

Not only are the view streetscape and views affected, multiple other issues might be raised with ample time to investigate. First and foremost, what is the long term geological impact on the embankment by the structures? How is the lower embankment stabilized to handle the settlement of the terrain above and below? What effect would that potential settlement have in the event of a Hurricane Bob plus Nor'Easters scenario or a "Hundred Year Storm?" With the rising sea levels from our climate changing, this issue alone is enough to make one pause and think about the viability of putting homes at the base of the town bluff. (The sinking of the homes throughout Sconset is a given fact. This is due to weight displacement of the sand/clay substrata, etc.)

Thank you for your attention to this very important matter. Your dedication to our built environment is deeply appreciated.

Anne Maletta
15 Broadway

Anne Maletta
PO Box 82
House of Lords
15 Broadway
Siasconset ,MA 02564
(203)912-7660 Cell
(508)257-6646 Home

This email was scanned by Bitdefender

Cathy Flynn

FILE COPY

From: Anne Maletta <mal7669@gmail.com>
Sent: Friday, June 11, 2021 10:13 AM
To: Cathy Flynn
Subject: 8 Bank Street

Categories: IMPORTANT

Dear Members of the Historic District Commission and Ms. Flynn,

It is my understanding that 8 Bank Street is under review today.
Unfortunately, time is of the essence as no notification was received regarding the proposed building. Not being within 35' of the property, I appreciate the mistaken lack of need to notify neighbors directly affected. However, several additional neighbors and myself will be directly impacted by having their views altered. Therefore I am addressing you in an effort to mitigate any damage.

The Front Street shell and grass road is an historic promenade which is known for its vistas. (From this promenade emanate both Middle Gully and Upper Gully are contributing lanes.) The streetscape of both Front Street and Middle Gully are put in direct jeopardy by the proposed building. This includes panoramas as seen from upper windows of neighbors to the North of Front Street (specifically 15 and 17 Broadway which back onto Front.) Therefore I believe that people with standing have been unconsciously omitted from participation in the review.

Not only are the view streetscape and view affected, multiple other issues might be raised with ample time to investigate. First and foremost, what is the impact on the embankment of the structures? Is the lower embankment stabilized to support the new homes? Has any modeling been done to determine the possible consein the event of a Hurricane Bob plus Nor'Easters scenario or a "Hundred Year Storm?" With the rising sea levels from our climate changing, this issue alone is enough to make one pause and think about the viability of putting homes at the base of the town bluff.

Anne Maletta
PO Box 82
House of Lords
15 Broadway
Siasconset ,MA 02564
(203)912-7660 Cell
(508)257-6646 Home

This email was scanned by Bitdefender

Cathy Flynn

From: Lisa Soeder <lsoeder@soeder-associates.com>
Sent: Friday, June 11, 2021 8:51 AM
To: Cathy Flynn
Subject: 8 Front Street
Attachments: View from my bathroom- Note Wooden Stake.jpg; View from my kitchen.jpg; View from spare bedroom.jpg; View from my living room.jpg; View from my bedroom.jpg; Letter to HDC re 8 Bank Street- 6-10-21.docx

FILE COPY

Good afternoon, Ms. Flynn-

I am writing in opposition to the proposed reconstruction of the house at 8 Bank Street in Sconset. See attached letter and photos.

As perhaps the nearest abutter as well as a year-round resident of Sconset, I have not received any formal notification of this project at all. If there are renderings or HDC decisions that would help me understand where the proposal stands today that you could send, I would be appreciative.

Also, if today's hearing is open to the public, will you please send me zoom instructions?

Thanking you in advance.

Respectfully,

Lisa Soeder

Soeder & Associates, LLC
280 Trumbull Street, 21st Floor
Hartford, CT 06103
Telephone (860) 246-1600
Fax (860) 246-1700
Writer's Direct Line: (860) 246-1800
Cellular (860) 685-0678
E-mail: lsoeder@soeder-associates.com
Web Site: www.soeder-associates.com

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June 10, 2021

Dear Members of the Historic District Commission:

I have owned my home at 13 Broadway for just under 30 years. My back door opens onto Front Street at the top of Middle Gully. The current configuration of the house located on the small lot tucked into the base of the bank at Middle Gully Road just below my residence (at 8 Bank Street) is such that, at roughly 9 feet high, it does not impact the scenic and historic Front Street in any negative way. I am writing to you, as an abutter, with concerns regarding the impact of the proposed construction project at 8 Bank Street.

Because I haven't been afforded the courtesy of an abutter's notice or any information at all regarding the proposed project, my understanding of the proposed modifications is derived from what other abutters have shared, as described below, and leads me to believe that the proposed project will result in a structure that is inconsistent with the historic nature of the area:

- the structure would be expanded out to the lot lines without regard to setbacks, with a covered porch on the front extending over the septic system, leaving little room for any yard at all between the porch and the street;
- if the height poles installed at 8 Bank Street this week are any indication, the structure will be raised to a height equal to one and a third times its current height, well above the level of the bank as shown in the attached photos, overtopping the bank, towering over Front Street and blocking views from three directions;
- the structure will incorporate modern elements, such as sky lights, which are incongruous with the historic district; and
- the proposal includes the construction of a full basement at the base of a fragile bank.

Front Street is renowned for winding walkways, its call to artists and writers, its sweeping views along the bank over the rooftops of Codfish Park to the Atlantic Ocean, its proliferation of flowers and its historic whaling cottages. Living here, it is heartwarming to wake to the sound and sight of the surf from my bedroom window. Another part of the appeal of this quaint and beautiful street is that villagers and visitors alike, brides and grooms, and families with children and dogs stroll down this its windy path, entranced as we are by the panoramic views of the easternmost shores of the United States. Much of what makes my home on arguably the most scenic street in America such a wonderful place to live would disappear should the house at 8 Bank Street be raised to more than double its current height.

While the houses abutting Front Street on the western side of the street are primarily historic whaling cottages, between 250 and 300 years of age, the houses in Codfish Park are clustered close together, generally low in height, reminiscent of the fishing shacks that once held squatters making their livings from the sea. It is believed that the current structure at 8 Bank Street dates back to the 1800s. Shouldn't it be afforded protection from renovations that destroy its historic nature in the same way that other houses above and below the cliff and throughout Nantucket are?

As a year-round resident of the stretch of Front Street that will be negatively impacted by the proposed construction, I have observed as HDC has consistently protected areas in Nantucket from construction projects inconsistent with the historic nature of the areas in question. I have watched owners in Codfish Park return repeatedly, and at great expense, to the HDC for approval of their proposed projects, revising them to adhere to stringent height limitations. It is my sincerest hope that the HDC will not permit the proposed expansion at 8 Bank Street which would not only jeopardize the bank, negatively impact the use and enjoyment of the residents and visitors to the bluff, diminish the views and property values of abutters, violate requirements that other owners remodeling or renovating in Codfish Park were held to, but would also irrevocably change a street of quintessential charm that enhances all of Sconset.

I ask the HDC to deny the homeowner's request to effectively rebuild and convert a quaint cottage into a house that will eviscerate what makes Front Street so special. The proposed height and scale of the 8 Bank Street project at the edge of the bank are not only a threat to the bank but are inconsistent with the interests of the Village of Siasconset, and particularly with those of the residents of Broadway and Front Street. Moreover, an HDC approval of the addition of a second story to a Codfish park cottage could open the floodgates and set a precedent for owners of other single story residences in Codfish Park (i.e., Gone Native and Gone Crazy) to seek approval of the addition of a second story to those structures. We respectfully request that the HDC require plan revisions to significantly reduce the proposed height, to eliminate the skylights and the basement, and to make such other changes to the plans for 8 Bank Street as are necessary to protect the historic nature of Codfish Park, Front Street and the Sconset historic district.

Sincerely,

Lisa P. Soeder

Lisa P. Soeder
13 Broadway, Siasconset, MA 02564
860-685-0678

Cathy Flynn

From: Jeff Gardner <jeffgardnertx@gmail.com>
Sent: Thursday, June 10, 2021 11:49 AM
To: Cathy Flynn
Cc: Holly Backus
Subject: HDC Application - 8 Bank St.
Attachments: BankSt_photos_210609.pdf

FILE COPY

Hello, Cathy.

Please see my remarks below and the attached PDF file containing photos related to the HDC application for 8 Bank Street, Sconset.

Please distribute the attached to the members of the HDC. Please let me know if you have any questions. I greatly appreciate your help with this.

Best,

Jeff Gardner

==========

Dear Members of the Historic District Commission:

My name is Jeff Gardner. I am the owner of 9 Broadway/9 Front Street; the property located directly above and to the west of 8 Bank Street. I acquired the property in mid March 2021 and was made aware of the 8 Bank Street application only three weeks ago.

The changes proposed in the application are being described as an addition. However, if approved, the resulting structure could be more accurately described as completely new construction.

The current structure (previously used as a hotdog stand, according to some accounts) is approx. 9 feet in height, and sits on a very small lot located directly against Middle Gulley. The proposed 'addition' would convert the former hotdog stand into a two-story barn, adding a basement level and second floor. This would raise the height of the structure to over 21 feet! This vertical addition would push its way well above street level on Front Street, replacing easterly coastline vistas with an expanse of reflective shingled rooftop, starting approximately waist high when viewed from a standing position. Additionally, the increased height of the structure would block sunlight from the historic Middle Gulley pathway for half of the day.

The HDC's Background & Objectives document states: "The built environments of these special lands are afforded certain protections, provided by certain practices..." The document goes on to define "it's charge under the Act..."

1) Is the existing building a historic building? Yes; it was built over 90 years ago (some date it earlier) which puts it in the 'historic' category.

2) Is the district historic? Yes; Codfish Park is considered to be part of a historic district.

3) Is the proposed two-story extension preserving the historic integrity of the structure? No; it is changing it entirely. The finished product would have no resemblance whatsoever to the existing historic structure.

4) Will the new structure maintain the historic appearance of the structure when viewed from the street? No; it will look entirely different.

5) Will the modifications to the existing structure protect the currently existing structure? No; by all appearances, it will be replaced entirely - former hotdog stand to two-story barn with fully finished basement.

6) Will the proposed structure impact the setting in which it is located? Yes, in many ways, not the least of which is that it will mask Middle Gulley which is currently visible to the west from Bank Street and other streets... in fact, all of Codfish Park. Middle Gully (as

well as Front Street at the top of Middle Gully) has been visible from Codfish Park for over 100 years.

7) Is the proposed two-story extension appropriate? No, if the Commission applies elements of their published Objective Summary and Mission Statement to the project. This situation is unique in that consideration must be given not only to the appearance of the structure from below on Bank Street, but ALSO from above on Front Street because of its close proximity to abutting properties.

8) Will the proposed two-story structure "promote the general welfare of the inhabitants of the Town of Nantucket (Sconset)"? No; the totally exposed bare rooftop viewed from above on Front Street and additional height will alter the physical appearance and character of the Front Street neighborhood, permanently change the visible environment enjoyed by both property owners and pedestrians, and create a nuisance for multiple abutting properties along Front Street.

I love Nantucket and have familial ties to the Island reaching back ten generations. My decision to acquire a historic property on Front Street was made in part based upon my feeling of responsibility and Stewardship for this special place; a feeling MANY Nantucketers hold dear. Allowing this particular design to proceed would be a betrayal of this responsibility.

The attached PDF file contains captioned photographs previously provided to the commission by Angus Macleod, with additional photos provided by other interested parties in the neighborhood. I have blocked out areas within the pictured height poles to better convey the mass of the proposed structure.

I ask the HDC to consider requesting a revision of the previously submitted plans/design; revision to include a reduction in height and any other changes that would contribute to the protection and preservation of this historic district.

Sincerely,

Jeff Gardner
Owner, 9 Broadway/9 Front Street, Sconset

This email was scanned by Bitdefender

Cathy Flynn

From: Sam Daniel <svdiii@comcast.net>
Sent: Wednesday, June 09, 2021 4:39 PM
To: Cathy Flynn; Holly Backus
Cc: Bergman Mary; Rob Benchley
Subject: BANK STREET & CODFISH PARK CONCERNS

FILE COPY

Categories: IMPORTANT

HDC Commissioners,

Slowly, but surely, 'Sconset's Codfish Park cottages are being demolished and replaced by houses that are too tall and too large, with the HDC's approval. Bank Street is a current, glaring example of this. Please, stop this anti-preservation trend.

Sam Daniel
6 Broadway

This email was scanned by Bitdefender

Cathy Flynn

From: Helen Strong <helenmstrong1@gmail.com>
Sent: Wednesday, June 09, 2021 3:46 PM
To: Cathy Flynn
Subject: 8 Bank Street

FILE COPY

Dear Cathy,

As the long-time owner of 18 Broadway in the village of 'Sconset, one street removed from the proposed construction at 8 Bank Street, I am writing to endorse the comments made by the owners of 7 Front Street. The proposed construction would not only look very bizarre but would ruin an iconic spot in the village.
What happened to height restrictions in the old historic district and build-out restrictions on a lot?
Please pass my comments on to the HDC.

thank you,
Helen Strong

This email was scanned by Bitdefender

Cathy Flynn

From: Kathy Arvay <klarvay@gmail.com>
Sent: Wednesday, June 09, 2021 2:30 PM
To: Cathy Flynn
Subject: Please share this letter with the HDC in reference to the plans for 8 Bank St

Dear Cathy,

FILE COPY

Our neighbors on Front Street, the Reillys, vanDeusen, and Lanzerts have submitted a letter to you describing their objections to the proposed 2 story cottage at 8 Bank Street.

As they so carefully explained, this proposed structure is clearly not in keeping with the nature of Codfish Park, and will stick out like a sore thumb in this highly visible, critical location in Sconset.

Kathy and I agree with every fact that they delineate in their letter as they have so aptly described what an historic, panoramic, and significant location this is in our village. Should this house be approved, Front Street will never be the same.

We implore you to visit Sconset and see for yourself how this will permanently disrupt the Front Street essence for everyone.

Sincerely,

Joseph and Kathy Arvay

11 Front Street

Sconset

Sent from my iPhone

This email was scanned by Bitdefender

Cathy Flynn

From: Sheila TODD <sftodd@verizon.net>
Sent: Wednesday, June 09, 2021 1:23 PM
To: Cathy Flynn
Subject: 8 Bank Street

Categories: IMPORTANT

FILE COPY

Good Morning. I have a few additional comments on the proposed addition to 8 Bank Street. I have lived on Broadway for 83 years and am familiar with some village history. 8 Bank Street was formerly a candy shop owned by Mrs. Arey who lived on one of the ways in Codfish Park .
It doesn't seem necessary to demolish this historic very old historic structure and lose another part of Codfish Park history.

Sheila Folger Todd
Sent from my iPhone

This email was scanned by Bitdefender

Cathy Flynn

From: Margaret Van Deusen <margaretvandeusen@gmail.com>
Sent: Wednesday, June 09, 2021 10:37 AM
To: Cathy Flynn
Subject: 8 Bank Street
Attachments: IMG_2371.jpeg; IMG_2396.jpeg; IMG_2370.jpeg; IMG_2354 copy.jpeg; IMG_2358.jpeg; IMG_2374.jpeg

Good Morning Cathy,
Below are comments on 8 Bank Street. Kindly distribute to the members of the HDC. If you need this sent in a different format, please let me know.
Best,
Margaret Van Deusen

Re: Additional comments on 8 Bank Street

Dear Members of the Historic District Commission:

This currently nine-foot tall house is located in Codfish Park below the bank next to Middle Gully. It is now proposed to be raised to 21 feet high with a full basement and 2nd story with dormers and skylight. It would build out to the lot lines with a covered porch on the front. The porch, it is our understanding, will extend somewhat over the septic system, with little room for greenscape before the street. Every buildable inch of this postage stamp sized-parcel will be utilized. While we don't know if there is a distinction in terms of HDC review between an "addition" as this project is styled and "new construction," this seems much more akin to a tear down/new construction. It is different in scale and kind than the current house.

Front Street is one of the most visited and admired streets in Sconset. Its sweeping views along the bank over the rooftops of Codfish Park to the ocean from the beginning of this unpaved street to Middle Gully are an essential defining element of the historic district. Front Street is iconic and one of the crown jewels of Sconset. As residents of this stretch of Front Street, we witness daily the many villagers, artists, visitors, photographers, and brides and grooms who stroll along Front Street and we overhear their appreciation as they stop to admire and exclaim over the views of the Atlantic and Codfish Park.

Middle Gully is also an important contributing element of the historic district with its cobblestones and vistas. 8 Bank Street today is tucked under the side of this half cobblestoned gully, one of three historic gullies in Siasconset. The proposed building will be up against and tower over the gully, blocking views over Codfish Park. Because there is a high retaining wall on the opposite side of Middle Gully, the expansion of 8 Bank Street will create a closed in tunnel, or alley, effect on the gully.

Codfish Park houses are clustered close together; they have generally been low in height, echoing the fishing shacks that once squatted on the land below the bank. A photograph in the soon to be published book, Sconset, by Benchley and Trust dates the current structure at 8 Bank Street from the 1800s.

The proposed structure is a profoundly vertical structure right up against Middle Gully. Based on the height poles installed this week, the house will tower over Front Street, blocking views from three directions. It will overtop the bank significantly and appears to be at least three feet higher than the top of the fence around the triangular garden of 9 Broadway, a historic house, on the west side of Middle Gully! We are attaching photographs of the environs in relation to the height poles with rudimentary cross hatching showing the impacts and what would be lost.

Modern elements, such as sky lights, are incongruous with the historic district. The three panes of skylight proposed on the western façade should be eliminated, or at the very least, moved to the eastern plane of the roof so they would be less visible.

In sum, there is no question that the proposed current dimensions of this house will have an adverse effect on the historic district. Its height and scale this close to the bank is inappropriate and detrimental to the interest of the Village of Siasconset, and to all Nantucket residents. We ask the HDC to require plan revisions to significantly reduce its height, to eliminate the skylight, and to make such other changes as are necessary to protect the historic district.

Sincerely,

Cathy Flynn

From: Joseph Arvay <jmarvay1@gmail.com>
Sent: Tuesday, June 08, 2021 4:49 PM
To: Cathy Flynn
Cc: annyvan@aol.com
Subject: 8 Bank street, Sconset. Please share with the HDC committee

Categories: IMPORTANT

Dear Cathy,

Our neighbors on Front Street, the Reillys, vanDeusen, and Lanzerts have submitted a letter to you describing their objections to the proposed 2 story cottage at 8 Bank Street.
As they so carefully explained, this proposed structure is clearly not in keeping with the nature of Codfish Park, and will stick out like a sore thumb in this highly visible, critical location in Sconset.
Kathy and I agree with every fact that they delineate in their letter as they have so aptly described what an historic, panoramic, and significant location this is in our village. Should this house be approved, Front Street will never be the same.
We implore you to visit Sconset and see for yourself how this will permanently disrupt the Front Street essence for everyone.

Sincerely,
Joseph and Kathy Arvay
11 Front Street
Sconset

This email was scanned by Bitdefender

Cathy Flynn

From: Cathy Flynn
Sent: Tuesday, June 08, 2021 7:42 PM
To: abigailcamp@comcast.net; ackval62@gmail.com; Carrie Thornewill; Diane Coombs; jesse@waterscapesdesigngroup.com; jobeco@comcast.net; Ray Pohl; Stephen Welch
Cc: Holly Backus; Cathy Flynn
Subject: FW: 8 bank st

I might have sent this to you all a few weeks ago- but just in case...read below

Cathy

Cathy Flynn
HDC Compliance Coordinator/Land Use Specialist
Town of Nantucket
Planning and Land Use Services
2 Fairgrounds Road
Nantucket, Ma 02554
cflynn@nantucket-ma.gov
508-325-7587 x7027

From: Jeff Gardner <jeffgardnertx@gmail.com>
Sent: Wednesday, May 26, 2021 10:39 AM
To: Cathy Flynn <cflynn@nantucket-ma.gov>
Subject: Re: 8 bank st

Thank you, Cathy.

I appreciate the information and the time you spent locating the time stamps in the attached videos.

I received an unexpected call from the architect, Angus Macleod, late yesterday. Apparently, my email from earlier in the day had been forwarded to him. He will be back on-island Saturday and we hope to meet to discuss this further.

I must say, a review of the plans is very depressing for me. The proposed structure will throw a wall/roof up directly between me and my view to the east. My property at 9 Broadway is most directly impacted by this situation, being located just across Beach Street to the west. Frankly, it makes me sick to my stomach. I purchased 9 Broadway/9 Front Street only two months ago. Had I known this was looming, I would probably have made other plans.

The garden lot at 9 Front Street is one of the most photographed spots in Sconset. It has been my desire to refurbish the garden to make it an even more spectacular destination for visitors to Sconset, including rebuilding the trellises on the Beach Street side for roses or other climbing flora - a major improvement to what has been an eye-sore for some time. Sadly, the erection of a 21 foot tall structure will certainly block the sun on Beach Street for most of the morning so these plans are probably off the table now.

Can you tell me when the next meeting is scheduled? I'm sure I will have more questions. Thanks in advance for your help with this.

Best,

Jeff Gardner

917-952-3083

On Tue, May 25, 2021 at 4:44 PM Cathy Flynn <cflynn@nantucket-ma.gov> wrote:

Hi Jeff,

This is still under review. Our Preservation Planner, Holly Backus, reviews all applications in the OHD and SOHD, cc'd on this email. Your best bet is to correspond with her. Here is the screen shot from the minutes;

25. Kristina Amendolare **05-3625**	**8 Bank** Street	Addition	73.1.3/69	Ang

Voting	Pohl, Coombs, McLaughlin, Camp, Oliver
Alternates	Thornewill
Recused	None
Documentation	Architectural elevation plans, site plan, photos, correspondence, historic documentation, and advisory com
Representing	Angus MacLeod
Public	Anne Reilly, abutter
Concerns (8:55)	**MacLeod** – Presented project; the "front porch" is an 18X9 awning; the length increases about 7 feet a higher than the roof across the street. **Backus** – Circa 1930 contributing per NHL. Read SAB comments: there is a loss of the existing chimn concept is attractive and an improvement; question the barn doors and whether or not they will be open. **Reilly** – Concerned about the impact on the character of the neighborhood by adding a 2nd-floor. This tunnel between Front and Bank Street. Extending the front porch would take up all the front yard. She thinks that the view lines not be adversely impacted. West elevation skylight, asked if it could be moved to the eas **Camp** – Appreciates Ms. Reilly's concerns; she doesn't think it will impair the view of Codfish Park. Does how the barn doors will work. A view with height poles will help us envision how this would look. **Coombs** – It seems we are losing this very simple building and its originality; it's very eye-catching at its cu **Oliver** – She likes the simplicity of the design. The end with the loft could be dropped to break it up th Asked what happens when the barn doors open (there's a screen door in there). **McLaughlin** – The design is very compatible and antique looking. **Pohl** – It is a very charming and sensitive design. Suggested viewing with height poles.
Motion	**Motion to View with height poles. (Camp)**
Roll-call Vote	Carried 5-0//Coombs, Oliver, McLaughlin, Camp, and Pohl-aye Certificate #

I would suggest watching both the Sconset Advisory Board (SAB) meeting (4/26/21) and HDC meeting (5/18/21) where the proposed plans were discussed, first. I scrolled thru both videos for you to easily find the discussion. Here is the link to the SAB meeting, fast forward to 1:14:48 to hear the discussion: https://www.youtube.com/watch?v=Rm1Y_or8r4w&list=PL49sKqpy7VAg3UtBjBfiGTq57V8jl6Wiv&index=32&t=4488s.

Here is the link to the HDC meeting 5/18/21, fast forward to 4 hours 23 minutes (towards the end of the meeting): https://www.youtube.com/watch?v=KYPQDoseoeI&t=779s.

Let me know if you have any problems viewing. If you have any additional concerns, you may either attend the meeting or email them to myself or Holly.

Thanks,

Cathy

I purchased 9 Bank St/9 Front St. (Snug Harbor) from Peter and Kathy Roby this past March. I see in the attached application document that the Robys were included in a notification about the planned "addition" to 8 Bank St. as they were considered interested parties to the proposed changes. The small house located at 8 Bank St. sits just below my garden lot property at 9 Front St. Unfortunately, this notification was not forwarded on to me as the new owner of Snug Harbor, and I have only learned about the application this afternoon.

I have some very serious concerns about the proposed addition to the tiny structure currently located at 8 Bank St., not the least of which is that the height of the structure would increase from 9' to 21', blocking the view from my property and several others, to the east.

I am new to Nantucket as a property owner and do not know the process for how decisions are made regarding this kind of matter. I do know, however, that the HDC has done a wonderful job of curbing proposed changes to historic neighborhoods like Sconset - changes that would materially alter the character of what we love about this historic place. I feel that, if approved, this vertical addition would negatively impact multiple properties along historic Front Street.

I am on-island until this Saturday and would welcome the opportunity to speak with you. Would you be available to speak sometime tomorrow?

Best,

Jeff Gardner

917-952-3083

On Tue, May 25, 2021 at 3:03 PM Esmeralda Martinez <emartinez@nantucket-ma.gov> wrote:

Hi Jeff,

I have attached the HDC submission for 8 Bank St. any feedback or concerns reach out to Cathy Flynn cflynn@nantucket-ma.gov

It is going to be awhile until 8 Bank Street will be reviewed. When height poles are requested by the Commission, it's the applicant responsibility to contact me. Due to the extreme length of the agendas, there is no need to erect height poles until it gets closer to review.

I would pay attention to the agenda postings. I don't know if I suggested that you sign up for alerts on the town website. If not, I have drafted a user guide for interested parties (see attached).

Thursday meetings are usually 1 ½ hours. They might get through 10 applications tomorrow.

Cathy

From: Margaret Van Deusen <margaretvandeusen@gmail.com>
Sent: Wednesday, June 02, 2021 9:29 AM
To: Cathy Flynn <cflynn@nantucket-ma.gov>
Cc: annyvan <annyvan@aol.com>
Subject: Re: question

Good Morning Cathy,

8 Bank Street is listed as old business on tomorrow's HDC agenda. The HDC at 5/18 meeting requested height poles. I have reached out to Angus MacLeod, the architect, about this but have not heard back from him yet. Do you have any information about the status of this request by the HDC, or whether the matter will be continued tomorrow?

Best,

Margaret Van Deusen

On Tue, May 18, 2021 at 4:30 PM Margaret Van Deusen <margaretvandeusen@gmail.com> wrote:

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On Tue, May 18, 2021 at 4:30 PM Margaret Van Deusen <margaretvandeusen@gmail.com> wrote:

Hi Cathy,

From: Margaret Van Deusen <margaretvandeusen@gmail.com>
Sent: Tuesday, May 18, 2021 10:04 AM
To: Cathy Flynn <cflynn@nantucket-ma.gov>
Subject: Re: question

Good Morning Cathy,

I would like to check on the status of 8 Bank Street and whether you think it will be heard tonight or carried over to another HDC meeting date.

Thanks,

Margaret Van Deusen

On Wed, May 5, 2021 at 7:18 AM Cathy Flynn <cflynn@nantucket-ma.gov> wrote:

> Hi Margaret,
>
> As you can see, the HDC agendas have become extremely lengthy: https://www.nantucket-ma.gov/AgendaCenter/ViewFile/Agenda/_05062021-10059. The Commission is averaging around 28-35 application a week. This is due largely to the dramatic increase in HDC submissions, limitations reviewing architectural plans online, and a reduced meeting schedule.
>
> Here is the link to the HDC meeting schedule: https://www.nantucket-ma.gov/DocumentCenter/View/38230/Historic-District-Commission-Schedule-January---June-2021-PDF.
>
> It looks like 8 Bank Street will not be reviewed until at least 5/18/21.
>
> You are welcome to join the HDC meeting when it comes time for review. The zoom link is posted on the agenda. HDC has the same zoom link, meeting id and password for EVERY meeting.

From: Margaret Van Deusen <margaretvandeusen@gmail.com>
Sent: Tuesday, May 18, 2021 10:04 AM
To: Cathy Flynn <cflynn@nantucket-ma.gov>
Subject: Re: question

Good Morning Cathy,

I would like to check on the status of 8 Bank Street and whether you think it will be heard tonight or carried over to another HDC meeting date.

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To: Cathy Flynn <cflynn@nantucket-ma.gov>
Subject: Re: question

Hi Cathy,

Addition on 8 bank street in sconset.

Best

Margaret VanDeusen

Sent from my iPhone

> On May 4, 2021, at 4:43 PM, Cathy Flynn <cflynn@nantucket-ma.gov> wrote:
>
> Hi Margaret, what are you looking for?
>
> Cathy

Cathy Flynn

HDC Compliance Coordinator/Land Use Specialist

Town of Nantucket

Planning and Land Use Services

2 Fairgrounds Road

Nantucket, Ma 02554

cflynn@nantucket-ma.gov

508-325-7587 x7027

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Nantucket, Ma 02554

cflynn@nantucket-ma.gov

508-325-7587 x7027



From: Margaret Van Deusen <margaretvandeusen@gmail.com>
Sent: Tuesday, May 04, 2021 3:28 PM
To: Cathy Flynn <cflynn@nantucket-ma.gov>
Subject: question

Hello Cathy,

If a project is listed on the HDC agenda as new on 4/27/21, does that mean that it will be reviewed on 5/6?, or at 5/18 meeting?

Thanks for your help,

Margaret Van Deusen

This email was scanned by Bitdefender

Cathy Flynn

From: Jeff Gardner <jeffgardnertx@gmail.com>
Sent: Tuesday, May 25, 2021 5:05 PM
To: Cathy Flynn
Subject: Fwd: 8 bank st
Attachments: VIEW - 8 BANK ST - ADDITION.PDF

Categories: IMPORTANT

FILE COPY

Hi, Cathy.

Esmeralda forwarded the attached application to me earlier this afternoon and I was wondering if we could arrange a time to speak about it directly.

I purchased 9 Bank St/9 Front St. (Snug Harbor) from Peter and Kathy Roby this past March. I see in the attached application document that the Robys were included in a notification about the planned "addition" to 8 Bank St. as they were considered interested parties to the proposed changes. The small house located at 8 Bank St. sits just below my garden lot property at 9 Front St. Unfortunately, this notification was not forwarded on to me as the new owner of Snug Harbor, and I have only learned about the application this afternoon.

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Best,

Jeff Gardner
917-952-3083

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> Hi Jeff,
>
> I have attached the HDC submission for 8 Bank St. any feedback or concerns reach out to Cathy Flynn cflynn@nantucket-ma.gov

Esmeralda C. Martinez

PLUS Administrative Specialist

emartinez@nantucket-ma.gov

Town of Nantucket

Planning & Land Use Services

2 Fairgrounds Road

Nantucket, MA 02554

Tel: 508-325-7587 X 7050

Fax: 508-325-5346

www.nantucket-ma.gov



This email was scanned by Bitdefender

Oliver – She doesn't understand Nr 2 under "all elevation proposals" it says, "interior photos are highly encouraged, only if the interior floorplans are to be changed to accommodate building elevation."
Coombs – Asked for a hardcopy of the document.
Backus – She can print off a copy. Explained that the national Historic Landmark District Data Sheet is available on the Town website. We have applied for Federal funding to upgrade our historic structures survey to ensure information provided to the HDC is accurate.
McLaughlin – He read the whole document; it's well written and explanations are down to the detail.

Motion: **Motion to Adopt the Guidelines as amended in today's discussion. (Oliver)**
Roll-call Vote: Carried 5-0//Thornewill, Camp, McLaughlin, Oliver, and Coombs-aye

III. CONSENT

	Property owner name	Street Address	Scope of work	Map/Parcel	Agent
1.	3 Old Mill Court	3 Old Mill Court	Rev. 73363: add window	55/927	E. McMorrow
2.	Michael& Rachel Watts **05-3896**	20 Lincoln Avenue	New gate	30/115	Sanne Payne
3.	LBC Sconset, LLC **05-3826**	9 Hawk's Circle	Re-site 5 deg./bump out	74/37.1	JGG Architects
4.	Beach Not, LLC **05-3828**	16 Cannonbury Lane	Rev. 3026: re-site & window	74/12	JGG Architects

Voting: Coombs, McLaughlin, Camp, Oliver, Thornewill
Alternates: None
Recused: None
Documentation: None
Representing: None
Public: None
Concerns: No concerns.
Motion: **Motion to Approve. (Oliver)**
Roll-call Vote: Carried 5-0//Camp, Thornewill, McLaughlin, Oliver, and Coombs-aye — Certificate # **HDC2021-(as noted)**

IV. SIGNS

	Property owner name	Street Address	Scope of work	Map/Parcel	Agent
1.	Union Lodge Masons	30A Main Street	Projecting sign	42.3.1/2.5	Linda Williams
2.	Union Lodge Masons	30 Main Street	Master sign plan	42.3.1/2.5	Linda Williams

Voting: Coombs, McLaughlin, Camp, Oliver, Thornewill
Alternates: None
Recused: None
Documentation: None
Representing: None
Sign Advisory: None
Concerns: **Flynn** – Item 1 is held for revisions. Item 2 is approvable per SAC comments.
Motion: **Motion to Hold for revisions per SAC recommendations. (Oliver)**
Roll-call Vote: Carried 5-0//Thornewill, Camp, McLaughlin, Oliver, and Coombs-aye — Certificate #
Motion: **Motion to Approve through staff per SAC comments. (Oliver)**
Roll-call Vote: Carried 5-0//Thornewill, Camp, McLaughlin, Oliver, and Coombs-aye — Certificate # **HDC2021-**

V. OLD BUSINESS

	Property owner name	Street Address	Scope of work	Map/Parcel	Agent
1.	Kristina Amendolare **05-3625**	8 Bank Street	Addition	72.1.3/69	Angus MacLeod

Voting: Coombs, McLaughlin, Camp, Oliver, Thornewill
Alternates: None
Recused: None
Documentation: Architectural elevation plans, plan, photos, historic documentation, advisory comments, and height comparison bar graph.
Representing: Angus MacLeod
Public: Jeff Gardner, 9 Broadway & 9 Front Street
Margaret Van Deusen, 7 Front Street
Lisa Soeder, 13 Broadway
Concerns (1:39): **MacLeod** – Thinks there's confusion about the date; an old photo shows a 1-story structure that is not what is now known as the hotdog stand. Reviewed photos of approved construction which has not been sympathetic to historic 'Sconset and obliterated the façades of historic structures. Reviewed photos of the height poles with line drawings of the roof and massing. Reviewed the proposed elevations. Pointed out that skylights were advertised for sale on Island in the 1850s.
Backus – SAB had no further discussion on this; they had no overall concerns in their original review; there was a question about the what would be seen when the barn doors are open. The proposal is more of a new structure than an addition.
Gardner – He blocked out the drawings Mr. MacLeod provided to give a sense of the mass. It's too tall and going from 9' tall to 21' tall and sits at least 3' higher than other structures in Codfish Park. Asked the commission seek revisions lowering the height.
Van Deusen – Mr. Gardner's photos show how the blockiness and verticality will detract from the views from Front Street. Her concern is that allowing this will set a precedent. Asked the HDC to require it be substantially lowered. East

elevation, the sliding barn doors when they are open will give Bank Street a different look. West elevation, the 1st-floor windows and the dormer are right against Middle Gully Road and the wall will close the road in.

Soeder – When this is constructed, she will lose all her views of the water. She's opposed to the height. She's also concerned about construction so close to the bank. Asked that the height be lowered.

Camp – Mr. MacLeod understand 'Sconset vernacular and this is a hard site to renovate; if anyone can do it, he can. Given the history, we have to ask what we are looking for: historic fishing cottages or a compromise for today. Suggested dropping the front portion and stepping up in the rear to follow the topography.

Thornewill – As a threshold into Codfish park, the massing is monolithic and agrees with Ms. Camp that the massing should be broken down. Appreciates the simplicity; however, not everything is simple in 'Sconset any longer; simplicity is working against you in this location by creating one big mass. The proposed is not preserving a historic building but creating a new structure.

Oliver – She likes the design. In the first meeting she mentioned breaking up the roof line to have more additive massing. Simplicity is the key. We are not in the business of preserving people's private views; we are in the business of ensuring a structure is appropriate.

McLaughlin – The windows are the wrong type for its size and there's too much lattice work.

Camp – We are committed to preserving the streetscape and the neighborhood. Agrees with Ms. Camp's suggestion and reducing the height. Thinks the chimney should be restored.

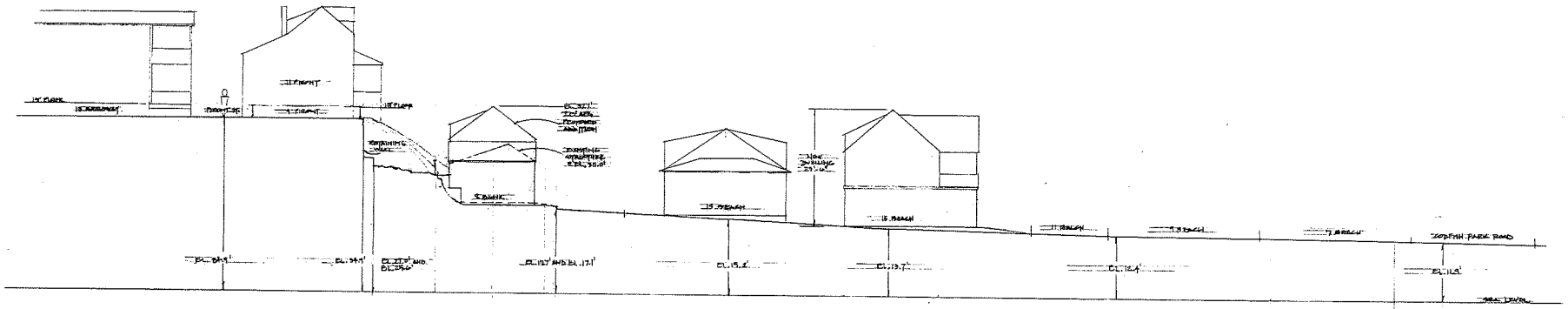
MacLeod – Responded to comments: it will be all natural to weather and will blend in; he believes the strength is in the simplicity; the dormer is to get legal head-height for the bathroom; the proposed porch lowers the south gable; we will do everything we can to preserve the tree.

Motion	**Motion to Hold for revisions. (Camp)**	
Roll-call Vote	Carried 5-0//Thornewill, Camp, McLaughlin, Oliver, and Coombs-aye	Certificate #

VI. NEW BUSINESS (05/18/21)

	Property owner name	Street Address	Scope of work	Map/Parcel	Agent
1.	Village Way R.T. **05-3782**	6 Village Way	New dwelling	14/42	Workshop APD
Voting	Coombs, McLaughlin, Camp, Oliver, Thornewill				
Alternates	None				
Recused	None				
Documentation	Architectural elevation plans, site plan, and photos.				
Representing	Irina Matos, Workshop APD				
Public	None				
Concerns (2:34)	**Matos** – Mr. Kotchen asked this be held for Tuesday, June 15th. Not opened at this time.				
Motion	**Motion to Hold at applicant's request. (Oliver)**				
Roll-call Vote	Carried 5-0//Thornewill, Oliver, Camp, McLaughlin, and Coombs-aye		Certificate #		

2.	Dolores Martin **05-3796**	80 Easton Street	Spa & fence.	42.4.2/6	Self
Voting	Coombs, McLaughlin, Oliver, Thornewill				
Alternates	None				
Recused	None				
Documentation	Landscape design plans, site plan, photos, and advisory comments.				
Representing	Dolores Martin, owner				
Public	None				
Concerns (2:36)	**Martin** – Presented project; 9X16.5 with autocover and fence; 48" to 52" deep; top set 1' to 1.5' above grade; there is existing privet, which is very full in the summer; equipment will be located behind the studio. **Backus** – Read HSAB comments: need more information about the spa - size, above or below ground, exact location. It looks like there would be no visibility, but more information is needed **Oliver** – The application is incomplete. We need to know what the fence will look like, a picture of the spa, and better information written on the plan. **Thornewill** – The spa equipment can't be in the 5' set back. We need a surveyed site plan. **Coombs** – We need to know where the equipment will go.				
Motion	**Motion to Hold for further information and for a second viewing and to come back on Tuesday, June 15th. (McLaughlin)**				
Roll-call Vote	Carried 4-0//Thornewill, Oliver, McLaughlin, and Coombs-aye		Certificate #		



GRADE ELEVATIONS PROVIDED BY:
JEFF MACDONALD & ASSOC. 8/27/21

TOPOGRAPHIC SECTION
SCALE: 1" = 10'

AMENDOLARE RESIDENCE
5 BANK STREET
WEDNESET, MA

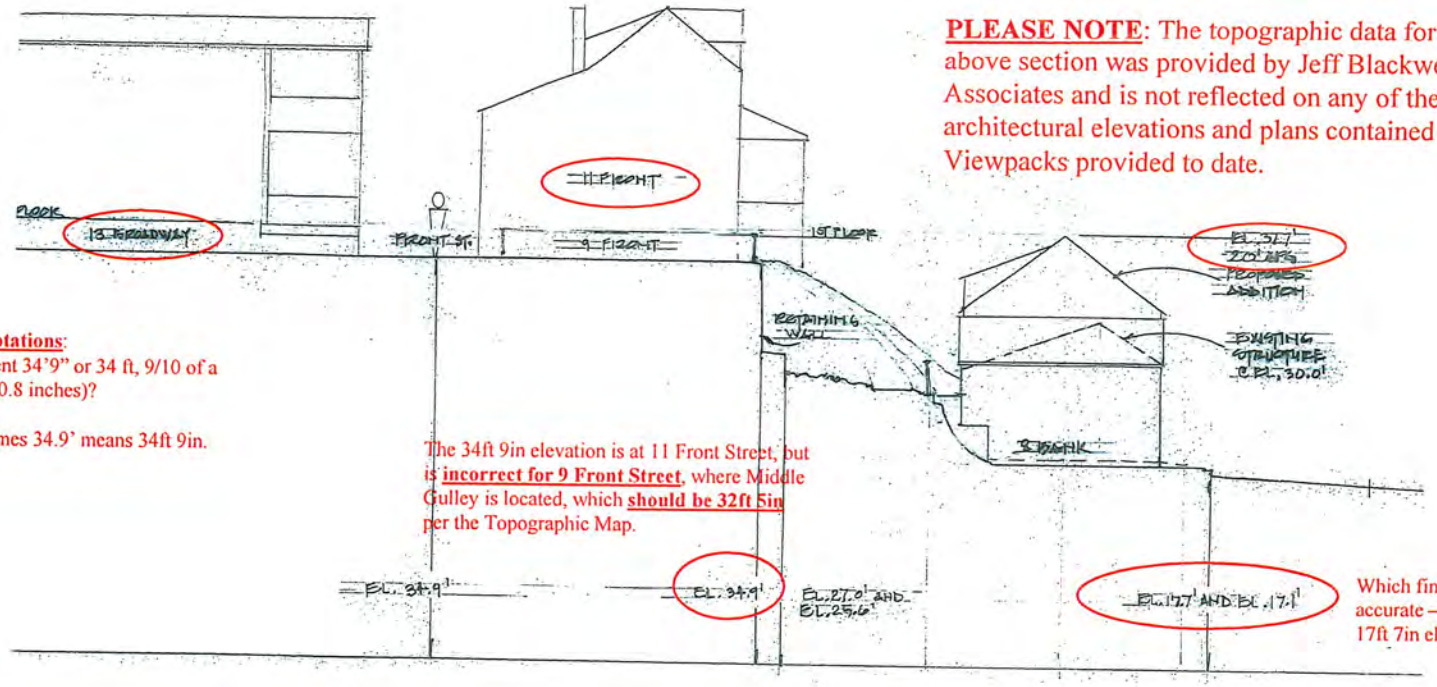
ANGUS MACDONALD DESIGN LLC
P.O. BOX 10095
WESTPORT, MA
(508) 287-0789

Key Takeaways From the 9/7/21 HDC Meeting

RECEIVED
SEP 08 2021
By via email to Ekl

- The Topographic Section provided by Jeff Blackwell & Associates as subcontractor for Angus MacLeod Designs uses the bank height at 11 Front Street & 13 Broadway, which is 2-3 ft higher than the bank at 9 Front Street and the Middle Gully.
- Jeff Blackwell & Associates shows the finished grade (i.e. the topographic elevation of 8 Bank Street after construction completion) of 8 Bank Street at 17 ft 7in, however, the Topographic Map provided by Angus MacLeod Designs in the 8/30/21 Viewpack shows a range of elevations shown within the footprint of 8 Bank Street, from 17-20 ft.
- **Best case roof height**: 5.2 ft above the bank at 9 Front Street/Middle Gulley.
- **Worst case roof height**: 7.5 ft above the bank at 9 Front Street/Middle Gulley.

Topographic Section – 9/7/21 Viewpack



PLEASE NOTE: The topographic data for the above section was provided by Jeff Blackwell & Associates and is not reflected on any of the architectural elevations and plans contained in the Viewpacks provided to date.

Please confirm notations:
Does 34.9' represent 34'9" or 34 ft, 9/10 of a foot (or 34 ft i.e. 10.8 inches)?

This analysis assumes 34.9' means 34ft 9in.

The 34ft 9in elevation is at 11 Front Street, but is **incorrect for 9 Front Street**, where Middle Gulley is located, which **should be 32ft 5in** per the Topographic Map.

Which finished grade is accurate – the 17ft 1in or 17ft 7in elevation?

Elevations do not align with Topographic Map provided in the 8/30/21 Viewpack shown in the following slide.

- What sources are used in each?
- Is 8 Bank at the 17ft 1in or 17ft 7in finished grade elevation? Finished grade: the topographic elevation after construction completion.
- Front Street elevation is 9in higher on the Topographic Section than the Topographic Map.
- The Topographic Section uses the bank height at 11 Front Street & 13 Broadway, which is 2 ft higher than the bank at 9 Front Street and the Middle Gully.

Topographic Map – 8/30/21 Viewpack



Circles reflect the different elevations contained within the footprint of 8 Bank Street and the bank edge at 9 Front Street

Topographic Section should be cut as shown above, instead of through 13 Broadway/11 Front Street:

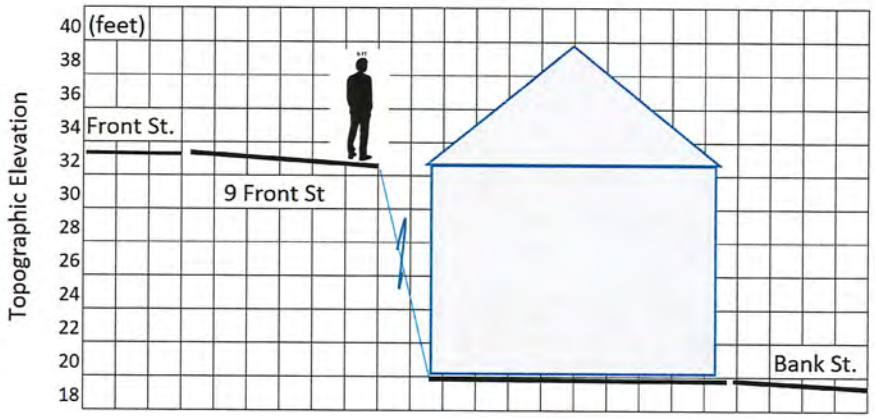
- Bank elevation at 11 Front Street: 35 ft
- Bank elevation at 9 Front Street: 32.5 ft

Variances:

Topographic Section v. Topographic Map

The **Topographic Section** on Slide 2 shows the 8 Bank Street finished grade elevation as either 17.1ft or 17.7ft. If 17.7ft is correct, then the roof height will be 37.7 ft, or 5.2 ft above the bank edge.

The **Topographic Map** on Slide 3 shows finished grade elevation as between 17ft - 20ft within the footprint of 8 Bank Street. If the 20ft roof height is used, then the roof height will be 40ft above finished grade, and thus 7.5ft above the bank edge height.



Comparison: Topographic Section v Map

Heights per Topographic Section (ft)		Heights per Topographic Map (ft)	
8 Bank finished grade elev.	17.7	8 Bank finished grade elev.	20.0
8 Bank roof height	20.0	8 Bank roof height	20.0
Total roof height/elevation	37.7	Total roof height/elevation	40.0
Cliff edge elevation @ Mid-Gully	32.5	Cliff edge elevation @ Mid-Gully	32.5
Roof height above cliff edge	5.2	Roof height above cliff edge	7.5



Historic District Commission

OLD BUSINESS CHECKLIST Rev Jan.2021

Planning and Land Use Services

2 Fairgrounds Road, Nantucket, Ma 02554
508-325-7587

This checklist **MUST** be included with your Old Business Submission.

*Refer to the Zoom Meeting HDC Submission Policies and Procedures effective September 15, 2020:
https://www.nantucket-ma.gov/DocumentCenter/View/37689/Zoom-Meeting-HDC-Submission-Policies-and-Procedure-effective-September-15-2020-PDF

If your application was HOLD FOR REVISIONS:

✓	Date submitted to 2 Fairgrounds Road:
05-3625	HDC Case Number (ie HDC2020-05-0265):
✓	Copy of Minutes (application item circled)
✓	Reduced (8 ½ x 11) copy of application
✓	Locus Map: 4 copies: https://www.nantucket-ma.gov/151/GIS-Maps
	One copy of additional information requested by Commission- if applicable (i.e. pictures, FEMA flood Certificate, etc.)
✓	Four (4) Large sets of scaled plans (3/16" or ¼" scale) (circle all that apply) a. Site Plan b. North Elevation c. South Elevation d. East Elevation e. West Elevation f. Window/Door Schedule
✓	One set reduced plans: 8 ½ x11
✓	Electronic Submission: Each of the foregoing documents (including this checklist) MUST BE scanned to a single PDF file and emailed to hdcsubmissions@nantucket-ma.gov.
✓	Submit documents to PLUS at 2 Fairgrounds Road
✓	Signed Affidavit: see below

Historic District Commission

OLD BUSINESS CHECKLIST Rev Jan.2021

HOLD FOR A VIEW	**IF YOUR APPLICATION WAS "HOLD FOR A VIEW"** A. HDC case number: B. Copy of Minutes (application item circled) C. ONE SET OF PICTURES REMINDER- in order to appear on the Agenda, applicants must: 1. Each of the foregoing documents (including this checklist) MUST BE scanned in a single PDF to hdcsubmissions@nantucket-ma.gov 2. Submit hard copy of submission to PLUS at 2 Fairgrounds Road. **Failure to submit and email the required documents for an Old Business meeting MAY result in review delays.**
HOLD TO TRACK	**IF YOUR APPLICATION WAS "HOLD TO TRACK"** A. HDC case number: B. Copy of Minutes (application item circled) REMINDER- in order to appear on the Agenda, applicants must: 1. Each of the foregoing documents (including this checklist) MUST BE scanned in a single PDF to hdcsubmissions@nantucket-ma.gov 2. Submit hard copy of submission to PLUS at 2 Fairgrounds Road. **Failure to submit and email the required documents for an Old Business meeting MAY result in review delays.**

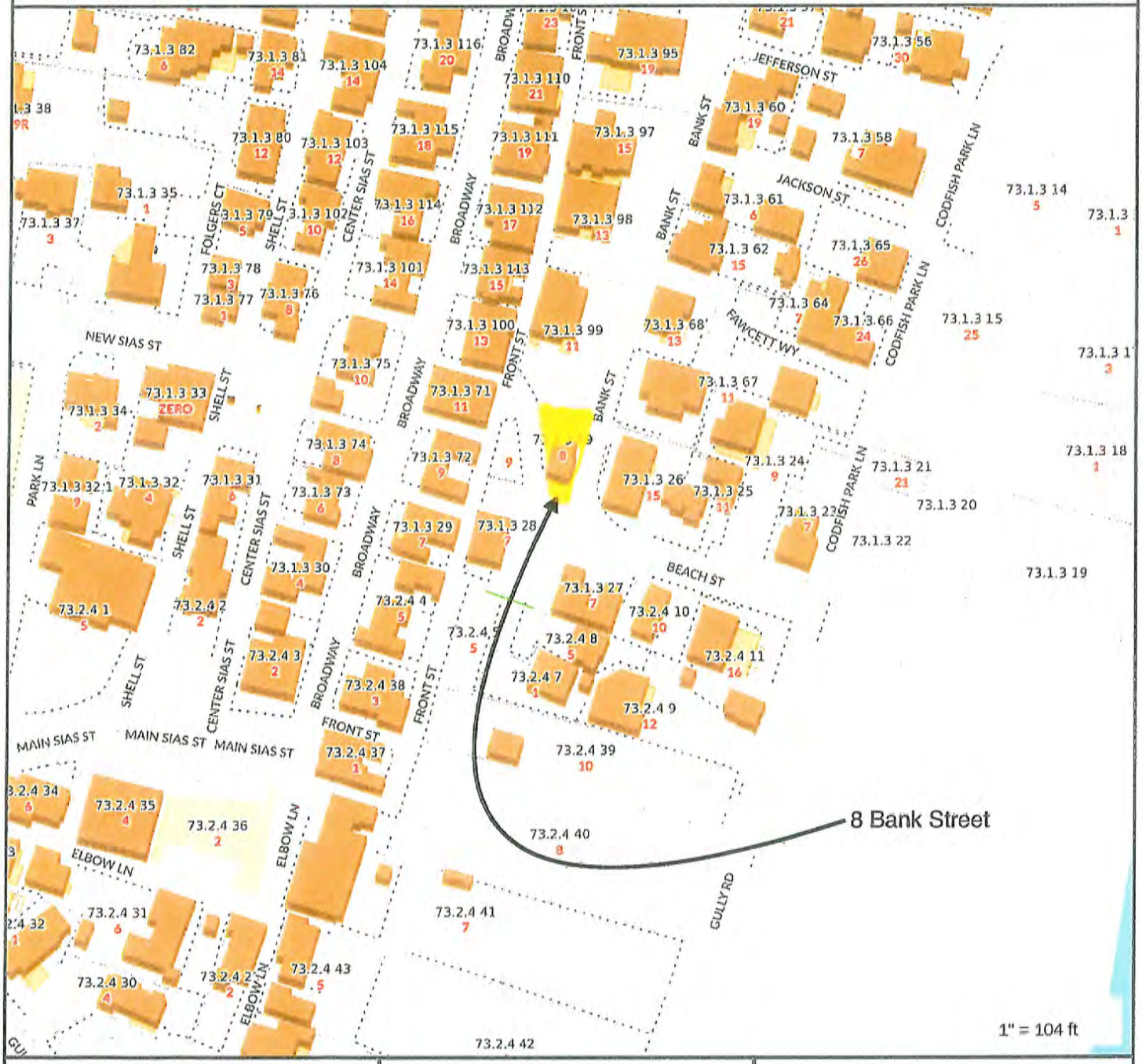
** PLUS staff is not responsible to research, gather, collate or submit documents on behalf of the applicant.

Affidavit Certifying Completeness of Old Business submission

I hereby acknowledge that I have read the Nantucket Historic District Commission submission policies effective September 15, 2020. Furthermore, I confirm that the requirements for an Old Business submission have been met.

Signature: _____ Date: 8/19/21

Amendolare: Locus Plan

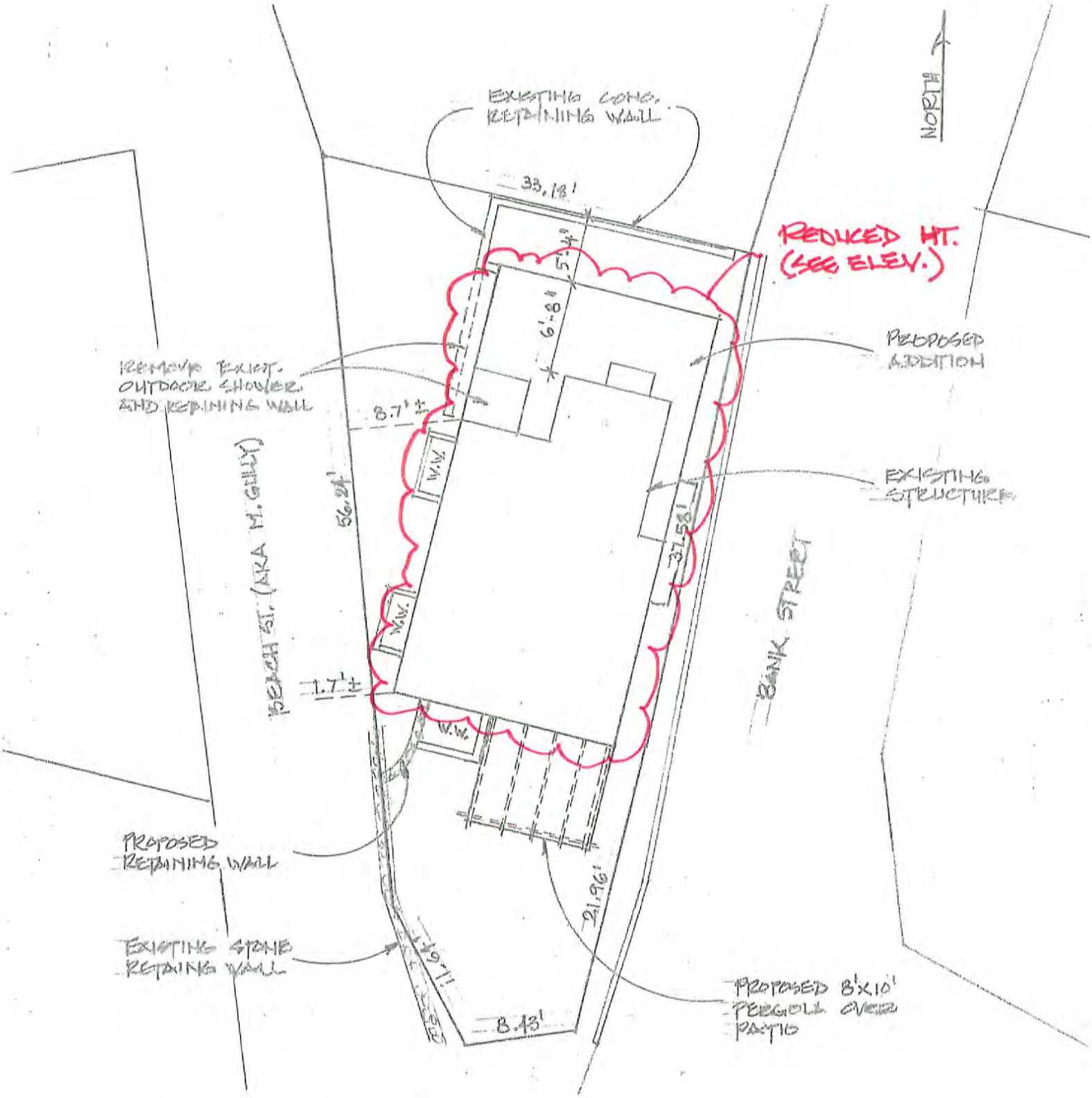


MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

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

RECEIVED
AUG 19 2021
By



SITE PLAN
SCALE: 1" = 10'

AMENDOLARE RESIDENCE
8 BANK STREET
WOONSET, MA.

ANGUS MACLEOD DESIGNS
P.O. BOX 7055
WOONSET, MA.
(508) 257-6789

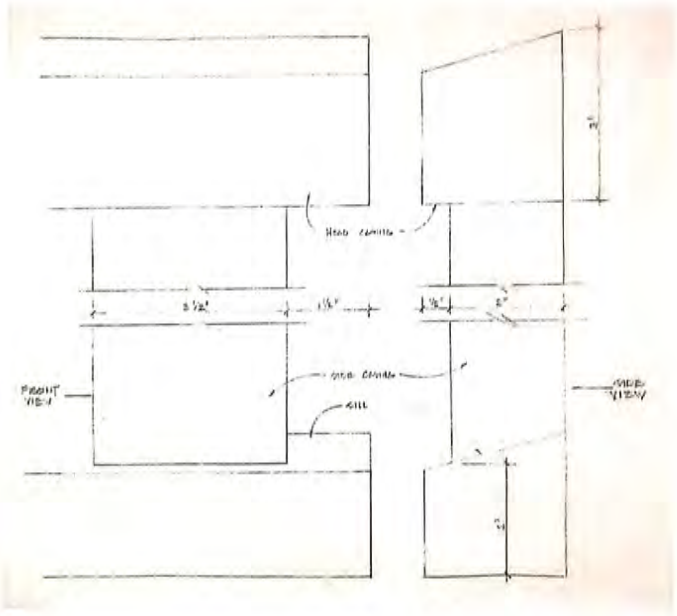
Angus MacLeod Designs
P.O.Box 7055
Sconset, MA
02564

Amendalore: Window Schedule

No	Unit Size	Manu.	Glass size	Type	Notes	Quant.
1	1' - 8" x 2' - 1"	Boston Sash	8 x10	4 (2H2W) Light Hopper Window	Single	2
2	2' - 6" x 3' - 1"	Boston Sash	8 x10	9 (3H3W) Light Single-Hung Window	Single	2
3	2' - 8" x 1'-11"	Boston Sash	7 x 9	8 (2H4W) Light Hopper Window	Single	2
4	2' - 8" x 2' - 8"	Boston Sash	7 x 9	12 (3H4W) Light Hopper Window	Single	2
5	2' - 8" x 4'-11"	Boston Sash	7 x 9	12/12 Double-Hung Window	Single	5
6	3' - 9" x 3' - 1"	Boston Sash	8 x10	15 (3H5W) Light Single-Hung Window	Single	1
7	2' - 8" x 4'-11"	Boston Sash	7 x 9	12/12 Double-Hung Window	Single	1
8	2' - 8" x 3' -	Boston Sash	7 x 9	8/8 Double-Hung Window	Single	1
9	3' - 0" x 7' - 0"	Custom	8 x10	4 Light Plank Door	Single	1
10	3' - 0" x 7' - 0"	Custom		Plank Door	Single	1
11	6' - 9" x 8' - 0"	Custom		Plank Door	Single	1

Window Notes:

* Casings to be Cedar Plank Frame with "horns" (see sketch detail below)
* Windows to have "Western Style" Casing for inset storm/screens
* Double-Hung windows to have concealed balances
* All Window panes to be Bendheim "Light Restoration" Glass
* Prime Sash / Casings natural to weather



HDC Application Review Worksheet

1. Staff Initials: HOLLY BACKUS, PP
2. Meeting date: SEPT 2021
3. Property address: 8 BANK ST (OB)
4. Scope of work: ADDITION / ALTERATION C. 1923-1926 STRUCTURE
5. If the site is located within the OHD or SOHD, please circle which one.
6. Is the structure, building, hardscaping, or other exterior architectural feature **open to view** from a beach, a public way, a traveled way, a street or way shown on a land court plan or shown on a plan approved and endorsed in accordance with the Subdivision Control Law, a public park or a public body of water? If yes, specify which portions.
   a. North elevation: _____
   b. South elevation: _____
   c. East elevation: _____
   d. West elevation: _____
7. What is the distance between the proposed structure, building, hardscaping, or other exterior architectural feature and the location from which it is **open to view**? _____ feet
8. Other: * ABUTTERS CONCERNS *
9. Comments on proposal: * APPRECIATE THE TOPO SECTION + SHOWING THE DIFFERENCE IN THE EXISTING ELEVATION VS. PROPOSED CHANGES.

* IF THIS IS A PROPOSED ADDITION - WHAT EXACTLY OF THE EXISTING C. 1920 / 1930S STRUCTURE IS BEING RETAINED?

Sconset Advisory Board *Meeting Memorandum* **HDC/SAB**

Date: 8/2/2024 Address 8 BANK ST

Scope of Work: ADDITION | RECONSTRUCTION -(OB)

Historic information/known history ( ) Non-Contributing (✓) Contributing ( ) Individually significant

HDC SURVEY = 1930s
1923-1926 (MPT)

STAFF COMMENTS Name: HOLLY BACKUS, AP

( ) Incomplete application ( ) Historical information needed ( ) No Concerns ( ) Recommend View
( ) Does not meet guidelines Visibility: Yes or No
( ) Not appropriate *(As noted below)*

* APPRECIATE THE REDUCTION IN HEIGHT BY 1'

* IT WOULD BE HELPFUL TO SEE THE EXISTING STRUCTURE'S ELEVATION ALONG W/ PROPOSED TO CLEARLY UNDERSTAND THE CHANGE TO THE STRUCTURE + THE NEIGHBORHOOD

* ABUTTERS CONCERNS

SAB COMMENTS

( ) Incomplete application ( ) Historical information needed ( ) No Concerns ( ) Recommend View
( ) Does not meet guidelines Visibility: Yes or No
( ) Not appropriate *(As noted below)*

* SEE ATTACHED

(✓) Rob Benchley (✓) Caroline Ellis ( ) Angus Macleod RECUSED ( ) Mary Will Alternate: Clement Durkes (✓)
Signatures *(three members required for quorum)*

COMMENTS APPROVED AT END OF MTG.

'Scosnet Advisory Board (SAB) recommendations for HDC

8/2/21 via Zoom

Present: R. Benchley, Chair; Angus Macleod, Caroline Ellis, Clement Durkes

Absent: Mary Lathrop Will

***

Included by reference are all electronic submissions, prior and current: plans, documents, letters and recorded video of this meeting.

***

New Business:
1) 7 Bunker Hill Road New Dwelling
" " Pool & Hardscape

Held for Representation; request to review again by SAB

Old Business:

1) 8 Bank Street-- Kristina Amendalore REVISIONS

Recused: Angus MacLeod

Public Comment:

Kathy Arvay, 11 Front Street: Too tall for that area; project will "destroy the look of Middle Gully Road."

Lynn Filipski, for the Siasconset Civic Association: Visual impact is quite significant; losing a key component of Codfish Park. Concerned that the proposal presents an engineering problem related to the coastal bank and the access road to Codfish Park.

Katherine Anselmi, former Codfish Park resident: building does not belong in Codfish Park and will impede access.

George Hubbs, 20 Broadway: Suggest that the maximum height be limited to the bank height or less; much bigger than was historically there.

Margaret VanDeusen, 7 Front Street: Lowering the ridgeline one foot isn't responsive to the HDC's prior comments.

Joe Arvay, 11 Front Street: Suggests an environmental study.

(Continued next page)

Angus MacLeod, Architect for applicant:

1) Feels the concern for height and massing is misguided.
2) Compared to current and recent construction, 8 Bank would be one of the smallest buildings in Codfish Park.
3) The existing house is not the original historic building.

SAB Comments:

Ellis: Understands that this is a change; this is a lovely change
Durkes: Charming and in keeping with Codfish Park
Benchley: So unlike a lot of the more modern things that have been allowed to be built down there. If possible to bring it down even more, that would be great.

***

Respectfully submitted on 8/5/21: Rob Benchley, SAB Chair

Sconset Advisory Board *Meeting Memorandum* **HDC/SAB**

Date: 7/19/2021 Address 8 BANK ST

Scope of Work: ADDITION / RENOVATION

Historic information/known history ( ) Non-Contributing (✓) Contributing ( ) Individually significant

c. 1923 - 1926 (PER MAP)
HDC SURVEY = c. 1930

STAFF COMMENTS Name: HOLLY BACKUS, PP

( ) Incomplete application ( ) Historical information needed ( ) No Concerns (✓) Recommend View
( ) Does not meet guidelines Visibility: Yes or No
( ) Not appropriate *(As noted below)*

* ABUTTERS W/ CONCERNS
- VIEW W/ REVISED PLANS WOULD BE HELPFUL

SAB COMMENTS

( ) Incomplete application ( ) Historical information needed ( ) No Concerns ( ) Recommend View
( ) Does not meet guidelines Visibility: Yes or No
( ) Not appropriate *(As noted below)*

* SEE ATTACHED *
RB - 21' CONSISTENT W/ CODFISH PARK - APP. THE LOWER WEST ELEVATION
CE - IN KEEPING W/ CODFISH PARK
CD - APP. KEEPING IT LOWER - BUILDING CODE REQ.

(✓) Rob Benchley (✓) Caroline Ellis ( ) Angus MacLeod (✓) Mary Will Alternate: Clement Durkes (✓)
Signatures *(three members required for quorum)* REVISED ✓

COMMENTS APPROVED AT END OF MTG.

'Scosnet Advisory Board (SAB) recommendations for HDC

7/19/21 via Zoom

Present: R. Benchley, Chair; Angus Macleod, Caroline Ellis, Clement Durkes, Mary Lathrop Will

***

Included by reference are all electronic submissions, prior and current: plans, documents, letters and recorded video of this meeting.

***

1) 6A Morey Lane—Earret LLC

Concerns: Revised plans submitted are not substantive to prior concerns of both the SAB and the HDC, with regard to size, height, massing, lot use and neighborhood compatibility. Applicant's representative was not present at hearing.

Recommendations: Submit a comprehensive plan, reflecting the above un-addressed items, including the prior proposal to move or demo the historic on-site barn.
SAB requests a review of these revisions.

2) 8 Bank Street – Kristina Amendalore REVISIONS

Recused: Angus MacLeod

Public Comment:
Neighbors along Front Street concerned that the ridge-line is too tall and could impact a so-called "viewshed" of Codfish Park over Middle Gully Road; many concerns voiced regarding any potential damage done to the bank and the road during and after construction.

SAB Comments:

1) Revised plans show a 30% reduction along the roofline per earlier concerns.
2) Design is "very much in keeping" with Codfish Park
3) Design stands out for what it doesn't have: roof walk, 2nd floor deck, French doors, etc.
4) Ridge is waist-high from Front Street view, and does not "tower" as stated during public comment.
5) Bank and road stability concerns are not in the purview of the SAB

Recommendations: None

***

Respectfully submitted: Rob Benchley, SAB Chair

HDC Application Review Worksheet

1. Staff Initials: HOLLY BACKUS, PP
2. Meeting date: JUNE 2021 "TOWERS END"
3. Property address: 8 BANK ST - C.1923-1926
4. Scope of work: ADDITION - CONTRIBUTING -
   * RECONSTRUCTION *
5. If the site is located within the OHD or SOHD, please circle which one.
6. Is the structure, building, hardscaping, or other exterior architectural feature **open to view** from a beach, a public way, a traveled way, a street or way shown on a land court plan or shown on a plan approved and endorsed in accordance with the Subdivision Control Law, a public park or a public body of water? If yes, specify which portions.
   a. North elevation: _____
   b. South elevation: _____
   c. East elevation: _____
   d. West elevation: _____
7. What is the distance between the proposed structure, building, hardscaping, or other exterior architectural feature and the location from which it is **open to view**? _____ feet
8. Other: _____
9. Comments on proposal: APPRECIATE THE REDUCTION OF MASSING OFF THE FRONT + EAST WEST ELEVATIONS.
   * THE PLANS SHOULD REFLECT THE EXISTING HISTORIC VERNACULAR STRUCTURE - IN RELATION TO THE PROPOSED "ADDITION".
   * THE BARN DOORS WHEN OPENED, ARE OF CONCERN.
   * APPRECIATE THE REMOVAL OF THE SKYLIGHT, BUT WHERE IS THE CHIMNEY?

Sconset Advisory Board *Meeting Memorandum* **HDC/SAB**

Date: 6/7/2021 Address 8 BANK ST

Scope of Work: ADDITION - VIEW - ADDITION

Historic information/known history ( ) Non-Contributing (✓) Contributing ( ) Individually significant

HDC SURVEY = 1930 "TOURS END"

* MORE HISTORY OF CONSTRUCTION OF HOUSE NEEDED.

STAFF COMMENTS Name: HOLLY BACKUS, PP

( ) Incomplete application ( ) Historical information needed ( ) No Concerns ( ) Recommend View

( ) Does not meet guidelines Visibility: Yes or No

( ) Not appropriate *(As noted below)*

* MANY ABUTTERS CONCERNS RECEIVED

→ ON THE BANK OF COD FISH PARK - AND WHILE THE "ADDITION" IS VERNACULAR + VITUTARIAN IN NATURE, THE PROPOSAL IS MORE OF A NEW STRUCTURE, INSTEAD OF AN ADDITION. THE SMALL DWELLING IS PROPOSED FOR RECONSTRUCTION - AS THE REPLACED ELEMENTS OUTWEIGHS THE ORIGINAL. REF. PG. 18 OF BWNIM

SAB COMMENTS

( ) Incomplete application ( ) Historical information needed ( ) No Concerns ( ) Recommend View

( ) Does not meet guidelines Visibility: Yes or No

( ) Not appropriate *(As noted below)*

* NO ADDITIONAL COMMENTS PROVIDED

~~( ) Rob Benchley~~ (✓ Caroline Ellis ~~( ) Angus Macleod~~ (✓ Mary Will Alternate: Clement Durkes ✓

Signatures *(three members required for quorum)*

COMMENTS APPROVED AT END OF MTG.

Sconset Advisory Board *Meeting Memorandum* **HDC/SAB**

Date: 4/26/2021 Address 8 BANK ST

Scope of Work: ADDITION

Historic information/known history ( ) Non-Contributing (✓) Contributing ( ) Individually significant

HDC SURVEY = 1930 "TOURS END"
MHL DATA = 1930 "COTTAGE"

STAFF COMMENTS Name: HOLLY BAUKUS, PP

( ) Incomplete application ( ) Historical information needed ( ) No Concerns ( ) Recommend View
( ) Does not meet guidelines Visibility: Yes or No
( ) Not appropriate *(As noted below)*

* BASEMENT PROPOSED

* TOTAL HEIGHT INCREASE = 9'

SAB COMMENTS

( ) Incomplete application ( ) Historical information needed ( ) No Concerns ( ) Recommend View
( ) Does not meet guidelines Visibility: Yes or No
( ) Not appropriate *(As noted below)*

* SEE ATTACHED *

MW - FAÇADE FACING BANK - CHANGING DRAMATICALLY
* - LOSS OF CHIMNEY - VERY ATTRACTIVE - RADICAL TOO
* CD - IMPROVEMENT - DO QUESTION BARN DOORS KEEPING OPEN
RB -

(✓) Rob Benchley ( ) Caroline Ellis ( ) ~~Angus Macleod~~ REUSE (✓) Mary Will Alternate: Clement Durkes (✓)
Signatures *(three members required for quorum)*

COMMENTS APPROVED AT END OF MTG.

10+12 Cannonbury Lane – Pool and Hardscape No Concerns

---

28 Main Street – Window Revisions No Concerns



8 Bank Street, Codfish Park -- Addition (A. MacLeod recused)

Concerns: None

---

7 Elbow Lane (lot extends down into Codfish Park) Move-on from N.Gully

Comments: No concerns; Congratulations on delivering this solution.

Respectfully submitted,

Rob Benchley, SAB Chair

######



Holly Backus

From: Mary Bergman <mbergman@nantucketpreservation.org>
Sent: Friday, June 11, 2021 9:35 AM
To: Holly Backus
Subject: 8 Bank construction date?

Hi Holly

Here is 1923, I don't see the house here https://nha.org/pdfs/sanbornmaps/1923/NantucketOct1923Sheet24.pdf
And 1949 https://nha.org/pdfs/sanbornmaps/1923&1949/NantucketOct1923Oct1949Sheet24.pdf

Look towards the far right edge of the page, about the middle where it says "210." You will see a building appear in 1949 that is not on the map in 1923, marked with an 'S' for store. I think that is 8 bank.

Here is the building in 1926, without the chimney:
https://nantuckethistory.org/webcat/request/Action?SystemName=Nantucket+Historical+Association&UserName=public&Password=&CMD_(DetailRequest)[0]=&TemplateProcessID=6000_3635&ProcessID=6000_3363(0)&KeyValues=KEY_i1_1085

That would make me think it was built between 1923 to 1926, but not yet confirmed by the registry of deeds.

Thanks,
Mary

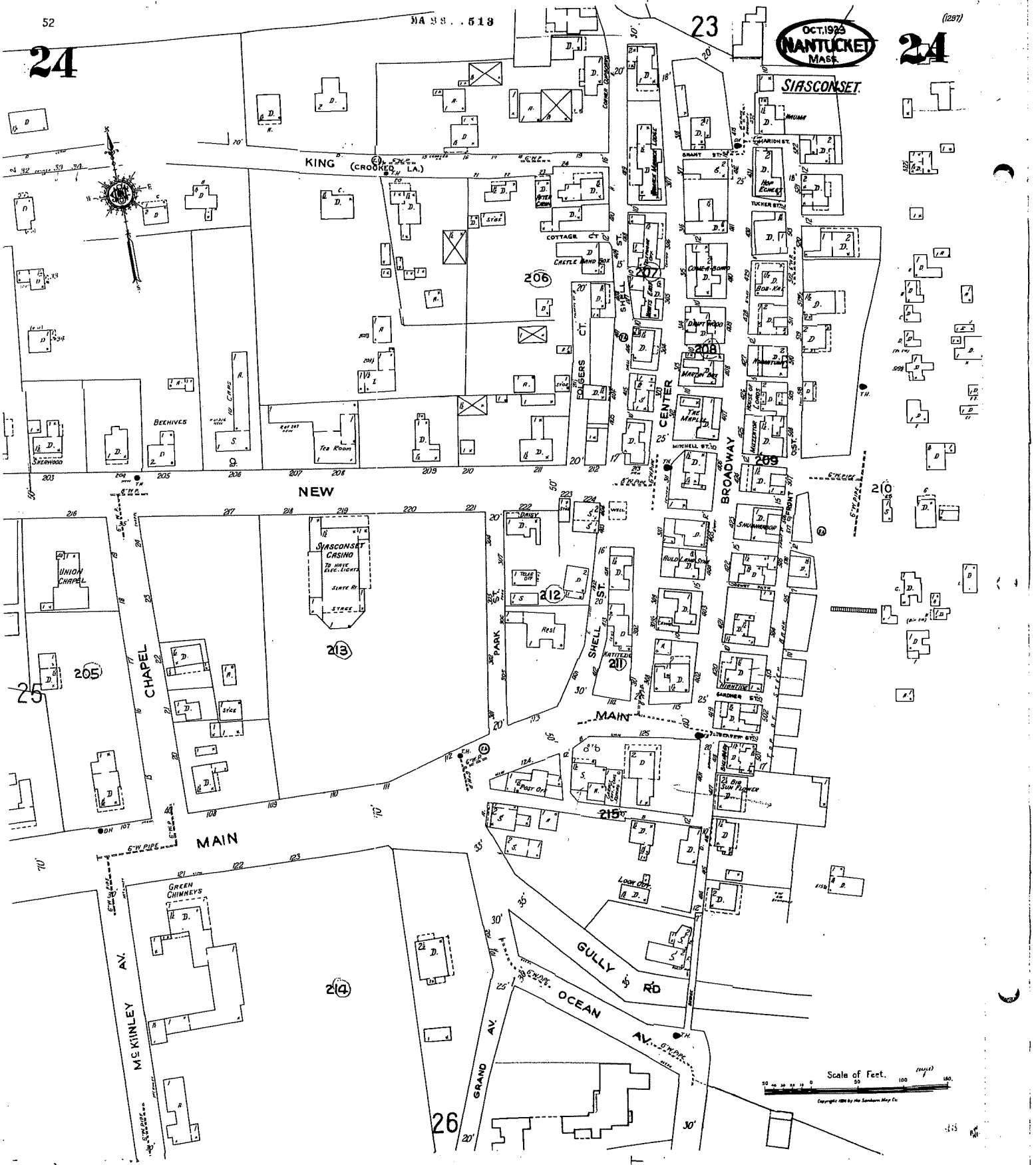
Mary Bergman
Executive Director

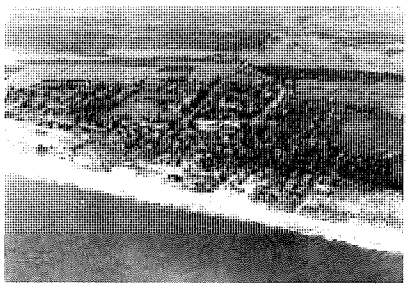
NANTUCKET PRESERVATION TRUST
11 Centre Street
PO Box 158
Nantucket, MA 02554
508.228.1387
mbergman@nantucketpreservation.org
Become a MEMBER and support our work!



This email was scanned by Bitdefender


24
23
OCT. 1923
NANTUCKET
MASS.
24
(1297)
SIASCONSET
CLAM
CLAM
COTTAGE CT
CASTLE HAND BOX
206
207
208
209
210
211
212
213
CENTER
FOLGERS CT
SHELL ST
BROADWAY
MITCHELL ST
NEW
MAIN
MAIN
CHAPEL
PARK ST
1ST ST
FRONT ST
SIASCONSET CASINO
UNION CHAPEL
205
214
215
BEEHIVES
Tea Room
Off.
SHERWOOD
SOLID COMFORT
POST OFF.
LOOK OUT
GULLY RD
OCEAN AV.
GRAND AV.
McKINLEY AV.
GRANT ST
MARION ST
TUCKER ST
GARDNER ST
BEAVER ST
25
26
Scale of Feet.


MASS. 513
23
24
OCT. 1923
NANTUCKET
MASS.
(1297)
SIASCONSET
KING (CROOKED) ST.
COTTAGE CT.
CASTLE RANG
CHESTER
FOLGERS CT.
CENTER
BROADWAY
MITCHELL ST.
NEW
BEEHIVES
SHERWOOD
Tea Room
SIASCONSET CASINO
To have Elec. Lights
SLATE RF
STAGE
UNION CHAPEL
CHAPEL
PARK
SHELL ST.
MAIN
GARDNER ST.
Rest
POST OFF.
GREEN CHIMNEYS
McKINLEY AV.
GRAND AV.
OCEAN AV.
GULLY RD
205
206
207
208
209
210
211
212
213
214
215
25
26
Scale of Feet.



PH166 - Photographic Negative Collection

Aerial view of Siasconset, including Codfish Park, Ocean Ave...

F4097

1926 , 1920s

Repository

Nantucket Historical Association

Preferred citation

Courtesy of the Nantucket Historical Association

Scope and content

Aerial view of Siasconset, including Codfish Park, Ocean Avenue, and New Street.

Hierarchy

[Collection] PH166 - Photographic Negative Collection

↳ [Item F4097] [notitle], 1926 , 1920s

Subject - name

- Milestone Road (browse 78 records)

Subject - topical

- Aerial views (browse 179 records)
- Siasconset (browse 2768 records)
- Siasconset Beach (browse 136 records)
- Codfish Park (browse 149 records)

Share:



'Scosnet Advisory Board (SAB) recommendations for HDC

7/19/21 via Zoom

Present: R. Benchley, Chair; Angus Macleod, Caroline Ellis, Clement Durkes, Mary Lathrop Will

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SAB requests a review of these revisions.

2) 8 Bank Street-- Kristina Amendalore REVISIONS

Recused: Angus MacLeod

Public Comment:
Neighbors along Front Street concerned that the ridge-line is too tall and could impact a so-called "viewshed" of Codfish Park over Middle Gully Road; many concerns voiced regarding any potential damage done to the bank and the road during and after construction.

SAB Comments:

1) Revised plans show a 30% reduction along the roofline per earlier concerns.
2) Design is "very much in keeping" with Codfish Park
3) Design stands out for what it doesn't have: roof walk, 2nd floor deck, French doors, etc.
4) Ridge is waist-high from Front Street view, and does not "tower" as stated during public comment.
5) Bank and road stability concerns are not in the purview of the SAB

Recommendations: None

***

Respectfully submitted: Rob Benchley, SAB Chair

'Scosnet Advisory Board (SAB) recommendations for HDC

8/2/21 via Zoom

Present: R. Benchley, Chair; Angus Macleod, Caroline Ellis, Clement Durkes

Absent: Mary Lathrop Will

***

Included by reference are all electronic submissions, prior and current: plans, documents, letters and recorded video of this meeting.

***

New Business:

1) 7 Bunker Hill Road New Dwelling
" " Pool & Hardscape

Held for Representation; request to review again by SAB

Old Business:

1) 8 Bank Street-- Kristina Amendalore REVISIONS

Recused: Angus MacLeod

Public Comment:

Kathy Arvay, 11 Front Street: Too tall for that area; project will "destroy the look of Middle Gully Road."

Lynn Filipski, for the Siasconset Civic Association: Visual impact is quite significant; losing a key component of Codfish Park. Concerned that the proposal presents an engineering problem related to the coastal bank and the access road to Codfish Park.

Katherine Anselmi, former Codfish Park resident: building does not belong in Codfish Park and will impede access.

George Hubbs, 20 Broadway: Suggest that the maximum height be limited to the bank height or less; much bigger than was historically there.

Margaret VanDeusen, 7 Front Street: Lowering the ridgeline one foot isn't responsive to the HDC's prior comments.

Joe Arvay, 11 Front Street: Suggests an environmental study.

(Continued next page)

Angus MacLeod, Architect for applicant:

1) Feels the concern for height and massing is misguided.
2) Compared to current and recent construction, 8 Bank would be one of the smallest buildings in Codfish Park.
3) The existing house is not the original historic building.

SAB Comments:

Ellis: Understands that this is a change; this is a lovely change
Durkes: Charming and in keeping with Codfish Park
Benchley: So unlike a lot of the more modern things that have been allowed to be built down there. If possible to bring it down even more, that would be great.

***

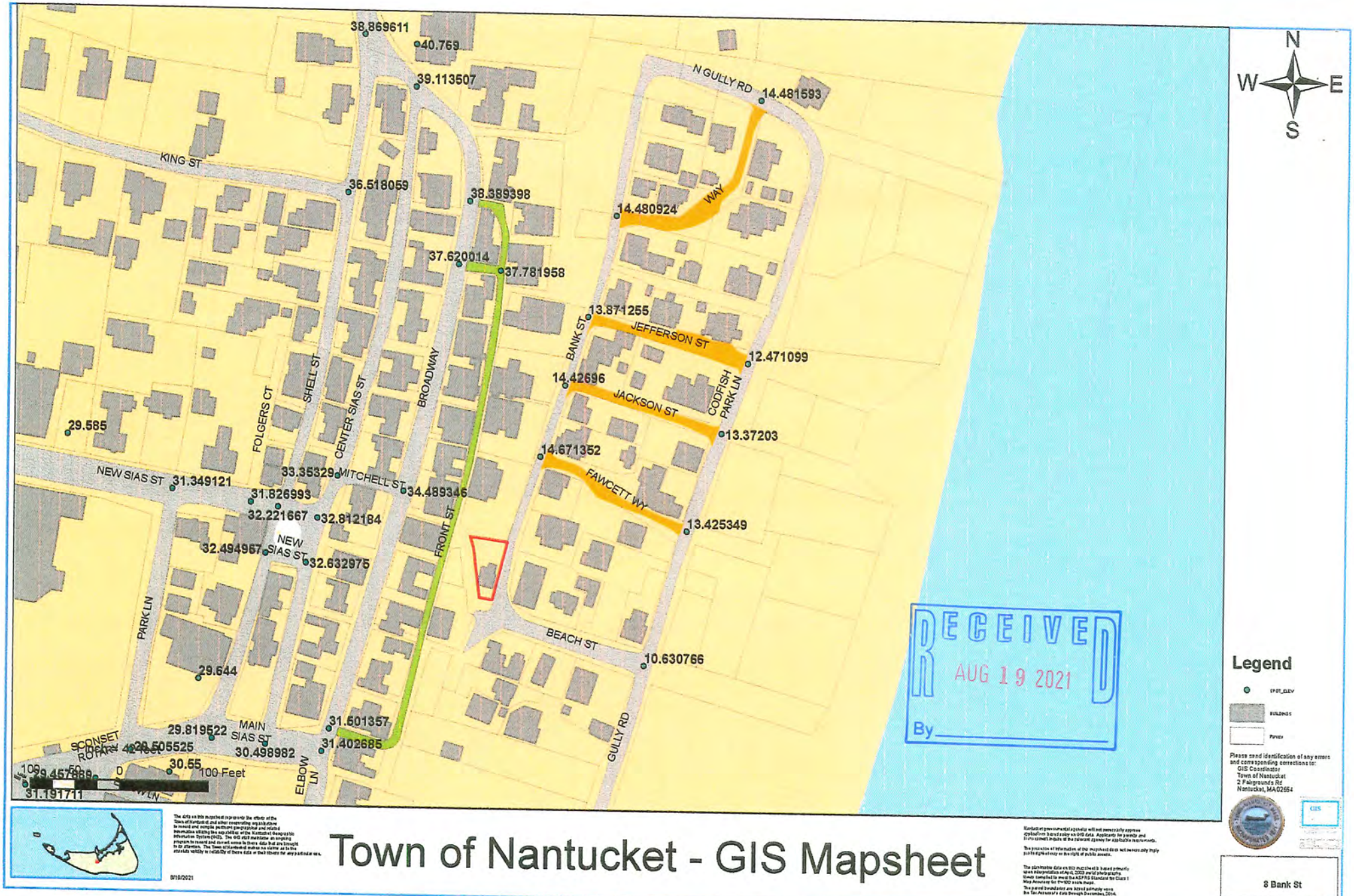
Respectfully submitted on 8/5/21: Rob Benchley, SAB Chair

From: Angus Macleod angusonack@gmail.com
Subject: 8 Bank Street ~ Codfish Park House Alterations
Date: Aug 17, 2021 at 4:25:28 PM
To: Angus angusonack@gmail.com

16 Codfish Park Houses that have been altered with HDC approval

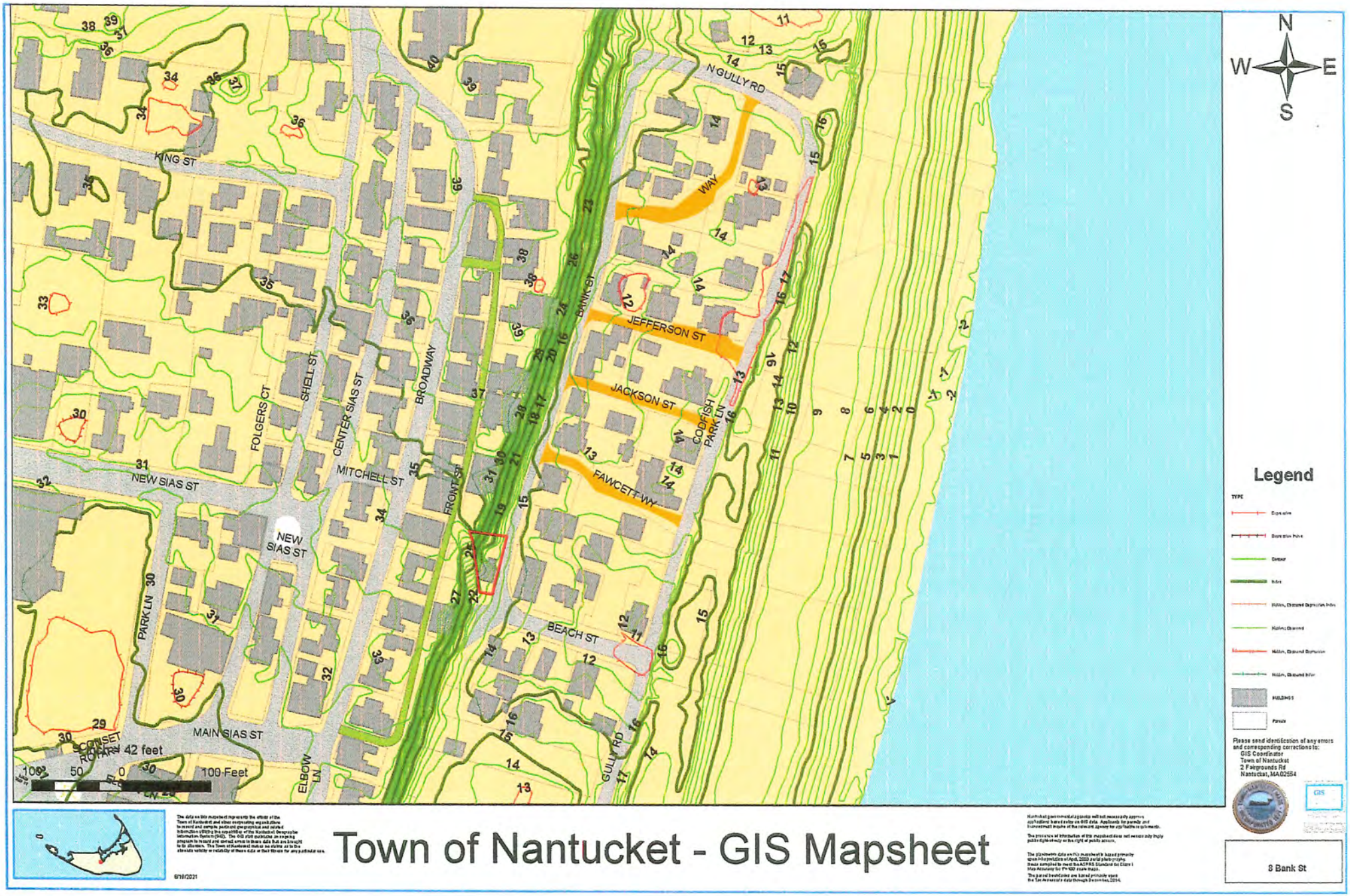
Copies of Documentation have been filed with PLUS for HDC meeting

9 Beach Street ~	2 story building, addition ~	22'+ High
10 Beach Street ~	Demo 1 story, build 2 story ~	22' High
15 Beach Street ~	Demo 1 story, build 2 story ~	23.5' High
7 Bank Street ~	Reconfigure, build 2 story ~	23.5' High
11 Bank Street ~	2 story building, add balcony ~	21.5' High
19 Bank Street ~	Reconfigure, build 2 story ~	19' High
23 Bank Street ~	Move/Reconfigure, 2 story ~	18' High
23R Bank Street ~	Build New 2 story ~	22' High
25 Bank Street ~	2 story building, add balcony ~	19.5' High
12 Codfish Park Road ~	Demo 1 story, build 2 story ~	25' High
16 Codfish Park Road ~	Demo 1 story, build 2 story ~	24.5' High
34 Codfish Park Road ~	Demo 1 story, build 2 story ~	23.3' High
36 Codfish Park Road ~	1 story, 2 story addition ~	23.5' High
7 Fawcett Road ~	1 story, 2 story addition ~	22.5' High
3 North Gully Road ~	2 story building, addition ~	20.6' High
8 North Gully Road ~	Demo 1 story, build 2 story ~	19.6' High



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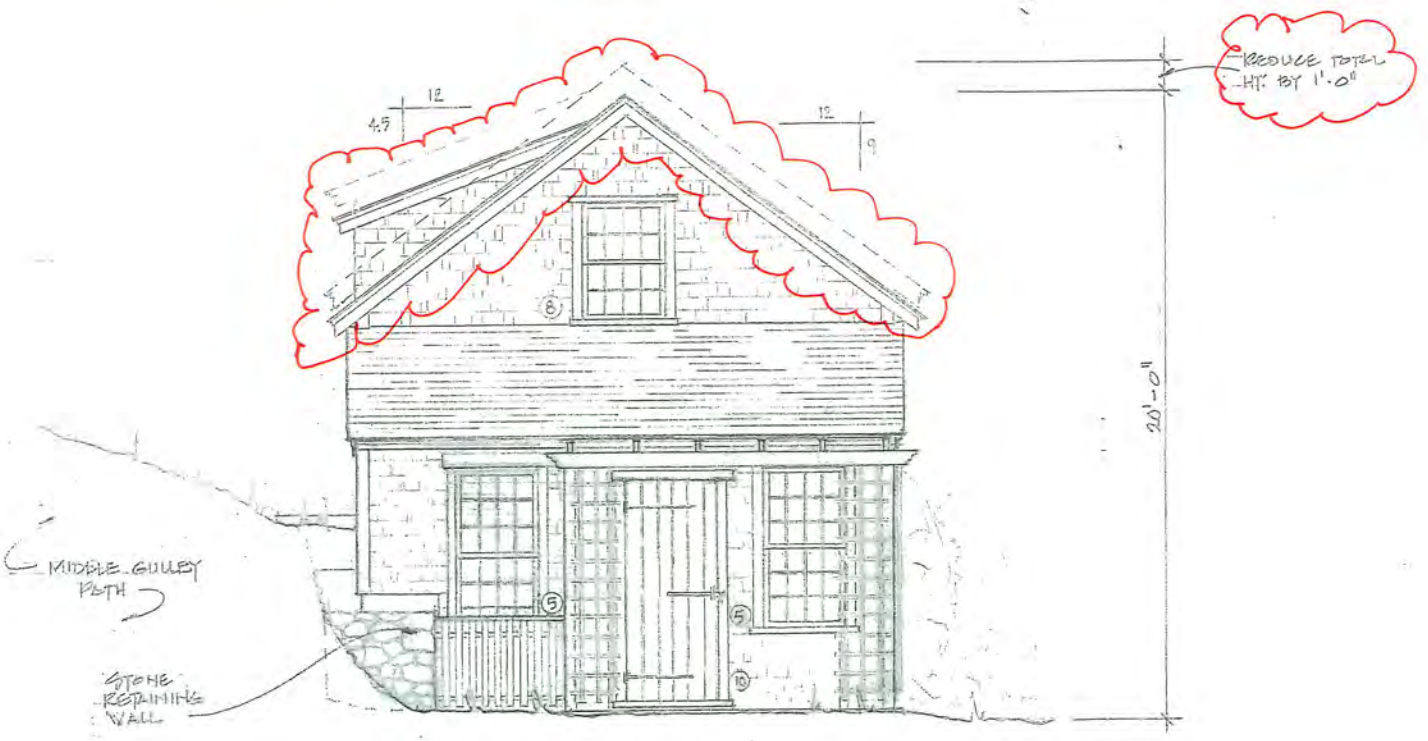
Town of Nantucket - GIS Mapsheet



Town of Nantucket - GIS Mapsheet


1 inch = 33 feet
40 20 0 40 Feet

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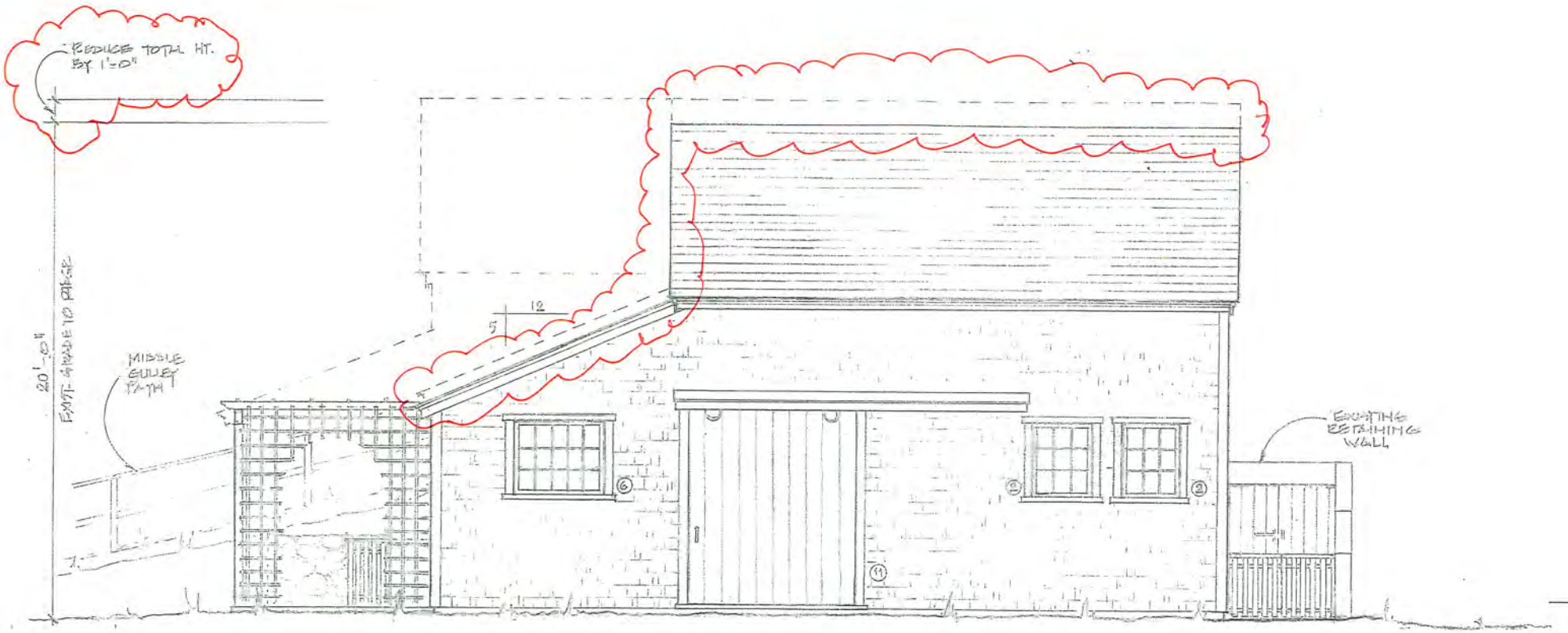


SOUTH ELEVATION
SCALE: 1/4" = 1'-0"

AMENDOLARE RESIDENCE
8 BANK STREET
EGONSET, MA.

ANGUS MACLEOD DESIGNS
P.O. BOX 7055
EGONSET, MA.
(508) 257-6789

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EAST ELEVATION
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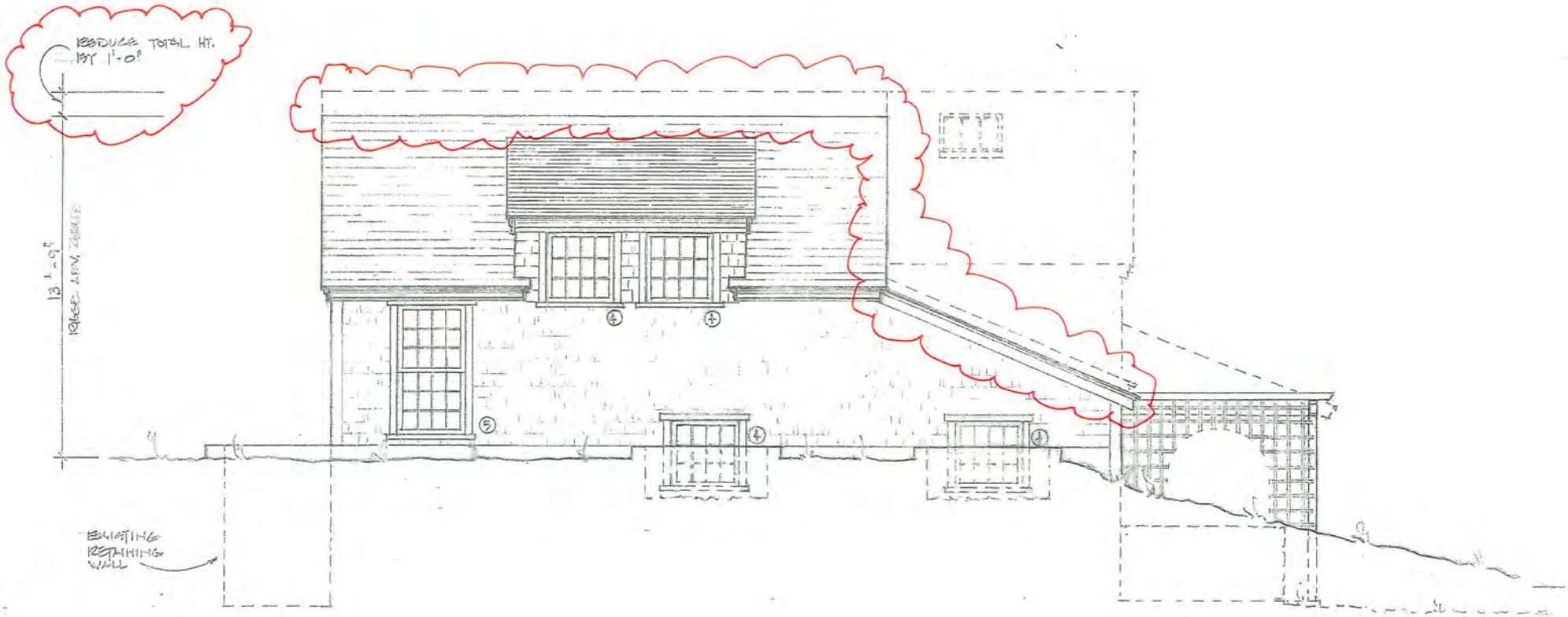


NORTH ELEVATION
SCALE: 1/4" = 1'-0"

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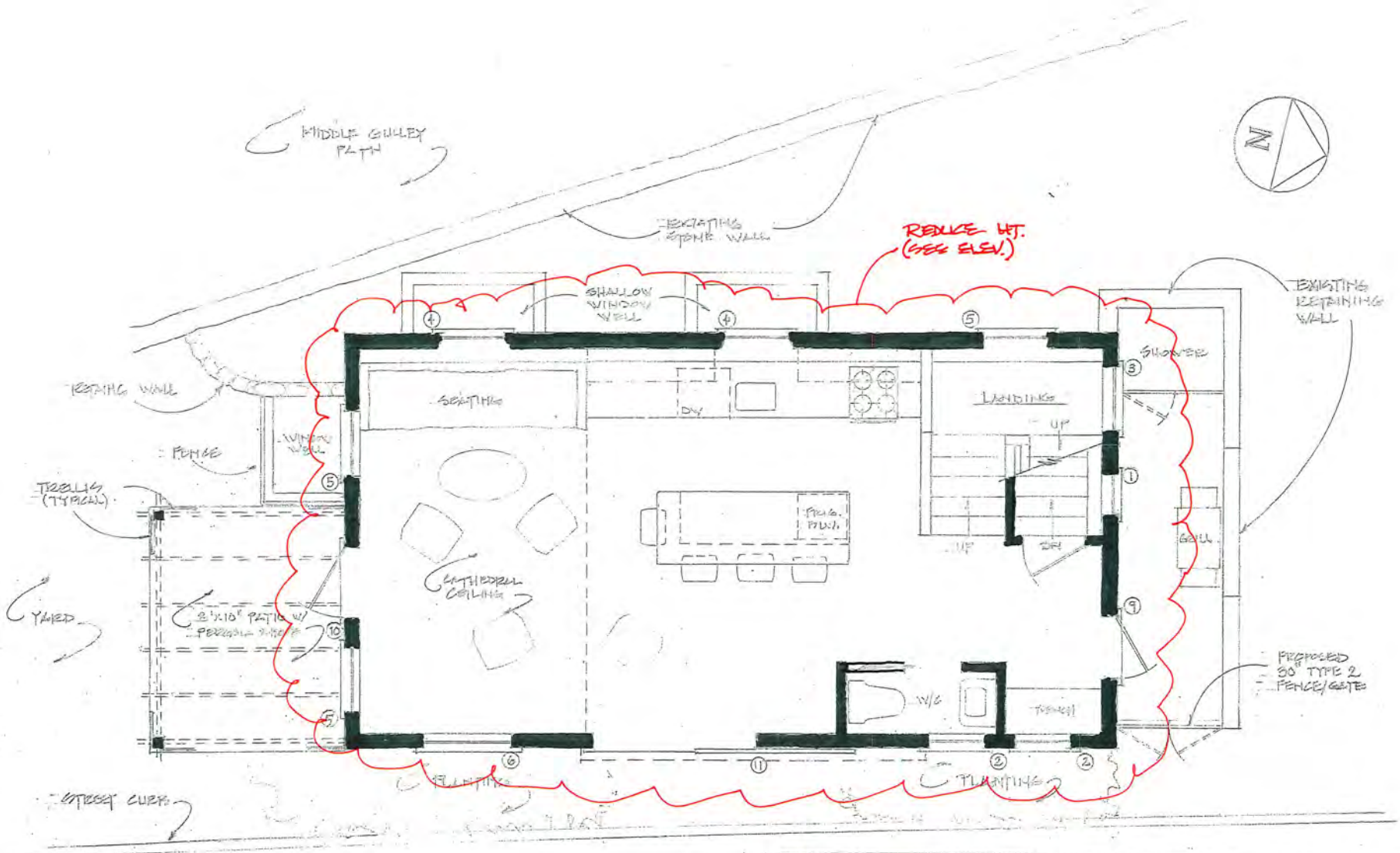
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WEST ELEVATION
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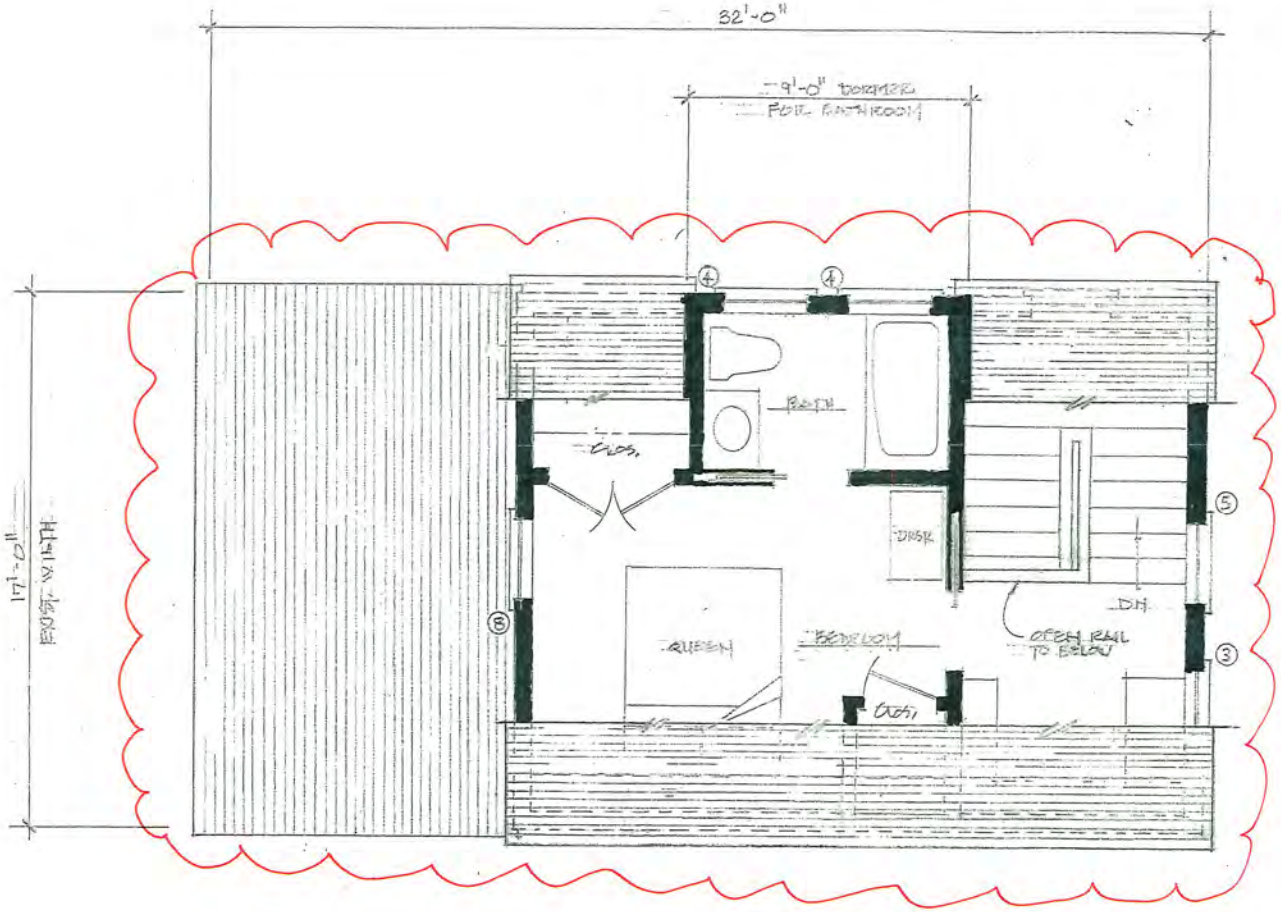
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(508) 257-6789



FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

AMENDOLARE RESIDENCE
8 BANK STREET
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SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"

AMENDOLARE RESIDENCE
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Historic District Commission

OLD BUSINESS CHECKLIST Rev Jan.2021

Planning and Land Use Services

2 Fairgrounds Road, Nantucket, Ma 02554
508-325-7587

This checklist MUST be included with your Old Business Submission.

*Refer to the Zoom Meeting HDC Submission Policies and Procedures effective September 15, 2020:
https://www.nantucket-ma.gov/DocumentCenter/View/37689/Zoom-Meeting-HDC-Submission-Policies-and-Procedure-effective-September-15-2020-PDF

If your application was HOLD FOR REVISIONS:

2/22/21	Date submitted to 2 Fairgrounds Road:
05-3625	HDC Case Number (ie HDC2020-05-0265):
✓	Copy of Minutes (application item circled)
✓	Reduced (8 ½ x 11) copy of application
✓	Locus Map: 4 copies: https://www.nantucket-ma.gov/151/GIS-Maps
N/A	One copy of additional information requested by Commission- if applicable (i.e. pictures, FEMA flood Certificate, etc.)
✓	Four (4) Large sets of scaled plans (3/16" or ¼" scale) (circle all that apply) a. Site Plan b. North Elevation c. South Elevation d. East Elevation e. West Elevation f. Window/Door Schedule
✓	One set reduced plans: 8 ½ x11
✓	Electronic Submission: Each of the foregoing documents (including this checklist) MUST BE scanned to a single PDF file and emailed to hdcsubmissions@nantucket-ma.gov.
✓	Submit documents to PLUS at 2 Fairgrounds Road
✓	Signed Affidavit: see below


Height
poles
Bank Street


Height poles
View from Bank and Beach


Height
pole
Text


Height pole
View from Front Street
side yard of #11 Front

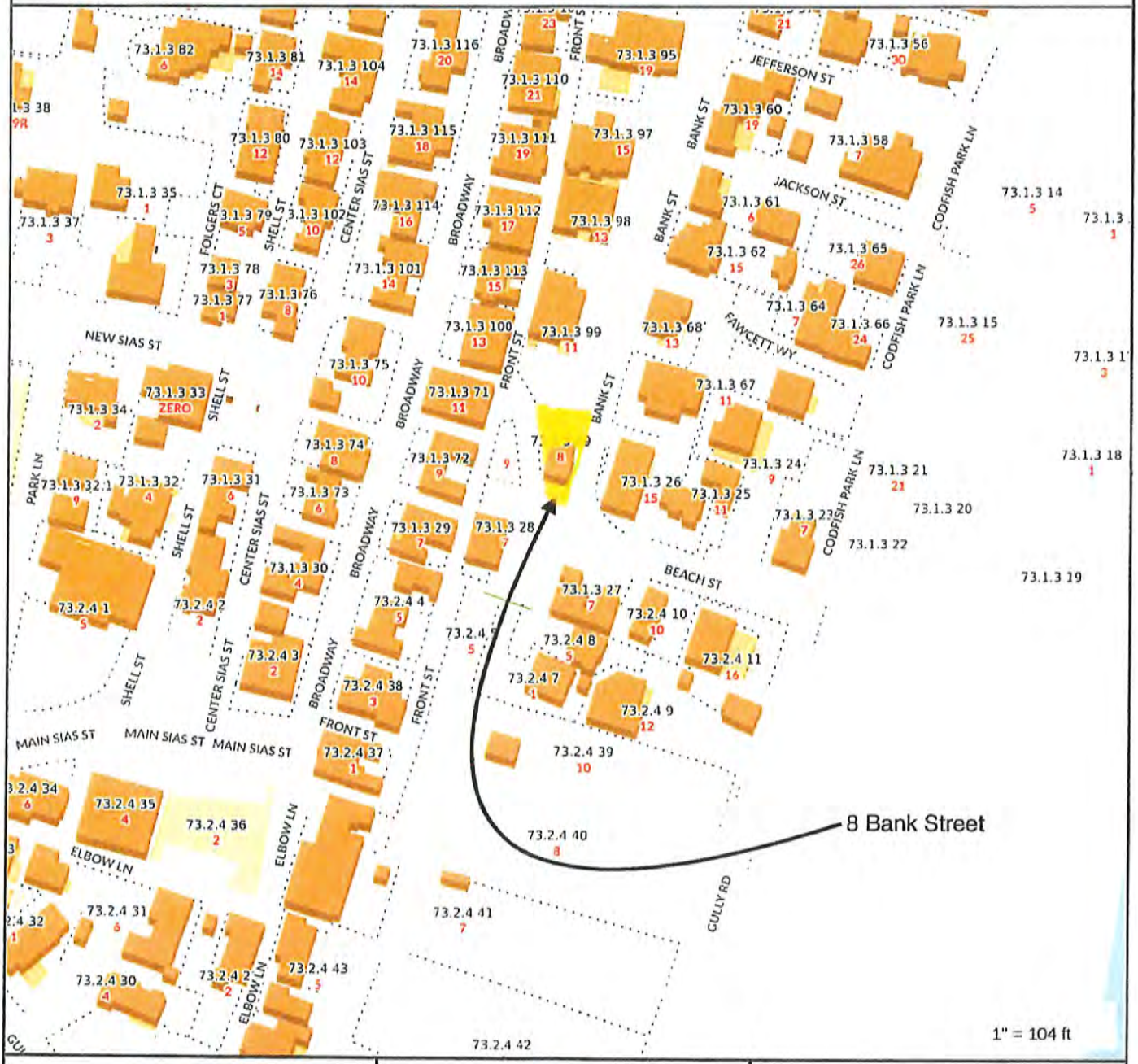



ATTENTION
CHIEN GENTIL
MAITRE FEROCE


Height
pole
Front Street



Amendolare: Locus Plan



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

Planning and Land Use Services (PLUS)
HISTORIC DISTRICT COMMISSION

Established 1955

2 Fairgrounds Road
Nantucket, Massachusetts 02554

Telephone: 508.325.7587

COMMISSIONERS

Ray Pohl
Chair

Diane Coombs
Vice Chair

Abigail Camp

Val Oliver

John McLaughlin

ASSOCIATE COMMISSIONERS

Stephen Welch

Jesse Dutra

Carrie Thornewill

STAFF

Cathy Flynn
Land Use Specialist
cflynn@nantucket-ma.gov

EXTENSION AGREEMENT

Date Signed: August 21,2021

Map: 73.1.3 **Parcel** 69

Address of Property: 8 Bank Street

Applicant(s)/Owner(s)/Representative(s) Name:

Kristi and Nick Amendalore

Scope of Work: addition

A voluntary extension of the Nantucket Historic District Commission's ("HDC") action deadline on the above noted Application has been granted to the HDC by the above named Applicant(s)/Owner(s)/ Representative(s) up to and including the following date:

December 31, 2021

Month/day/year of extension termination

Angus MacLeod

Signature of Applicant/Owner/Representative

Angus MacLeod

Please print name of signatory

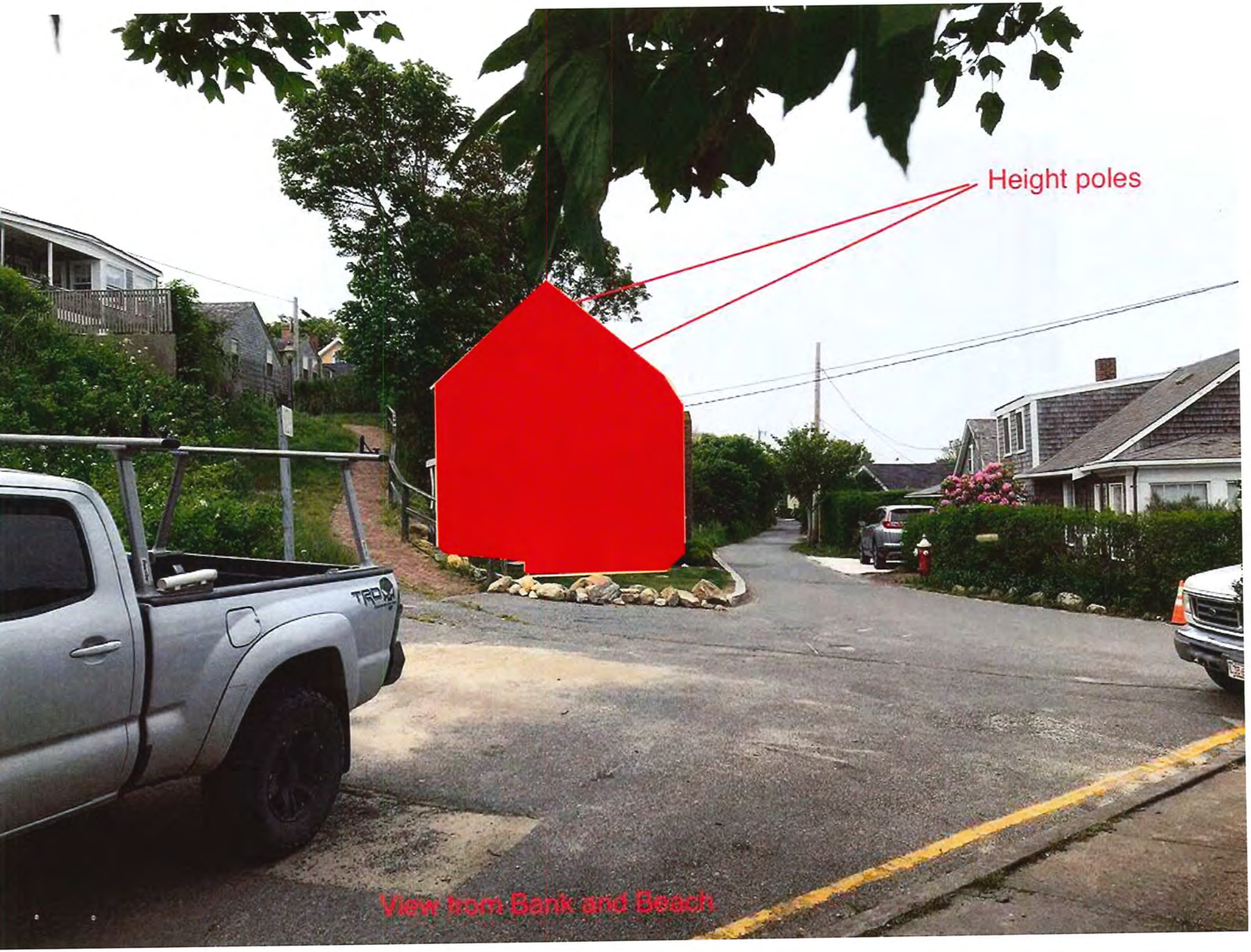


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Height pole
Front Street


Height
pole


ATTENTION
CHIEN GENTIL
MAITRE FEROCE


Height poles
View from Bank and Beach


Height
poles
Bank Street

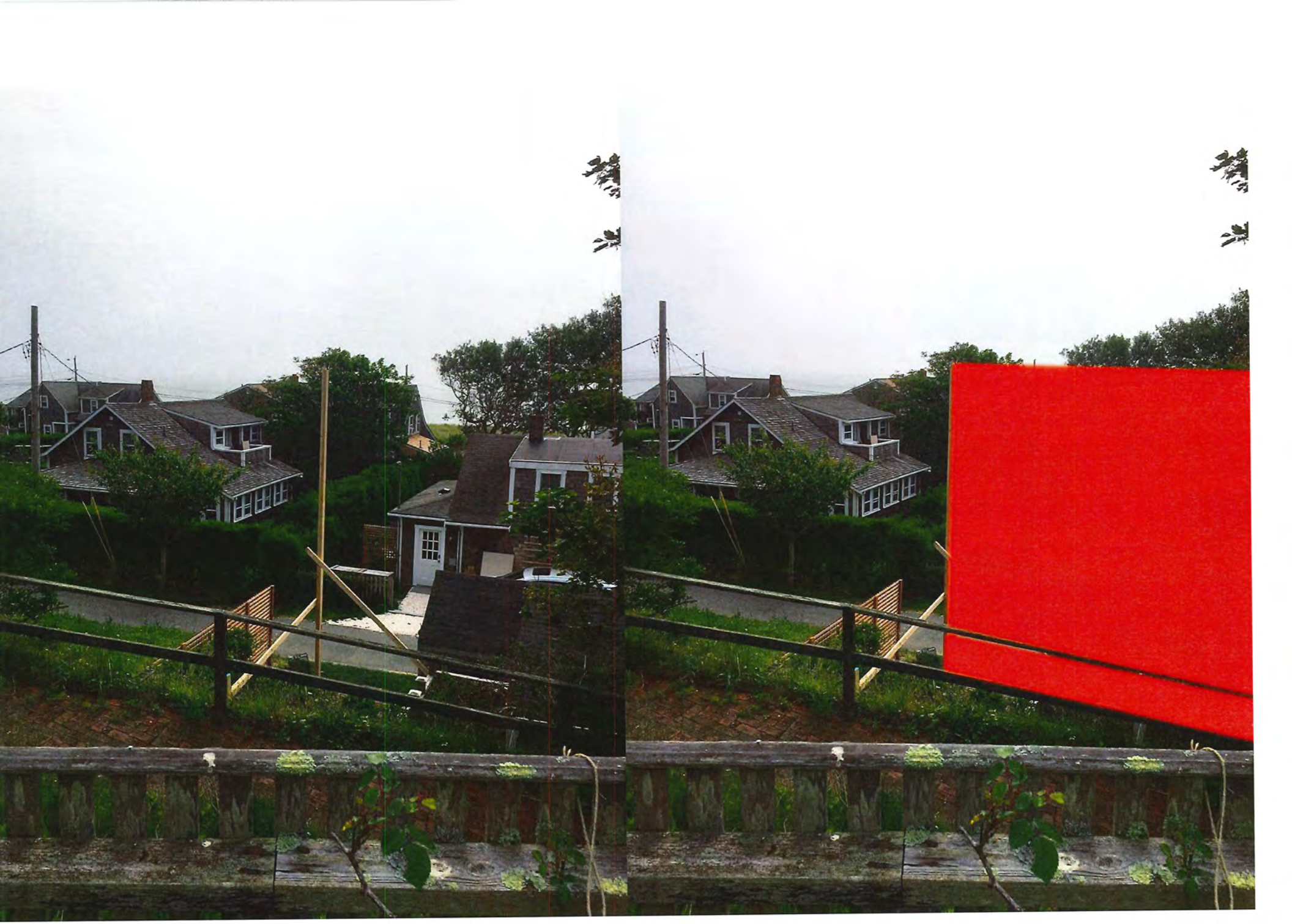


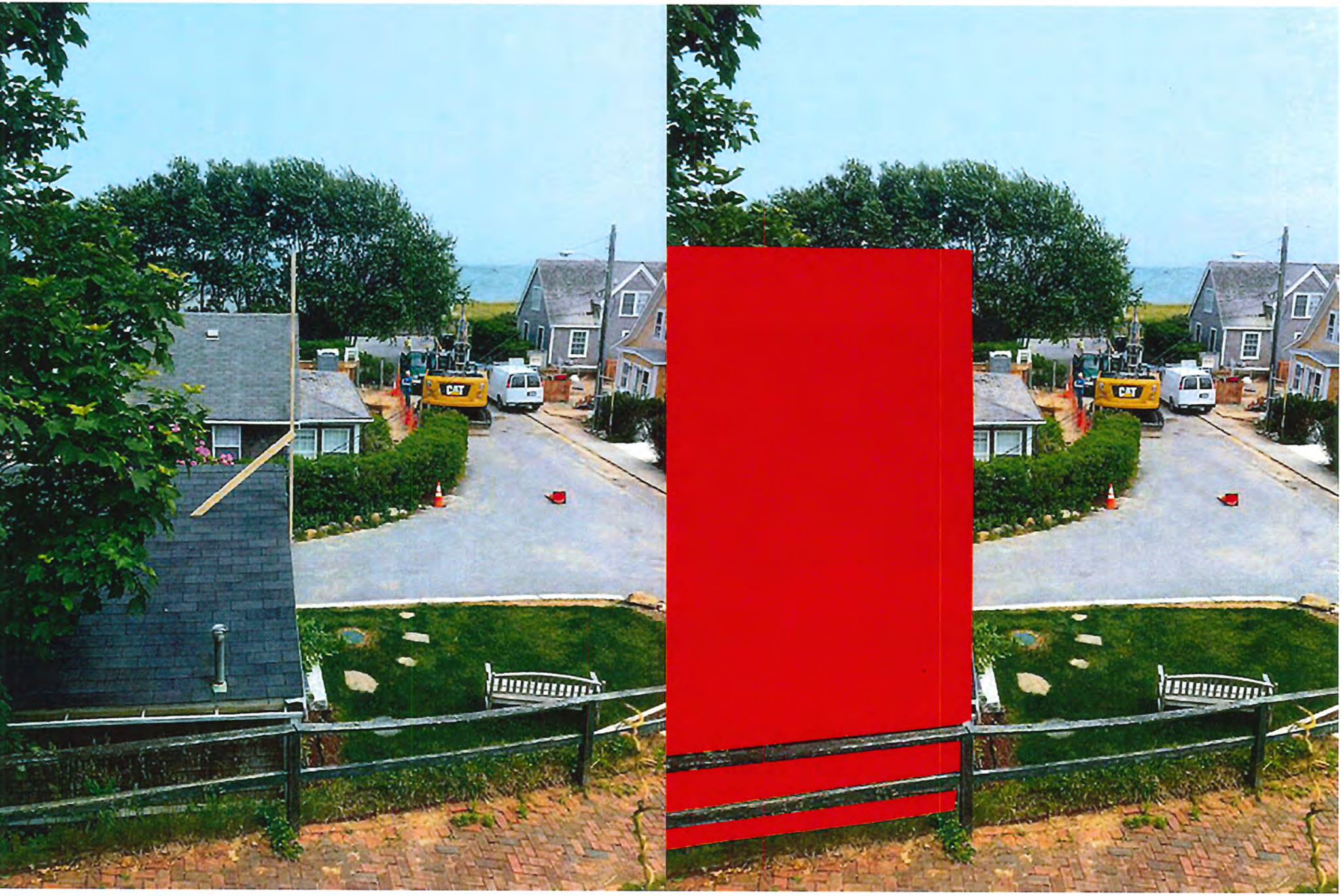











CAT
CAT



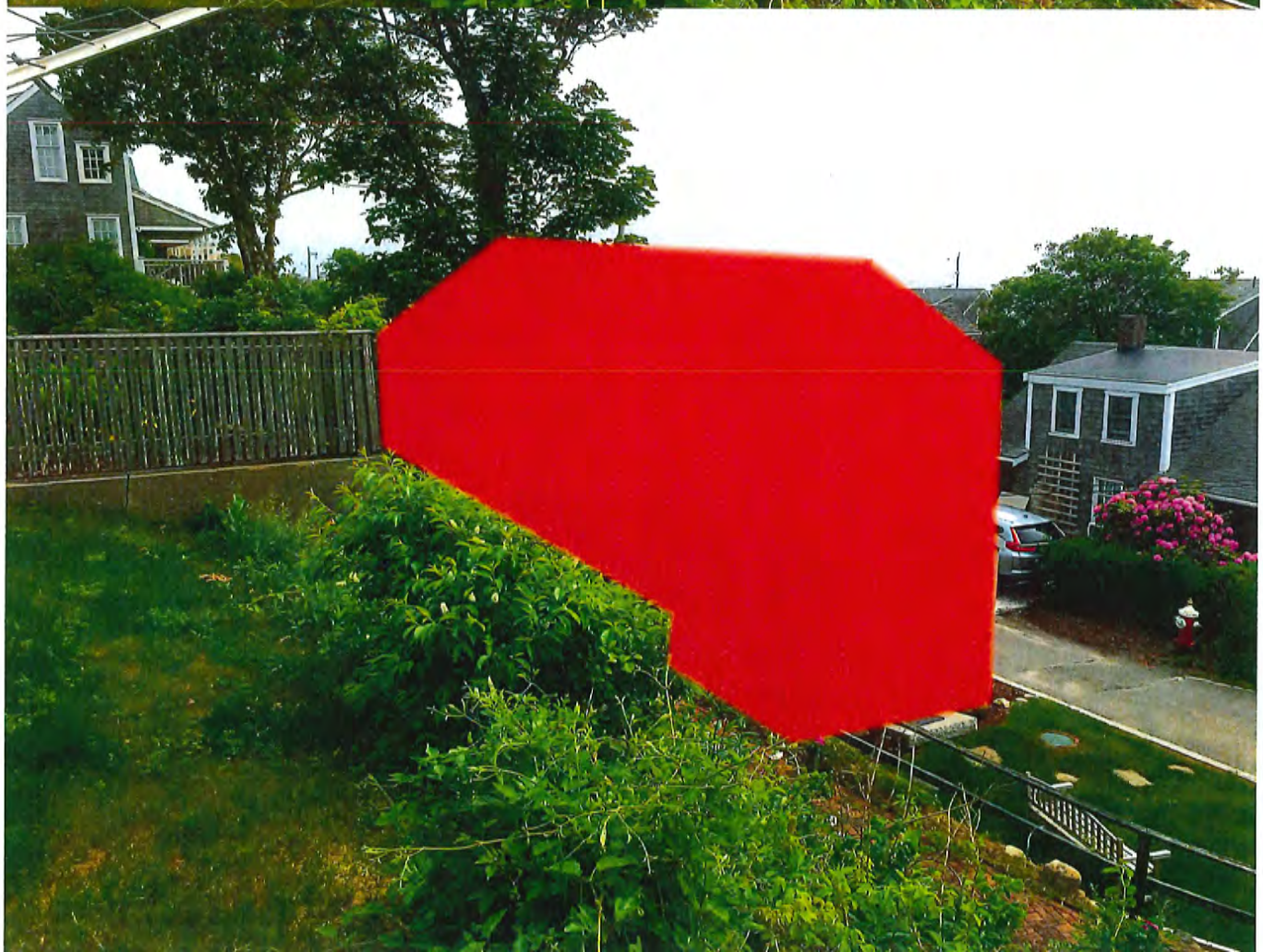








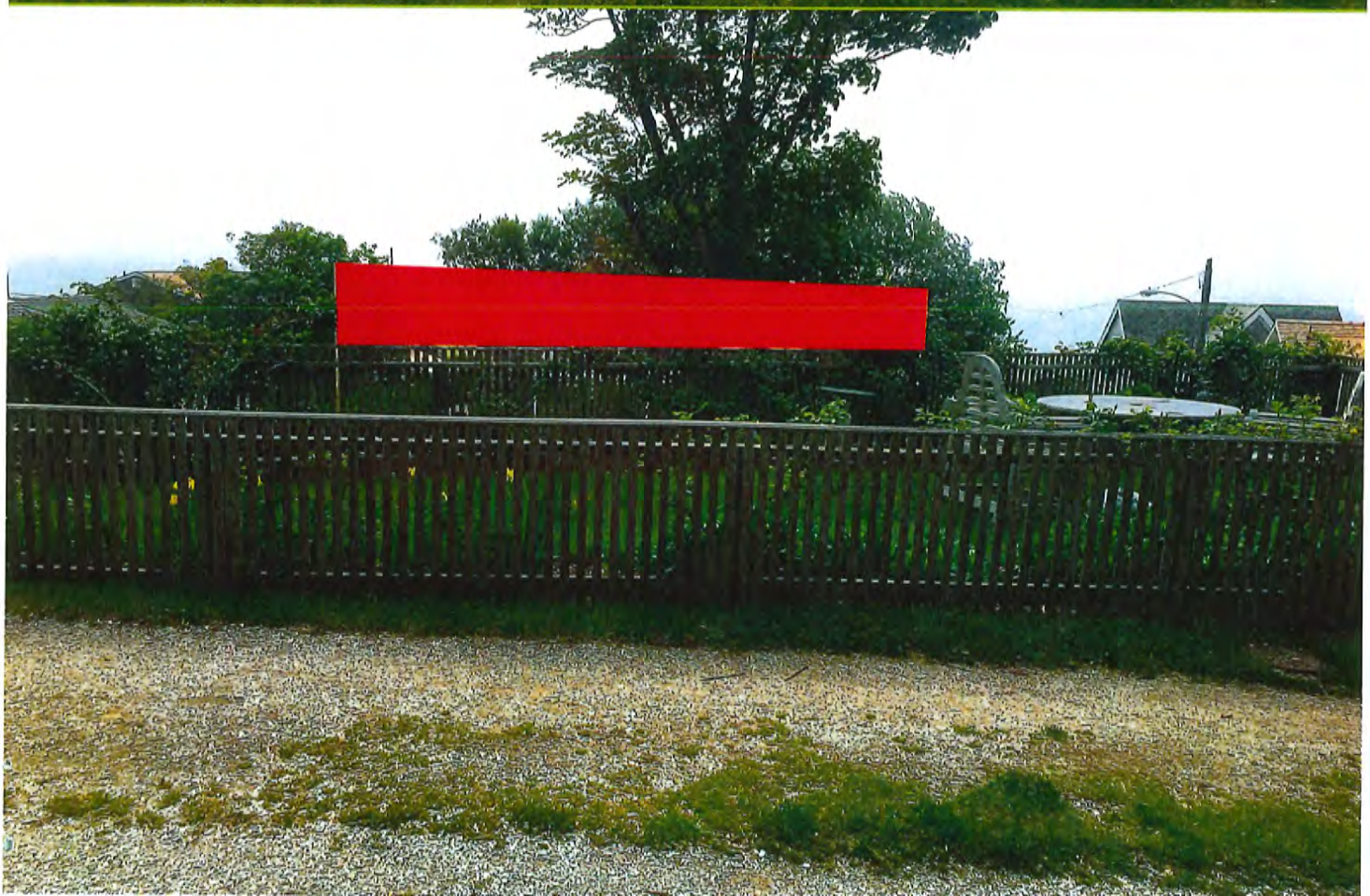




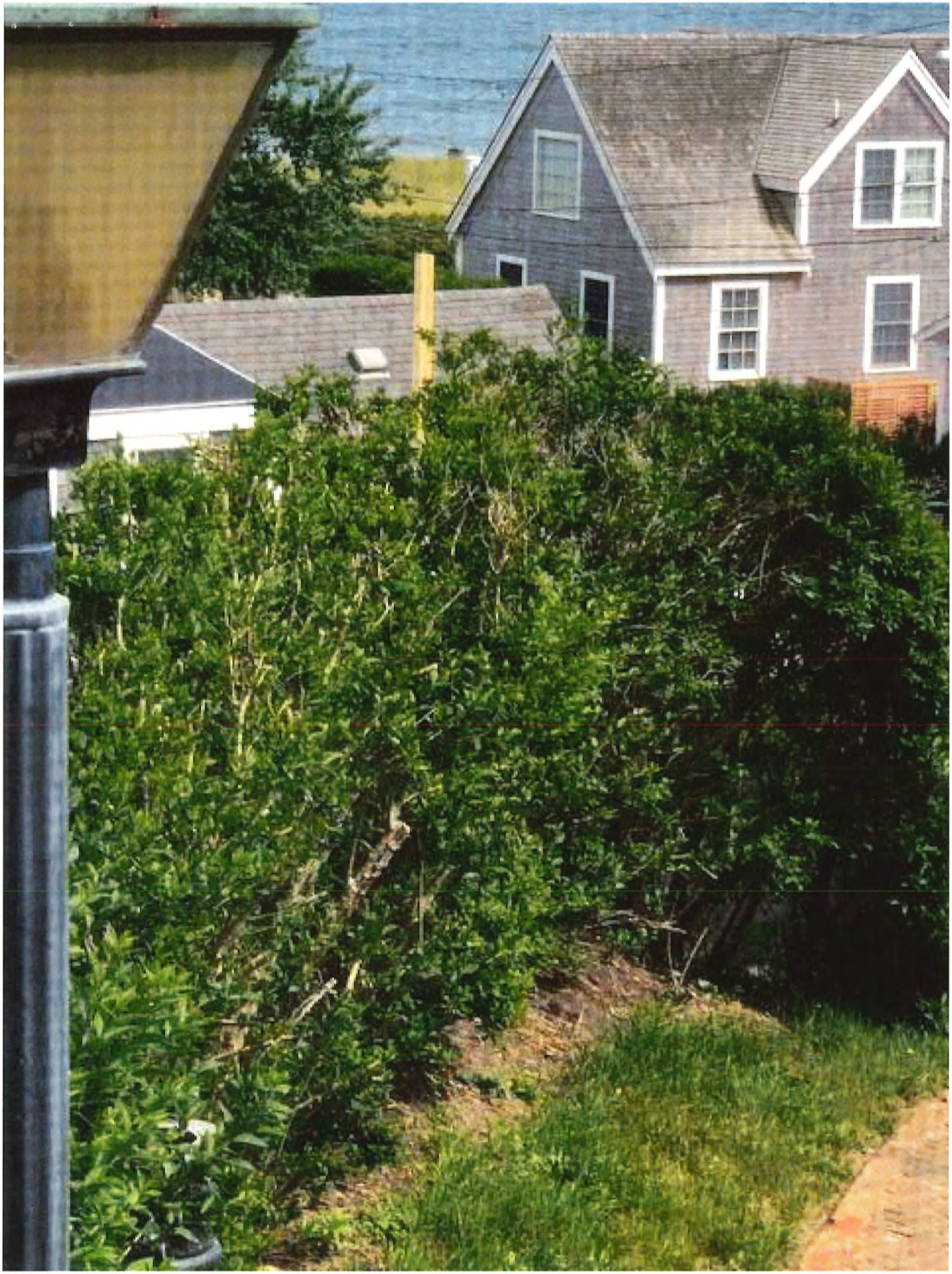


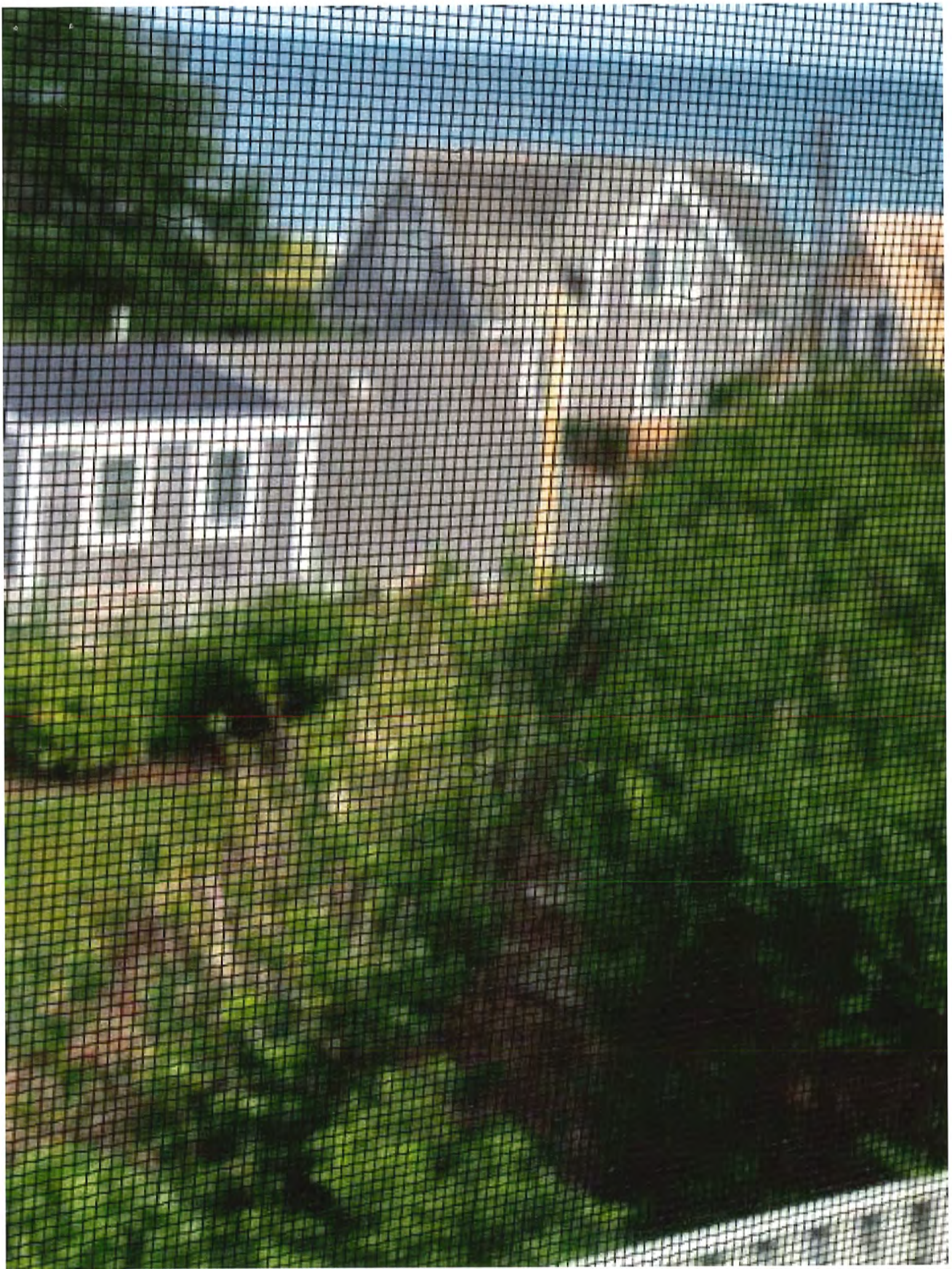




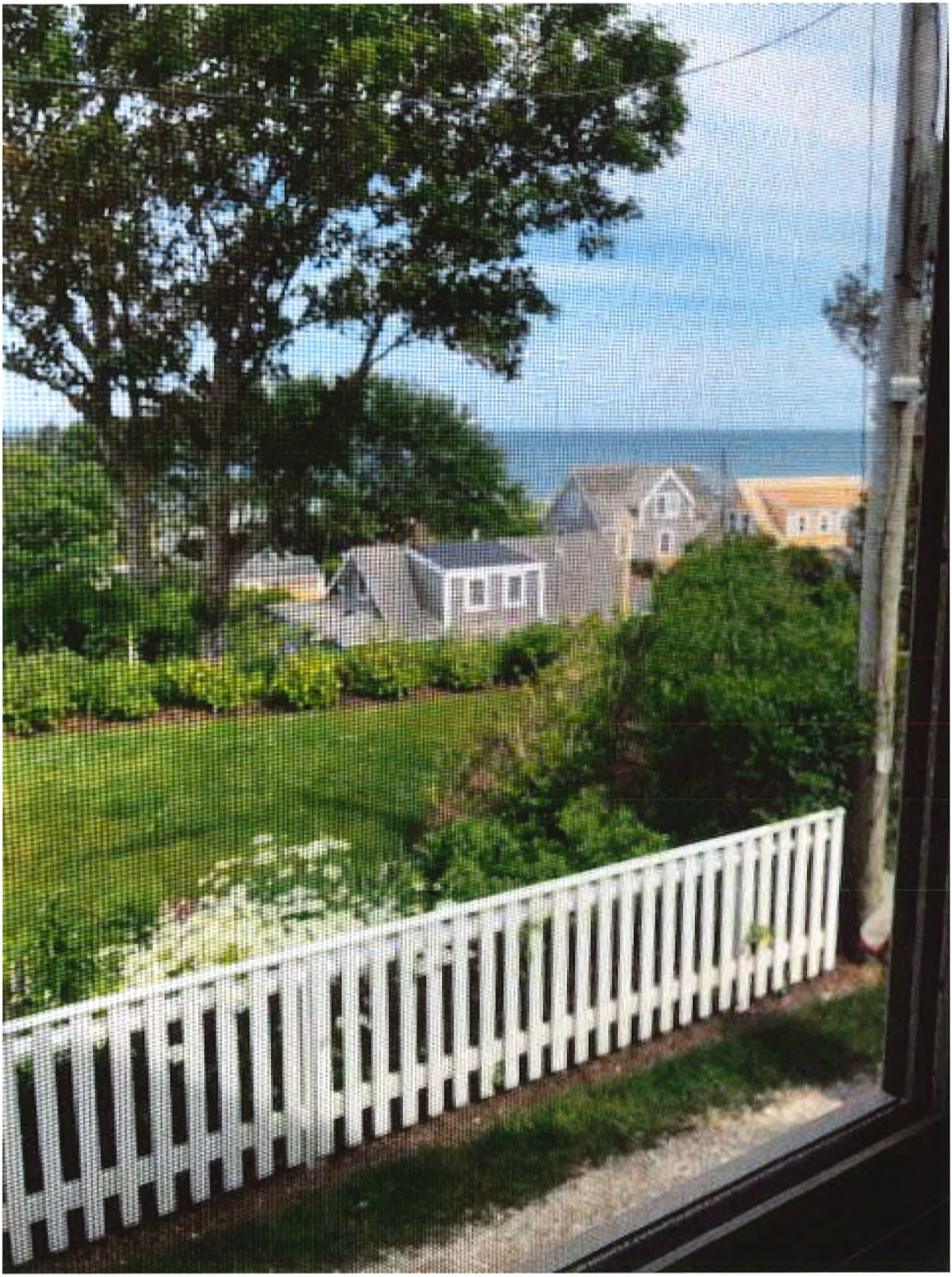












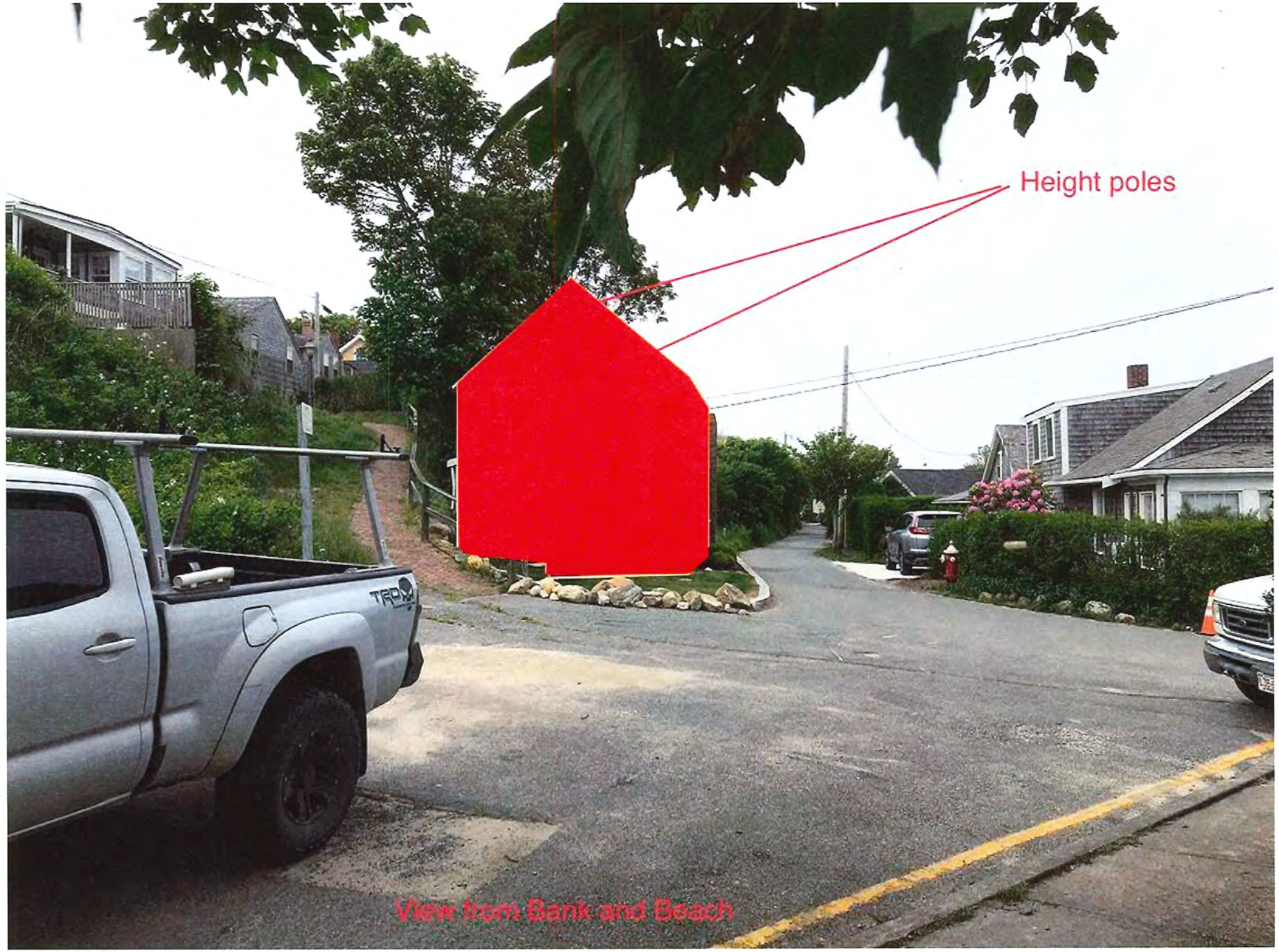

Height pole
View from Front Street
side yard of #11 Front


Height
pole
Front Street


ATTENTION
CHIEN GENTIL
MAITRE FEROCE


Height
pole
Text

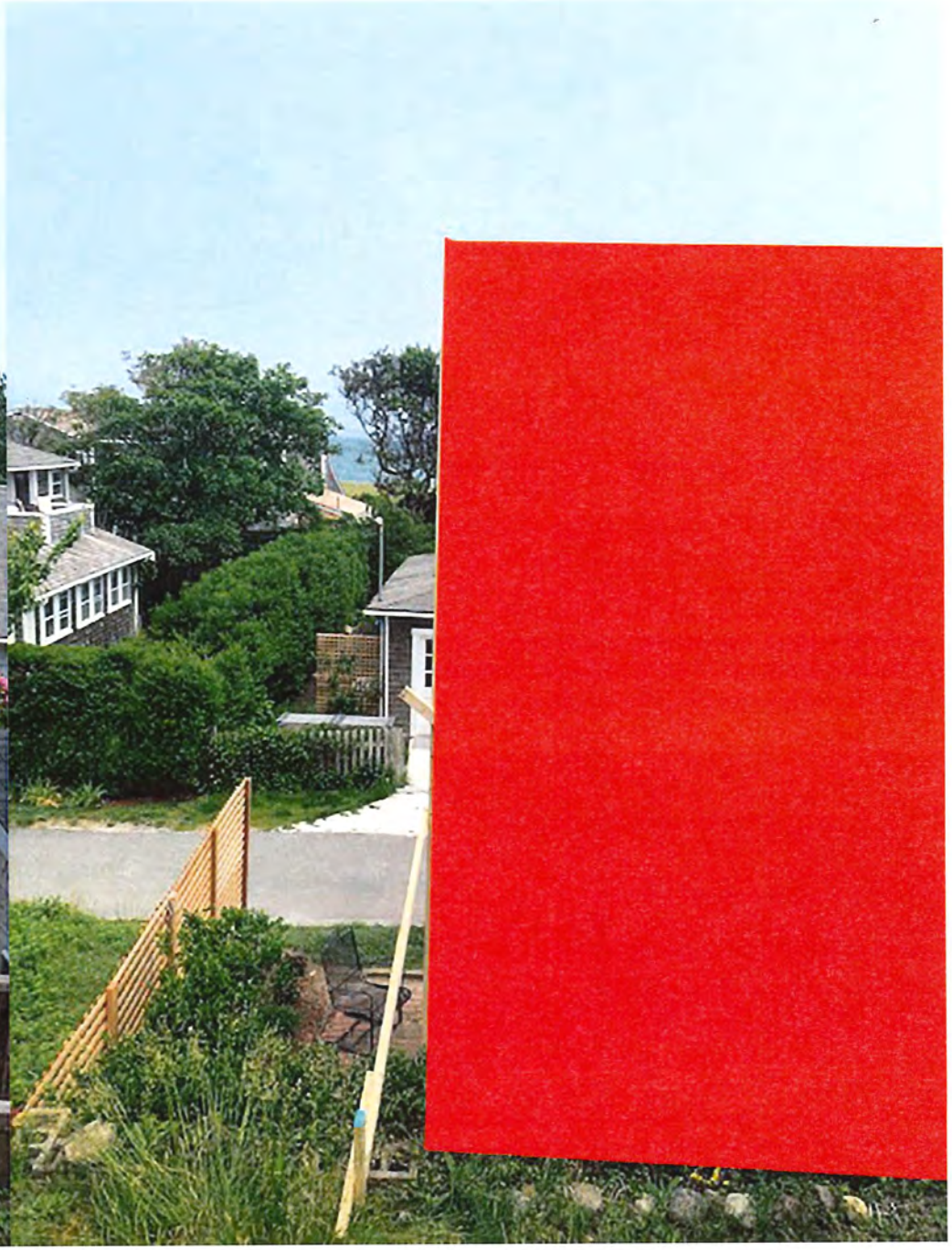

Height
poles
Bank Street


Height poles
View from Bank and Beach





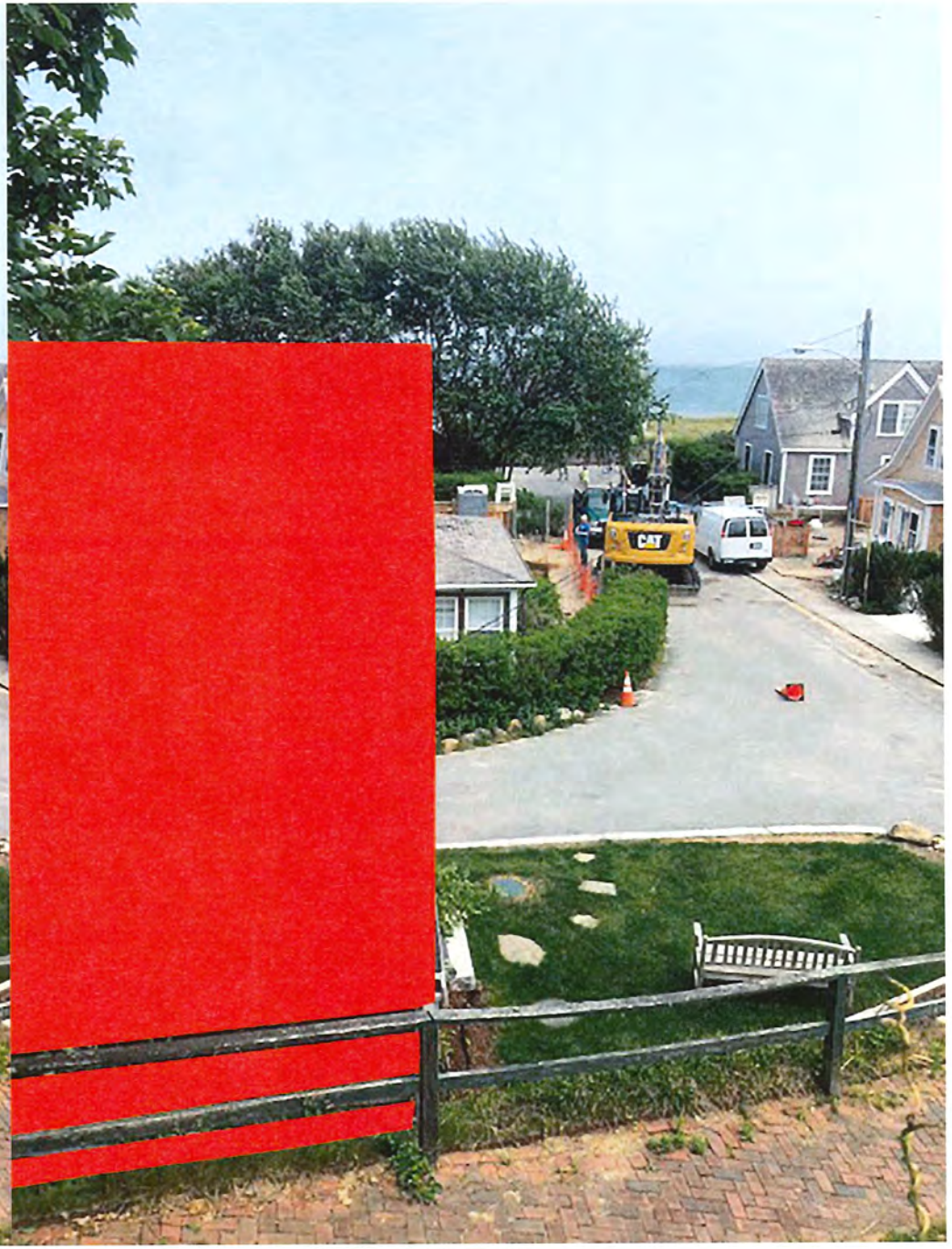









CAT


CAT

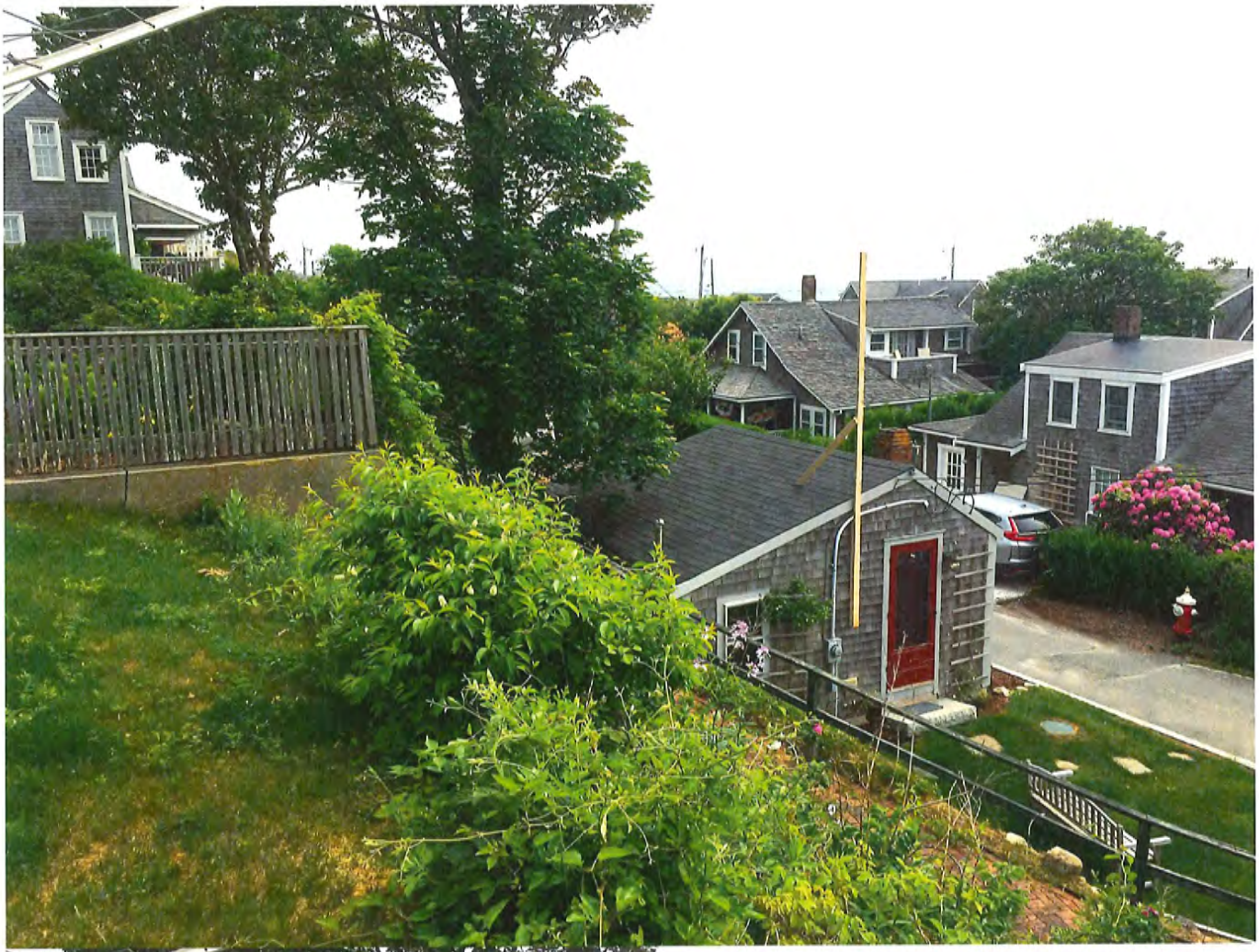


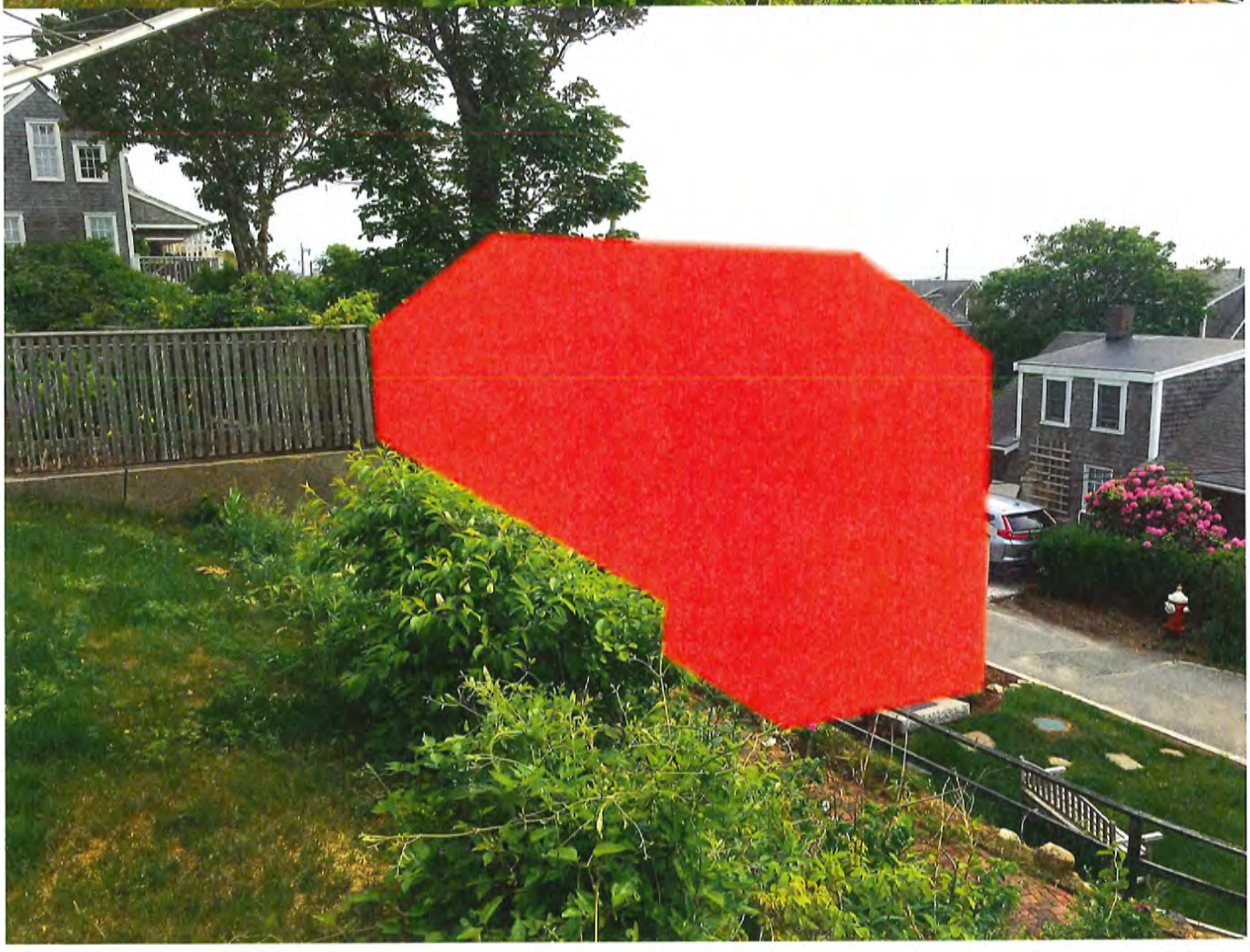






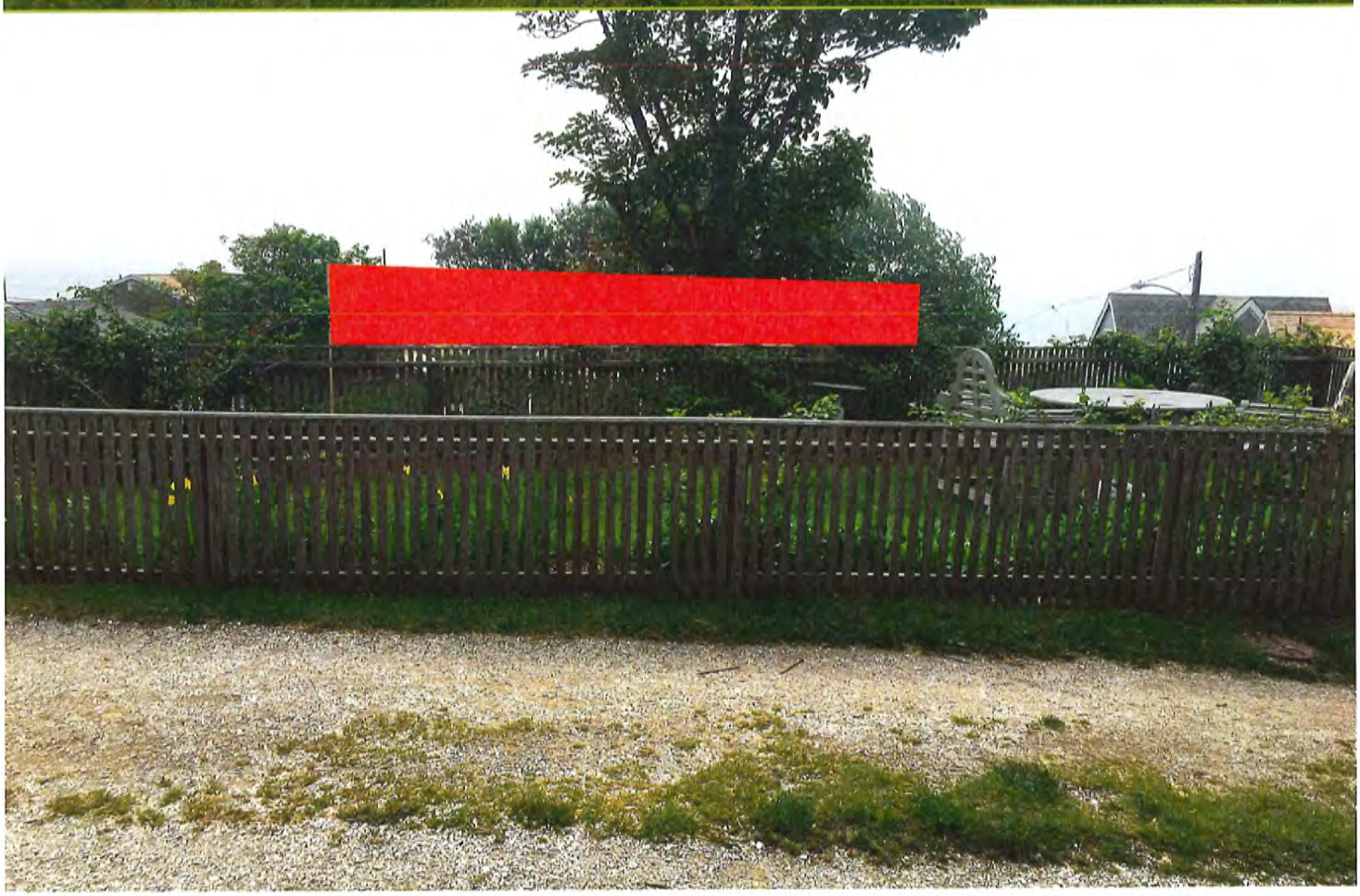












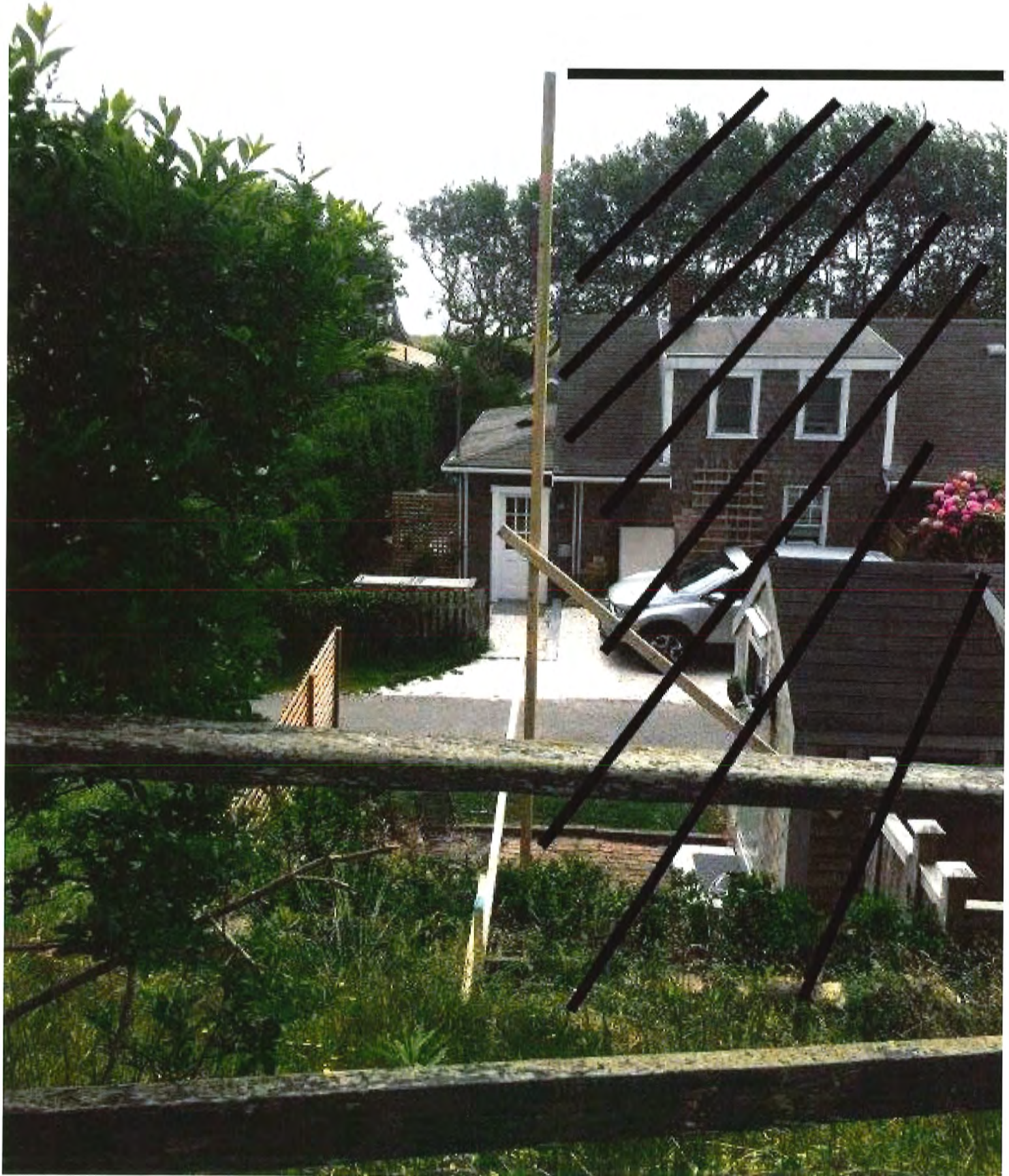




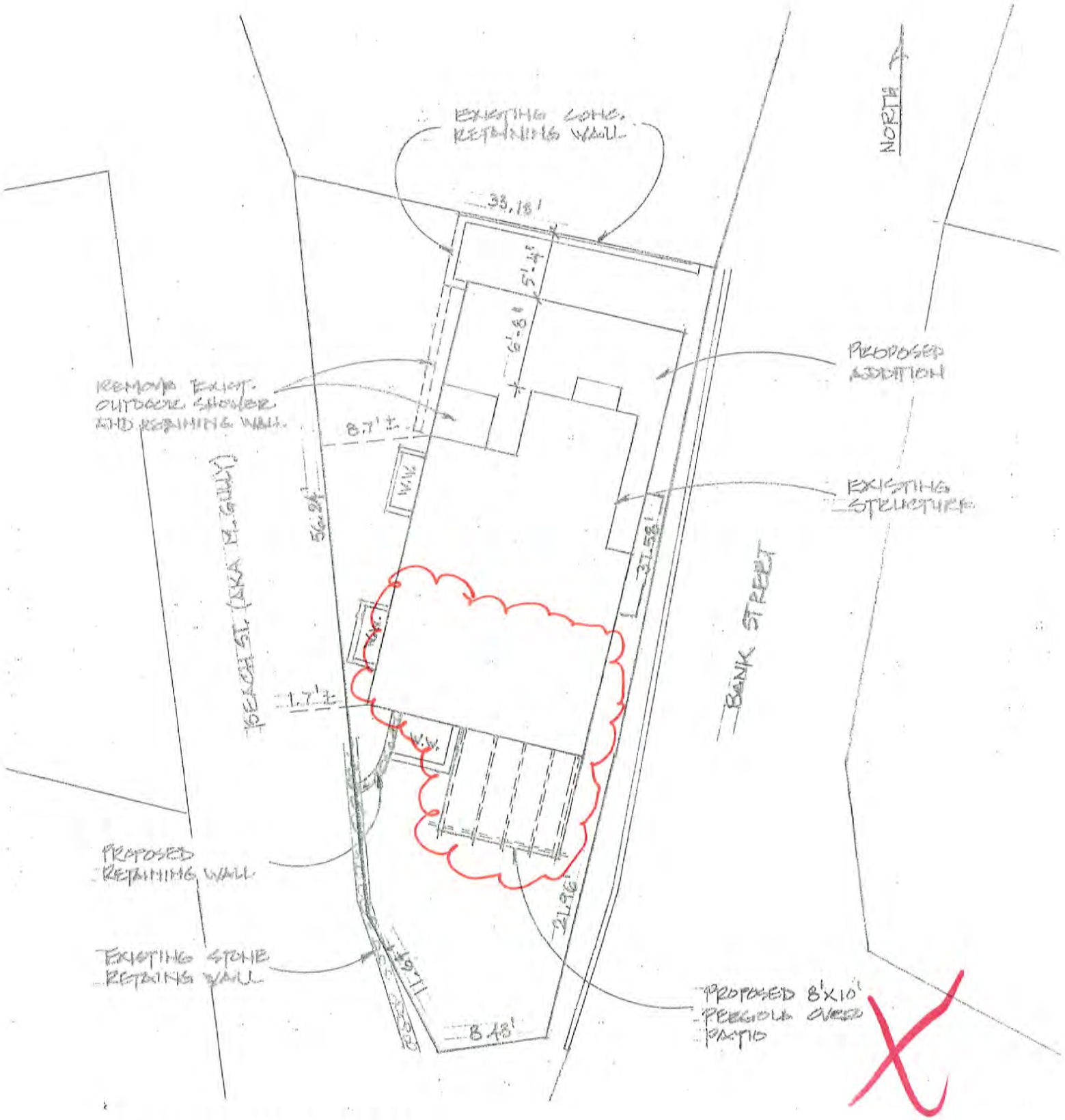












SITE PLAN
SCALE: 1" = 10'

AMENDOLARE RESIDENCE
8 BANK STREET
SCONSET, MA.

ANGUS MACLEOD DESIGNS
P.O. BOX 1055
SCONSET, MA.
(508) 257-6789

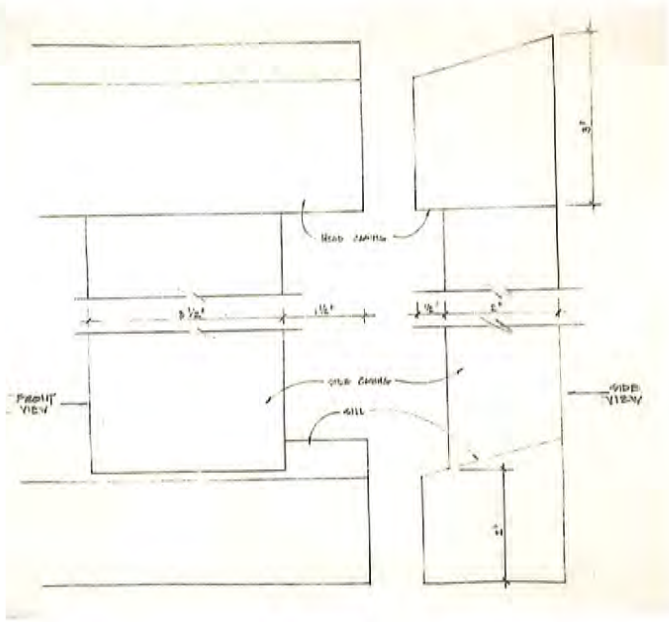
Angus MacLeod Designs
P.O.Box 7055
Sconset, MA
02564

Amendalore: Window Schedule

No	Unit Size	Manu.	Glass size	Type	Notes	Quant.
1	1' - 8" x 2' - 1"	Boston Sash	8 x10	4 (2H2W) Light Hopper Window	Single	2
2	2' - 6" x 3' - 1"	Boston Sash	8 x10	9 (3H3W) Light Single-Hung Window	Single	2
3	2' - 8" x 1'-11"	Boston Sash	7 x 9	8 (2H4W) Light Hopper Window	Single	2
4	2' - 8" x 2' - 8"	Boston Sash	7 x 9	12 (3H4W) Light Hopper Window	Single	2
5	2' - 8" x 4'-11"	Boston Sash	7 x 9	12/12 Double-Hung Window	Single	5
6	3' - 9" x 3' - 1"	Boston Sash	8 x10	15 (3H5W) Light Single-Hung Window	Single	1
7	2' - 8" x 4'-11"	Boston Sash	7 x 9	12/12 Double-Hung Window	Single	1
8	2' - 8" x 3' -	Boston Sash	7 x 9	8/8 Double-Hung Window	Single	1
9	3' - 0" x 7' - 0"	Custom	8 x10	4 Light Plank Door	Single	1
10	3' - 0" x 7' - 0"	Custom		Plank Door	Single	1
11	6' - 9" x 8' - 0"	Custom		Plank Door	Single	1

Window Notes:

* Casings to be Cedar Plank Frame with "horns" (see sketch detail below)
* Windows to have "Western Style" Casing for inset storm/screens
* Double-Hung windows to have concealed balances
* All Window panes to be Bendheim "Light Restoration" Glass
* Prime Sash / Casings natural to weather



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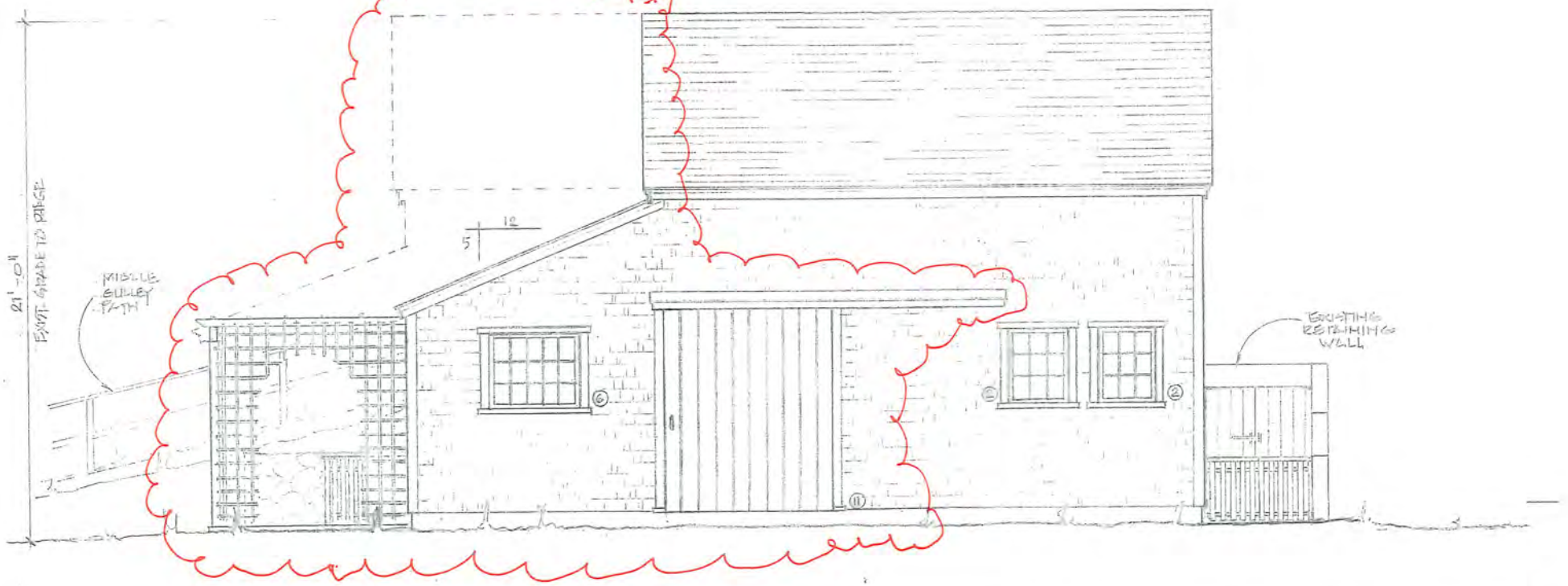


SOUTH ELEVATION
SCALE: 1/4" = 1'-0"

AMENDOLARE RESIDENCE
8 BANK STREET
GLOUCESTER, MA

ANGUS MACLEOD DESIGN
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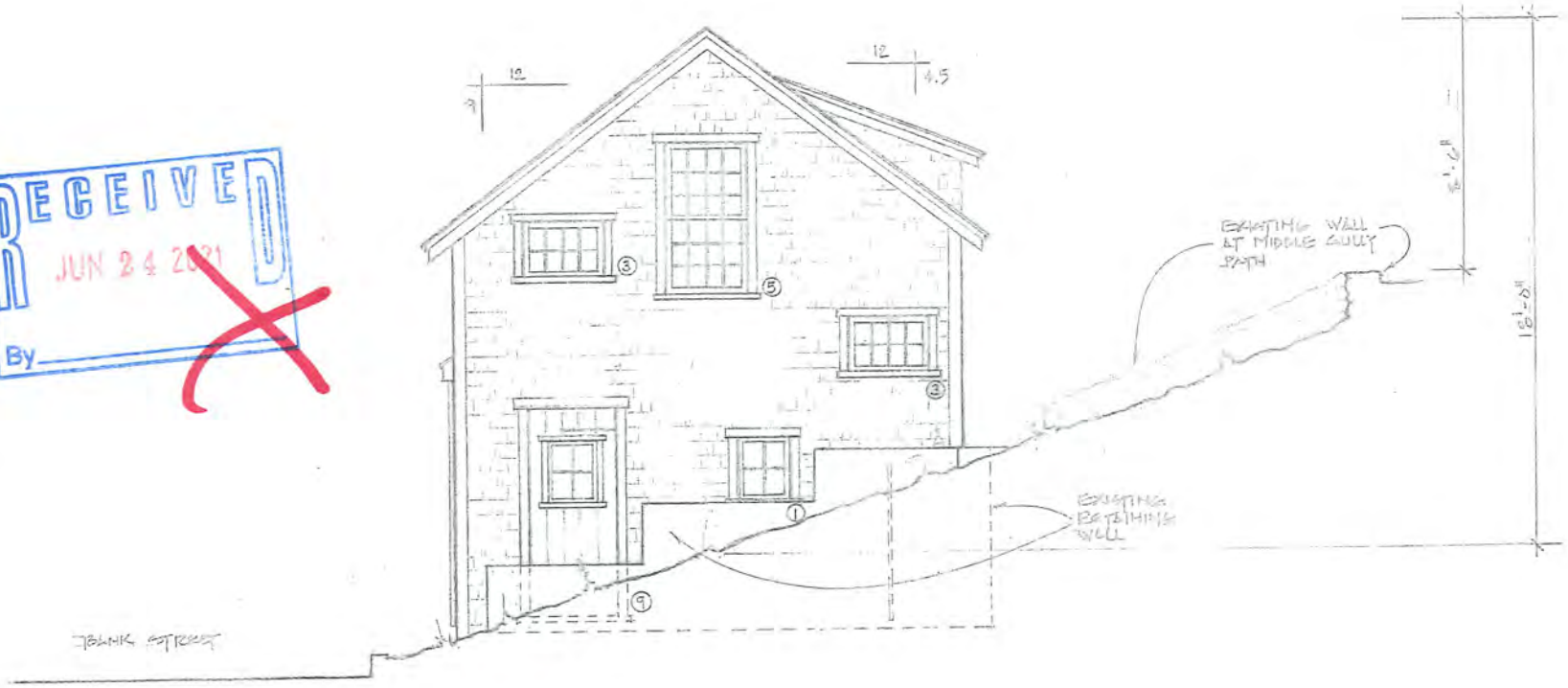


EAST ELEVATION
SCALE: 1/4"=1'-0"

AMENDOLARE RESIDENCE
8 BANK STREET
GLOUCESTER, MA

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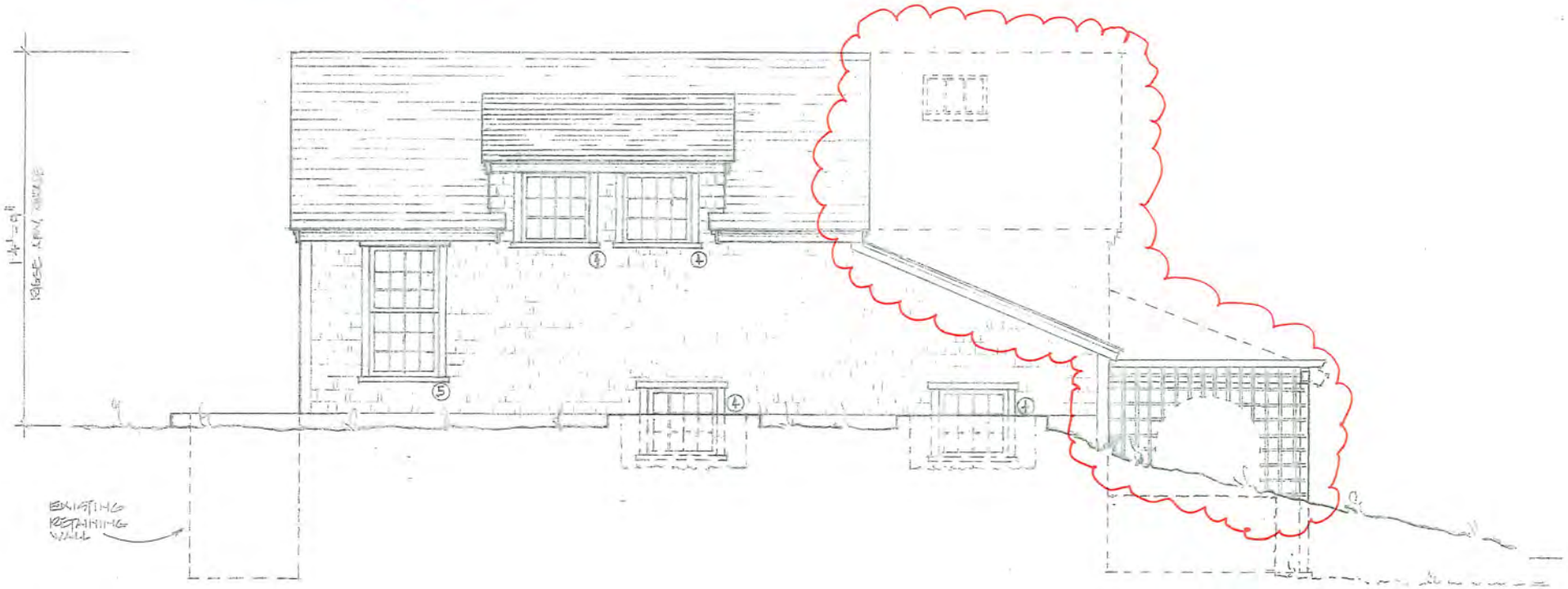
NORTH ELEVATION
SCALE: 1/4" = 1'-0"

NO CHANGE

AMENDOLARE RESIDENCE
8 BANK STREET
NANTUCKET, MA

ANGUS MACLEOD DESIGNS
P.O. BOX 17055
NANTUCKET, MA
(508) 257-6789

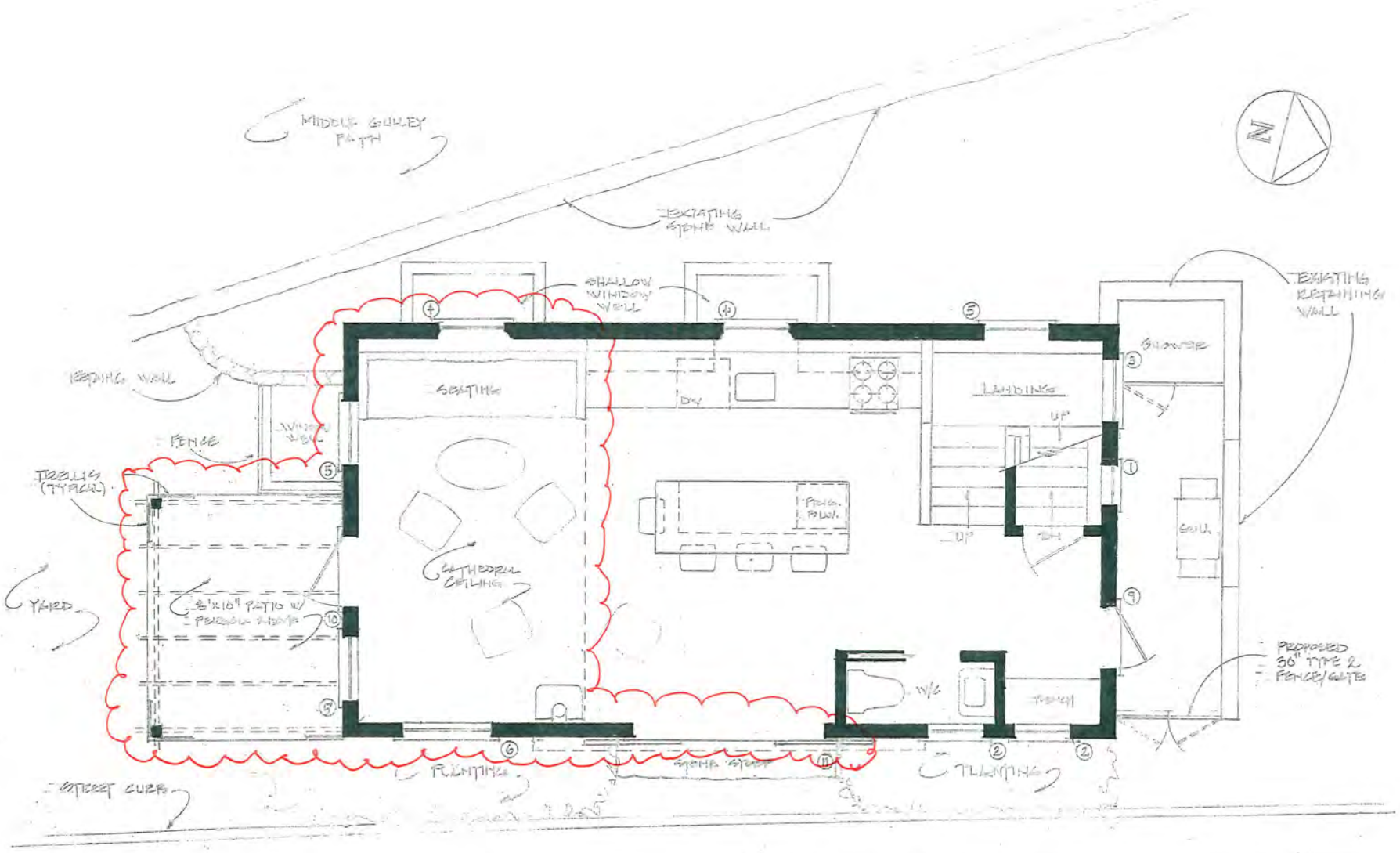
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WEST ELEVATION
SCALE: 1/4" = 1'-0"

AMENDOLARE RESIDENCE
8 BANK STREET
FALCONER, MA

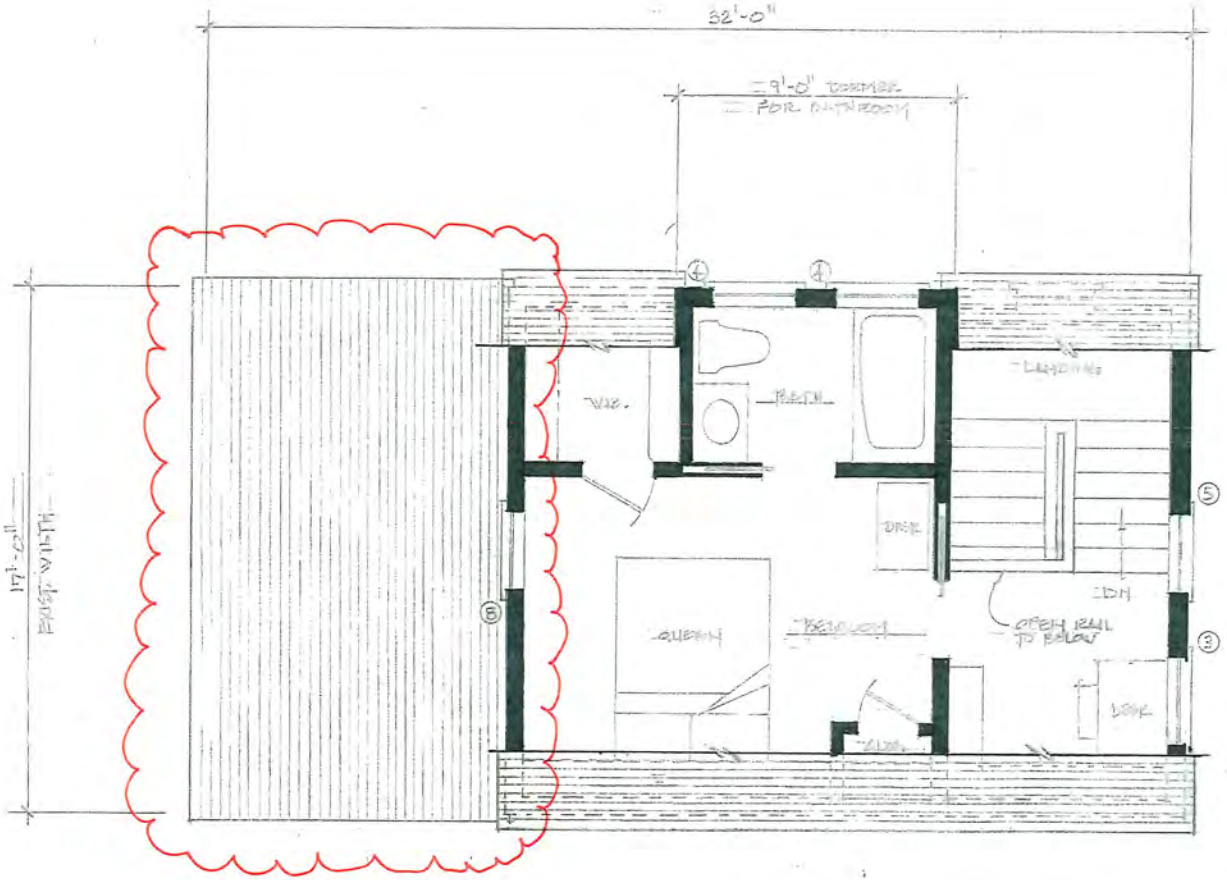
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FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

AMENDOLARE RESIDENCE
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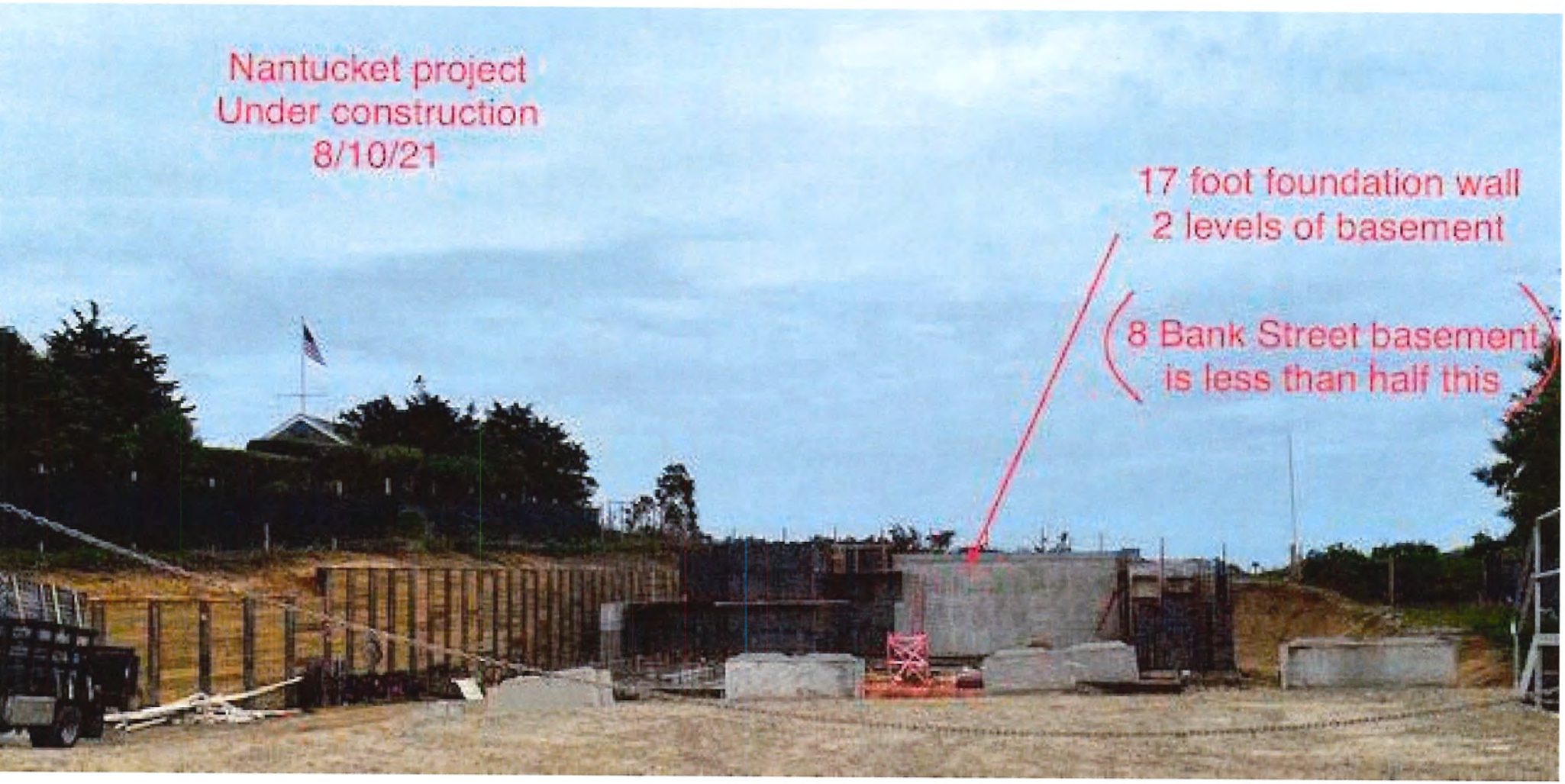


SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"

AMENDOLARE RESIDENCE
8 BANK STREET
GLOUCESTER, MA

ANGUS MACLEOD DESIGN
P.O. BOX 7055
GLOUCESTER, MA
(508) 257-6789


RECEIVED
AUG 13 2021
From
By

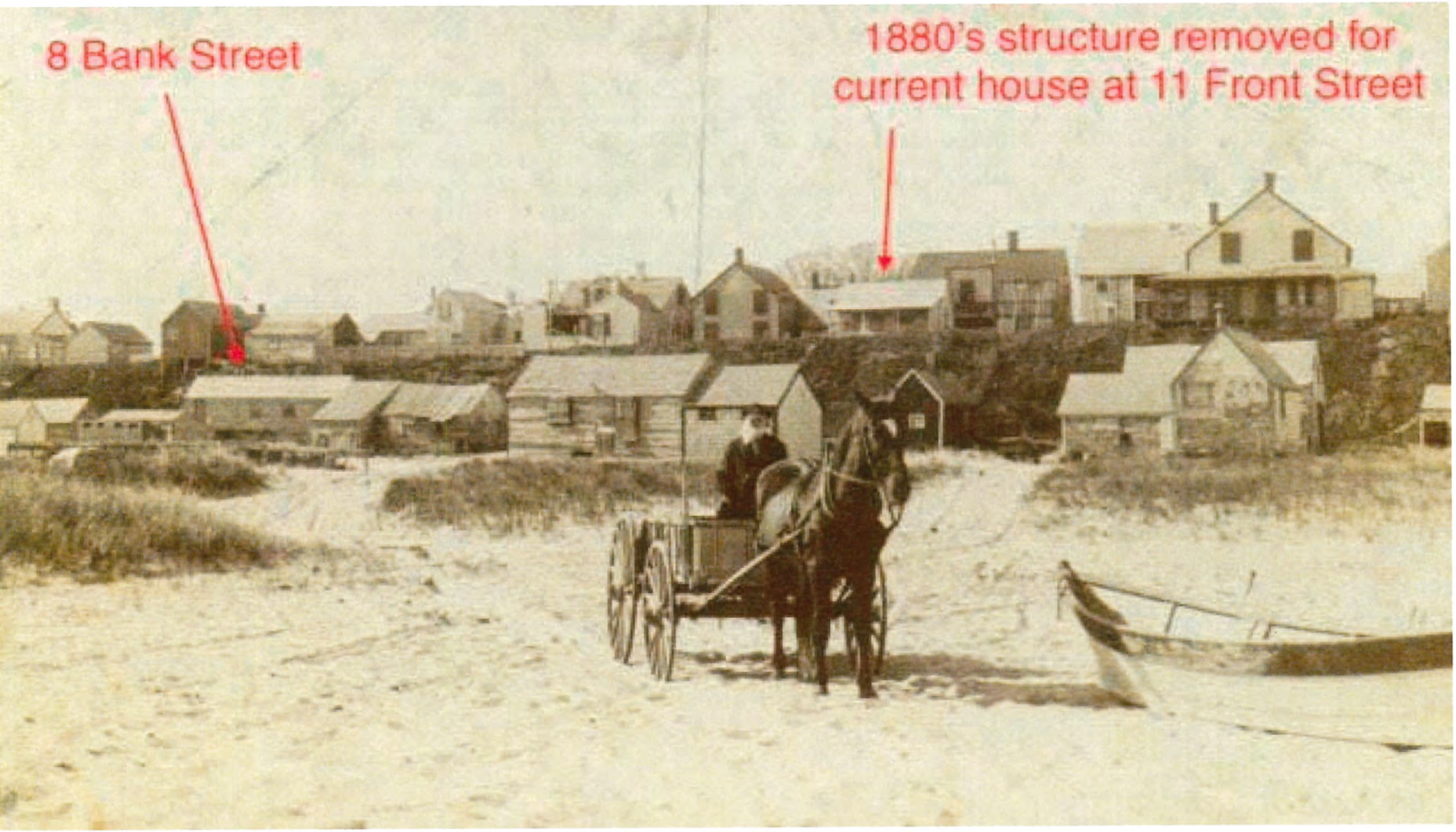

Nantucket project
Under construction
8/10/21
17 foot foundation wall
2 levels of basement
8 Bank Street basement
is less than half this

3:37 PM Sat Jul 31

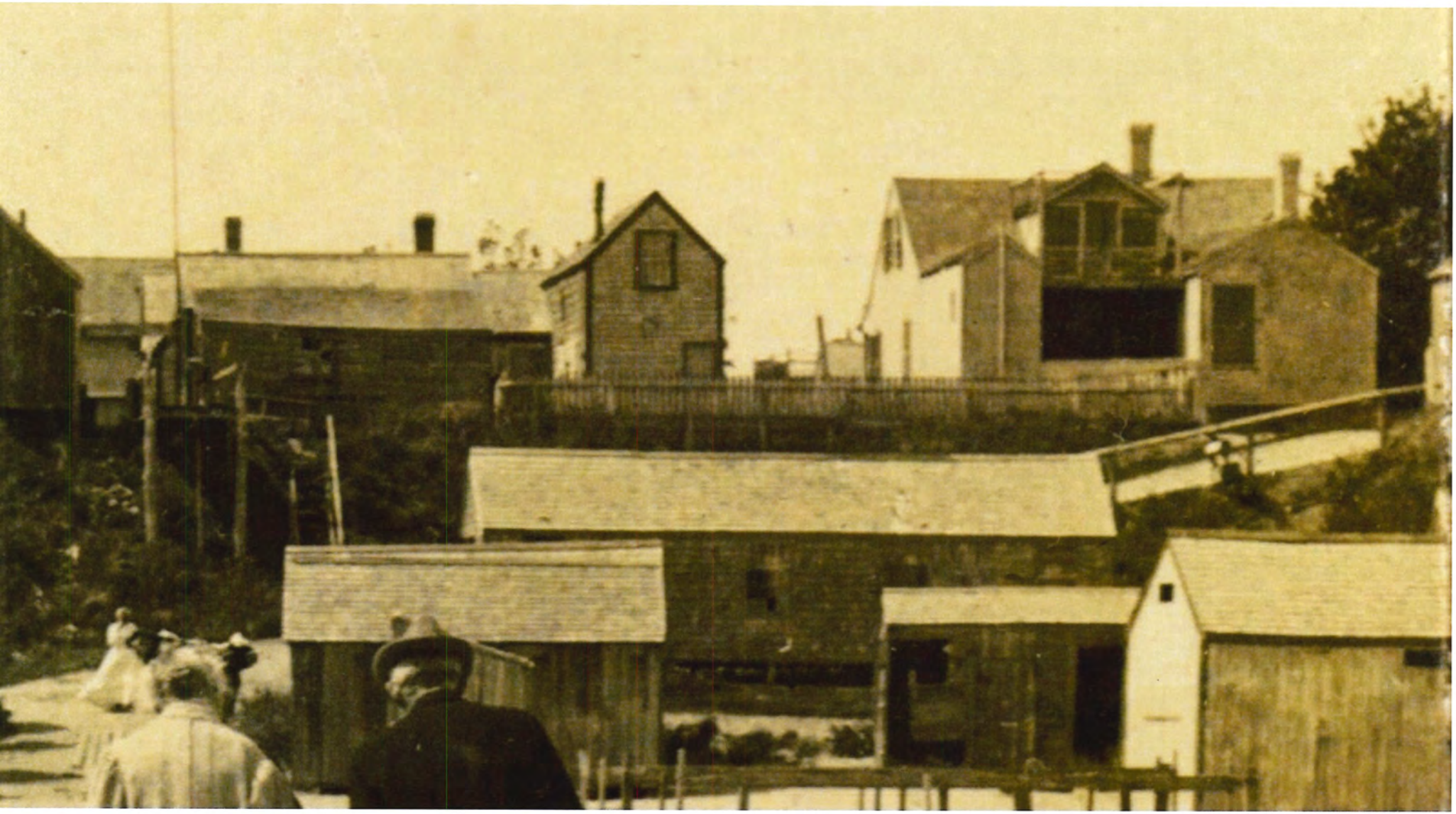
jackconway.com

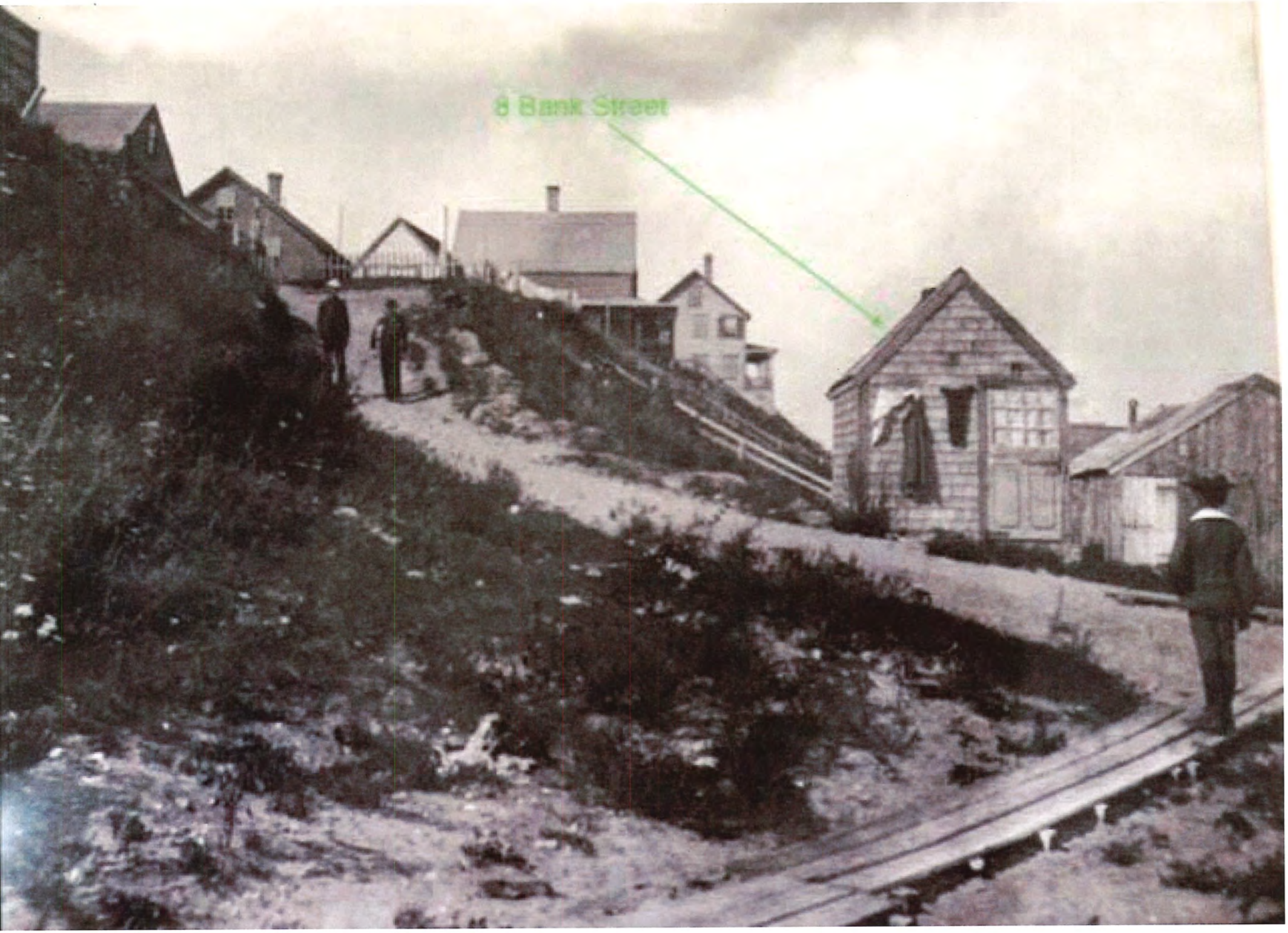



Stumps of trees cut down by
neighbors at 11 Front Street
2021

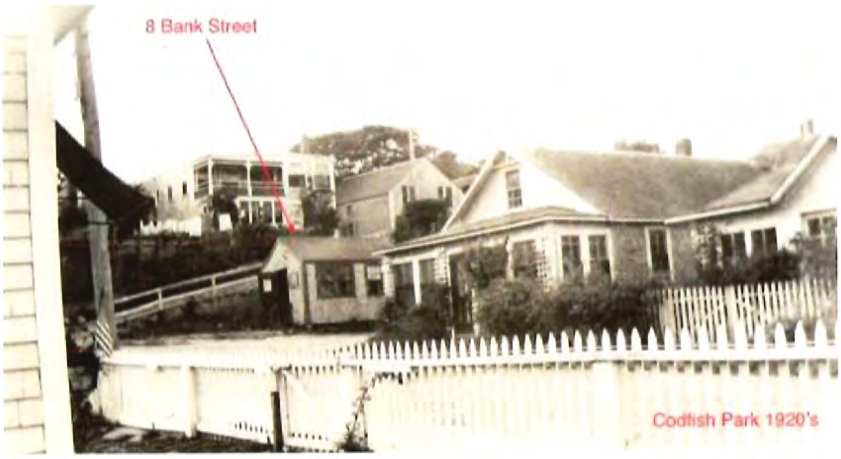

8 Bank Street
1880's structure removed for
current house at 11 Front Street


8 Bank Street

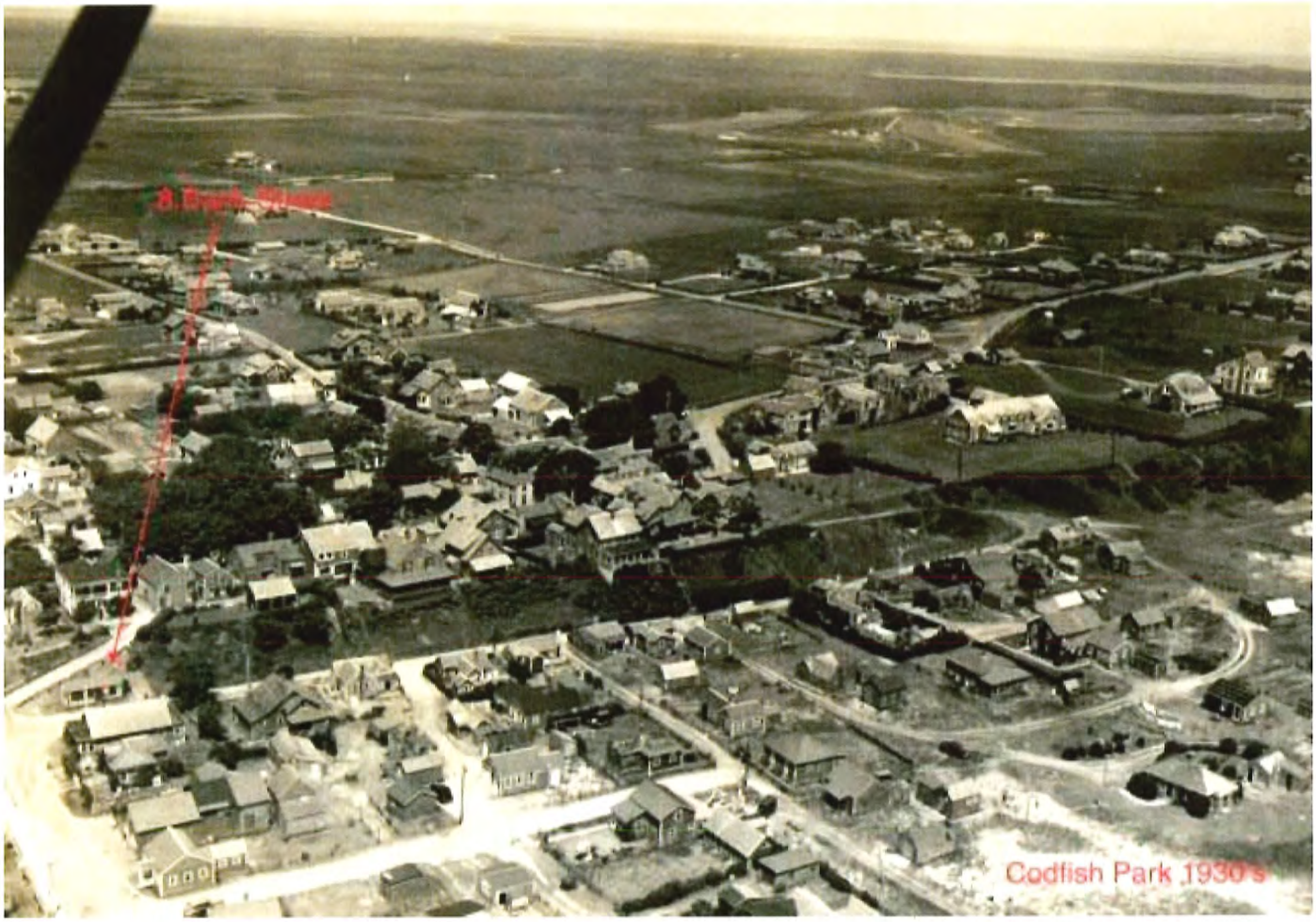



8 Bank Street




8 Bank Street
Codfish Park 1920's




Codfish Park 1930's


8 Bank Street
Codfish Park 1960's


Trees removed by neighbors at 11 Point St (2021)


6 Bank Street
Proposed addition
15 Beach Street
HDC approved at
reduced height of
23'-6"
10 Beach Street
HDC approved at
reduced height of
22'-0"
Front Street. Looking East down
Beach Street to the ocean

Height Comparison





RECEIVED
AUG 13 2021
By



































LETTERS



8 Bank Street, 'Sconset--- Preliminary timeline

1881 Bird's Eye View of Sconset: small building

1888 Platt map of Sconset: uncertain

1898 Sanborn map: long, narrow 1-story building

1904 Sanborn map: long, narrow 1-story building

1909 Sanborn map: nothing

1923 Sanborn map: nothing

1949 Sanborn map: long, narrow 1-story building

The small strip of land under the bank at 'Sconset was owned by Henry Coffin, who transferred it to the Proprietors of the Common and Undivided Lands in 1886, with the stipulation that nothing could be built there but fish houses and bath houses. The 1881 *Bird's Eye View* map of Sconset by J. J. Stoner shows a few fish houses nestled under the bank at the top of a narrow beach. The land in Codfish Park accreted over time and additional utilitarian buildings appeared in the area.

The first mention of Codfish Park by that name in the *I&M* is in 1908. By 1925, there were 38 squatters living in Codfish Park. The Town of Nantucket acquired Codfish Park from the Proprietorship and debated "Land Courting" the area and taxing the property for years – Codfish Park did not appear on the tax rolls until the 1950s, consequently there are no assessor's records for the property at 8 Bank Street before that time.

Amos T. Arey is the first known owner of 8 Bank Street. How he acquired the fishing shack/bath house on the property is not known, as no deeds are recorded. He was granted a victualler's license by the town in 1927 for his store at that location. His wife, Ethelinda Arey baked pies and doughnuts and they sold hot dogs and other comestibles there for approximately two decades. Ethelinda died in 1954; Amos pre-deceased her. Their grandson, Theodore Reed sold the property to Charles F. Handy in 1954.

Charles F. Handy owned 8 Bank Street from 1954 to 1967, when he sold the property to Carol Nickerson.

Sometime between 1944 (date of last victualler's license issued to Arey, as reported in the I&M) and 1967, the Amos Arey Store became a residential cottage. This probably happened after 1949, as a building appears on the Sanborn Insurance Company map that year—the building is not designated a dwelling.

Few of the historical photographs of Codfish Park in the NHA image database are definitively dated. PH23-47 (Nobadeer Airfield Collection) is an aerial view dated 1930s. SC665-47, which shows the south end of the cottage is from 1963. Street lamps appeared in Codfish Park in 1920, and a bulkhead was built at the hairpin turn in 1921 –these improvements to the area may help date other photographs.

Street lights in the park, 1920 (may help date photographs). Bulkhead at hairpin turn built in 1921.

Cathy Flynn



8/13/21

From: sherryboo57@aol.com
Sent: Thursday, August 12, 2021 8:52 AM
To: Cathy Flynn
Subject: 8 Bank Street Sconset

Hi Cathy,

I hope you are the right person to contact. I was unable to get my computer to fill in the blanks on the computer forms.

I'm concerned about the prospective building at #8 Bank Street, here in 'Sconset.
The proposed house design is lovely, but way too big for the space.
That is a postage stamp sized property, right up against the bank.
Nothing over a one-story house should be built there, or it would block one of the iconic views of codfish park and the ocean from Front Street. Not to mention possibly making it impossible for large rescue vehicles to use the middle gully road in case the other escape avenues are blocked.
Codfish Park has historically always been a modest little settlement, with small, simple cottages. There's a house being built right now that is going to be a huge mistake as well. Too big, out of scale. Just seeing that should make people alarmed about building at #8.
Not only is the 2 stories a problem, the #8 owners want to put in a 9ft. basement as well. It will make the building higher, as well as threatening the stability of the bank and nearby houses on that bank.
The plot of land is simply too small for anything other than what is built there right now - a small, one-story cottage.
If the HDC allows this new design to be built, there might as well not be any controls on building on Nantucket because it is so obviously wrong on so many levels.

I have lived at #5 Broadway, 'Sconset for 63 years. Some change is inevitable, but we can stop or slow ruining this village forever going forward.

Thank you,
Sherry Rodts Kelley

This email was scanned by Bitdefender

Cathy Flynn

From: janet ballou <janetcdballou@gmail.com>
Sent: Monday, August 9, 2021 8:15 AM
To: Cathy Flynn
Subject: 8 bank st

cathy

i sent this email last tuesday

but have not had a response from you

please email me that you have received it

thankyou and

hope allis well

janet ballou <janetcdballou@gmail.com>

to cflynn

Although I attended the HDC meeting on July 20th, I am off Island and unable- regrettably- to attend tonight's meeting

I would like to add my support to my neighbors in 'Sconset village who have voiced concern and opposition to the proposed construction at 8 BankStreet.

The proposed construction- a veritable Codfish Park skyscraper to be built on a tiny parcel of land- will affect the tone of the village itself. The argument that it is in keeping with roof heights of other recently constructed buildings in Codfish Park is a nonsensical one : past mistakes should not justify future endeavors.

I am also extremely concerned about the environmental impact on the bank itself that such construction would cause-- it will compromise the solidity of the bank and most likely result in the loss of that brave, upstanding tree.

In sum, the proposed building is out of scale, imposing upon and
aggressively compromising both our bank and our Sconset aesthetics. I sincerely hope your commission will rule to reject such an inappropriately large piece of architecture at the base of Middle Gully Road.

Thankyou

janet ballou
21 front street

This email was scanned by Bitdefender

Cathy Flynn

From: George Hubbs <ghubbs@comcast.net>
Sent: Monday, August 9, 2021 9:29 AM
To: Cathy Flynn
Cc: Helen Strong
Subject: 8 Bank Street, Siasconset

Categories: IMPORTANT, FUTURE ABUTTERS CONCERNS

Dear Ms. Flynn:

Please pass on our comments on this application to the members of the Historic District Commission.

We have attended 2 meetings of the 'Sconset Advisory Board, twice have reviewed the details of the applicant's submission to the H.D.C. and have done 3 viewings of the site in question from multiple points of view.

We are opposed to approval of this project because:

1. The most current revised plan is not in keeping with the historic size and massing of the buildings which have been on this lot. H.D.C. approval of this application would mean another two story building in a neighborhood that is and always has been predominantly quaint, single story houses.
2. The owner and applicant have not considered using more of the lot's square footage and building horizontally instead of building vertically with its resulting excessive massing. In fact, at the latest 'Sconset Advisory Board meeting on this application, the applicant stated flatly that it was impossible to do this horizontal approach, and then himself presented historic pictures of the site which showed multiple examples of this horizontal approach having been done in the past.

This application should be rejected and sent back for more considered thought and substantial rework.

Thank you,
George & Ann Hubbs
20 Broadway, Siasconset

-0-

Sent from my iPad

This email was scanned by Bitdefender

Cathy Flynn

From: Katherine Anselmi <kkanselmi@gmail.com>
Sent: Monday, August 9, 2021 2:11 PM
To: Cathy Flynn
Subject: Comment - 8 Bank St Siasconset Renovation

Categories: IMPORTANT, FUTURE ABUTTERS CONCERNS

Dear Ms. Flynn,

I have been in Cod Fish Park since 1990, both as a renter and an owner. Currently I reside on Bank St.

I am opposed to the renovation project cited for the cottage "Tour's End" at 8 Bank St, which I understand was in Gail Nickerson Johnson's family for 8 generations, for several reasons. The disturbance of one part of the bank threatens the integrity of the entire bank along Bank Street, as we are acutely aware throughout Nantucket. 8 Bank St abuts all of Mid-Gully Road which abuts the houses above it. This could cause an ominous domino-effect for the entire bank and fragile bluff of Cod Fish Park if 8 Bank Street is excavated into a basement. Secondly, a two story dwelling is not in conformity with the surroundings. Lastly, there are many people in Cod Fish Park who have been there for many years and are aging in place. Mid-Gully Road is an access way in an emergency that we all rely upon.

I respectfully oppose the renovation of 8 Bank St.

Thank you,
Kathy Anselmi
23R Bank St
Siasconset, MA. 02564

This email was scanned by Bitdefender

Cathy Flynn

From: Lisa Soeder <lsoeder@soeder-associates.com>
Sent: Sunday, August 8, 2021 7:51 PM
To: 'Siasconset Civic Association'; Cathy Flynn
Subject: RE: Proposed renovation at 8 Bank Street in Codfish Park

Categories: IMPORTANT, FUTURE ABUTTERS CONCERNS

Dear Members of the Siasconset Civic Association and HDC-

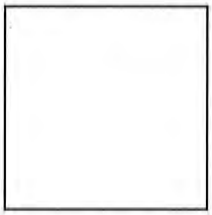
Thank you for your attention to the proposed renovation of 8 Bank Street in Codfish Park in Siasconset.

Both sets of my previously submitted comments reflect my fervent opposition to any renovation that would (i) increase the height of the house at 8 Bank Street above the bank or (ii) include a basement or foundation (or the removal of the existing tree) without a report from the appropriate environmental or zoning expert that such a change to the embankment will not further endanger the embankment.

Soeder & Associates, LLC
280 Trumbull Street, 21st Floor
Hartford, CT 06103
Telephone (860) 246-1600
Fax (860) 246-1700
Writer's Direct Line: (860) 246-1800
Cellular (860) 685-0678
E-mail: lsoeder@soeder-associates.com
Web Site: www.soeder-associates.com

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From: Siasconset Civic Association [mailto:admin@siasconsetcivicassociation.org]
Sent: Thursday, August 05, 2021 8:11 PM
To: Lisa Soeder
Cc: Lisa Soeder
Subject: Proposed renovation at 8 Bank Street in Codfish Park



Dear Siasconset Civic Association Members:

Recently the Siasconset Civic Association Board unanimously voted to submit a letter to the Historic District Commission (HDC) expressing its opposition to the proposed

renovation of **8 Bank Street** in Codfish Park (to view the letter, click here). We believe that the proposed renovation will adversely impact the historic streetscape and character of Middle Gully Road and connecting streets, which we strongly feel should not be degraded any further.

The current plans -- to convert the existing one-story house at the foot of Middle Gully Road to a 20-ft house with a 9-ft basement -- can be viewed here: https://www.nantucket-ma.gov/AgendaCenter/ViewFile/Item/4198?fileID=33168. Here is a link to see the existing house as it is today, compared to the proposed renovation (click here). This house is the only one situated against the bank and Middle Gully Road, an historic and popular route to Codfish Park and the beach.

The Sconset Advisory Board (SAB), (https://www.nantucket-ma.gov/1381/Sconset-Advisory-Board), the appointed board that advises the HDC on matters before it related to Sconset, held a hearing on August 2nd and listened to comments from village residents concerned with the height and mass of the building. Since other properties in Codfish Park have been allowed to expand and add second stories, members of the SAB discussed the difficulty of advising against the proposed renovation as it complies with SOH zoning rules.

Although we think the building should be preserved based on its historical importance, the architect for the client, Angus MacLeod, reported that nothing remained of the original structure. However, the structure on that property has always been only one story according to the many photos of the property through the years that were shown at the recent meeting. That's the historic streetscape we feel warrants preserving.

The HDC (https://www.nantucket-ma.gov/283/Historic-District-Commission) will consider the proposed renovation again at a meeting in the near future, possibly as early as **Tuesday August 10** (though this is hard to predict due to the large number of plans it has to evaluate). It will be evaluating revised plans with a one-foot drop in the proposed building height, from 21 feet high to 20 feet (a revision made at the request of the HDC when it first considered the proposed renovation on July 20th), and slight alterations to a few window locations. The HDC does not consider the possible effects of digging a 9-foot basement on Middle Gully Road, an emergency access road, or if it affects the stability of the bank. Those are issues for the building department, which will ask for an engineering and environmental report before granting a permit.

If you would like to comment on the proposed plan, either positively or negatively, for consideration by the HDC, you may:

-- Send an email to cflynn@nantucket-ma.gov no later than **Monday August 9** (in case this property is discussed at the HDC meeting on August 10) asking that your comments be forwarded to the HDC.

-- Attend the HDC meeting at which this proposed renovation is considered (if you submit comments, you will be notified the Friday before the meeting when this property is expected to be discussed; currently, HDC meetings are in-person only but that may change).

The Siasconset Civic Association Board of Directors

2020-21 BOARD OF DIRECTORS

President - Lynn Filipski | Vice President - Gail Walker | Secretary - Maggie Boone | Treasurer - Wendy Holding | Assistant Treasurer - David Bailey | Bill Druckemiller | Robert Franklin | Karel Greenberg | Tom Loughlin | Maxwell Mundy | Cindy Nelson | Holly Pagon | John Shea

P.O. Box 360, Siasconset, MA 02564
Email: sconsetcivic@gmail.com
Website: www.siasconsetcivicassociation.org
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Cathy Flynn

From: Sam Fremont-Smith <sam@fremont-smith.com>
Sent: Saturday, August 7, 2021 11:44 AM
To: Cathy Flynn
Cc: Lynn Filipski; Gail Walker
Subject: 8 Bank Street

Categories: IMPORTANT, FUTURE ABUTTERS CONCERNS

To Whom It May Concern,

As a longtime Sconset summer resident, I would like to voice my opposition to the expansion of 8 Bank Street in Codfish Park.
The current plan, to increase the structure in height and width, will further mar the unique character of what was once a sweet neighborhood of fishing shacks. The "McMansioning" of this neighborhood, already in progress with a second story going up, is exactly what we should prevent. The HDC's mission is protect Historic District. If Codfish Park is not historic, with its role in fishing history on island, then nothing in Nantucket is.

Furthermore, the proposed rooftop at 8 Bank will impede the view of the neighborhood and ocean when walking down the hill into Codfish Park.

Please forward this letter to the Historic District Commission. The Siasconset Civic Association is copied above.
Sincerely,

Samantha Fremont-Smith

27 Main Street
Siasconset

This email was scanned by Bitdefender

Cathy Flynn

From: Tim Cashman <timnfran@aol.com>
Sent: Saturday, August 7, 2021 7:44 PM
To: Cathy Flynn
Subject: 8 Bank Street, Cod Fish Park

Categories: IMPORTANT, FUTURE ABUTTERS CONCERNS

I write you today to voice my support of the Siasconset Civic Association letter in opposition to the submitted renovations of 8 Bank Street.

The character and charm of Cod Fish Park needs to be maintained. The proposed renovations would disrupt this historically significant area of the east end of the island.
As stewards of maintaining and preserving the look and feel of the island, and governing all new construction and renovations, I strongly recommend that these currently submitted plans not be approved.

Any questions, please call me to discuss.

Tim Cashman
7 Hawks Circle
'Sconset

443-632-4146

This email was scanned by Bitdefender

Cathy Flynn

From: Sam Daniel <svdiii@comcast.net>
Sent: Friday, August 6, 2021 1:19 PM
To: Cathy Flynn
Cc: Rob Benchley; Holly Backus
Subject: Fwd: 8 BANK STREET

Categories: IMPORTANT, FUTURE ABUTTERS CONCERNS

Please forward this letter to the HDC commissioners. Sam

Begin forwarded message:

From: Sam Daniel <svdiii@comcast.net>
Subject: 8 BANK STREET
Date: August 6, 2021 at 1:17:05 PM EDT
To: sconsetcivic@gmail.com
Cc: Cathy Flynn <cflynn@nantucket-ma.gov>

SCA Board Members,

This is in response to your August 5th letter to your members, concerning your opposition to the current HDC application for 8 Bank Street.

Where was the SCA, over the past years, when many other Codfish Park cottages were being demolished and replaced by too-large, too-high structures? Just two years or so ago, Jackie Siedel's Beach Street historic one-story cottage was demolished for a new two-story house. And what about the inappropriate stucture that's going up, right now, on Beach Street?!

I am concerned about the Middle Gully Road, but I trust Town's engineers to guarantee its safety. Meanwhile, I consider Angus' proposal for the 8 Bank Street property to pale by comparison with other Codfish Park rebuilds. And it's not unattractive.

Sam Daniel
6 Broadway

This email was scanned by Bitdefender

Cathy Flynn

From: Anne Carter <anniestirescarter@gmail.com>
Sent: Thursday, August 5, 2021 9:42 PM
To: Cathy Flynn
Subject: 8 Bank Street

Categories: IMPORTANT, FUTURE ABUTTERS CONCERNS

My opinion of this project is that it is way beyond the scope of the property. Seeking to maximize it's value. The Stone rubble path goes back many years in Sconset and the scope of that current structure reflect what is appropriate for a sliver of land.
Best,
Annie Carter
Sent from my iPhone

This email was scanned by Bitdefender

Cathy Flynn

From: Alicia Carol Krogh <ack7108@gmail.com>
Sent: Tuesday, August 3, 2021 9:01 PM
To: Cathy Flynn
Subject: 8 Bank St in Sconset

Categories: IMPORTANT, FUTURE ABUTTERS CONCERNS

I TOTALLY OPPOSE THIS PROJECT. My husband and I live at 16 Broadway in the Martin Box. Personally, I have lived in Sconset going on 52 years and, while there have been a lot of changes In and around the village, this is one I cannot stomach. Everything about this project is wrong. It will change Cod Fish Park/Bank St. and Sconset in ways that will destroy the beauty and integrity of this very special place on the Eastern Shore of Nantucket. PLEASE DO NOT LET THIS TRAGEDY HAPPEN TO OUR BEAUTIFUL AND VERY SPECIAL VILLAGE.

Thank you, Carol Krogh

Sent from my iPad

This email was scanned by Bitdefender

Cathy Flynn

From: Kitty Goldsmith <kittygoldsmith10@gmail.com>
Sent: Tuesday, August 3, 2021 5:47 PM
To: Cathy Flynn
Subject: 8 Bank Street, Codfish Park

Categories: IMPORTANT, FUTURE ABUTTERS CONCERNS

HDC Members,

We are emailing again to voice our opinion about the plans for 8 Bank Street in Codfish Park.We see the plans have revised the height by 1 foot. Not enough!! The house site is small and it appears the house will cover almost the whole area. We are very concerned about Middle Gully Road's stability during this construction.Middle Gully is a road not a path for emergency exit. Has everyone forgotten the storm that took some Codfish Park houses out to sea?! Could happen again!!

As we mentioned in our earlier email we are sadden by the loss of "old Sconset. This project is not in keeping with the Historic District of core Sconset. Please be careful as you consider approval of his project.

Thank You,

Peter & Kitty Goldsmith

This email was scanned by Bitdefender

Cathy Flynn

From: Helen Strong <helenmstrong1@gmail.com>
Sent: Tuesday, August 3, 2021 11:48 AM
To: Cathy Flynn
Subject: 8 Bank St., 'Sconset

Categories: IMPORTANT, FUTURE ABUTTERS CONCERNS

Dear Cathy,

I am writing again to object to the proposed construction at 8 Bank St. in Codfish Park. As a fourth-generation 'Sconset summer resident, I, along with 'Sconset residents, visitors and artists who delight in the expansive view from Front Street and the top of historic Middle Gully over Codfish Park to the sea, feel that this is the wrong building for this location. Yesterday a number of these residents, from both above and below bank, voiced their concerns at the 'Sconset Advisory Board meeting, including the President of the Siasconset Civic Association, which is opposing the construction, along with residents of Bank St., Front St., and Broadway. The defence of the project seems to be that this is a nicely designed building -- and it is -- but that doesn't mean it should be built on this fragile, postage-stamp-sized property to loom over Middle Gully, casting a bizarre shadow and obstructing storied public viewscapes.

I also don't feel that it is helpful to compare other rooflines in Codfish Park with the proposed roofline of this project. There is the perspective issue here: because this building would be built right up against the bank, it would appear much larger than the houses in the distance. The 8 Bank St. site is on higher ground than other Codfish Park houses and I don't believe we should use past mistakes to justify future errors. One resident referred to Codfish Park as being at "a tipping point" and I agree. But let's not allow it to tip over.

The location of this proposed construction is in the heart of the Siasconset Old Historic District, one of the most quaint, storied and historic places on the island, a former whale station and subsequent fishing village, founded in 1676. This is not a house isolated out of more public view such as in Tom Never's or Eel Point but in the core of what villagers see and walk by every day to and from the Post Office or 'Sconset Market or on the way to the beach. It is a strategic corner in Codfish Park.

Members of the SAB also said that they tend to evaluate a building on its architectural merit rather than how it fits into its surroundings. But the HDC mandate states:
In the case of new construction or additions to existing buildings or structures, the Historic District Commission shall consider the appropriateness of the size and shape of the building or structures both in relation to the land area upon which the building or structure is situated and buildings and structures in the vicinity,

I am not going to get into the environmental threats that the building may pose at this point because I don't believe these are in the purview of the HDC, but they are of equal concern.

Respectfully submitted,

Helen Strong
18 Broadway
'Sconset

Also, would you please let me know when 8 Bank St. will be reviewed again by the HDC. Thank you!

Cathy Flynn

From: annyvan <annyvan@aol.com>
Sent: Tuesday, August 3, 2021 2:03 PM
To: Cathy Flynn
Subject: 8 Bank Street

Categories: IMPORTANT, FUTURE ABUTTERS CONCERNS

Ms Flynn:
Would you please distribute? Thank you.
Anne Reilly

Dear Members of the Historic District Commission,

I have attended all of the meetings of the HDC at which 8 Bank Street has been discussed. Unfortunately, I am not on Nantucket and unable to attend the HDC's in-person meetings this week. I am therefore submitting these comments.

My family has been fortunate enough to own Eastward Look, 7 Front Street, since it was built almost 100 years ago. It is about the same age as the current 8 Bank Street house although similar small structures have occupied the 8 Bank Streetsite since the 1800s.

The revision for 8 Bank, which was submitted less than 48 hours after the July 20th HDC meeting, is not really responsive to the HDC's request to reduce the structure's height and massing—concerns that many villagers have expressed. In fact, the only change made by the designer was to reduce the height by 1 foot. This will still more than double the height of the existing house and overtop the 'Sconset Bank by about five feet.

Perhaps the proponent's strategy is simply to wear the HDC down. However, under its enabling bylaw, section 9(b), the HDC has the authority "in appropriate cases [to] impose dimensional and setback requirements in addition to those required by applicable by-law." This is such an appropriate case. This is because the proposed structure is located in a sensitive site at the base of Middle Gully, which serves as the entrance way to Codfish Park. It will have major impacts on historic Front Street and Middle Gully, eliminating the public viewsheds from the shell-lined street and the gully that are so admired by residents and visitors.

We ask the HDC to limit the height of this building so that the roof line does not exceed the top of the bank. This will still accommodate the owners' desire for increased living space without having such a devastating impact on the historic district.

Sincerely,
Anne Reilly

Sent from the all new AOL app for iOS

Cathy Flynn

From: janet ballou <janetcdballou@gmail.com>
Sent: Tuesday, August 3, 2021 4:27 PM
To: Cathy Flynn
Subject: 8 Bank street

Although I attended the HDC meeting on July 20th, I am off Island and unable- regrettably- to attend tonight's meeting

I would like to add my support to my neighbors in 'Sconset village who have voiced concern and opposition to the proposed construction at 8 BankStreet.

The proposed construction- a veritable Codfish Park skyscraper to be built on a tiny parcel of land- will affect the tone of the village itself. The argument that it is in keeping with roof heights of other recently constructed buildings in Codfish Park is a nonsensical one : past mistakes should not justify future misguided endeavors.

I am also extremely concerned about the environmental impact on the bank itself that such construction would cause-- it will compromise the solidity of the bank and most likely result in the loss of that brave, upstanding tree.

In sum, the proposed building is out of scale, imposing upon and
aggressively compromising both our bank and our Sconset aesthetics. I sincerely hope your commission will rule to reject such an inappropriately large piece of architecture at the base of Middle Gully Road.

Thankyou

janet ballou
21 front street

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Cathy Flynn

From: Eric Olson <shoulderdoc@mac.com>
Sent: Friday, August 6, 2021 10:54 AM
To: Cathy Flynn
Subject: We oppose the 8 Bank Street second floor

Dear Ms Flynn and HDC,
We have been coming to Sconset for over 40 years. We oppose the modifications to the 8 Bank St. home, both for how the elevated second-floor will block views when walking down middle gully, as well as how the basement installation may affect the stability of the bank.

Eric and Beatriz Olson
7 Sconset Ave
Sent from my iPhone

This email was scanned by Bitdefender

Cathy Flynn

From: Mary Williams <maryvwilliams@me.com>
Sent: Sunday, August 1, 2021 4:05 PM
To: Cathy Flynn
Cc: maryvwilliams@icloud.com
Subject: The proposed reconfiguration in Codfish Parlk

To the Historic District Commission.

It has come to my attention that the tiny cottage which was a previous shack at the foot of the gully in Codfish park has been purchased and plans have been presented to dig a cellar, and raise the roof for a dwelling of substantially more proposed living space. In my opinion this is a very poor plan. I worry that cellar will possibly fill with run off and be a great cesspool for the rain from Front Street above. I fear the foundation will probably tumble and bring the gully with it. All this will be assessed by ones more educated in that area than I am, But it seems a logical and to me a plausible possibility of a future happening.

I am a person interested in caring for and bettering old properties in Sconset. I own Dexioma, my daughter Kristen owns Shanunga, and I also own 2 other old houses in Sconset. One on Pochick and one on Magnolia. We have been thanked and awarded for taking great efforts and expense to maintain these properties for the good and calm enjoyment of the community and at the same time providing lovely settings for modern living.

I feel If the Nantucket boards let a person show up on this historic scene and ignore the restraints we and so many others have upheld to maintain this historic area would be a shame.

It appears to me as though this is a selfish wish of an applicant who just wants to be here in this little village and benefit from these historic settings enough to squat and expand both up and down into and above this ground without any regard or respect for this fragile area.

Im not sure if there is septic involved, nor if any trenches might be needed to further feed such a structure, but if approved we all are to be compromised not by Mother Nature as we are forced to be on the coast line, but from a careless decision from within our own ruling boards to compromise the stability of that tiny piece of ground.

Please send this person to another place where people don't care as much and the land is not as fragile.

Mary Williams.

7 Broadway
10 Broadway
3 Magnolia
11 Pochick

This email was scanned by Bitdefender

Siasconset Civic Association

P.O. Box 360
Siasconset, MA 02564

August 1, 2021

Via E-Mail
Nantucket Historic District Commission
2 Fairgrounds Road
Nantucket, MA 02554

Re: 8 Bank Street, Siasconset

Dear Commissioners,

On behalf of the Board of the Siasconset Civic Association, I am writing to express our concerns about the plans that have been submitted for **8 Bank Street** in 'Sconset, as revised July 22, 2021.

With all due respect to the property owner and the architect, we believe the proposed renovation -- even with the recent revision (lowering of the roofline by one foot) – is inappropriate given the unique location of this home and its historical importance. In short, we believe allowing the current structure to be altered to a 20 ft height, while digging a new basement with a 9 foot ceiling height, would be wholly inconsistent with the HDC's mission to preserve and protect historic buildings and places of historic interest.

We ask the HDC to "consider the appropriateness of the size and shape of the building or structures both in relation to the land area upon which the building or structure is situated and buildings and structures in the vicinity" as authorized in Chapter A301-4, Section 9(b), Code of Nantucket.

Historical Importance of 8 Bank Street

The house at 8 Bank Street is an historic building in 'Sconset worth of preserving as it is the only remaining structure in Codfish that used to be a fisherman's shack (built in the 1800s) and then later became a shop serving the community. Indeed, it is one of the few houses in that area of 'Sconset that is consistently featured in publications about its history and uniqueness (see the attached appendix). This historic cottage—appropriately described as "iconic" in a 2019 Cape Cod Times article—should not be allowed to be renovated as extensively as the current owners propose or we will lose yet another important part of 'Sconset's history.

Importance of Middle Gully Road

In addition to considering the historical importance of 8 Bank Street, we urge the HDC to consider the importance of preserving Middle Gully Road as is. Having a house looming over this road—which runs behind and beside this house—would change the character of this historic road, used by many pedestrians to get to Codfish Park and the beach. Moreover, Middle Gully Road is an emergency access route for Codfish Park. An engineer's report on how construction would affect the stability of the bank and the road is essential.

The Iconic View from Front Street

Residents and visitors alike pause on Front Street at the top of Middle Gully Road, or when approaching it, to take in the view of Codfish Park and the ocean. Allowing yet another house to block that view, even partially, would be a real loss. No other house in Codfish Park is located so close to the bank, making the added proposed height more visually impactful. The unique location of the cottage should be enough to warrant preserving its existing height and the iconic view from Front Street.

Preservation of Trees in Codfish Park

We are concerned that the large, unique tree that stands just behind the existing structure on 8 Bank Street would be damaged. If a second story is allowed to be added to this house, as proposed, it would endanger the health of the tree and possibly necessitate extensive pruning. There are very few trees in Codfish Park, making the preservation of this one particularly important. This tree may very well be helping to hold up the bank.

For all these reasons, the Board of the Seasoned Civic Association urges the HDC to deny the pending application for the proposed renovation at 8 Bank Street. While the historic structure at this location has obviously been renovated over time, we think the renovation being currently proposed is simply excessive and inappropriate.

Respectfully,

Lynn Filipski
President, Siasconset Civic Association

cc. Sconset Advisory Board (via e-mail)

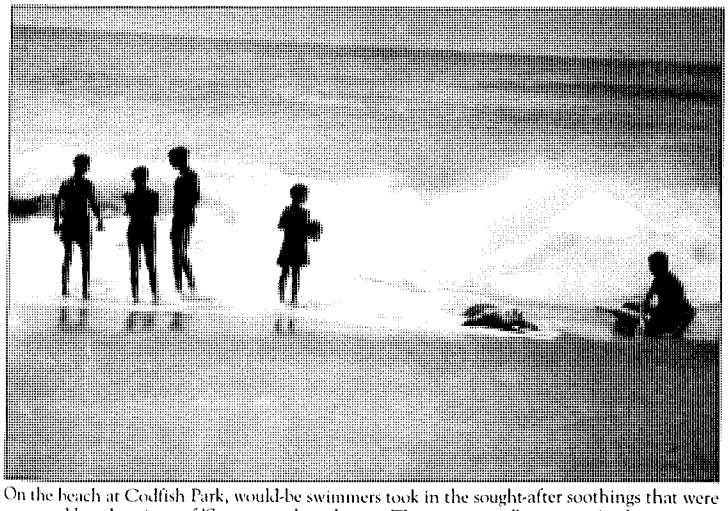
APPENDIX

Letter to the Historic District Commission dated July 31, 2021

The book *Images of America: 'Sconset*, by Rob Benchley and Richard Trust (published in 2020 by Arcadia Publishing), features 8 Bank Street on p. 61 (top):

Many shacks built in the 1800s and before were repurposed in later years. These unidentified men appear to be offering something from this converted shack. Possibly fried "chitterlings, tongues, and breeches," which were savored fare in those days, being the leftover parts of the codfish that were not shipped off-island. This shack became an ice-cream and hot dog stand in the 1920s and is a private home today.





On the beach at Codfish Park, would-be swimmers took in the sought-after soothings that were promoted by advertisers of 'Sconset and its charms. There is no sandbar to speak of at 'Sconset Beach, as strong tidal currents wash the shore hourly in potentially dangerous regularity. Early accounts of swimming here mention safety ropes that were strung at right angles to the shore. (Photograph by Gertrude Darling Benchley, courtesy of Rob Benchley.)

61

The **Nantucket Preservation Trust** similarly thought 8 Bank Street was important enough to include a photo of it in a July 2020 article about Codfish Park, https://www.nantucketpreservation.org/codfish-park-and-10-beach-street-7976. The photo included (below, c.1920) shows the sign when it was one of the few shops in Codfish Park.



8 Bank Street, today "Tour's End," started out as a hot dog stand. c. 1920 (NHA image.)

On the **Nantucket Historical Association's** webpage about Codfish Park (https://www.nha.org/digitalexhibits/sconset02564/timeline/codfishpark.html), a photo of this home is the only one featuring a specific house (bottom photo) and its particular history is highlighted (last paragraph):



SCONSET 02564

Codfish Park

SCONSET HOME ◆ BACK TO TIMELINE ◆
TO 1820 ◆ 1820-1870 ◆ 1870-1900 ◆ 1900-WWI ◆ WWI-WWII ◆ WWII-PRESENT ◆

One of the most interesting facts about Codfish Park is that it did not physically exist until the late nineteenth century. Prior to that time, the beach below the village was narrow; in fact, a devastating storm in 1841 undercut the bank and caused several houses to fall and others to be moved because of their precarious position. Over the succeeding decades the beach accreted naturally, becoming a site for fishing shacks and boat storage for the cod fishermen.

The land below the bank belonged to Henry Coffin, who deeded it to the Proprietors of Nantucket in 1880, when it was just a narrow strip. Coffin intended for the beach to be used by the inhabitants of the island; one of the stipulations of his deed was that "no building or other obstruction of any kind be erected or maintained on the premises, except bath houses, to be used as such." In less than three decades, however, the beach tripled in width and became the site of numerous buildings. It was during this period that the fishermen left their mark on Codfish Park, erecting ramshackle clusters of cottages and shacks often surrounded by fishing drays, drying racks, and whale oil barrels to catch rainwater.

Toward the turn of the century, Codfish Park formed a picturesque backdrop for visiting tourists, and for the photographers and artists who captured images of its antiquated structures in their works. A report in the *Inquirer and Mirror* in 1921 described the evolution of the neighborhood from this "derelict" period of shacks and shanties into homes:

Gradually they have taken up locations, and all during the past thirty years, the widening of the beach having created building sites, which have been pre-empted, fish house giving place to shanty, and shanty to more pretentious dwelling and bathing house, until the fish-house is almost a memory only.

In the early twentieth century, Codfish Park acquired a unique character as home to many of the working families of Sconset, who frequency served as domestic staff for families in the large houses "up bank," or offered other services such as laundry and baby-sitting help. Others operated businesses of their own in the village. This fascinating and exceptional community was racially and ethnically mixed, with families of African American, Cape Verdean, Irish, and many other backgrounds living side by side. Some had stores in Codfish Park itself – many people, for example, fondly remember Mrs. Amos (Linda) Arey, who sold freshly baked pies, sweets, hot dogs, and candy from her small store by the gulley. Other businesses included John Thomas's fish market, John Salvas's barber shop, Lily (Mauldin) Mackie's beauty parlor, and Ventured-on selling bathing suits and other beach gear. Living Codfish Park residents recall a cordial, sometimes friendly, sometimes complex, relationship with the children from above bank. Codfish Park was a community unto itself, but one with strong ties to Sconset village, whether through the relationship of work; through gatherings, movies, and shows at the Casino; or through the regular bustle and interchange of village life.

Codfish Park, 1880s
F2259

Small shop in Codfish Park. Sign on front: Mrs. Amos Arey Props. Home Cooking Hot Dogs Soft Drinks & Candy.
c. 1920s
Scan of/ of Grace Yates
SC665.tif

◆ NHA ◆ NHA DIGITAL EXHIBITS ◆

Cathy Flynn

From: Pamela Suan <pamelasuan@gmail.com>
Sent: Monday, August 2, 2021 3:01 PM
To: Cathy Flynn
Subject: 8 Bank Street Siasconset

Categories: IMPORTANT, FUTURE ABUTTERS CONCERNS

I am writing to express my concern that the HDC would allow such drastic changes to such a historic structure. The presence of 8 Bank Street as one decends the path into Codfish Park reminds us of the charm and ingenuity of old Nantucket.

The proposed structure changes the character of the area, blocks historic views, and is not in keeping with the character of the area.

I hope the HDC will not allow this to be changed in such a drastic and overpowering way.

Thank you for your time and consideration.

Sincerely

Pamela Suan
2 Broadway
Siasconset

This email was scanned by Bitdefender

Cathy Flynn

From: Rena Crisp <renacrisp@aol.com>
Sent: Monday, August 2, 2021 11:41 AM
To: Cathy Flynn
Subject: OPPOSITION- 8 Bank Street, Sconset

Categories: FUTURE ABUTTERS CONCERNS, IMPORTANT

Dear Mr Flynn,

I have been a summer/off-season resident of Sconset since the 1950's, and a property owner since the '60's.

I am strongly opposed to this transformation from a small "cottage" (aka one-room fishing shack/ice cream stand) to a two story house which would impact the entire character of this treasured part of the village, not to mention the fragility of the existing site (and surroundings).

I am sure you are already familiar with all the other reasons this would be a tragic mistake: the impact to Front Street, the precedent it would set for the rest of Codfish Park, the environmental consequences, etc.

Thank you for your consideration,
Rena Crisp
Siasconset and New York City

This email was scanned by Bitdefender

Cathy Flynn

From: Emily Maletta <emily.maletta@gmail.com>
Sent: Monday, August 2, 2021 2:13 PM
To: Cathy Flynn
Subject: Concern for new building at 8 Bank Street, Cod Fish Park, 'Sconset

Categories: FUTURE ABUTTERS CONCERNS, IMPORTANT

Hi Cathy,

I hope you are well.

I am writing as a concerned neighbor to object to the work that will be soon done to the historic building now found at 8 Bank Street in Cod Fish Park, 'Sconset.

While the proposed plans are beautiful, I am very much concerned for the welfare of the bank upon which the house sits and into which the construction will inevitably dig.

We already see signs of erosion every year as storms get nastier on our side of the island. We need this bank to be strong to prevent further erosion of our bluffs which could threaten our beautiful and prized Front Street. Efforts to remove the old Maple that resides behind the current house will certainly destabilize the bank, not just immediately behind it, but along that area, creating potential landslides and other issues during rainy times. This could cause serious problems for houses above on Front Street, and certainly those below on Bank. That is very concerning as someone who has been in 'Sconset for more than 30 years. I saw what happened in the hurricane and storms in the '90s and how we lost so much of Cod Fish Park. Let's not do anything more that could provoke more damage to the area.

Furthermore, the height of the suggested building would block the beautiful view one gets when standing at the top of Middle Gulley on Front Street and in many other places. Those prized vistas are what make our little village a destination spot for islanders and visitors alike. Potentially building a house that could block those views ruins the 'Sconset experience not just for those who live in the immediate vicinity but those who come to enjoy this small slice of heaven.

Unfortunately, I see this construction project as a perfect example of the age-old dilemma: do we sacrifice one life for the lives of many or the other way around? In this case, I beg you to consider sacrificing the desire to build out this one house to ensure the future enjoyment and safety of our village for generations to come.

Many thanks for taking the time to read of my concern. I appreciate your efforts in this difficult situation.

Best,
Emily Maletta
15 Broadway
House of Lords

Sent from my iPhone

Cathy Flynn

From: Cathy Flynn
Sent: Sunday, August 1, 2021 12:01 PM
To: Angus Macleod
Cc: Holly Backus
Subject: FW: 8 BANK STREET, AGAIN

Categories: IMPORTANT

See email below

cathy

Cathy Flynn
HDC Compliance Coordinator/Land Use Specialist Planning and Land Use Services
2 Fairgrounds Road
Nantucket, MA 02554
508-325-7587 x7027
cflynn@nantucket-ma.gov

-----Original Message-----
From: Sam Daniel <svdiii@comcast.net>
Sent: Wednesday, July 21, 2021 11:55 AM
To: Cathy Flynn <cflynn@nantucket-ma.gov>; Holly Backus <hbackus@nantucket-ma.gov>; Rob Benchley <rbenchleyiii@gmail.com>
Subject: 8 BANK STREET, AGAIN

HDC Commissioners,

Via YouTube, I have just finished watching the most recent SAB and HDC meetings concerning 8 Bank Street. Now, I like and approve of Angus' revisions, but, again, can't the 21' height be lowered a few feet? If I heard Angus correctly, he said that each of the two floors had 8' heights. 8'+8'=16', and accounting for space in-between the two floors, doesn't add up to 21' in my mind. If I misheard Angus, and the floor heights are more than 8', why can't they be lowered to that height?

Sam Daniel
6 Broadway

Below is my July 18 e-mail to you:

I don't have copies of my earlier e-mail concerns to you about the proposed reconstruction of 8 Bank Street, so pardon any repetitions, herein.

Sadly, in 'Sconset's Codfish Park, the HDC's past approvals for demolitions or changes to cottages that were too-high/too-large now serve as precedents. As they say, once you let the camel's nose under the tent, you get the whole camel.

8 Bank Street is a tiny cottage on a tiny lot that is right up against the bluff and the middle gulley wall. I worry that an enlarged cottage with basement will compromise this setting.

My cottage ridge height is 14', and I bend over when in my loft, but I could easily stand and move about in my loft if my ridge was 18', especially if it had shed dormers, so why does 8 Bank Street need a 21' ridge?

8 Bank Street's proposal for a barn-like door and its placement is rather odd. Could this better work with a window or regular door, instead?

I hope that you will seriously consider my concerns, and those of the other neighbors of 8 Bank Street.

Sam Daniel
6 Broadway

This email was scanned by Bitdefender

Cathy Flynn

From: Robin Gorham <robingorham@gmail.com>
Sent: Thursday, July 22, 2021 12:40 PM
To: Cathy Flynn
Subject: concerned Sconset citizen

Categories: FUTURE ABUTTERS CONCERNS, IMPORTANT

To Whom It May Concern, My Name is Robin Gorham. I live at 9 King St. in Sconset. I am concerned about the building that is proposed on 8 Bank St. The proposed structure would be too high and would impact the houses around it and the historic district. I hope that someone will look into this concerning proposal. Thank you, Robin Gorham. 617-583-3545

This email was scanned by Bitdefender

From: Tim Mayopoulos <tmayopoulos@gmail.com>
Sent: Tuesday, July 20, 2021 8:57 PM
To: Cathy Flynn <cflynn@nantucket-ma.gov>
Subject: 8 Bank Street, Sconset

Dear Ms. Flynn:

I am writing in connection with the Historic District Commission's consideration of the proposed renovation of 8 Bank Street in Codfish Park in Sconset.

I am a longtime homeowner in Sconset, and a regular summer visitor to Sconset for many years before that. I renovated my Sconset property at 10 Magnolia Avenue ("Thornycroft") with the assistance of Angus Macleod, the designer of the proposed renovation at 8 Bank Street. Thanks to Angus' thoughtful restoration, Thornycroft was one of the houses featured in the Nantucket Preservation Trust's 2015 August Fete of Sunset Heights.

I am sure the HCD is familiar with Angus, himself a longtime resident of Sconset. I am not aware of anyone more deeply committed to preserving the unique architecture and small scale of the village. Indeed, in contrast to some others' recent undertakings in Sconset, the design Angus has put forward for 8 Bank Street is of appropriate style and scale.

The little house at 8 Bank Street currently sits a bit awkwardly at the foot of the embankment. Angus' concept would return the site to the style of early Codfish Park, reminiscent of simple fisherman houses.

While I understand that some are concerned about the addition of a second story, the height of the structure would be well within the scale of other homes in the neighborhood, many of which are much closer to the beach. The 8 Bank Street site is tucked against the embankment, well below Front Street, making its presence much less pronounced than some newer additions and brand new homes in the area.

It is difficult to imagine that the improvement of 8 Bank Street would negatively affect the character of the neighborhood (quite the contrary) or negatively affect the vista from Front Street.

I hope that the HDC will look favorably on the proposed renovation of 8 Bank Street.

Tim Mayopoulos

10 Magnolia Avenue

Siasconset, MA 02564

--

Tim Mayopoulos

704-909-9610
tmayopoulos@gmail.com

This email was scanned by Bitdefender

--
Tim Mayopoulos

704-909-9610
tmayopoulos@gmail.com

This email was scanned by Bitdefender

Cathy Flynn

From: Helen Strong <helenmstrong1@gmail.com>
Sent: Monday, July 19, 2021 2:25 PM
To: Cathy Flynn
Subject: 8 Bank St.

Categories: IMPORTANT

Hi Cathy,
I am sending a picture of the tree next to the existing cottage at 8 Bank St. on the historic cobblestone walkway up Middle Gully Rd. in 'Sconset. One of the concerns about the proposed construction at 8 Bank St. is how it would affect the bank at Middle Gully and that the roots of this tree may be playing a role in holding the bank together. Joining other neighbors, I also wanted to reiterate my strong opposition to this project as a fourth generation summer resident of the village. While it is a nicely designed house, it is inappropriate for this small site. It would loom over the quaint streetscape of Middle Gulley and close off an iconic viewscape to the ocean on Front Street, enjoyed by villagers, visitors, artists, and photographers.
It would be a shame to let that happen.
Sincerely,
Helen Strong
18 Broadway
'Sconset

This email was scanned by Bitdefender



Kadeem McCarthy

From: Jeff Gardner <jeffgardnertx@gmail.com>
Sent: Friday, July 30, 2021 1:08 PM
To: Kadeem McCarthy
Subject: Fwd: Please distribute to Sconset Advisory Board re: 8/2 meeting

FILE COPY

Hi, Kadeem.

In Cathy Flynn's absence, I am copying you on the attached email. I also copied Holly on same earlier this morning.

Regards,

Jeff Gardner
917-952-3083

---------- Forwarded message ---------
From: **Jeff Gardner** <jeffgardnertx@gmail.com>
Date: Fri, Jul 30, 2021 at 12:01 PM
Subject: Please distribute to Sconset Advisory Board re: 8/2 meeting
To: Cathy Flynn <cflynn@nantucket-ma.gov>, <hbackus@nantucket-ma.gov>

Hello, Cathy.

It is my understanding that 8 Bank St., Sconset, is on the agenda for the SAB's 8/2 meeting. Could you please distribute the attached text to the Board members for their review?

Additionally, could you please distribute the same to the HDC for their review, as well?

Thank you for help with this.

Regards,

Jeff Gardner
917-952-3083

==========

Dear Members of the Historic District Commission:

Regarding the proposed 8 Bank Street expansion, we request that the removal of the well-established Maple tree and basement dig be reviewed by a structural engineer, and the costs quantified by a general contractor with relevant experience, before approval from the HDC is granted. The structural and financial risks should be clearly defined and mitigated before the project starts, which is well before the permitting process.

Removing the tree will require removal and reconstruction of part of the Middle Gully public way. The basement dig will absolutely cause Middle Gully to cave in without support, which could compromise the retaining wall(s) above and thus the bank and Front Street higher up. Shoring up the hillside would not be a vertical surface issue alone. Shoring up a hillside involves setting anchors to a retaining wall deep into the hillside. There is risk in that.

A structural engineer should be engaged to provide construction drawings to shore up the Front Street bank and Middle Gully during & after construction, and to reconstruct Middle Gully. The additional cost could be substantial, depending on unforeseen conditions.

If the Owner were to lack funds to stabilize or repair the bank if it fails, that's a serious issue.

Cathy Flynn

FILE COPY

From: Sam Daniel <svdiii@comcast.net>
Sent: Wednesday, July 21, 2021 11:55 AM
To: Cathy Flynn; Holly Backus; Rob Benchley
Subject: 8 BANK STREET, AGAIN

Categories: IMPORTANT

HDC Commissioners,

Via YouTube, I have just finished watching the most recent SAB and HDC meetings concerning 8 Bank Street. Now, I like and approve of Angus' revisions, but, again, can't the 21' height be lowered a few feet? If I heard Angus correctly, he said that each of the two floors had 8' heights. 8'+8'=16', and accounting for space in-between the two floors, doesn't add up to 21' in my mind. If I misheard Angus, and the floor heights are more than 8', why can't they be lowered to that height?

Sam Daniel
6 Broadway

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8 Bank Street is a tiny cottage on a tiny lot that is right up against the bluff and the middle gulley wall. I worry that an enlarged cottage with basement will compromise this setting.

My cottage ridge height is 14', and I bend over when in my loft, but I could easily stand and move about in my loft if my ridge was 18', especially if it had shed dormers, so why does 8 Bank Street need a 21' ridge?

8 Bank Street's proposal for a barn-like door and its placement is rather odd. Could this better work with a window or regular door, instead?

I hope that you will seriously consider my concerns, and those of the other neighbors of 8 Bank Street.

Sam Daniel
6 Broadway

This email was scanned by Bitdefender

Cathy Flynn



From: Joseph Topham <joseph@tophamdesignack.com>
Sent: Tuesday, August 17, 2021 4:55 PM
To: Cathy Flynn; Kadeem McCarthy
Cc: Brenda Johnson
Subject: RE: 8 Bank Street
Attachments: SAB inconsistencies to the HDC.pdf

Hi Cathy & Kadeem,

Here is the letter I was hoping to read at tonight's meeting, but I came in close contact with a client that has Covid...and now I'm quarantining.

I am including pictures from the SAB Meeting 7/19/2021 showing the ridge correctly, with ridge poles, but the proposed ridgeline from the SAB Meeting 8/2/2021 has been lowered quite significantly. Use the distant water line as your yardstick. In short, more than the 12" the applicant has stated.

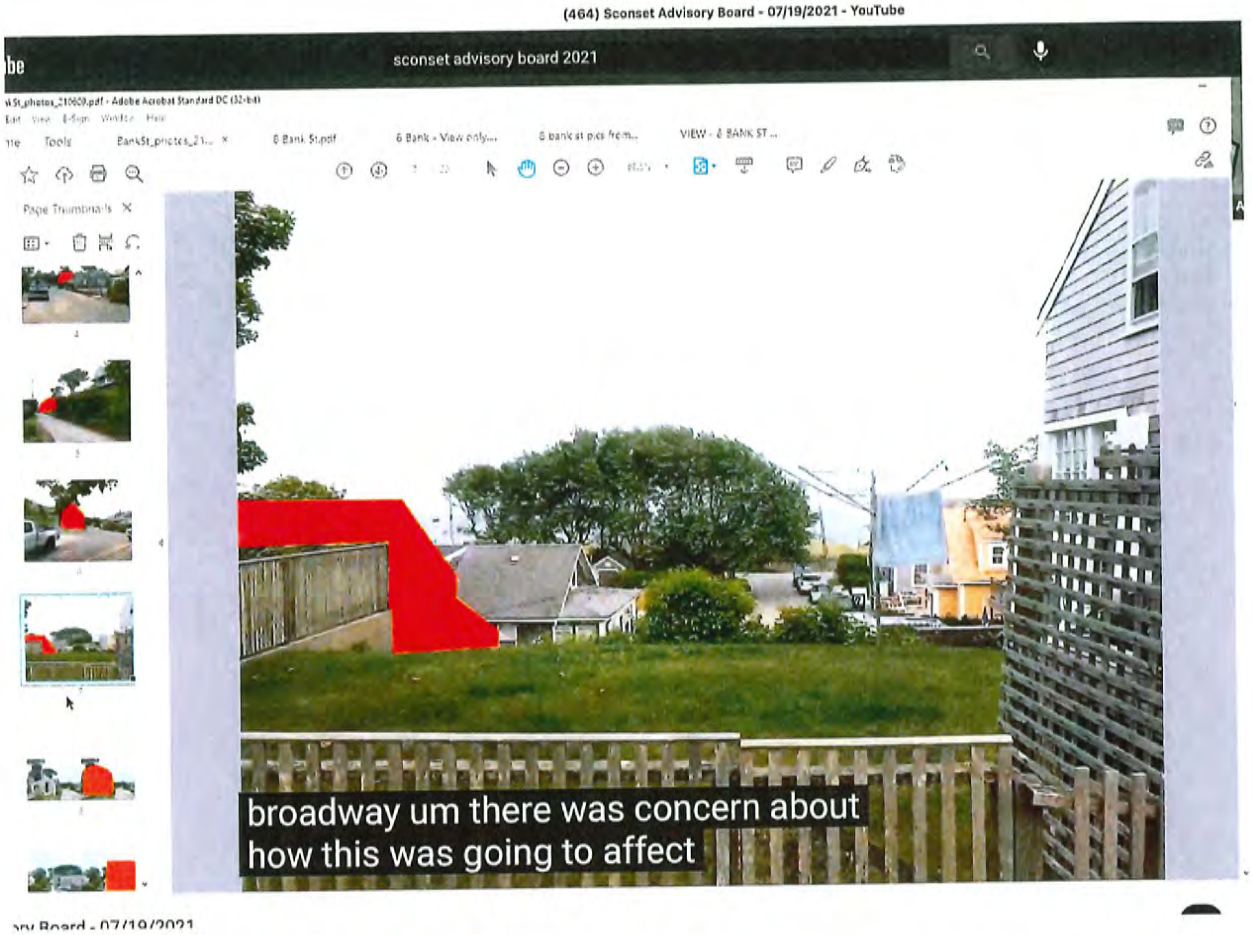
Joseph Topham

Topham Design
18 Hummock Pond Road
Nantucket, MA 02554
Tel.: 508-325-5890
joseph@tophamdesignack.com
www.tophamdesignack.com

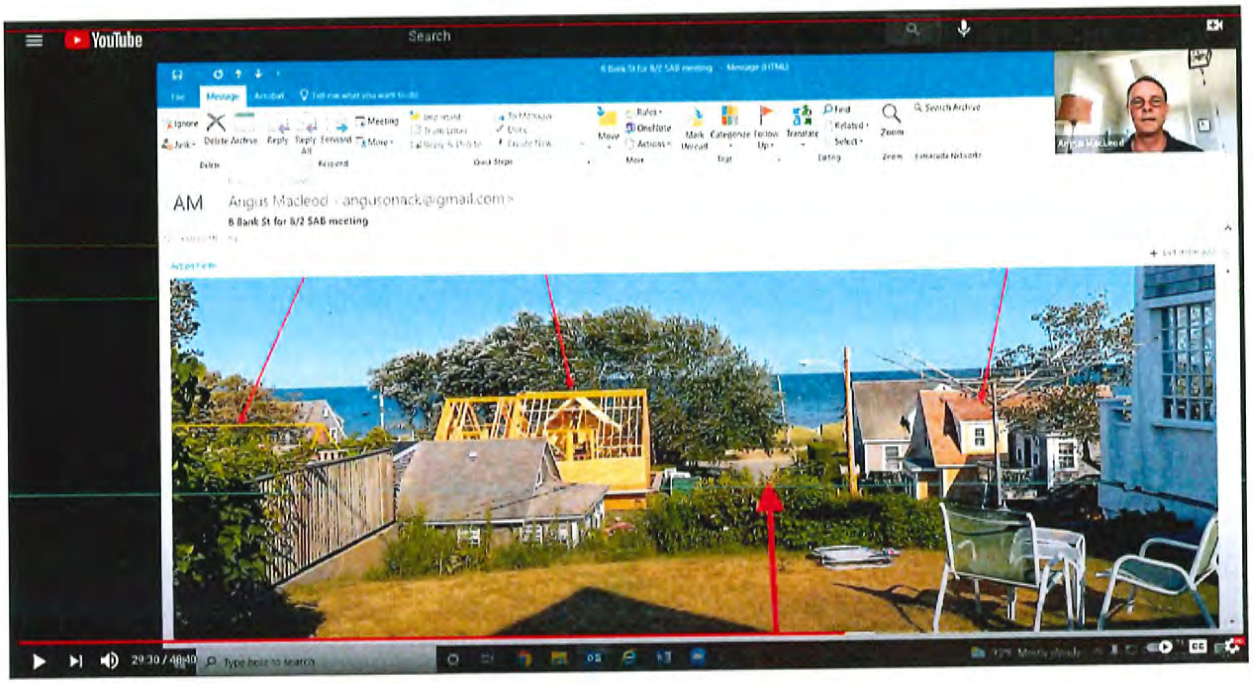
(464) Sconset Advisory Board - 07/19/2021 - YouTube



(464) Sconset Advisory Board - 07/19/2021 - YouTube



ory Board - 07/19/2021



RECEIVED
AUG 17 2021
By

I have perceived some inconsistencies between the reviews and recommendations from the Sconset Advisory Board on the HDC. Here are some examples.

This month August 2, Mrs. Ellis stated on YouTube that "the SAB has worked very, very hard, week after week after week to try to keep Cod Fish Park looking like Cod Fish Park." Yet, in one meeting, the SAB granted permission to demolish a 1935 structure. Her comment was, "it is a lovely change."

My clients requested the removal or demo of a 2004 structure. I had two agreements to relocate the structure within Cod Fish Park, which sadly fell through. Then was told by the SAB to look into the temporary removal of the footbridge, which would have caused a significant disturbance to Cod Fish Park, as well a great delay of money, along with cutting tree limbs flanking Main Street, in hopes to save a 2004 building. It required me to attend three meetings with the SAB. Again, one session to demo a 1935 structure.

As Mrs. Backus stated, "This is not an addition. This is a rebuild." The application needs to be modified.

June 2021: I requested that an 1850 Barn be relocated from 28 Main St to Bunker Hill Road, to which we were going to reuse the structure to leave the existing framing exposed. The SAB eviscerated me and the application in totality.

The applicant representative for 8 Bank Street has stated that the fenestration has been replaced, so he thinks this is the reason the 1935 structure can be demoed. Does this mean the new windows in the Atheneum Library would qualify it to be demolished?

The photograph provided by the applicant, which was taken from the Broadway Street area, depicts 8 Bank Street ridge line lower than my client's home at 15 Beach Street - it's inaccurate.

I am sharing pictures from the SAB Meeting 7/19/2021 showing the ridgeline at 8 Bank Street correctly, with ridge poles, but the proposed ridgeline from the SAB Meeting 8/2/2021 has been lowered quite significantly. Use the distant waterline as your yardstick. In short, more than the 12" the applicant has stated.

My client's project is at elevation 14'+/- roughly, and 8 Bank St is at roughly elevation 19.0 or 20.0. I am guessing because the applicant representative does not have topography on his site plan, which is required per the HDC Checklist. Also missing is a demo application. Notice of intent to demo should be placed in the Inky because someone may want to save the structure.

The applicant representative has stated that the "Ocean is the stage and his project is the back row." He must be remembering his glory days of performing plays in his high school, which is normally held on a gym level. But in reality, this project is on a sloped grade. Sticking with the theatre reference, Cod Fish Park is a raked stage, and 8 Bank Street is roughly 7' to 8' above the "orchestra pit" or Cod Fish Park Road.

This means that 8 Bank Street Ridge will finish off at roughly 40.0', and 15 Beach ridge 37'+/-.

My design of 15 Beach Street was based on NHA photographs from an 1890 Dory Barn in Cod Fish Park, which my family believes was my grandfathers, Leland Topham, and where he stored his fishing dories.

Eight structures within Cod Fish Park are equal or taller than my client's home. Plus, at this moment, it is new plywood and is going to look loaming, as will 8 Bank St when it is under construction. I received approval after four meetings with HDC, 10 Beach Street had over 20 meetings before the HDC. In short, the HDC is reviewing every detail and doing their job thoughtfully.

Commissioner Welch requested a cross-section of 10 and 15 Beach, which I think the same detail should be requested.

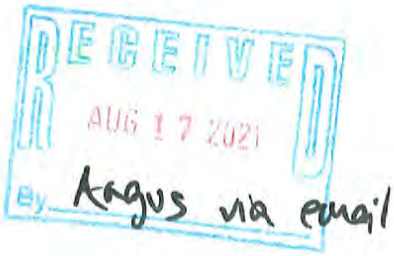
At 15 Beach St, we installed temporary steel sheathing to protect the abutting properties, not to retain water, which was started by Clement Durkes. The steel was removed, so no ground flow issues are present or will ever be present. And no groundwater was seen during the excavation.

8 Bank Street will require steel sheathing around the entire property to retain the existing sloped bank and for the installation of a new full basement foundation. The existing Town retaining wall, which is roughly 12" from the existing structure, needs to be completely rebuilt when a new foundation is introduced or major underpinning will be required. Has the applicant representative received approval from the Town for this work? The Town will need to be involved because the new retaining wall will need to be constructed to State Standard and values, which will require an RFP, etc. etc.

In Closing about SAB
June 2018: I had an issue with a Zoning Shed in Sconset and an abutter a crossed the street objected to the application. Roughly two weeks later, a current SAB Member submitted drawings to the HDC for the direct abutter that objected to my client's shed. I believe all of the HDC members remember going before the Select Board, which I won the case. My point, the SAB member, now the applicant representative, never stated publicly that he was the Architect for the protesting abutter. This is a clear violation of Robert's Rules. As a former ConComm and representative of the Town, I'm appalled.

Kadeem McCarthy

From: Angus Macleod <angusonack@gmail.com>
Sent: Tuesday, August 17, 2021 4:14 PM
To: Cathy Flynn; Kadeem McCarthy
Cc: Holly Backus
Subject: 8 Bank Street ~ 16 Codfish Park Alterations



Hi Cathy,

Could please add this to the rest of the documents for the HDC review of 8 Bank St.

Thanks,
Angus

16 Codfish Park Houses that have been altered with HDC approval
Copies of Documentation have been filed with PLUS for HDC meeting

9 Beach Street ~	2 story building, addition ~	22'+ High
10 Beach Street ~	Demo 1 story, build 2 story ~	22' High
15 Beach Street ~	Demo 1 story, build 2 story ~	23.5' High
7 Bank Street ~	Reconfigure, build 2 story ~	23.5' High
11 Bank Street ~	2 story building, add balcony ~	21.5' High
19 Bank Street ~	Reconfigure, build 2 story ~	19' High
23 Bank Street ~	Move/Reconfigure, 2 story ~	18' High
23R Bank Street ~	Build New 2 story ~	22' High
25 Bank Street ~	2 story building, add balcony ~	19.5' High
12 Codfish Park Road ~	Demo 1 story, build 2 story ~	25' High
16 Codfish Park Road ~	Demo 1 story, build 2 story ~	24.5' High
34 Codfish Park Road ~	Demo 1 story, build 2 story ~	23.3' High
36 Codfish Park Road ~	1 story, 2 story addition ~	23.5' High
7 Fawcett Road ~	1 story, 2 story addition ~	22.5' High
3 North Gully Road ~	2 story building, addition ~	20.6' High
8 North Gully Road ~	Demo 1 story, build 2 story ~	19.6' High

This email was scanned by Bitdefender

Cathy Flynn

From: john shea <johnvshea@gmail.com>
Sent: Tuesday, August 17, 2021 10:21 AM
To: Cathy Flynn
Subject: 8 Bank Street - Letter of Concern

Dear C. Flynn and the HDC,

Below please find a letter which I sent yesterday to architect Angus MacLeod which addressed my concerns as a long-time private citizen of Sconset about the proposed changes at 8 Bank Street.

Many thanks for sharing this letter with your committee which may be addressing this project today.

Best regards,

John Shea

FILE COPY

Hi Angus,

I haven't seen the proposed plans for the new house at the bottom of Middle Gully Road so I can't say anything about them specifically, but in general response to your request for my comments, here they are:

I looked at the photos of Codfish you sent and my response here is *not an official one* from the Sconset Civic Association, nor any organization, it's one from me as your friend, as a private citizen who worked in Codfish Park in 1969, lived in Codfish Park in 1970 and '71, and who has lived in Sconset ever since. For fifty two years I, like many others, have passed the cottage at the foot of Middle Gully Road and have learned to appreciate the way it fits. Since the cottage might have been built in the 1950's there are older people around who have passed it for seventy years or longer.

Certainly, the cottage at the foot of Middle Gully is like the many single story cottages that were built in historic days of the 18th and 19th century by fishermen. If it isn't actually one of them and was moved to that spot and rebuilt, the existing house was built with those historic Codfish Park cottages in mind, snug and appropriately proportioned for its location at the foot of the embankment and the road down.

Does any of that make the existing cottage historic? Maybe not by strict definition but, by a certain standard, the existing cottage has become part of an iconic way in the heart of our Village. Certainly, sea-shelled Front Street is one of the most important historic locations in Sconset, maybe in America: arguably the intersection of Front Street and Middle Gully Road is an aorta at the very heart of our Village.

The concern I have, as one of the lovers of that intersection, is that whatever new house is built could damage the charm of that vista, possibly block an iconic view and further contribute to the degradation of the Village experience.

You may remember that when I shot the only scene set in Sconset for my film *Grey Lady,* I chose to set the scene with Eric Dane and Natalie Zea on Middle Gully Road as they stroll up it from Codfish Park to Front Street. I chose it for its beauty, romance, symmetry, for the cobblestone and brick road going up from Codfish Park, for the white wooden handrail, for the charming cottage at the foot of wild Bank Street that will now be replaced.

As former member of the Sconset Volunteer Fire Department, I also worry about how construction of a possible basement or crawl space of a new (two-story?) dwelling could potentially undermine the structural viability of the Middle Gully Road which, as you know, is now the only means of egress from Codfish Park besides South Gully, the road with the footbridge. I was in Sconset 1992 (or so) when Codfish Park flooded in a hurricane and the houses on the beach were all destroyed, moved or washed away. During this storm most of South Gully Road was flooded and impassable; Middle Gully Road was an important means of access by vehicle so people could get help or evacuate.

Middle Gully Road is still the only other way down to Codfish Park for emergency and private vehicles; imagine a fire heading toward the Park one day, one that renders South Gully impassable, and then consider the importance of preserving the structural integrity of Middle Gully Road and the embankment that supports it and the possible impact on it of new construction, landscaping, etc..

Those are my private concerns, Angus. I know how much you care about architecture, history and all things in Sconset and I hope that you and the new owners of that property will continue to carefully consider both the aesthetic and structural consequences of designs as you move forward.

With thanks for concern,

Yours, as ever,

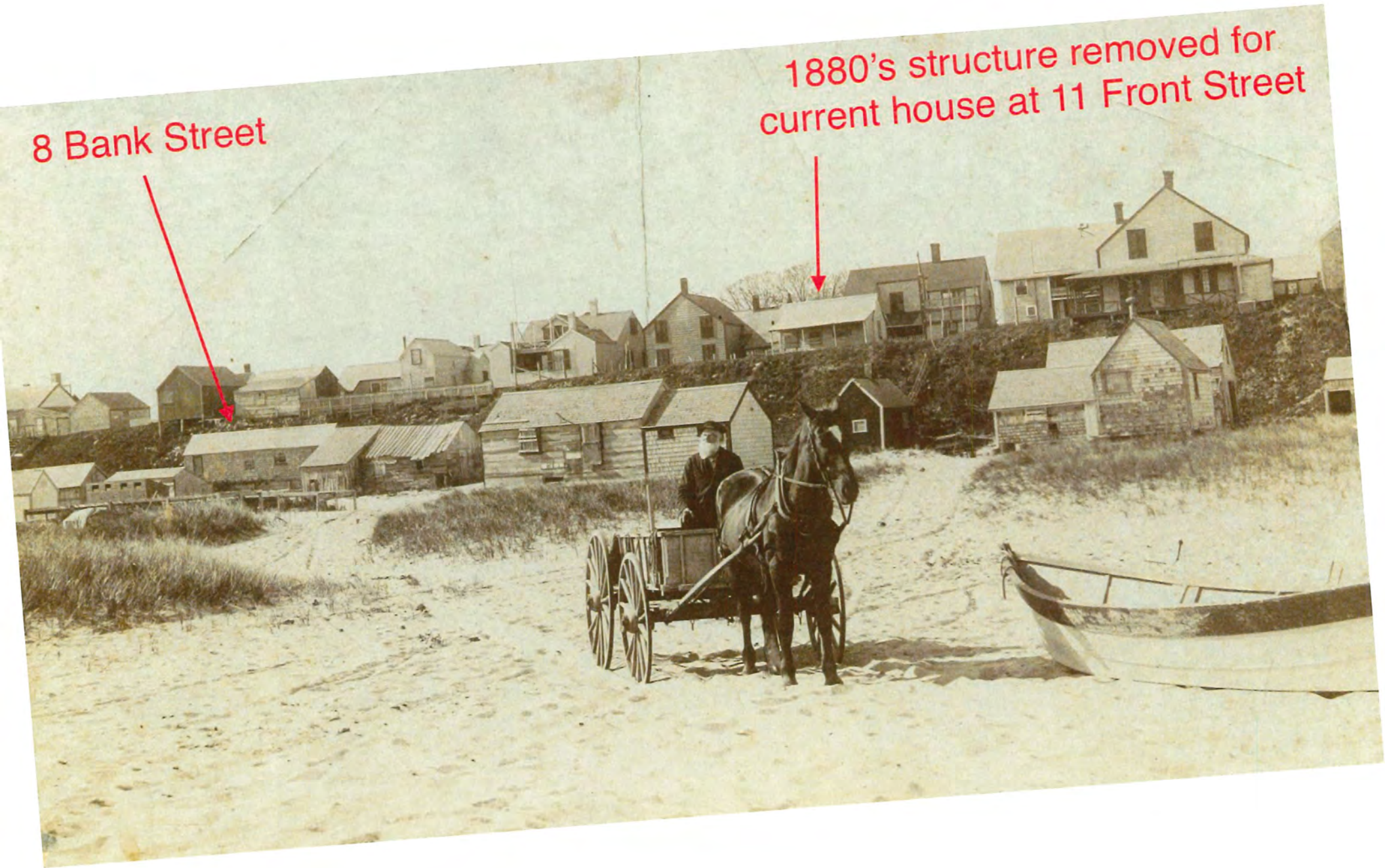
John

This email was scanned by Bitdefender



8 Bank Street
Future Beach Street
2
Siasconset, Mass.
D

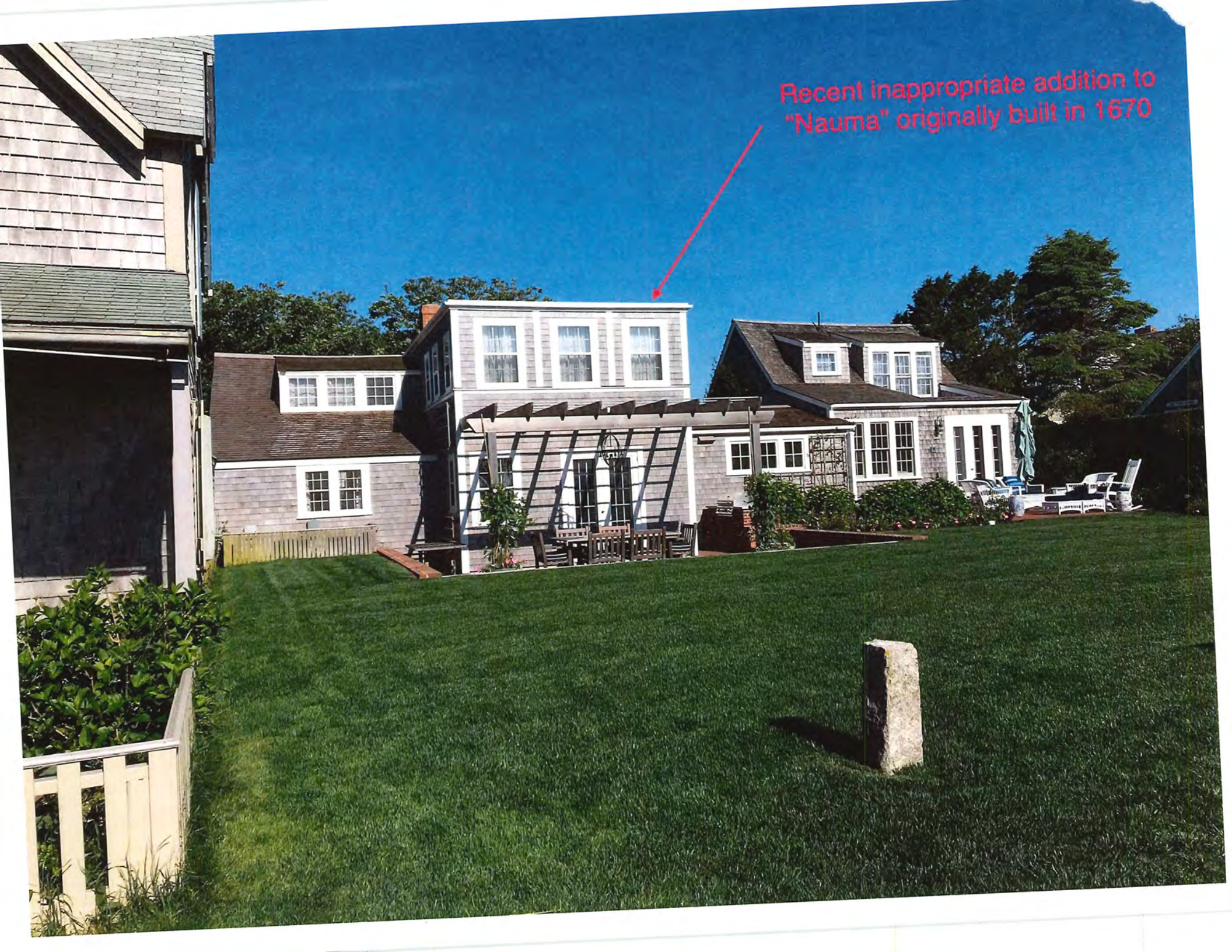

15 Beach St., after being reduced 2'-5" was approved for 23'-6" ht. Under construction
10 Beach St. Approved at the reduced ht. of 22'
11 Front St. 1880's 1 story structure removed and replaced by this house in 1980's


8 Bank Street
1880's structure removed for current house at 11 Front Street





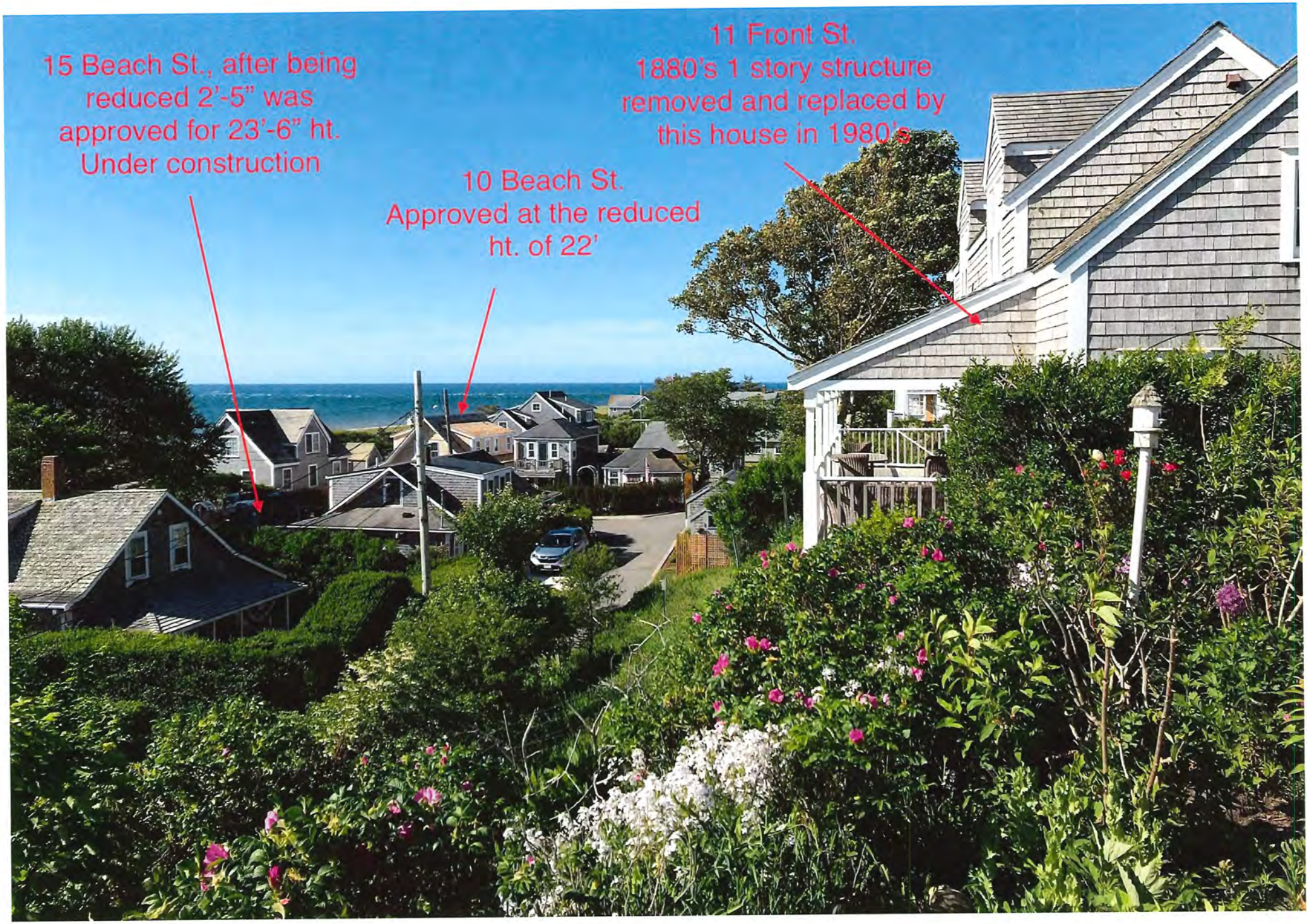



Recent inappropriate addition to
"Nauma" originally built in 1670




Inappropriate addition to "Nauma" blocking sky at the end of Front Street vista
North end of Front Street


RAINBETH WAY


15 Beach St., after being reduced 2'-5" was approved for 23'-6" ht. Under construction
10 Beach St. Approved at the reduced ht. of 22'
11 Front St. 1880's 1 story structure removed and replaced by this house in 1980's

Planning and Land Use Services
2 Fairgrounds Road, Nantucket, Massachusetts 02554
Telephone: 508.325.7587

THIS CHECKLIST IS TO BE SUMBITTED WITH ALL HDC APPLICATIONS Rev Jan 2020

REQUIRED WITH ALL APPLICATIONS:

1. **Completed Application Form**: Description of ALL work must be indicated on application form.
2. **Property Owner's Signature**: Current owner's signature preferred; if the agent is signing the application written authorization from the owner (letter, fax, email) must be provided.
3. **Application Fee**: See back of application for fee schedule or call the office.
4. **Locus Map (4 copies):** Location Map must include north arrow, parcel boundaries, primary and secondary streets. (Town GIS Map Site) https://www.nantucket-ma.gov/151/GIS-Maps
5. **Site Plan (4 Copies):** must include the following: lot dimensions, north arrow, all existing structures, proposed work (highlighted) with dimension to lot lines, scale, driveway, grade changes, and *placement of HVAC units, electrical boxes, fuel tanks, etc.*.
6. **8-1/2" x 11" Copies of ALL Application Materials**: Must include the following: application form (reduced 64%), locus map, plot plan, all elevations and floor plans, window schedule, photographs, other relevant supporting material. All material MUST BE LEGIBLE (font size no smaller than 12), collated and stapled.
7. **Photographs**: Required of ALL applications for alterations to an existing structure. Photographs must be clear and labeled with application address or contextual address.
8. **Electronic submission:** All documents submitted to the HDC office must be emailed to hdcsubmissions@nantucket-ma.gov.

REQUIRED WHERE APPLICABLE:

1. **Supplemental Information for Historic Buildings**: It is the applicant's responsibility to research the historical status of any and ALL buildings. Additional information may be obtained from the Nantucket Historical Association Library. If not historic, denote on application.
2. **Exterior Elevations and Floor Plans (4 copies):** Must be ¼-inch scale and include all affected sides of the building, cardinal points (N, S, E, W), dimensions, heights, floor and ceiling heights, elevations of finished grade, window details and placement of HVAC units, electrical boxes, fuel tanks, etc. *All changes from approved or existing design must be clouded on drawing*. All material MUST BE LEGIBLE, collated and stapled. Reduced sets should maintain a font size of 12.
3. **As-Built Plans (1copy):** of existing elevations
4. N/A **Hardscaping Plans (4 copies):** To legible scale. This includes fences, decks, porches, arbors, retaining walls, tennis courts, swimming pool, driveways, gazebos etc. All material MUST BE LEGIBLE, collated and stapled.
5. N/A **Topographic Map**: Must show existing and proposed grade for any change of more than one foot in height on grade . Retaining walls must be applied for separately (see hardscaping plan).
6. **Door and Window Schedule (4 copies):** Must include window type (true divided, simulated divided), number of lights, dimensions, materials, manufacturers type name and type number.
7. ASM (initial to indicate read and understand) ***I UNDERSTAND THAT A TRUE DIVIDED LIGHT WINDOW/DOOR IS DEFINED AS MULTIPLE INDIVIDUAL SINGLE PANES OF GLASS (i.e., NOT DOUBLE-PANED OR INSULATED) ASSEMBLED IN THE SASH/DOOR USING MUNTINS.***
8. **Abutter Notification Materials** – Abutters list from Assessors Office, certified mail stubs, and a copy of letter are required for all applications for changes of 1000 square feet or more except in the Nantucket Historic Core and 'Sconset Historic Core where the requirement for new construction is 100 square feet.
9. N/A **Approvals from Planning Board, Zoning Board of Appeals, Conservation Commission etc.**

CERTIFICATE NO: _____ DATE ISSUED: _____

Application to the HISTORIC DISTRICT COMMISSION, Nantucket, Massachusetts, for a

CERTIFICATE OF APPROPRIATENESS

for structural work.

All blanks must be filled in using BLUE OR BLACK INK (no pencil) or marked N/A.

NOTE: It is strongly recommended that the applicant be familiar with the HDC guidelines, *Building with Nantucket in Mind*, prior to submittal of application. Please see other side for submittal requirements. Incomplete applications will not be reviewed by the HDC.

This is a contractual agreement and must be filled out in ink. An application is hereby made for issuance of a Certificate of Appropriateness under Chapter 395 of the Acts and Resolves of Mass., 1970, for proposed work as described herein and on plans, drawings and photographs accompanying this application and made a part hereof by reference.

The certificate is valid for three years from date of issuance. No structure may differ from the approved application. Violation may impede issuance of Certificate of Occupancy.

PROPERTY DESCRIPTION

TAX MAP N°: 17.3.1 PARCEL N°. 69

Street & Number of Proposed Work: 8 BANK ST., 'SCONSET

Owner of record: KRISTINA & NICHOLAS AMENDOLARE

Mailing Address: 538 LYNN FELLS PARKWAY

MELROSE, MA 02176

Contact Phone #: (617) 717-8339 E-mail: AMENDOLARE@GMAIL.COM

AGENT INFORMATION (if applicable)

Name: ANGUS MACLEOD

Mailing Address: P.O BOX 7055

'SCONSET, MA 02564

Contact Phone #: (508) 257-6729 E-mail: ANGUSONMACK@GMAIL.COM

FOR OFFICE USE ONLY

Date application received: _____ Fee Paid: $ _____

Must be acted on by: _____

Extended to: _____

Approved: _____ Disapproved: _____

Chairman: _____

Member: _____

Member: _____

Member: _____

Member: _____

Notes - Comments - Restrictions - Conditions

DESCRIPTION OF WORK TO BE PERFORMED

See reverse for required documentation.

☐ New Dwelling ☑ Addition ☐ Garage ☐ Driveway/Apron ☐ Commercial ☐ Historical Renovation ☐ Deck/Patio ☐ Steps ☐ Shed

☐ Color Change ☐ Fence ☐ Gate ☐ Hardscaping ☐ Move Building ☐ Demolition ☐ Revisions to previous Cert. No. _____

☐ Pool (Zoning District ____) ☐ Roof ☐ Other _____

Size of Structure or Addition: Length: 6'-8"+10'-1" Sq. Footage 1st floor: 168 SF

Width: 17'-0" Sq. footage 2nd floor: 346 SF

Sq. footage 3rd floor: _____

Decks/Patio: Size: 8' x 9' ☑ 1st floor ☐ 2nd floor

Size: _____ ☐ 1st floor ☐ 2nd floor

Difference between existing grade and proposed finish grade: North Ø South Ø East Ø West Ø

Height of ridge above final finish grade: North 18'-0" South 21'-0" East 21'-0" West 14'-9"

Additional Remarks

Historic Name: UNKNOWN

Original Date: 1930

Original Builder: UNKNOWN

REVISIONS* (describe)

1. East Elevation RAISE EAVE 6', RAISE RIDGE 9', REMOVE CHIMNEY, FENESTRATION
2. South Elevation 6'-8" ADDITION, 2ND FLOOR ADDITION, MOVE SHOWER, & FEN.
3. West Elevation RAISE EAVE 6', RAISE RIDGE 9', ADD 9' DORMER, & FENESTRATION
4. North Elevation RAISE RIDGE 9', ADD 8'x9' COVERED PORCH, FEN., WINDOW WELL

SEE MACRIS SURVEY

*Cloud on drawings and submit photographs of existing elevations.

Is there an HDC survey form for this building attached? ☐ Yes ☐ N/A

DETAIL OF WORK TO BE PERFORMED

Foundation: Height Exposed 8" ☐ Block ☑ Block Parged ☐ Brick (type) _____ ☑ Poured Concrete ☐ Piers

Masonry Chimney: ☐ Block Parged ☐ Brick (type) _____ ☐ Other _____

Roof Pitch: Main Mass 9 /12 Secondary Mass 4.5 /12 Dormer 4.5 /12 Other _____

PORCH

Roofing material: ☐ Asphalt: ☐ 3-Tab ☐ Architectural

☑ Wood (Type: Red Cedar, White Cedar, Shakes, etc.) RED CEDAR

Fence: Height: _____

Type: _____

Length: _____

Skylights (flat only): Manufacturer VELUX VS-M02 Rough Opening _____ Size 30" x 36" Location WEST ELEVATION

Manufacturer W/ CEDAR SL. COVER Rough Opening _____ Size _____ Location _____

Gutters: ☑ Wood ☐ Aluminum ☐ Copper ☑ Leaders (material) COPPER

Leaders (material and size): 2" COPPER

Sidewall: ☑ White cedar shingles ☐ Clapboard (exposure: _____ inches) Front ☐ _____ Side

☐ _____

☐ Other _____

Trim: A. Wood ☐ Pine ☐ Redwood ☑ Cedar ☐ Other _____

B. Treatment ☐ Paint ☑ Natural to weather ☐ Other _____

C. Dimensions: Fascia 1x6 Rake 1x6 Soffit (Overhang) 6" Corner boards 1x6 Frieze 1x6

Window Casing 2"x3" PLANK Door Frame 2"x3" PLANK Columns/Posts: Round ____ Square 4x4

Windows*: ☑ Double Hung ☐ Casement ☑ All Wood ☐ Other HOPPER AND SINGLE-HUNG

☑ True Divided Lights(muntins), single pane ☐ SDL's (Simulated Divided Lights) Manufacturer BOSTON SASH

Doors* (type and material): ☑ TDL ☐ SDL Front WOOD PLANK Rear WOOD PLANK W/ 4-LT Side WOOD PLANK

Garage Door(s): Type _____ Material _____

Hardscape materials: Driveways _____ Walkways ORIGINAL BRICK Walls PARGE EXIST. CONC. BLOCK

* Note: Complete door and window schedules are required.

COLORS

Sidewall NATURAL Clapboard (if applicable) _____ Roof NATURAL

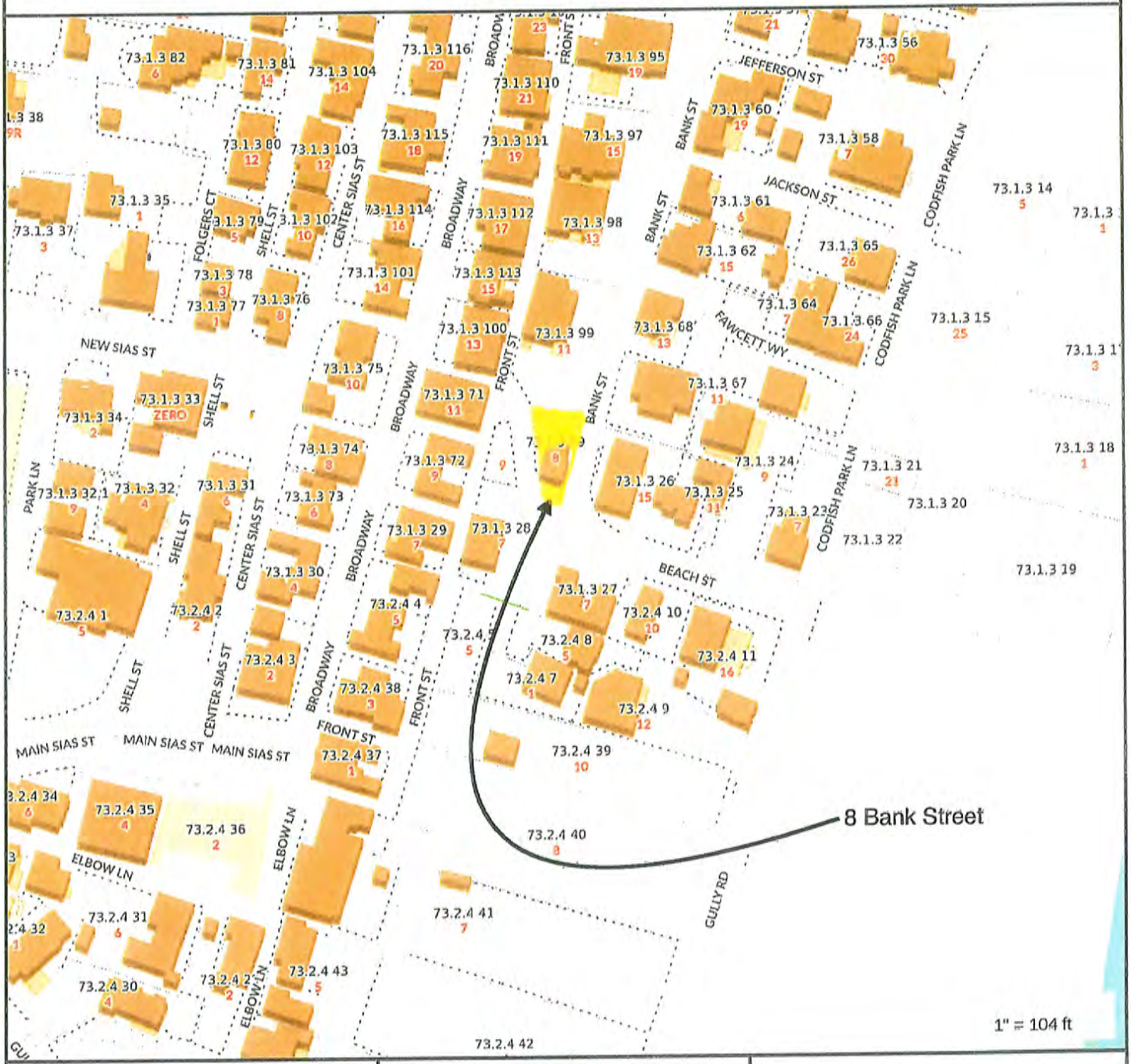
Trim NATURAL Sash ESSEX GREEN Doors ESSEX GREEN

Deck NATURAL Foundation NATURAL Fence _____ Shutters _____

* Attach manufacturer's color samples if color is not from HDC approval list.

I hereby authorize the agent named above to act on my behalf to make changes in the specifications or the plans contained in this application in order to bring the application into compliance with the HDC guidelines. I hereby agree to abide by and comply with the terms and conditions of this application. I hereby agree that the submission of

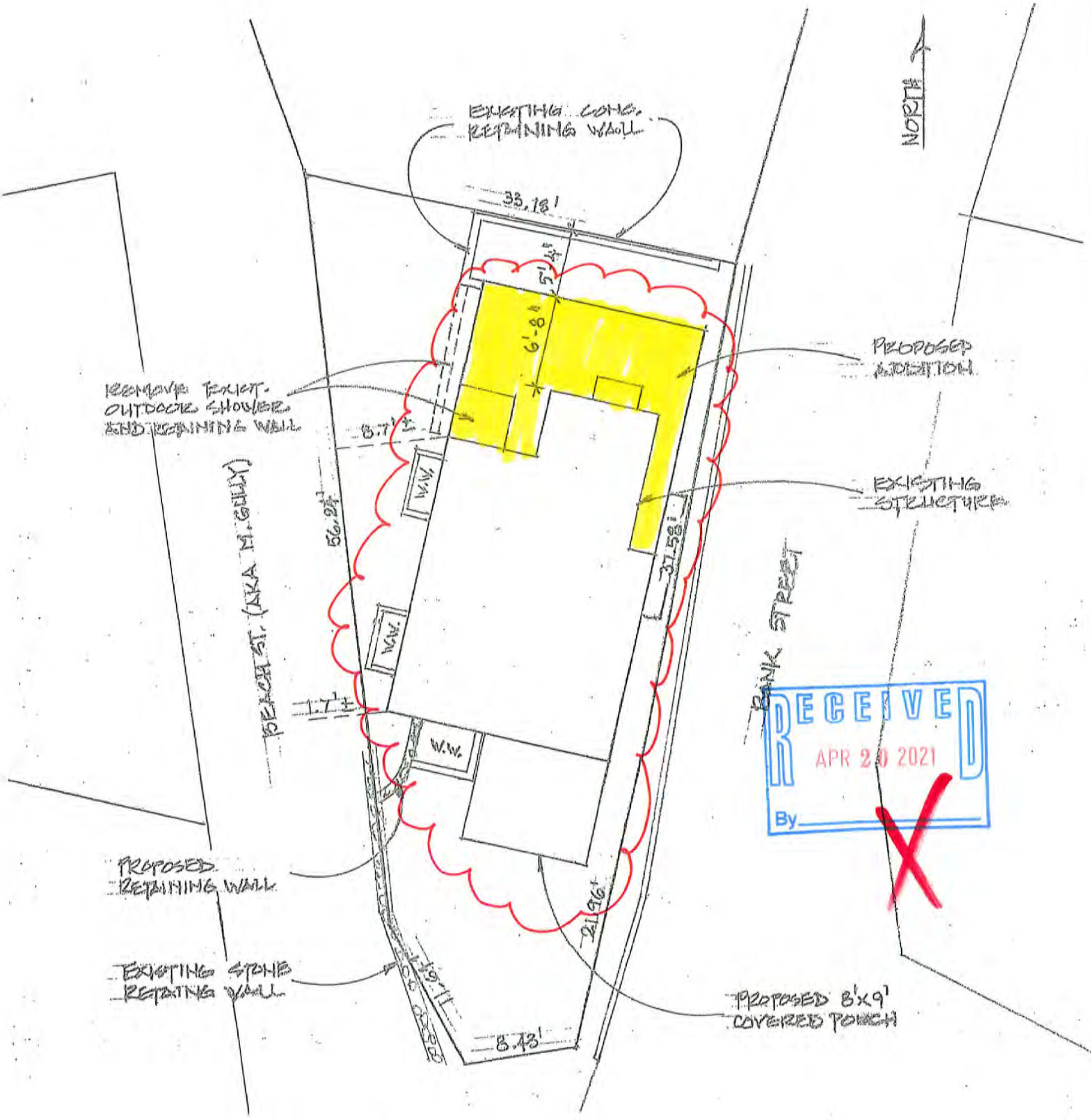
Amendolare: Locus Plan



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



SITE PLAN
SCALE: 1" = 10'

AMENDOLARE RESIDENCE
8 BANK STREET
GOOSNET, MA.

ANGUS MACLEOD DESIGNS
P.O. BOX 7055
GOOSNET, MA.
(508) 257-6789

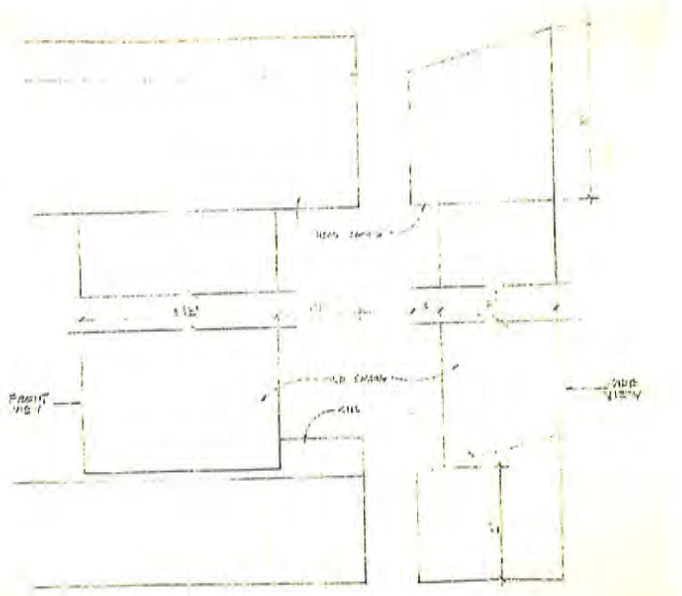
Angus MacLeod Designs
P.O.Box 7055
Sconset, MA
02564

Amendalore: Window Schedule

No	Unit Size	Manu.	Glass size	Type	Notes	Quant.
1	1' - 8" x 2' - 1"	Boston Sash	8 x10	4 (2H2W) Light Hopper Window	Single	2
2	2' - 6" x 3' - 1"	Boston Sash	8 x10	9 (3H3W) Light Single-Hung Window	Single	2
3	2' - 8" x 1'-11"	Boston Sash	7 x 9	8 (2H4W) Light Hopper Window	Single	2
4	2' - 8" x 2' - 8"	Boston Sash	7 x 9	12 (3H4W) Light Hopper Window	Single	2
5	2' - 8" x 4'-11"	Boston Sash	7 x 9	12/12 Double-Hung Window	Single	5
6	3' - 9" x 3' - 1"	Boston Sash	8 x10	15 (3H5W) Light Single-Hung Window	Single	1
7	2' - 8" x 4'-11"	Boston Sash	7 x 9	12/12 Double-Hung Window	Single	1
8	2' - 6" x 2' - 6"	Velux	VS-M02	3 Light Skylight w/ Cedar Cover	Single	1
9	3' - 0" x 7' - 0"	Custom	8 x10	4 Light Plank Door	Single	1
10	3' - 0" x 7' - 0"	Custom		Plank Door	Single	1
9	4' - 0" x 8' - 0"	Custom		Plank Door	Double	1

Window Notes:

* Casings to be Cedar Plank Frame with "horns" (see sketch detail below)
* Windows to have "Western Style" Casing for inset storm/screens
* Double-Hung windows to have concealed balances
* All Window panes to be Bendheim "Light Restoration" Glass
* Prime Sash / Casings natural to weather





SOUTH & EAST 8 BANK ST.

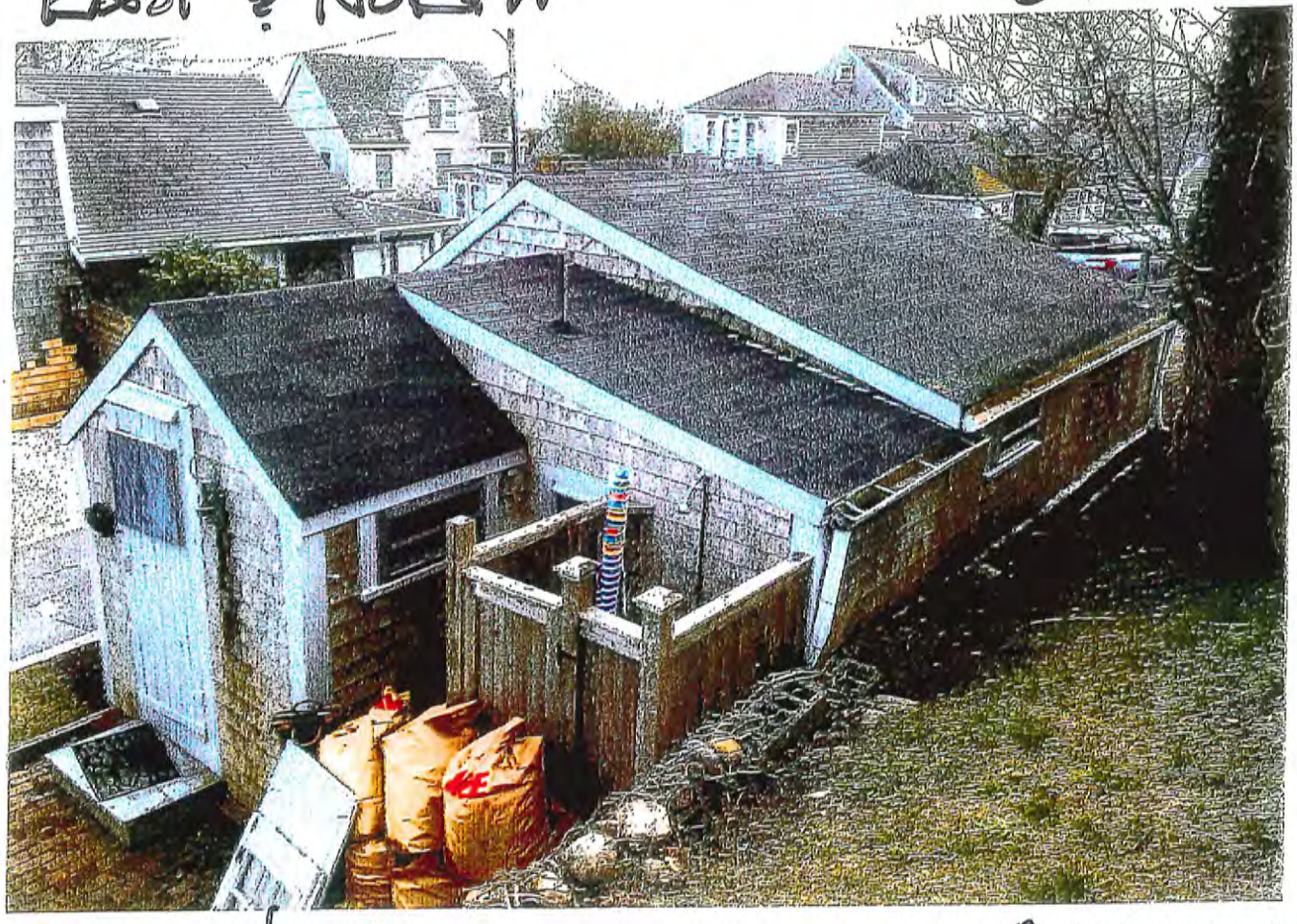


EAST 8 BANK ST.



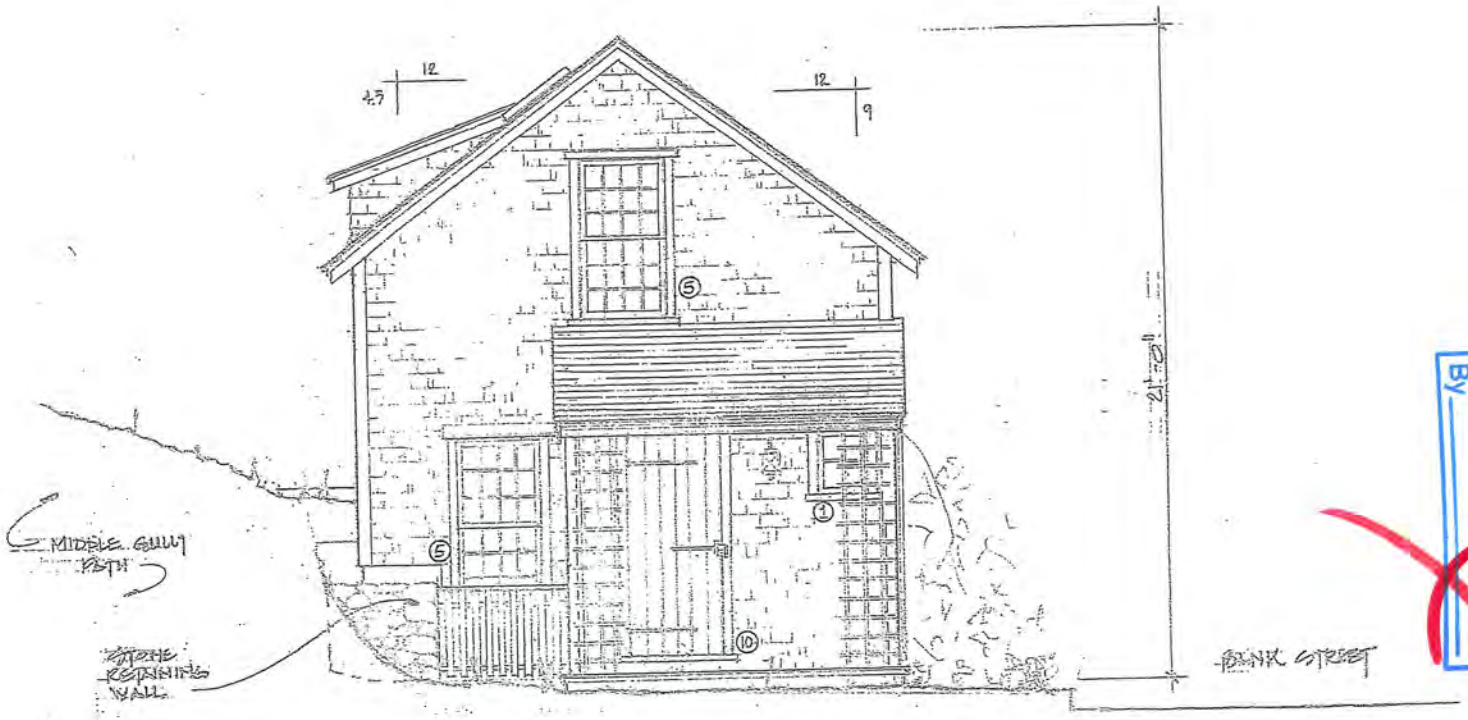
EAST & NORTH

8 BANK ST.



NORTH & WEST

8 BANK ST.

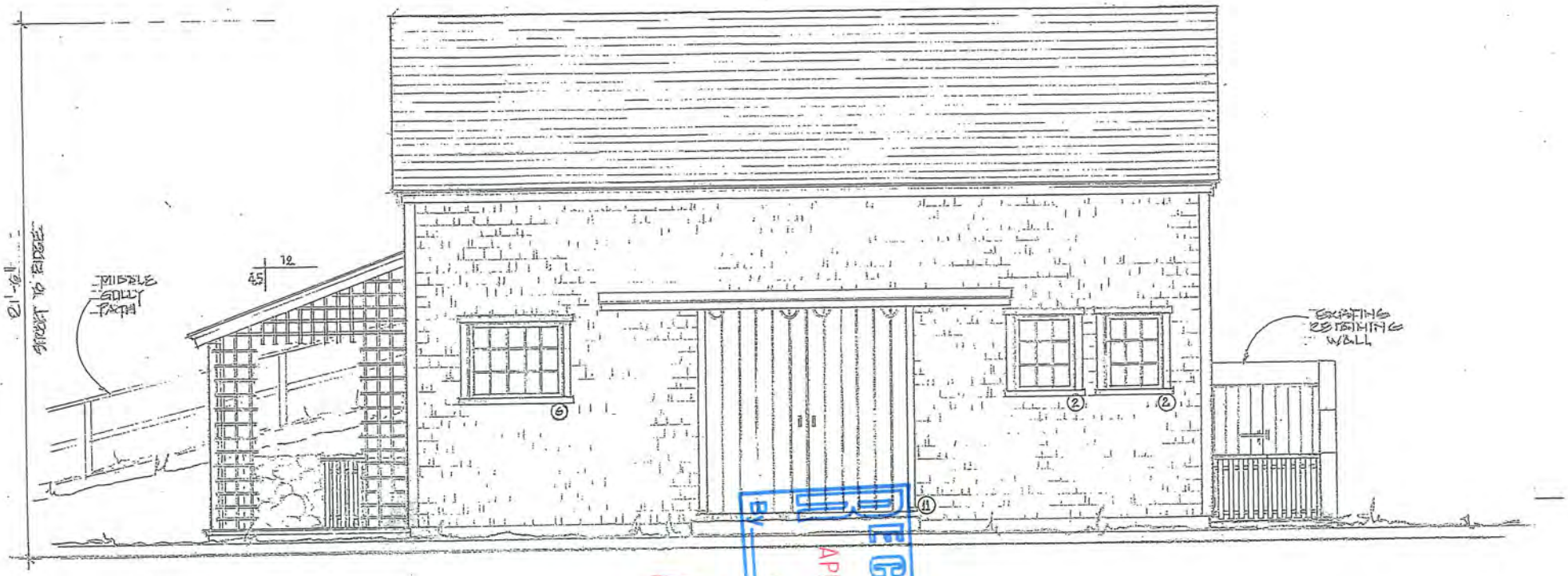


SOUTH ELEVATION
SCALE: 1/4" = 1'-0"

RECEIVED
APR 20 2021
By

AMENDOLARE RESIDENCE
8 BANK STREET
GOOSNET, MA

ANGUS MACLEOD DESIGN
P.O. BOX 7055
GOOSNET, MA
(508) 257-6781

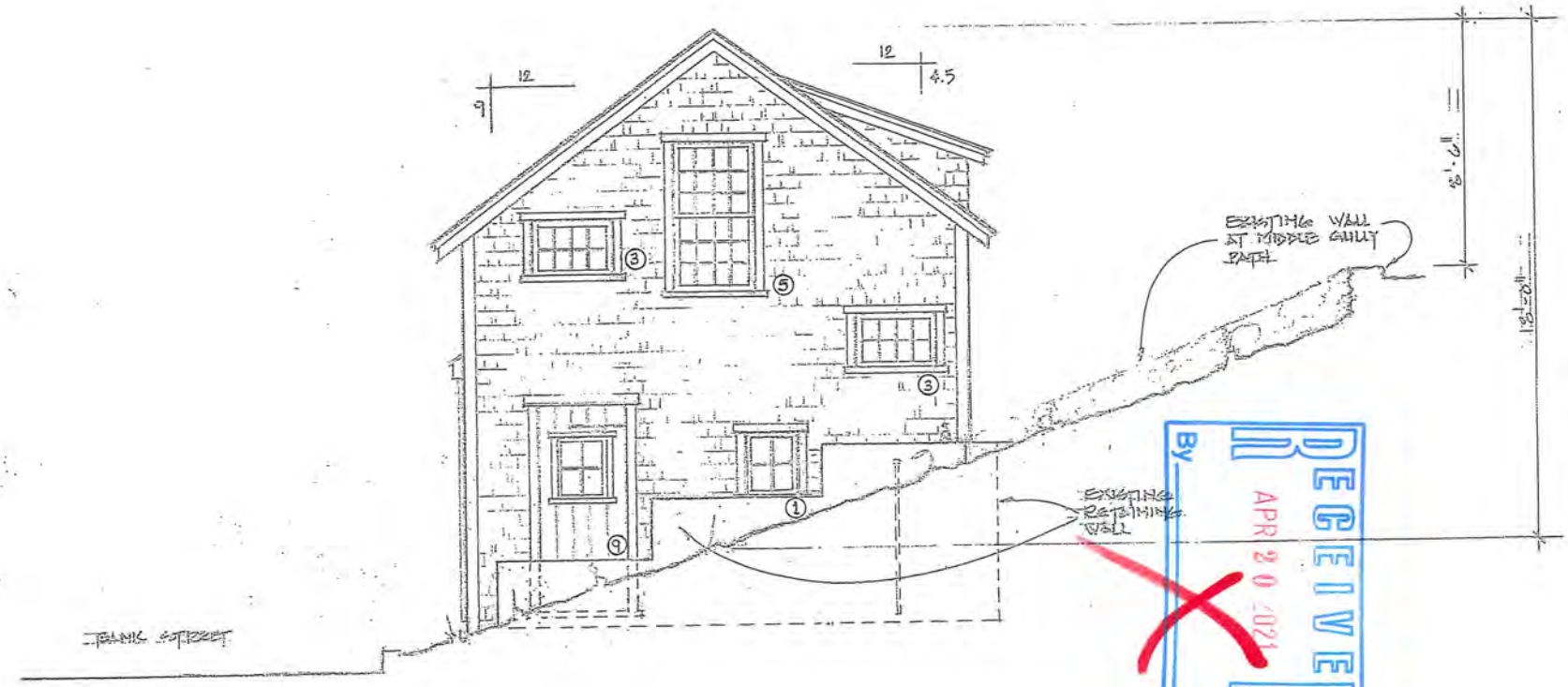


EAST ELEVATION
SCALE: 1/4"=1'-0"

RECEIVED
APR 20 2021
BY

AMENDOLARE RESIDENCE
8 BANK STREET
GLOUCESTER, MA

ANGUS MACLEOD DESIGN
P.O. BOX 7055
GLOUCESTER, MA
(508) 257-6789

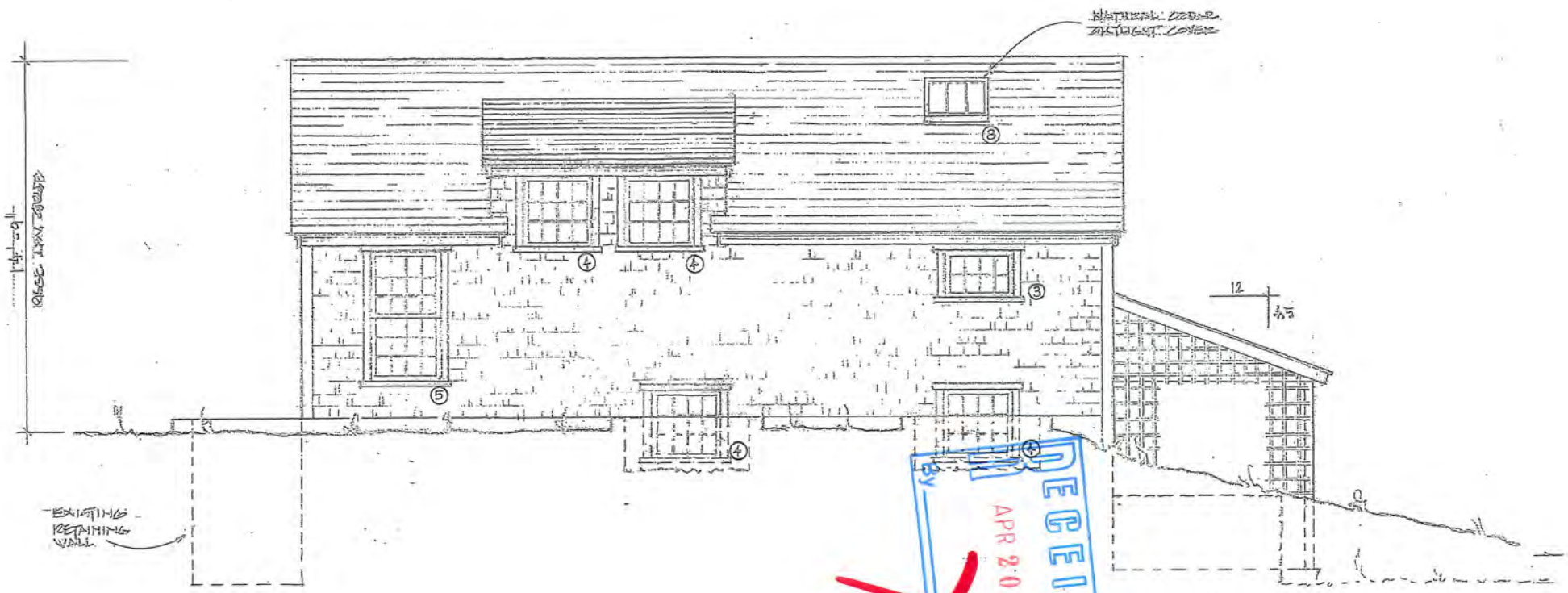


RECEIVED
APR 20 2021
By

NORTH ELEVATION
SCALE: 1/4" = 1'-0"

AMENDOLARE RESIDENCE
8 FRANK STREET
GLOUCESTER, MA

ANGUS MACLEOD DESIGN
P.O. BOX 7055
GLOUCESTER, MA
(508) 257-6789

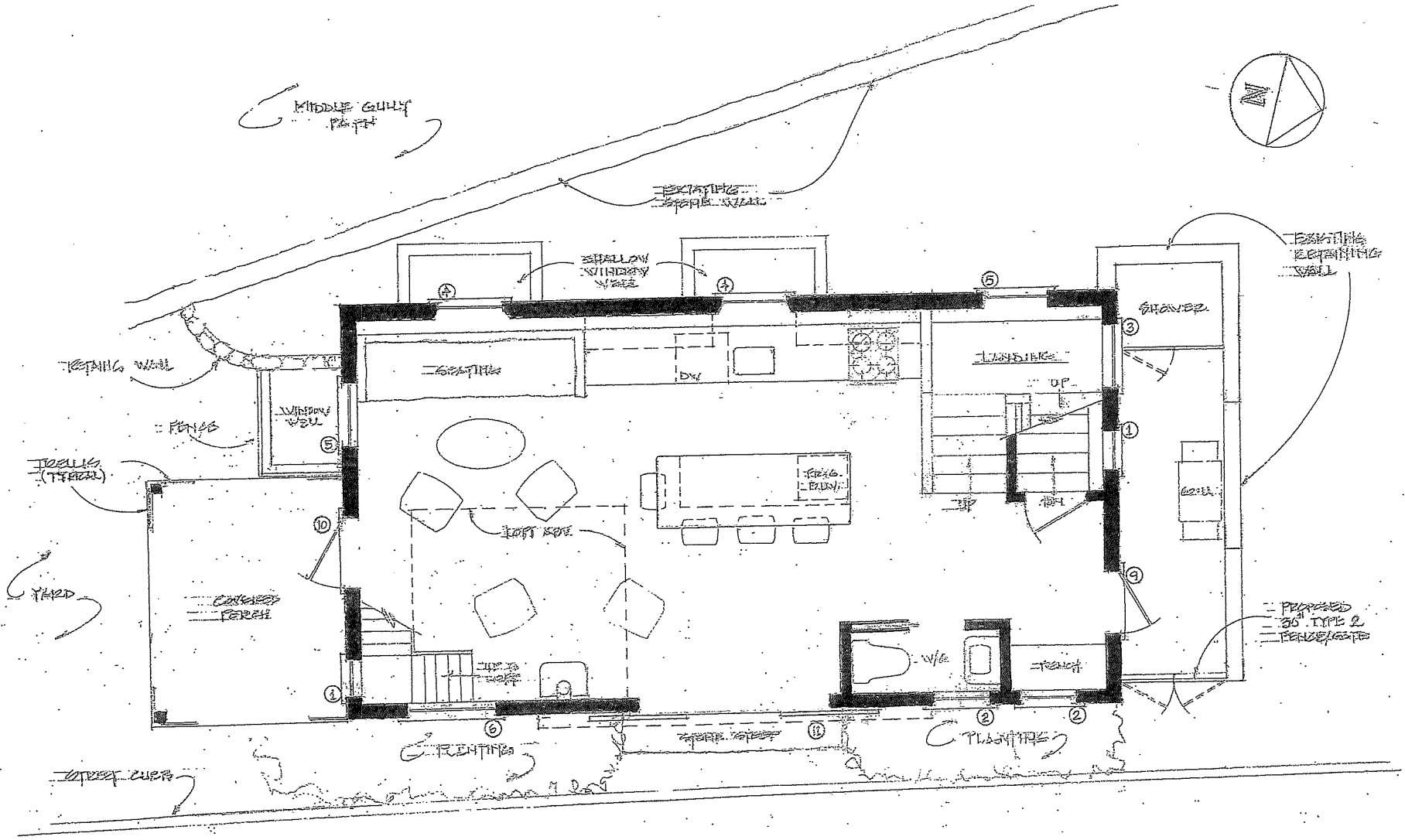


WEST ELEVATION
SCALE: 1/4" = 1'-0"

RECEIVED
APR 20 2021
BY

AMENDOLARE RESIDENCE
8 BANK STREET
GLOUCESTER, MA

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GLOUCESTER, MA
(508) 257-6789

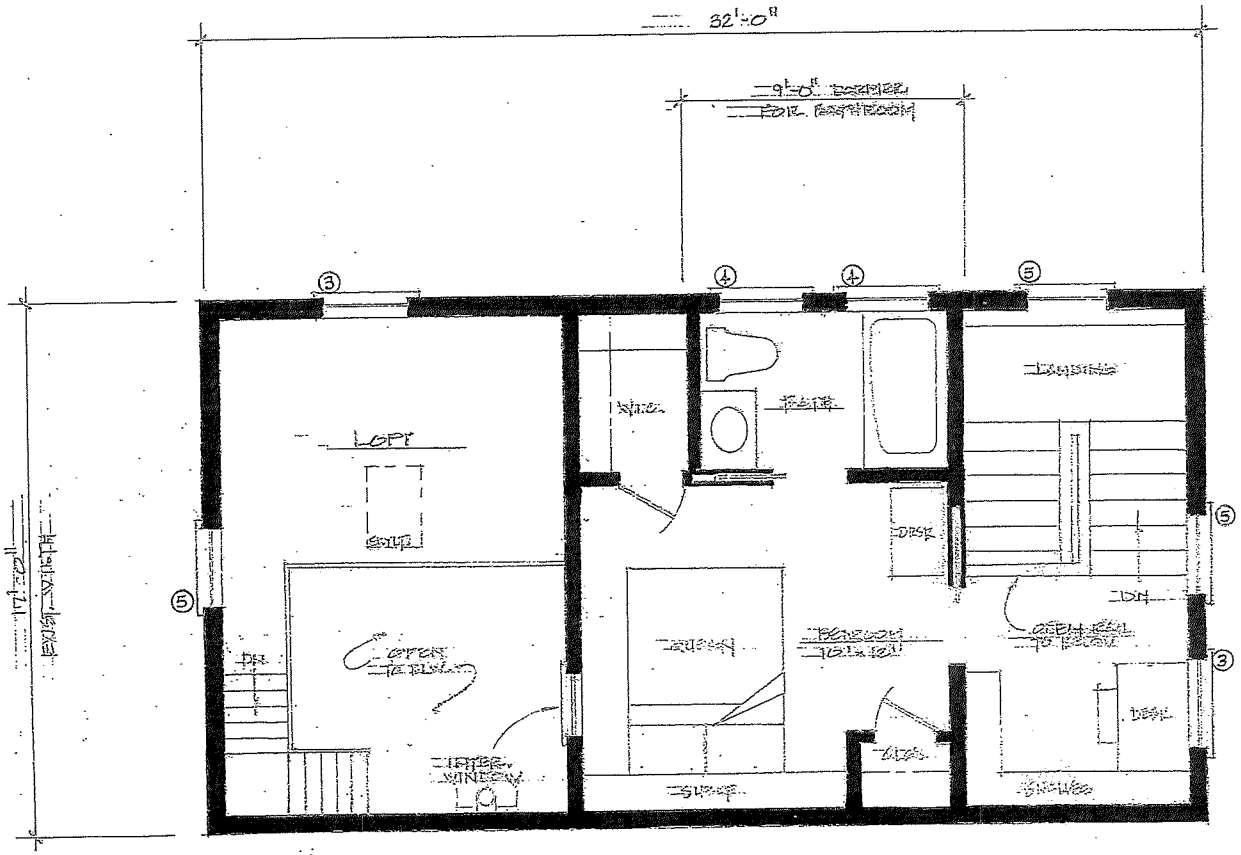


FIRST FLOOR PLAN

SCALE: 1/4" = 1'-0"

AMENDOLARE RESIDENCE
5 FRANK STREET
FRAMINGHAM, MA

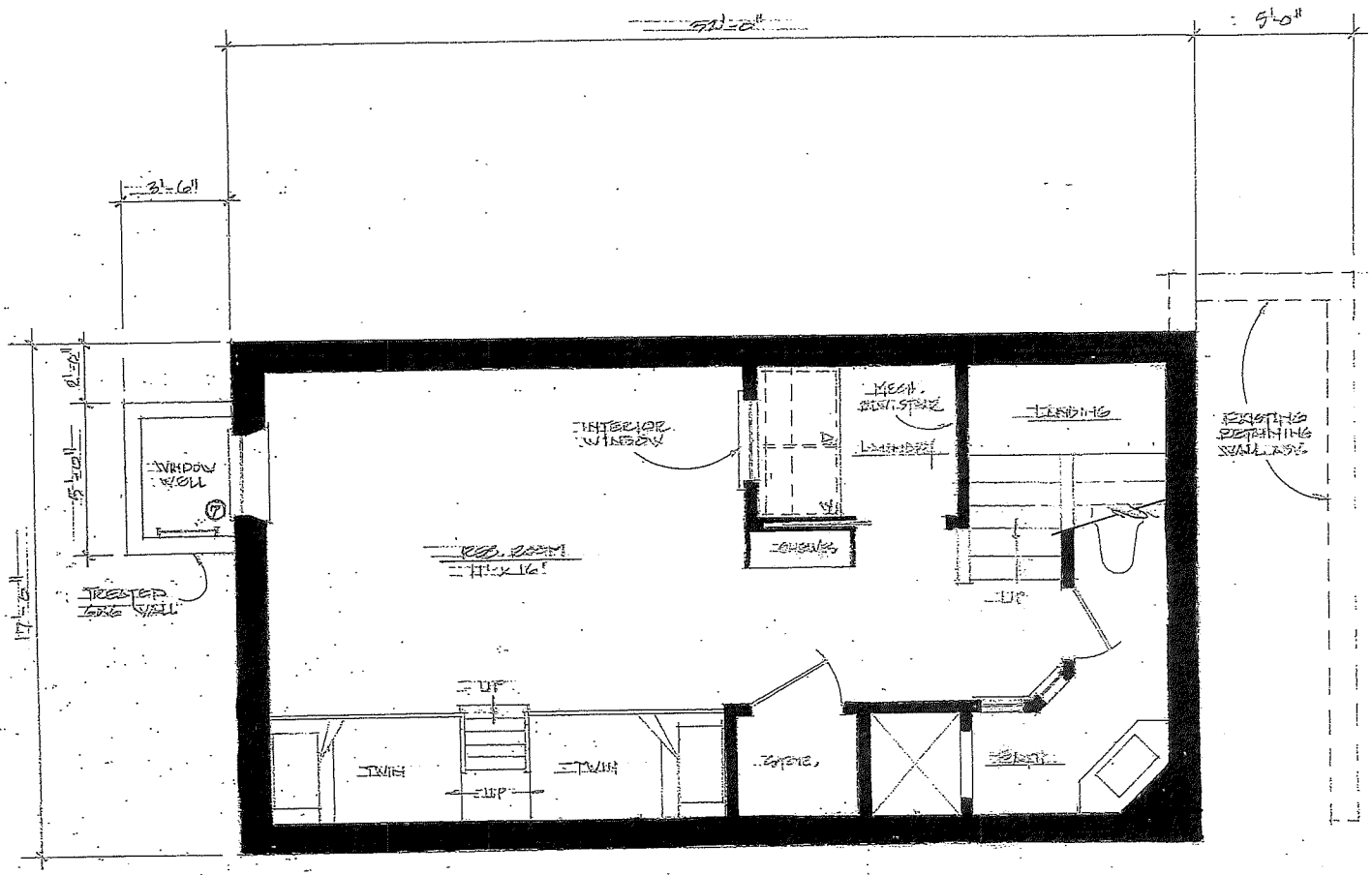
ANGUS MACLEOD DESIGN
P.O. BOX 7095
FRAMINGHAM, MA
(508) 257-6789



SECOND FLOOR PLAN

AMENDOLARE RESIDENCE
8 HENK STREET
GLOUCESTER, MA

ANGUS MACLEOD DESIGNS
P.O. BOX 7099
GLOUCESTER, MA
(508) 257-6789



BASEMENT PLAN

AMENDOLARE RESIDENCE
8 HEATH STREET
GLOUCESTER, MA

ATELIER MACLEOD DESIGNS
P.O. BOX 7055
GLOUCESTER, MA
(508) 257-6789



SOUTH ELEVATION
SCALE: 1/4" = 1'-0" AS-BUILT

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EAST ELEVATION
SCALE: 1/4" = 1'-0" AS-BUILT

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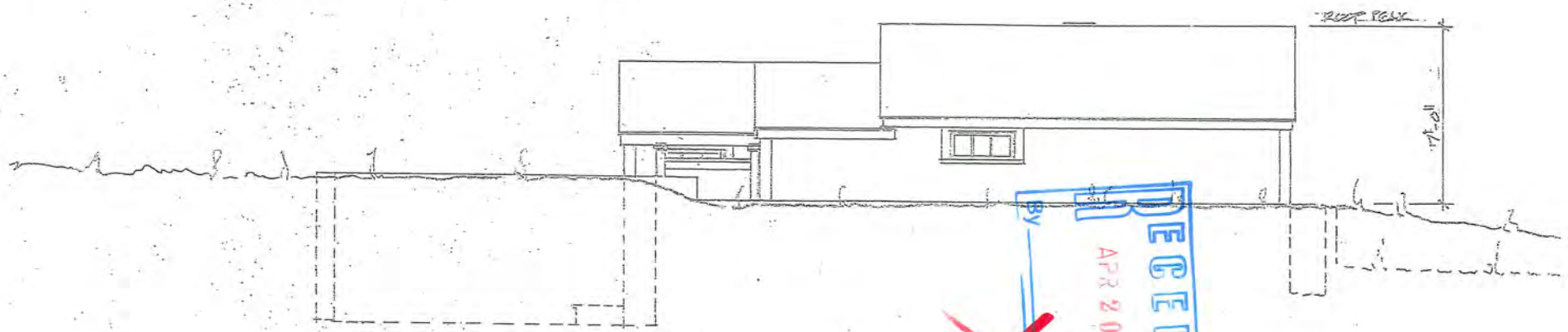


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NORTH ELEVATION
SCALE: 1/4"=1'-0" AS-BUILT

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(508) 257-6789

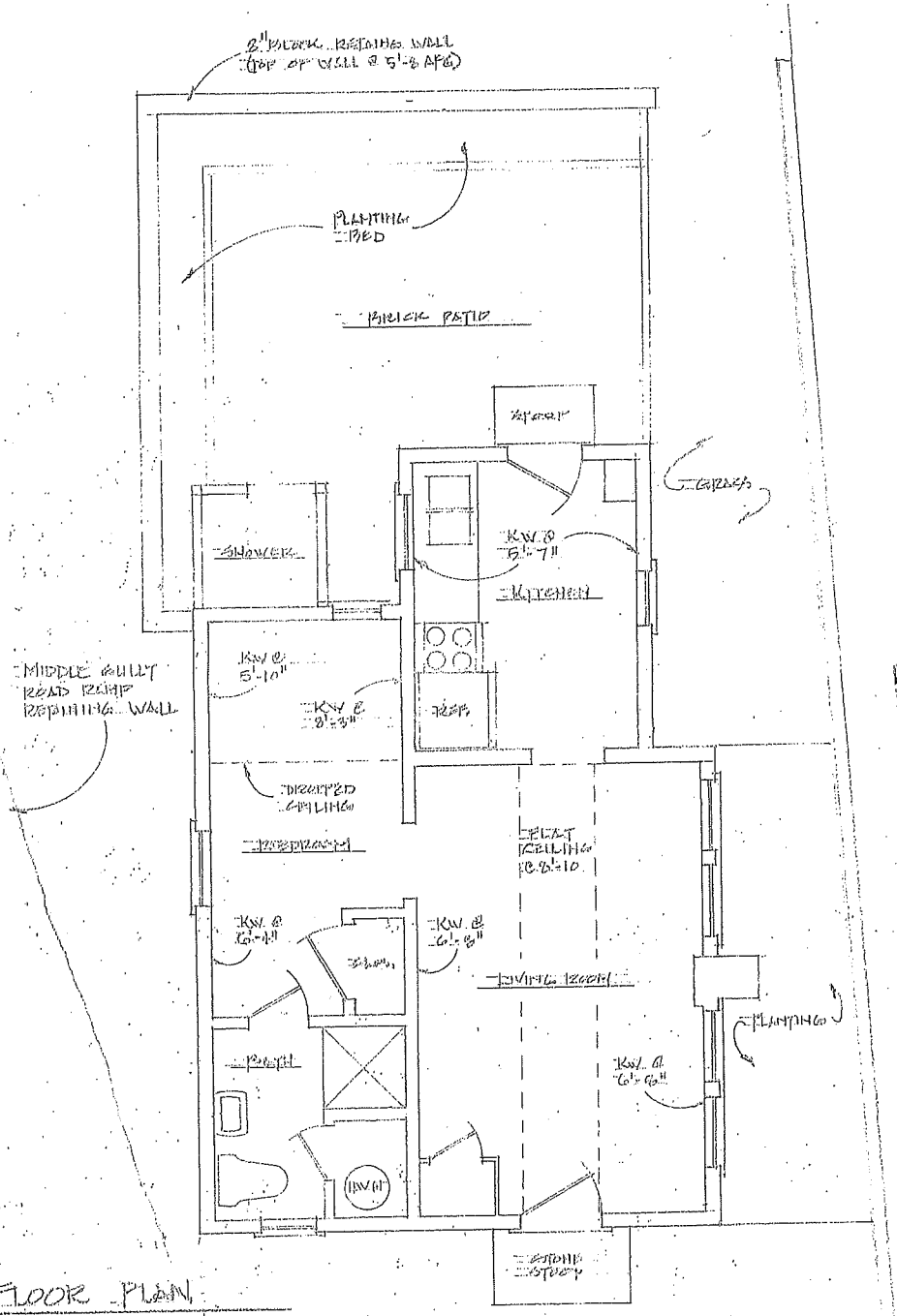


WEST ELEVATION
SCALE: 1/4" = 1'-0" -AS-BUILT

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GLOUCESTER, MA

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1 FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0" AS-BUILT

AMENDOLARE RESIDENCE
8 BANK STREET
WOONSET, MA

ANGUS MACLEOD DESIGN
P.O. BOX 7055
WOONSET, MA.
(508) 257-6789

Massachusetts Cultural Resource Information System

Scanned Record Cover Page



Inventory No:	NAN.2329
Historic Name:	
Common Name:	
Address:	8 Bank St
City/Town:	Nantucket
Village/Neighborhood:	Sankaty Head; Siasconset
Local No:	7313-9, SC9-16
Year Constructed:	c 1930
Architect(s):	
Architectural Style(s):	No style
Use(s):	Secondary Dwelling House; Single Family Dwelling House
Significance:	Architecture; Recreation
Area(s):	NAN.C: Nantucket Historic District NAN.D: Nantucket Historic District
Designation(s):	Nat'l Register District (11/13/1966); Nat'l Historic Landmark (11/13/1966); Local Historic District (06/04/1970)
Building Materials(s):	Roof: Asphalt Shingle Wall: Wood; Wood Shingle

The Massachusetts Historical Commission (MHC) has converted this paper record to digital format as part of ongoing projects to scan records of the Inventory of Historic Assets of the Commonwealth and National Register of Historic Places nominations for Massachusetts. Efforts are ongoing and not all inventory or National Register records related to this resource may be available in digital format at this time.

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Commonwealth of Massachusetts
Massachusetts Historical Commission
220 Morrissey Boulevard, Boston, Massachusetts 02125
www.sec.state.ma.us/mhc

This file was accessed on: Monday, April 12, 2021 at 8:49: AM

NAN.2329

BUILDING/STRUCTURE INVENTORY FORM
NANTUCKET ISLAND ARCHITECTURAL AND CULTURAL RESOURCES SURVEY
NANTUCKET HISTORIC DISTRICT COMMISSION
NANTUCKET, MASSACHUSETTS

SURVEY/ SC9-16
FILM ROLL #: 7313-9
MAP/PARCEL#:

Recorded by: AH Date: 09/22/89 Organization: AGS

IDENTIFICATION

1. Street Name & No.: 8 BANK STREET

2. Building Name: N/A

3. Ownership: Private

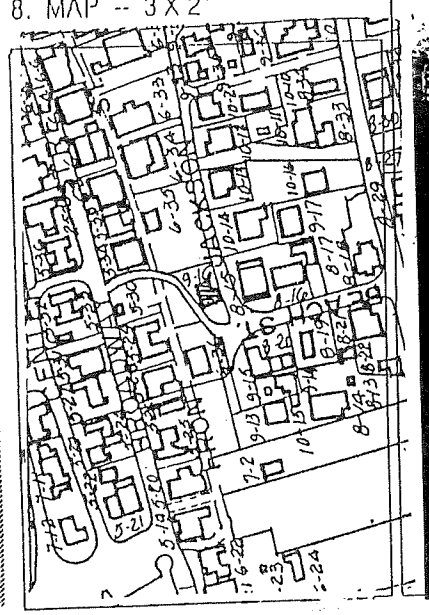
4. Present Owner: NICKERSON, CAROL

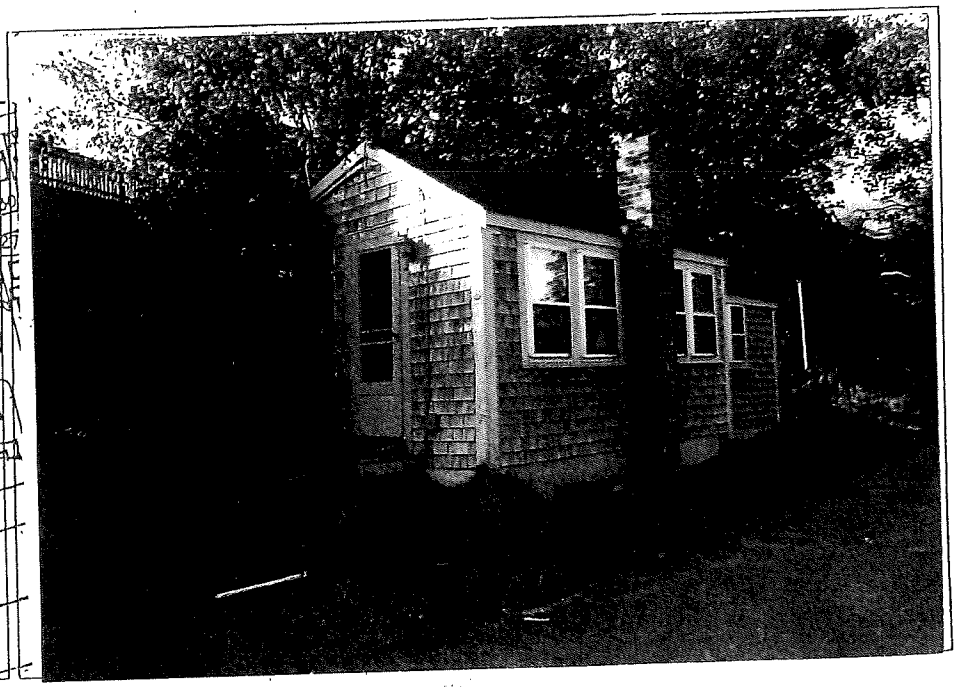
5. Ownership History:
Unknown

6. Use: Original: Dwelling Present: Dwelling
Seasonal/Year-Round: Seasonal

7. Accessibility to Public: Visible from Public Road? Yes
Interior: N/A

8. MAP -- 3X2"





NAN.2329

Survey/Film Roll #: SC9-16

GENERAL SETTING AND ORIENTATION OF BUILDING

10. Lot Size:N/A
11. Approximate Frontage (ft.): N/A
12. Setback from Street (ft.): At Sidewalk
13. Orientation to Street Address: Ridge Parallel
14. Surroundings: Densely Built,Residential
15. Related Outbuildings and Property: N/A
16. Other Notable Features:
    N/A

DESCRIPTION

17. Foundation: Piers
18. Structural System: Woodframe
19. Exterior Wall Material, Front Facade: Shingles-Weathered
20. Exterior Wall Material, Side Elevations: Shingles-Weathered
21. Exterior Wall Material, Rear Elevation: Shingles-Weathered
22. Number of Stories: 1
23. Roof Shape: Gable
24. Roofing Material: Composition Shingle
25. Roof Features: N/A
26. Dormer Roof(s): N/A
27. Chimney Material: Brick-unpainted
28. Chimney Position: End Wall
29. Number of Chimneys: 1
30. Chimney Features: Corbelling
31. Front/Primary Door Location: Off Center
32. Front/Primary Door Frame Features: Flush Frame
33. Number of Bays: N/A
34. Window Frame Type: Flush
35. Window Sash Type(s) - Front Facade: 6/6

36. Porch: N/A
37. Signage: N/A
38. Details: Corner boards-plain
39. Condition: Good
40. Integrity: N/A
41. Alterations:
    N/A

SIGNIFICANCE

42. Role the Building Plays: National Register: Contributing
43. Date of Initial Construction: Circa 1930
Source: Sanborn Maps,Aerial Photo 1938
Architect: Unknown Builder: Unknown
44. Building Type: Additive,Gable Front
45. Architectural Style: N/A
46. Historical and Architectural Importance:
Unknown

47. Sources: Sanborn Maps 1923, 1923/49,
Aerial Photo 1938

TOWN OF NANTUCKET

HISTORIC DISTRICT COMMISSION

LIST OF PARTIES IN INTEREST IN THE MATTER OF THE PETITION OF:

PROPERTY OWNER.....Amendolare Kristina M & Nicholas.....

MAILING ADDRESS....538 Lynn Fells Parkway, Melrose, MA 02176....

PROPERTY LOCATION.....8 Bank Street.....

ASSESSORS MAP/PARCEL.....73.1.3 / 69.....

SUBMITTED BY:.....Angus MacLeod.....

SEE ATTACHED PAGES

I certify that the foregoing is a list of persons who are owners of land directly adjacent to the subject property or directly opposite the subject property on any public or private street or way, all as they appear on the most recent applicable tax list.

Digitally signed by Rob Ranney
DN: cn=Rob Ranney, o=Town of Nantucket, ou=Assessor's Office, email=rranney@nantucket-ma.gov, c=US
Date: 2021.04.05 09:39:08 -04'00'

4-5-2021

DATE

ASSESSOR'S OFFICE
TOWN OF NANTUCKET

Abutters Listing

MBLU	Lot	Lot Cat	Owner Full Name	Co-Owner Full Name	Address Line 1	City	State	Zip	Location
7313	26		BURLINGHAM MARK G TRST	LEGA SEA NOM TRUST	P O BOX 1633	NANTUCKET	MA	02554	15 BEACH ST
7313	27		TIRAPELLI NICOLE ALEXANDRIA		1641 NORTH DAYTON ST UNIT 3	CHICAGO	IL	60614	7 BANK ST
7313	28		HEINEMANN ANN & LANDZERT	ISABEL & VANDEUSEN MARGARET TR	391 ESSEX ST	SALEM	MA	01970	7 FRONT ST
7313	67		TORABY DARIUS TRST	JUSO REALTY TRUST	31 STRICKLAND RD	COS COB	CT	06807	11 BANK ST
7313	70		ROBY PETER B & KATHERINE W		2 LITTLE CUB RD	GULFSTREAM	FL	33483	9 FRONT ST
7313	71		BROADWAY LLC	C/O F PETER CONATY JR	PO BOX 8080	WILMINGTON	DE	19803	11 BROADWAY
7313	99		ARVAY JOSEPH M & KATHY L		5 BLACHLEY COURT	MENDHAM	NJ	07945	11 FRONT ST
7324	5		RODTS FORREST A TR	OLD GARDNER HOUSE TRUST	17 GLOVER SQUARE	MARBLEHEAD	MA	01945	5 FRONT ST
7324	7		LAMOTT FRED G & SARAH F TRST		PO BOX 462	SIASCONSET	MA	02564	1 BANK ST
7324	8		HEGARTY WILLIAM T & WILLIAM T JR TRS		41 TAYLOR ST	SAUGUS	MA	01906	5 BANK ST

Count: 10

HISTORIC DISTRICT COMMISSION

2 Fairgrounds Road

Nantucket, Massachusetts 02554

Telephone: 508.325.7587 Fax: 508.228.7298

NOTICE OF HDC APPLICATION

ABUTTERS AND INTERESTED PARTIES

Please be informed that the Nantucket Historic District Commission will be considering the following proposal:

Address of Proposed Work: 8 Bank Street, 'Sconset

Tax Map Number: 73.1.3 Parcel Number: 69

Owner of Record: Kristina and Nicholas Amendalore

Description of Proposal: Addition and renovation:

Addition to existing footprint to the North, raise eaves 6,'

raise total height 9' (to 21'above existing grade) and add full foudation

Anticipated HDC Submission Date: April 20, 2021

You have been identified either as an abutter or interested party to the above property and are being notified in accordance with the Town Bylaw. Please note that the above submission date is an estimate only; the actual meeting date will be determined once the HDC staff has established that a complete application has been submitted. Please contact the HDC office to verify the date. Please note that notification is only required at the time of initial submission of an application, not for each time an application goes before the Commission. Abutters are responsible for monitoring the status of applications.

If you wish to comment on the above proposal, you are encouraged to submit your comments in writing to the HDC office. If yo[illegible] to testify at a Commission meeting please be aware that your testimony may be limited by the Comi[illegible] in accordance with Commission policies, which are included on the back of this form. Due to the larg[illegible]s of most applications, the HDC office may not be able to send faxed copies of the plans. Off-island abutters wishing more detailed information may enlist an on-island representative to view the plans in the HDC office.

If you have any questions, please contact the HDC office at 508.325.7587.

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Siasconset, MA 02564

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Total Postage and Fees $4.15

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LAMOTT FRED G & SARAH F TRST
PO BOX 462
SIASCONSET, MA 02564

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7020 1810 0001 5990 4654

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1641 NORTH DAYTON ST UNIT 3
CHICAGO, IL 60614

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ROBY PETER B & KATHERINE W
2 LITTLE CUB RD
GULFSTREAM, FL 33483

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5 BLACHLEY COURT
MENDHAM, NJ 07945

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Total Postage and Fees $4.15

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OLD GARDNER HOUSE TRUST
17 GLOVER SQUARE
MARBLEHEAD, MA 01945

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JUSO REALTY TRUST
31 STRICKLAND RD
COS COB, CT 06807

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SAUGUS, MA 01906

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C/O F PETER CONATY JR
PO BOX 8080
WILMINGTON, DE 19803

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391 ESSEX ST
SALEM, MA 01970

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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HISTORIC DISTRICT COMMISSION

2 Fairgrounds Road
Nantucket, Massachusetts 02554

Telephone: 508.325.7587
Email: hdcsubmissions@nantucket-ma.gov

COMMISSIONERS

Ray Pohl
Chairman

Diane Coombs
Vice-Chairman

Val Oliver

Abigail Camp

John McLaughlin

ASSOCIATE COMMISSIONERS

Stephen Welch

TJ Watterson

Jesse Dutra

STAFF

Cathy Flynn
Land Use Specialist
cflynn@nantucket-ma.gov

Waiver of the HDC 10 Day Hearing Requirement

I Angus MacLeod

AS AGENT FOR Kristina and Nicholas Amendalore

STREET ADDRESS 8 Bank Street, 'Sconset

MAP/PARCEL 73.1.3 / 69

UNDERSTAND THAT THE ABOVE REFERENCED APPLICATION SUBMITTED ON

April 17, 2021

WILL NOT BE REVIEWED BY THE HISTORIC DISTRICT COMMISSION, DUE TO THE COVID-19 PANDEMIC, WITHIN THE 10 DAY PERIOD AS REQUIRED BY:

SECTION 8 of the HDC enabling legislation: ... The Commission shall meet within ten (10) days of the receipt of an application for a certificate of appropriateness or permit for removal...

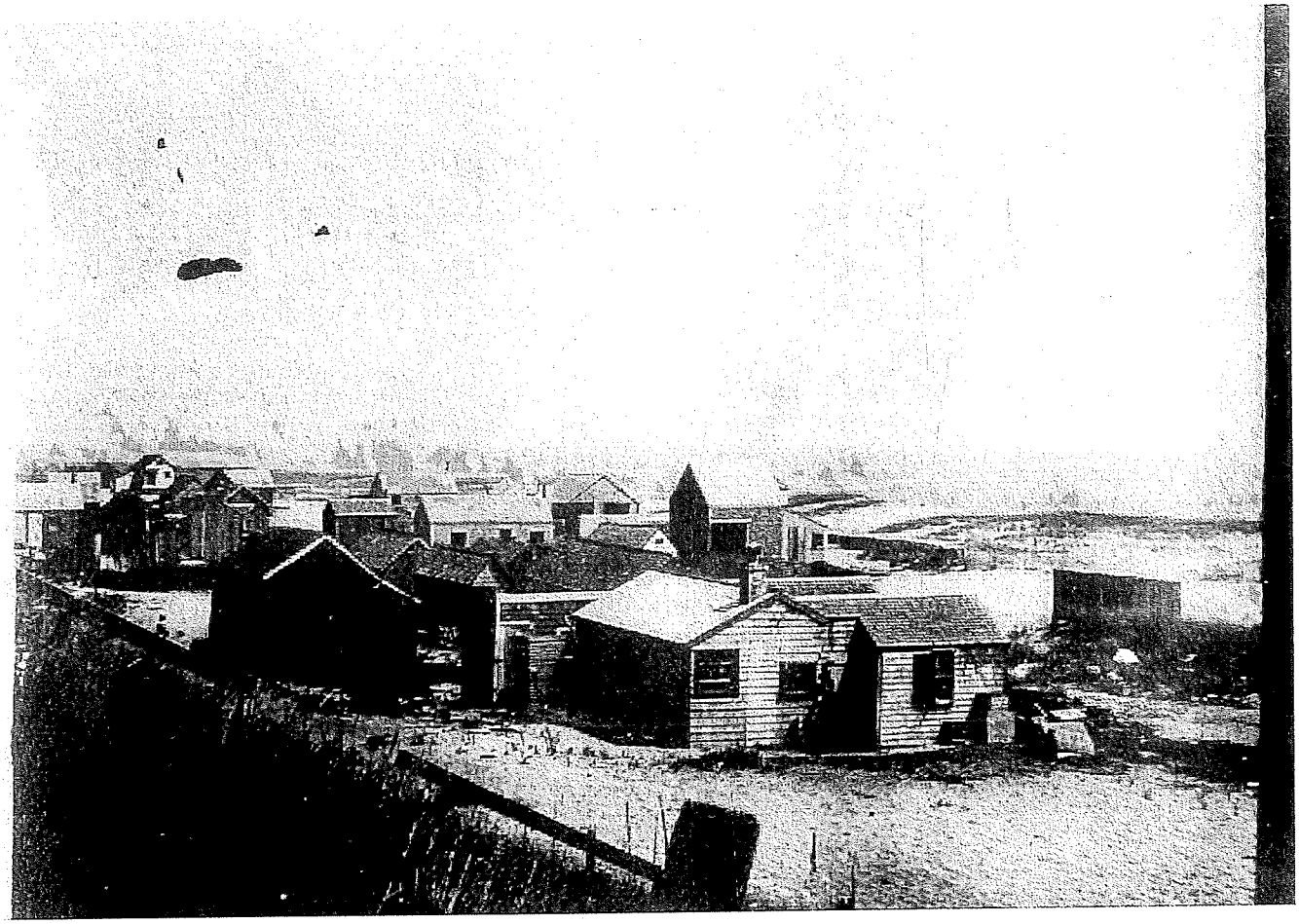
AND I AGREE TO A WAIVER OF THE ABOVE MENTIONED REQUIREMENT.

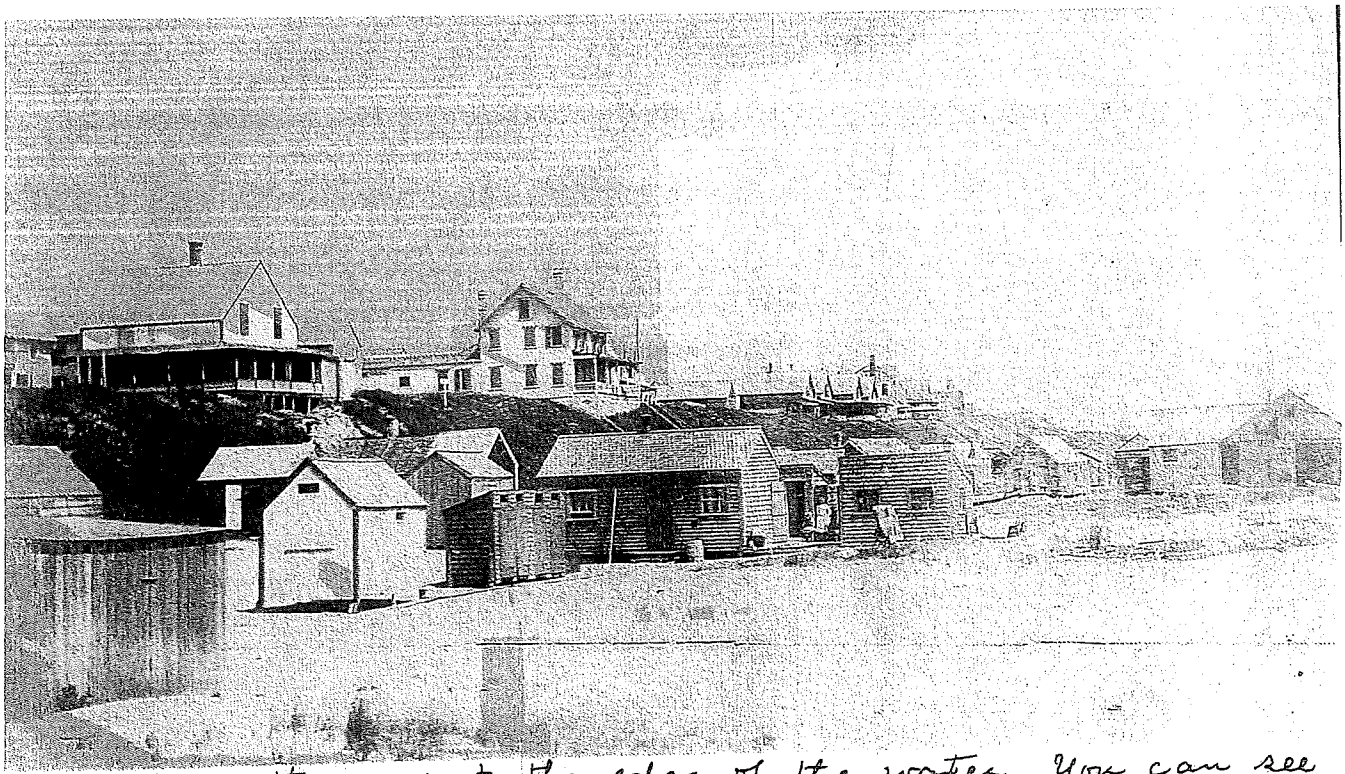
Signature

April 17, 2021
Date

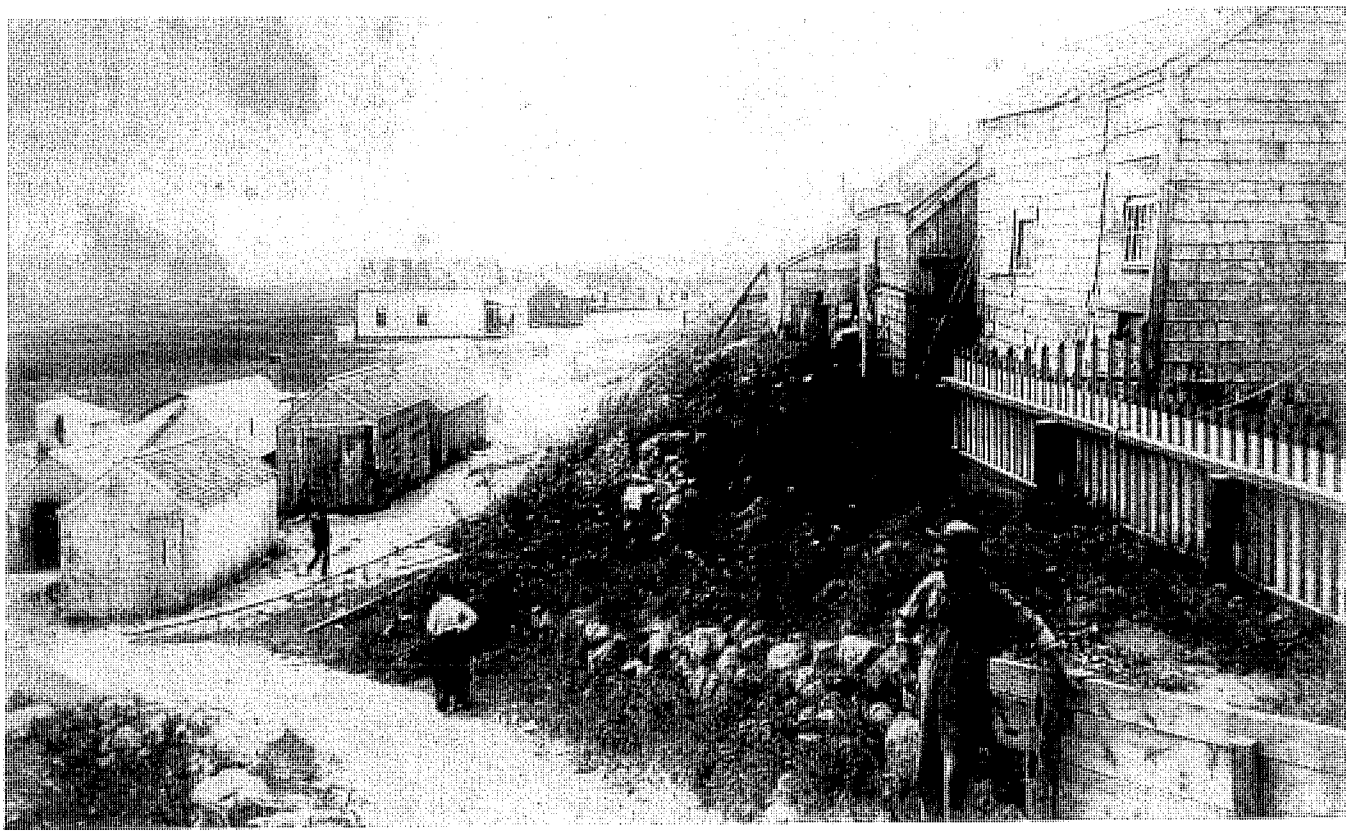


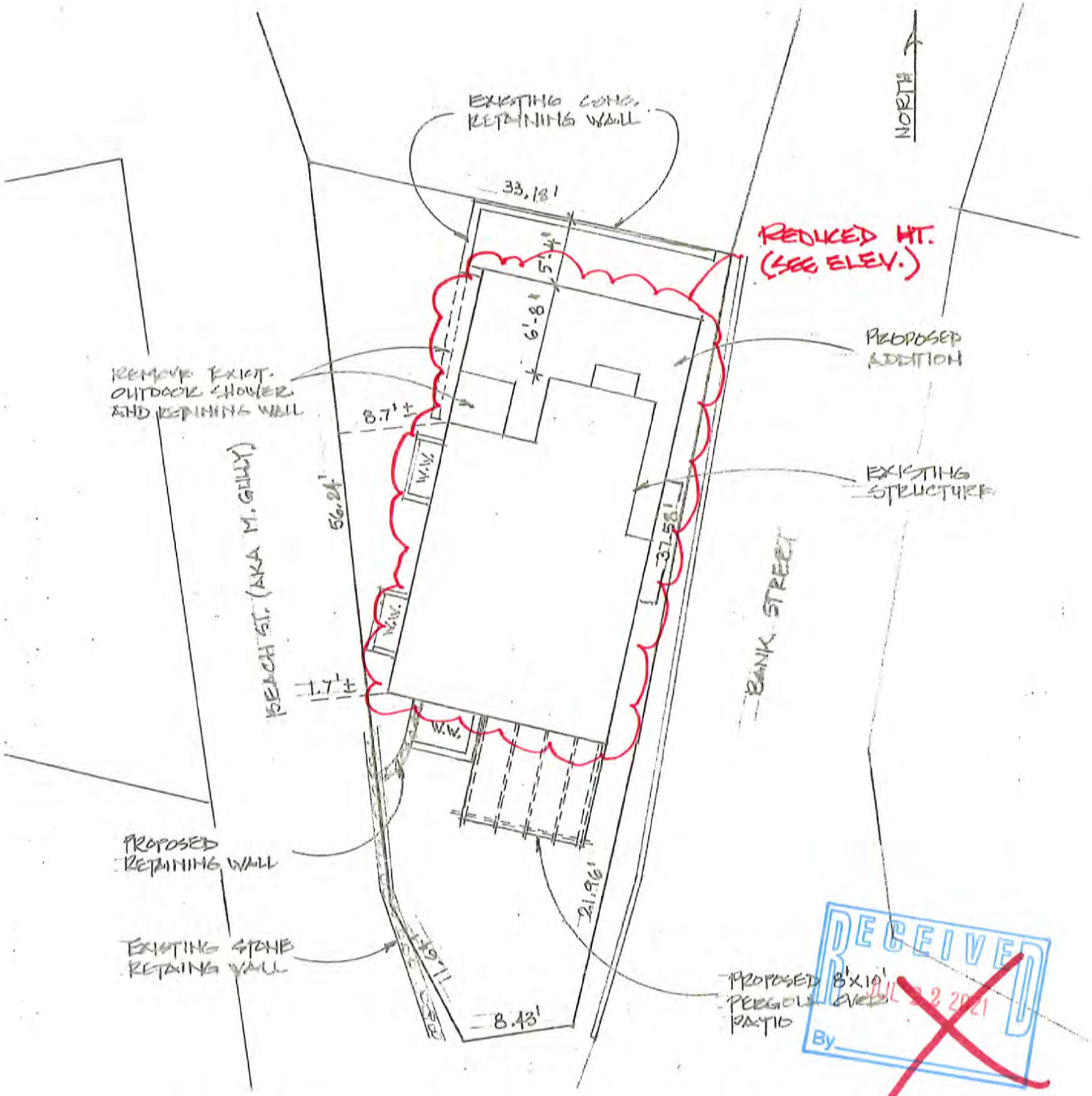






This is on the way to the edge of the water. You can see the board walk down to the beach. We spend most of our time there. We are having a perfectly delightful time or that is I am. The sea air has done wonders for me. Love to Charlie Cameron & yourself E.M.S





SITE PLAN
SCALE: 1" = 10'

AMENDOLARE RESIDENCE
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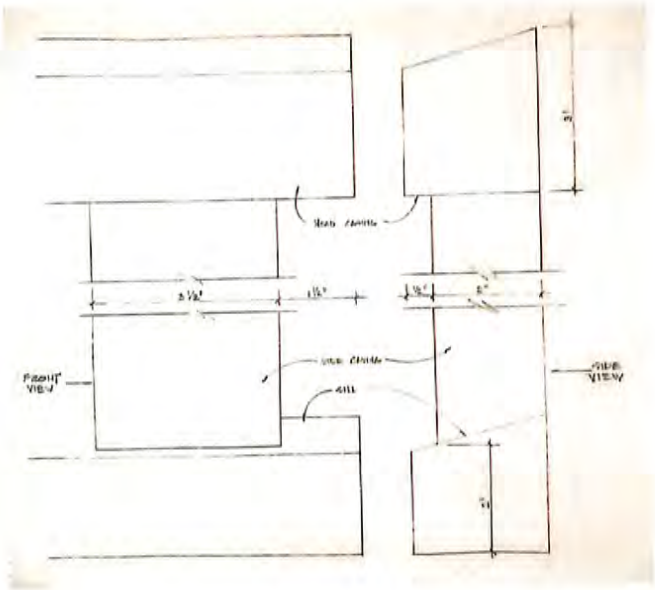
Angus MacLeod Designs
P.O.Box 7055
Sconset, MA
02564

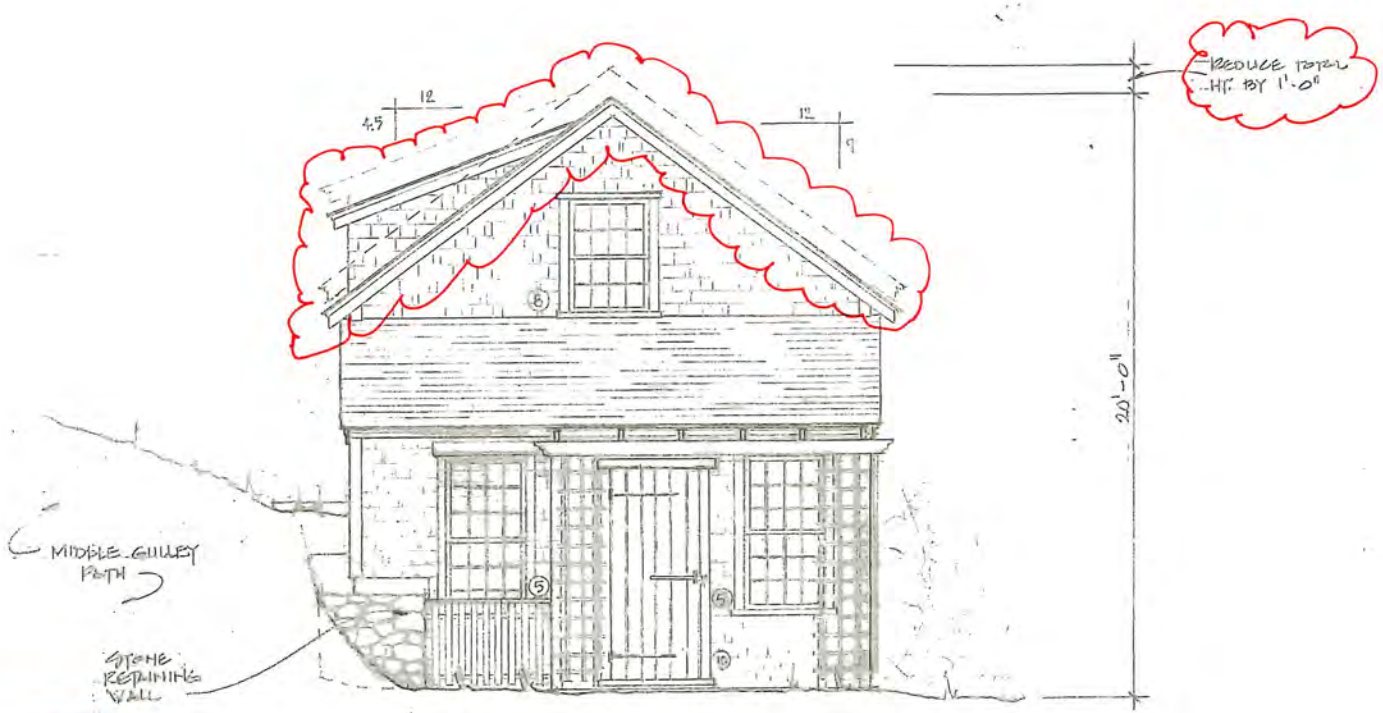
Amendalore: Window Schedule

No	Unit Size	Manu.	Glass size	Type	Notes	Quant.
1	1' - 8" x 2' - 1"	Boston Sash	8 x10	4 (2H2W) Light Hopper Window	Single	2
2	2' - 6" x 3' - 1"	Boston Sash	8 x10	9 (3H3W) Light Single-Hung Window	Single	2
3	2' - 8" x 1'-11"	Boston Sash	7 x 9	8 (2H4W) Light Hopper Window	Single	2
4	2' - 8" x 2' - 8"	Boston Sash	7 x 9	12 (3H4W) Light Hopper Window	Single	2
5	2' - 8" x 4'-11"	Boston Sash	7 x 9	12/12 Double-Hung Window	Single	5
6	3' - 9" x 3' - 1"	Boston Sash	8 x10	15 (3H5W) Light Single-Hung Window	Single	1
7	2' - 8" x 4'-11"	Boston Sash	7 x 9	12/12 Double-Hung Window	Single	1
8	2' - 8" x 3' -	Boston Sash	7 x 9	8/8 Double-Hung Window	Single	1
9	3' - 0" x 7' - 0"	Custom	8 x10	4 Light Plank Door	Single	1
10	3' - 0" x 7' - 0"	Custom		Plank Door	Single	1
11	6' - 9" x 8' - 0"	Custom		Plank Door	Single	1

Window Notes:

* Casings to be Cedar Plank Frame with "horns" (see sketch detail below)
* Windows to have "Western Style" Casing for inset storm/screens
* Double-Hung windows to have concealed balances
* All Window panes to be Bendheim "Light Restoration" Glass
* Prime Sash / Casings natural to weather



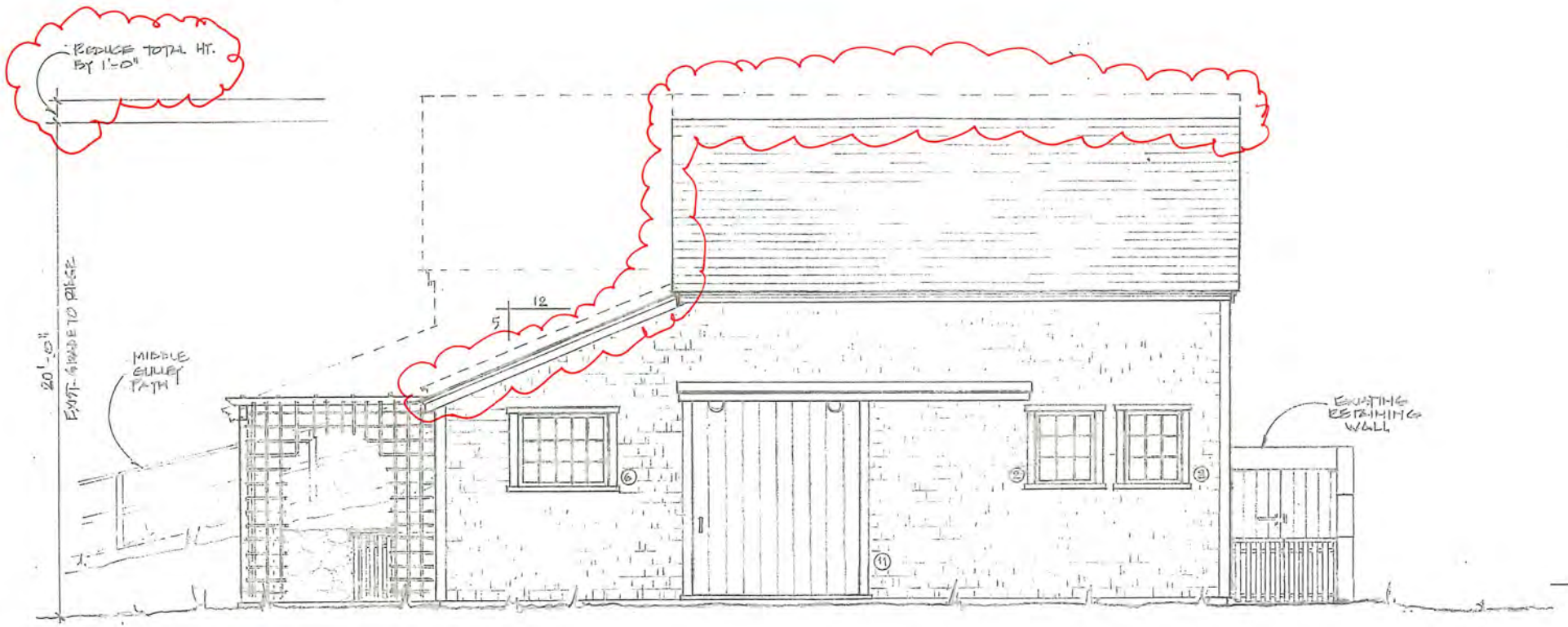


SOUTH ELEVATION
SCALE: 1/4" = 1'-0"

RECEIVED
JUL 2 2021
By

AMENDOLARE RESIDENCE
8 BANK STREET
GLOUCESTER, MA

ANGUS MACLEOD DESIGN
P.O. BOX 7055
GLOUCESTER, MA
(508) 257-6789



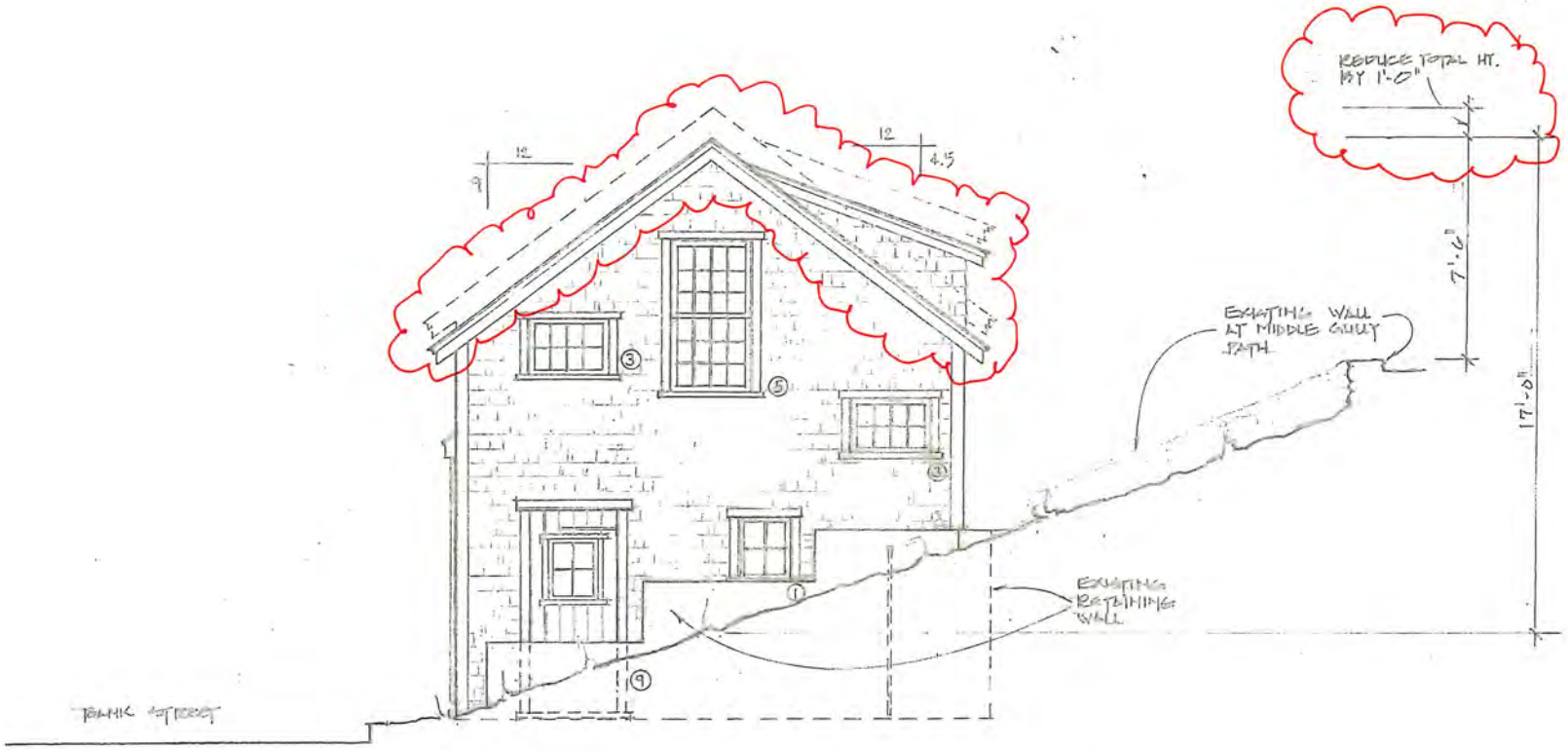
EAST ELEVATION

SCALE: 1/4" = 1'-0"

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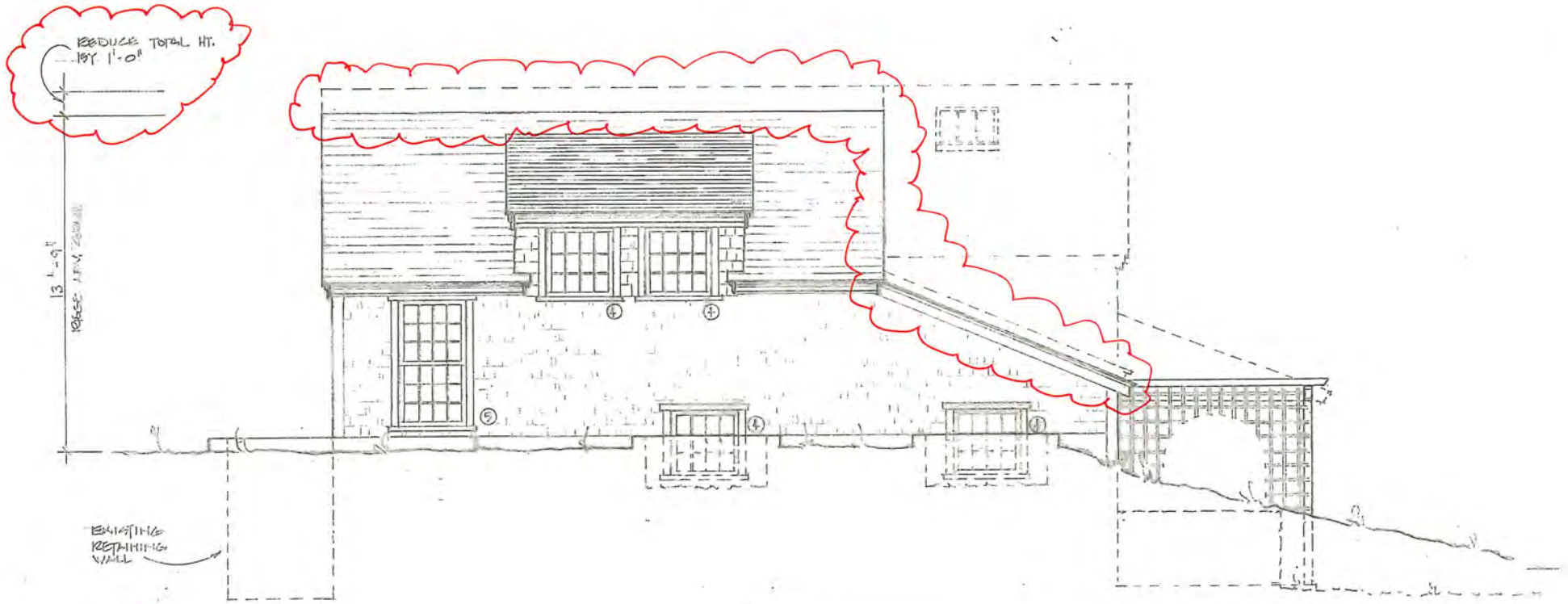


NORTH ELEVATION
SCALE: 1/4" = 1'-0"

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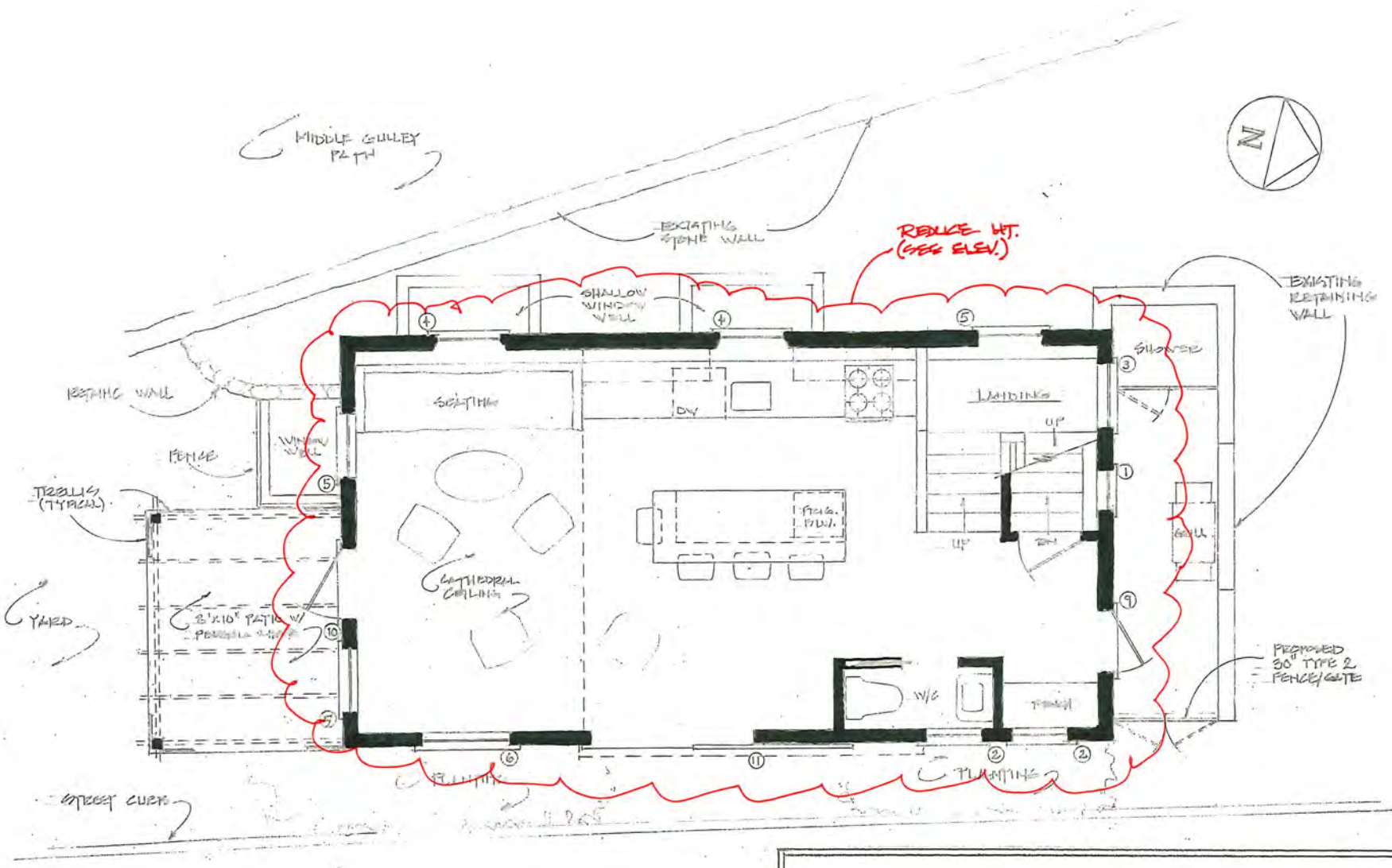
WEST ELEVATION

SCALE: 1/4" = 1'-0"

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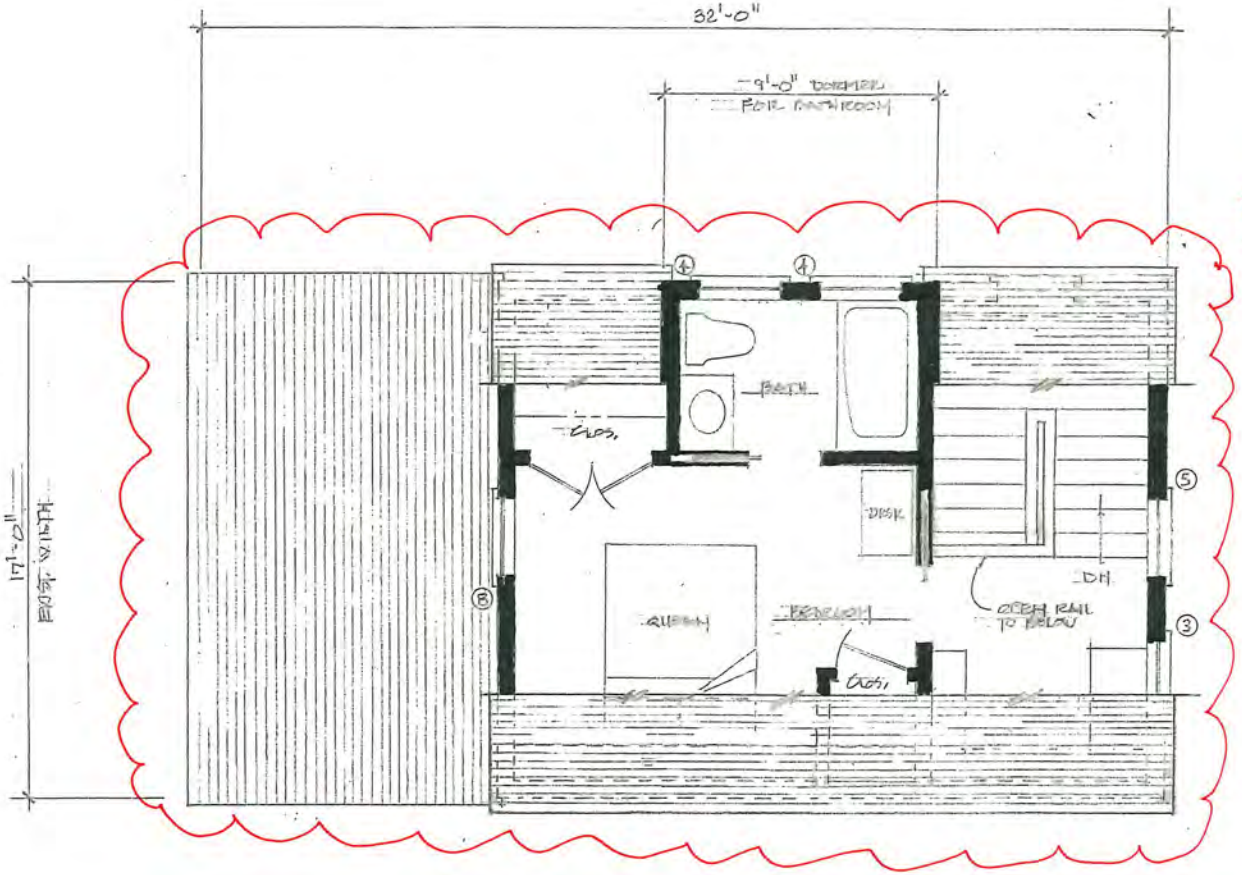
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FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

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SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"

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