



MEETING POSTING

TOWN OF NANTUCKET

Pursuant to MGL Chapter 30A, § 18-25
All meeting **notices and agenda** must be filed and time stamped with the Town Clerk's Office and posted at least 48 hours prior to the meeting (excluding Saturdays, Sundays and Holidays)

RECEIVED

2021 SEP 03 PM 12:49
NANTUCKET TOWN CLERK
Posting Number:T 833

Committee/Board/s	Zoning Board of Appeals
Day, Date, and Time	Thursday, September 9, 2021 at 1:00 PM
Location / Address	REMOTE PARTICIPATION <i>VIA</i> ZOOM WEBINAR INFORMATION on viewing the meeting can be found at https://www.nantucket-ma.gov/138/Boards-Commissions-Committees
Signature of Chair or Authorized Person	Leslie Woodson Snell, Deputy Director of Planning and Zoning Administrator

WARNING: IF THERE IS NOT A QUORUM OF MEMBERS OR IF THE MEETING POSTING IS NOT IN COMPLIANCE WITH THE OPEN MEETING LAW, NO DELIBERATIONS MAY TAKE PLACE-BUT THE MEMBERS MAY APPEAR AND ANNOUNCE A NEW SCHEDULE.

AGENDA

(**Subject to Change**)

The meeting will be recorded and archived at www.nantucket-ma.gov

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

ZOOM WEBINAR REGISTRATION LINK:

https://us06web.zoom.us/webinar/register/WN_yzu2lmkpQrqMrFa46KvQSw

To view the LIVE broadcast of the meeting, see YouTube Link at

<https://www.youtube.com/watch?v=wozQhkRB27U>

BELOW ARE THE TOPICS THE CHAIR REASONABLY ANTICIPATES WILL BE DISCUSSED AT THE MEETING.

- I. CALL TO ORDER:
- II. APPROVAL OF THE AGENDA:
- III. APPROVAL OF THE MINUTES:

- August 12, 2021

IV. OLD BUSINESS (CONTINUED PUBLIC HEARINGS AND VOTES MAY TAKEN)

ACK SMART AS APPLICANT FOR 21 WOODBINE, LLC, FILE NO. 18-21 21 WOODBINE STREET BEAUDETTE

CONTINUED TO OCTOBER 14, 2021 ***ACTION DEADLINE 11-10-21***

ACK SMART AS APPLICANT FOR TIMOTHY AND LAUREN MINER, FILE NO. 19-21 12 S. VALLEY ROAD BEAUDETTE

CONTINUED TO OCTOBER 14, 2021 ***ACTION DEADLINE 11-10-21***

JAYNE C. DEBIASIO & BRIAN F. DEBIASIO, FILE NO. 06-21 39 MEADOW VIEW DR READE ACTION DEADLINE 10-05-21

Applicants are seeking to further modify prior relief by Special Permit (Decision File No. 030-11 as modified by File No. 25-19). The 2011 decision permitted a reduction of the sideline setback from 10 feet to 5 feet in order to construct a garage/studio within the northerly side yard setback and was subject to certain conditions. Specifically, Applicants request elimination of condition ‘a.’ that the “studio shall not be for human habitation”. Applicants have obtained Planning Board approval to convert the structure into a secondary dwelling. Locus is situated at 39 Meadow View Drive, shown on Assessor’s Map 56 as Parcel 133, and as Lot 50 upon Land Court Plan 14830-O. Evidence of owner’s title is registered on Certificate of Title No. 23121 with the Nantucket County District of the Land Court. The site is zoned Residential Twenty (R-20).

V. NEW BUSINESS (INITIAL PUBLIC HEARINGS AND VOTES MAY BE TAKEN):

Nantucket Island School of Design and the Arts, Inc. File No. 20-21 23&25 Wauwinet Rd Reade ACTION DEADLINE 12-08-21

Applicant is seeking a determination that an increase in the pre-existing nonconforming groundcover ratio and an encroachment into the rear yard setback resulting from the relocation of a structure onto the property is reasonable and that pursuant to MGL Chapter 40A Section 3, no relief is required. In the alternative, Applicant requests that Condition (c) in the Variance/Special Permit relief issued in File No. 028-98 be modified to allow for the structure to be relocated as proposed, or that additional Variance and/or Special Permit relief be granted as applicable. Locus is situated at 23 and 25 Wauwinet Road, shown on Assessor’s Map 20 as Parcels 36 and 80, and as Lot 103 upon Land Court Plan 6283-12 and as Lot 105 on Plan 6283. Evidence of owner’s title is registered on Certificate of Title Nos. 10132 and 18379 with the Nantucket County District of the Land Court. The site is zoned Limited Use General 3 (LUG-3).

Michael S. and Kristina Elizabeth Jemison File No. 21-21 195 C Hummock Pond Rd Glidden ACTION DEADLINE 12-08-21

Applicant is requesting special permit pursuant to Nantucket Zoning Bylaw Section 139-30, and to the extent is situated at 195 C Hummock Pond Road, is shown on Nantucket Tax Assessor’s Map 65 as Parcel 23 and shown as Evidence of owner’s title is recorded in Book 865, Page 40 on file at the Nantucket County Registry of Deeds. The site is zoned village residential (VR).

VI. OTHER (VOTES MAY BE TAKEN)

VII. ADJOURNMENT (VOTE WILL BE TAKEN)

NANTUCKET
TOWN CLERK

2021 AUG 19 PM 12:26

Nantucket Zoning Board of Appeals



PUBLIC NOTICE

A **PUBLIC HEARING** of the **NANTUCKET ZONING BOARD OF APPEALS** is scheduled for **1:00 PM** on **Thursday, September 9, 2021**, via Zoom on the Nantucket Government TV YouTube Channel, pursuant to Governor Baker's March 12, 2020, Order Regarding Open Meeting Law. Information about viewing the meeting can be found at <https://www.nantucket-ma.gov/138/Boards-Commissions-Committees>. A complete copy of the application is on file with the Zoning Board of Appeals at the office of Planning and Land Use Services at 2 Fairgrounds Road, Nantucket, MA, 02554. Requests to review an electronic copy of the complete application materials may be submitted via e-mail to lsnell@nantucket-ma.gov. Written comments for the September 9, 2021 received by 12:00 PM on Thursday, September 2, 2021 will be provided to the Board in advance of the meeting.

OLD BUSINESS:

JAYNE C. DEBIASIO & BRIAN F. DEBIASIO, FILE NO. 06-21

NEW BUSINESS (INITIAL PUBLIC HEARINGS AND VOTES MAY TAKEN):

Nantucket Island School of Design and the Arts, Inc.

File No. 20-21

Applicant is seeking a determination that an increase in the pre-existing nonconforming groundcover ratio and an encroachment into the rear yard setback resulting from the relocation of a structure onto the property is reasonable and that pursuant to MGL Chapter 40A Section 3, no relief is required. In the alternative, Applicant requests that Condition (c) in the Variance/Special Permit relief issued in File No. 028-98 be modified to allow for the structure to be relocated as proposed, or that additional Variance and/or Special Permit relief be granted as applicable. Locus is situated at 23 and 25 Wauwinet Road, shown on Assessor's Map 20 as Parcels 36 and 80, and as Lot 103 upon Land Court Plan 6283-12 and as Lot 105 on Plan 6283. Evidence of owner's title is registered on Certificate of Title Nos. 10132 and 18379 with the Nantucket County District of the Land Court. The site is zoned Limited Use General 3 (LUG-3).

Michael S. and Kristina Elizabeth Jemison

File No. 21-21

Applicants are seeking a modification of a previously issued Special Permit (File No. 040-04) and to the extent necessary, a Special Permit for the expansion of the pre-existing nonconforming use, to allow for an increase in ground cover ratio to construct a pool cabana. Locus is situated at 195C Hummock Pond Road, shown on Assessor's Map 65 as Parcel 23, and as Unit 2 on Plan No. 03-34. Evidence of owner's title is recorded in Book 865, Page 40 with the Nantucket County Registry of Deeds. The site is zoned Village Residential (VR).

Minutes

08-12-21

Meeting



ZONING BOARD OF APPEALS

2 Fairgrounds Road
Nantucket, Massachusetts 02554
www.nantucket-ma.gov

Commissioners: Susan McCarthy (Chair), Lisa Botticelli (Vice chair), Ed Toole (Clerk), Michael J. O'Mara
Alternates: Mark Poor, Geoff Thayer, Jim Mondani

~~ MINUTES ~~

Thursday, August 12, 2021

Public Safety Facility, 4 Fairgrounds Road, Community Room –1:00 p.m.

Called to order at 1:04 pm and announcements made by Ms. McCarthy

Staff in attendance: Leslie Snell, Deputy Director of Planning
Attending Members: McCarthy, Botticelli, Toole, O'Mara, Poor, Mondani
Late Arrivals: Mondani, 1:07 p.m.
Early departure: Toole, 2:41 p.m.

Agenda adopted by unanimous consent

Motion **Motion to Approve.** (made by: Botticelli) (seconded)
Vote Carried unanimously

I. APPROVAL OF MINUTES

1. May 9, 2021

Item 14-21: correct quote misattributed to Ms. McCarthy

Motion **Motion to Approve as amended.** (made by: Botticelli) (seconded)
Vote Carried unanimously

II. OLD BUSINESS

1. 061-21 Jayne C. Debiasio & Brian F. Debiasio 39 Meadow View Drive Reade
Continued to September 9, 2021

2. 14-21 Shannah Green 49 Fairgrounds Road Alger
Applicant requests a modification to a previously granted special permit to allow permanent use of the seasonally covered outdoor deck for outdoor classes. The deck was previously approved for use only through the COVID 19 pandemic. The Locus is situated at 49 Fairgrounds Road, is shown on Tax Assessor's Map 67 as Parcel 306, and Lots 56 and 57 upon Land Court Plans 34507-H and 34507-I. Evidence of owner's title is registered as Certificate of Title No. 16996 in the Nantucket County District of the Land Court. The site is zoned Residential 10 (R-10).

Voting McCarthy, Botticelli, Toole, O'Mara, Mondani

Alternates Poor

Recused None

Documentation File with associated plans, photos, correspondence, and required documentation

Representing Sarah Alger, Sarah F. Alger P.C.

Public Bob Bates, 11 Brinda Lane

Discussion (1:07) **Alger** – This is for permission to keep the outdoor deck until October or the end of pandemic restrictions. Ms. Green had made obligations based upon the restrictions being in effect into the fall. Recently the Board of Health (BOH) imposed mask requirements, which the Building Commissioner agrees constitutes COVID restrictions. Asking to allow Ms. Green to operate with the deck through Labor Day then remove it by September 30th. If the BOH lifts the mask restriction, we are back in the same position. No music will be played in the Yoga studio that would be heard beyond the property line; Ms. Green has tried to do the right thing by the neighbors.

McCarthy – Referenced a letter of concerns from Mr. Alan Worden.

Bates – His concern is that the mask restriction doesn't limit occupancy, so Ms. Green is able to go back to all operations indoors. There is a constant drone of noise starting at 7 am. The BOH just now has not limited occupancy. Pointed out that they did not come to ZBA to get approval to use the deck; it was installed and used without a permit.

McCarthy – Ms. Green is focused on Labor Day. Our original permit gave her until August 14th; should we allow her to use the deck until August 14th or until the mask mandate is lifted.

Discussion about allowing the deck to be used through Labor Day and when the deck should be removed.

Mondani – As long as the deck is in place, he's concerned the problems for the neighbors will continue.

Motion **Motion to Grant the request to use the deck through September 6th; within 10 days, the deck and debris is to be removed and the property restored to original condition.** (made by: O'Mara) (seconded)

Vote Carried 4-1//Mondani-nay

III. NEW BUSINESS

1. 16-21 Eugene H. Clapp, III, Trustee of the 42 Cliff Road Nominee Trust 42 Cliff Road Reade
 Applicant requests a special permit pursuant to Section 139-30 and 139-33A to alter and extend a pre-existing nonconforming single-family dwelling. The Locus is situated at 42 Cliff Road, is shown on Nantucket Tax Assessor's Map 42.4.4 as Parcel 40, and shown as Lot 2 in Plan Book 19, Page 88 and as Lot B on Plan No. 2014-49 filed with the Nantucket County Registry of Deeds. Evidence of owner's title is recorded in Book 341, Page 141 and Book 1831, Page 307 at the Nantucket County Registry of Deeds. The site is zoned Residential Old Historic (ROH).
 Voting McCarthy, Botticelli, Toole, O'Mara, Poor
 Discussion (1:06) **Snell** – This was withdrawn and that needs to be adopted.
 Motion **Motion to Approve the withdrawal without prejudice.** (made by: O'Mara) (seconded)
 Vote Carried unanimously
2. 17-21 Guy and Diane Maddalone 6 Western Avenue Bailey
 Applicant is appealing the decision of the Building Commissioner to deny their request to revoke Building Permit 2021-05-1732 with respect to the property at 16 Western Avenue. The Locus is situated at 16 Western Avenue and shown on Nantucket Tax Assessor's Map 87 as Parcel 72 and shown as Lot 3 on Land Court Plan 8256-F filed with the Nantucket County Registry District of the Land Court. Evidence of owner's title is recorded as Certificate No. 2282 on file at the Nantucket County Registry District of the Land Court. The site is zoned Residential 20 (R-20) and Limited Use General 2 (LUG-2).
 Voting McCarthy, Toole, O'Mara, Poor, Mondani
 Alternates None
 Recused Botticelli,
 Documentation File with associated plans, photos, correspondence, and required documentation
 Representing Joel Quick, Pierce Atwood, LLP, for the Maddalones
 Public Steven Cohen, Cohen & Cohen Law P.C. for Michael Metz, 16 Western Avenue
 Discussion (1:32) **Quick** – Representation was made no construction would take place between Memorial Day and Labor Day; asserted construction took place to harass and annoy his clients, the Maddalones. Asked for a preliminary injunction to stop construction, which is still taking place, until Labor Day. Asked if the Board would have issued the permit if the property owner had said they were going to do construction through the summer.
McCarthy – She recalls the applicant saying neighbors would have a contact phone number and she said she would take the applicant at their word to be a good neighbor. We don't usually put conditions on construction in this neighborhood.
Toole – This situation casts into doubt the ability to take, at face value, the assertion by the applicant to be a good neighbor.
Cohen – The question is if the Building Commissioner made a reasonable decision based upon the information in front of him or if his decision was arbitrary and capricious. Asked the Board to find the Building Commissioner made a reasonable decision and deny the request to overturn the decision.
Poor – There's nothing wrong with the project; without restrictions, the property owner has a legal right to do construction on his property.
 Motion **Motion to Approve the relief as requested to overturn the Building Commissioner's decision.** (made by: O'Mara) (seconded)
 Vote Not Carried 0-5
3. 18-21 ACK Smart as Applicant for 21 Woodbine, LLC 21 Woodbine Street Beaudette
 Applicant requests variance relief to validate the location of a solar ground array within the side and rear yard setbacks. The Locus is situated at 21 Woodbine Street, is shown on Nantucket Tax Assessor's Map 80 as Parcel 321 and shown as Lot 4 on Plan No. 54W on file with the Nantucket County Registry of Deeds. Evidence of owner's title is recorded in Book 1342, Page 75 on file at the Nantucket County Registry of Deeds. The site is zoned Limited Use General 1 (LUG-1).
 Voting McCarthy, Botticelli, O'Mara, Poor, Toole
 Alternates None
 Recused Mondani
 Documentation File with associated plans, photos, correspondence, and required documentation
 Representing Richard Beaudette, Vaughn, Dale, Hunter, Beaudette, and Swain P.C.
 Public Zach Dusseau, ACK Smart
 Christine Petrella, 16 Pequot Street
 Scott Carpenter, 14 Pequot Street
 Larry Carpenter, 14 Pequot Street
 Discussion (1:46) **Beaudette** – Referenced correspondence between ACK Smart and the Zoning Enforcement Officer (ZEO) which led ACK Smart to assume it was okay to install solar within the setback. It was when they submitted the request for 12 South Valley Road that they were told it was not okay to put an array in the setback. Read an exception to 40.A, which the Building Commissioner and ZEO interpreted differently. It would cause the client a severe hardship to remove the array from the setback.
Botticelli – It's right on the property line; asked if neighbors have submitted concerns (yes).
Beaudette – There is enough room between the array and property line to place screening.

Proposed ZBA Minutes for August 12, 2021

McCarthy – It says it could be constructed within the setback under certain conditions. They decided on their own to put this in the setback; they should have sought another opinion on whether or not it would be allowed in that location.

Beaudette – The ZEO told the applicant that the array could go into the setback it just had to be kept off the property line. We are asking ZBA for a variance; we are not appealing the Building Commissioner's decision.

McCarthy – She looks at this as an unintentional setback intrusion.

Petrella – They did not know about the array until they arrived for the summer. Read the HDC approval; they expressed concern about it being in the setback and the approval was conditioned that it not be in the setback. The as-built plan indicates it's larger than applied for; there is a second smaller array. All the brush hiding this is on my property.

S.Carpenter – Most of his points were made. We found the array when we arrived in April. It's overly large for personal use. There's no landscape screening. It cuts off a public easement footpath.

Beaudette – His client said that the HDC told him they couldn't enforce setbacks.

Botticelli – The approved HDC plan shows it outside the setback. She'd like to see the HDC approval conditions.

Petrella – Read the HDC comments and approval conditions.

Dusseau – Explained how the array was constructed.

Discussion about ways to correct the situation, what caused it, and the size of the array.

L.Carpenter – Challenges the idea it would be hard to mitigate the array.

McCarthy – This is not much different from a house construction when something causes a change, and you seek to amend it. We need HDC to approve it as built.

Motion **Motion to continue to the regularly scheduled October meeting.** (made by: Botticelli) (seconded)

Vote Carried unanimously

4. 19-21 ACK Smart as Applicant for Timothy and Lauren Miner 12 South Valley Road Beaudette

Applicant requests variance relief to validate the location of a solar ground array within the front and side yard setbacks. The Locus is situated at 12 S. Valley Road, is shown on Nantucket Tax Assessor's Map 43 as Parcel 139 and shown as Lot 76 on Land Court Plan 11461-J and as Lot 21 on Land Court Plan 11641-H on file with the Nantucket County Registry District of the Land Court. Evidence of owner's title is recorded as Certificate of Title No. 24316 on file at the Nantucket County Registry District of the Land Court. The site is zoned Limited Use General 1 (LUG-1).

Voting McCarthy, Botticelli, O'Mara, Poor, Mondani

Alternates None

Recused Toole

Documentation File with associated plans, photos and required documentation

Representing Beaudette

Zach Dusseau, ACK Smart

Public None

Discussion (1:41) **Beaudette** – Explained how it ended up the setback; this represents a substantial hardship. We have HDC approval for the change. In this area, several Certificates of Occupancy (CO) have been issued with setback intrusions.

McCarthy – Asked how many COs were issued with setback intrusions.

Beaudette – He can find out; off-hand he knows of one.

Botticelli – Wants to wait to see what happens to 21 Woodbine before making a decision on this one.

Beaudette – Since the two applications were taken separately, he'd like to get his off the table. 18-21 has abutter concerns and no HDC approval of the change; we do not have those exacerbating factors here. The set-back intrusion has *di minimis* impact on the neighborhood.

Discussion about whether or not to continue this.

Motion **Motion to Continue to September 9th.** (made by: O'Mara) (seconded)

Vote Carried unanimously

IV. OTHER BUSINESS

1. None

V. ADJOURNMENT

Motion **Motion to adjourn at 2:58 pm.** (made by: Botticelli) (seconded)

Roll-call vote Carried unanimously

Sources used during the meeting not found in the files or on the Town website:

1. Photos of construction at 16 Western Avenue
2. Draft minutes as listed

Submitted by:
Terry L. Norton

Old Business

**JAYNE C. & BRIAN F.
DEBIASIO**

39 MEADOW VIEW DR.

FILE NO. 06-21

Special Permit



TOWN OF NANTUCKET BOARD OF APPEALS NANTUCKET, MA 02554

2021 MAY 13 PM 3:30

NANTUCKET
TOWN CLERK

File No. 06 - 21

Map 56 Parcel 133

This agreement to extend the time limit for the Board of Appeals to make a decision, hold a public hearing, or to take other action concerning the application of:

Jayne C. & Brian F. DeBIASIO - 39 Meadow View Dr. - Modification

Pursuant to the provisions of the Acts of 1987, Chapter 498, amending the State Zoning Act, Chapter 40A of the Massachusetts General Laws, Applicant(s)/Petitioner(s) and the Zoning Board of Appeals hereby agree to extend the time limit

- ☐ For a public hearing on the application
- ☒ For a written decision
- ☐ For other action _____

Such application is:

- ☐ An appeal from the decision of any administrative official
- ☐ A petition for a special permit
- ☐ A petition for a variance
- ☐ An extension
- ☒ A modification

The new time limit shall be midnight on August 12, 2021, which is not earlier than a time limit set by statute or bylaw.

The Applicant (s), attorney, or agent for the Applicant represented to be duly authorized to act in this matter for the applicant, in executing this agreement waives any rights under the Nantucket Zoning Bylaw and the State Zoning Act, as amended, to the extent, but only to the extent, inconsistent with this agreement.

Arthur I. Reade, Attorney
For Applicant (s)

Eleanor W. Antonietti
For Zoning Board of Appeals

May 13, 2021
Effective Date of Agreement

Town Clerk Stamp:

Jayne C. DeBiasio
Brian F. DeBiasio
39 Meadow View Drive
Nantucket, MA 02554
Tel. Cell (508) 332-6731
Tel. Home (508) 228-3911

May 2, 2021

Ms. Susan McCarthy
Zoning Board of Appeals Chair
Planning & Land Use Services
Town of Nantucket
2 Fairgrounds Road
Nantucket, MA 02554



Via email: eantonietti@nantucket-ma.gov

Dear Ms. McCarthy:

I am writing to you with reference to our ZBA hearing in April, pertaining to our change of use request for the Garage Studio, located on our property at 39 Meadow View Drive: Map 56, Parcel 133. The Board tabled approval of allowing the studio to be converted to living space pending documentation from Conservation Commission pertaining to the grandfathered shed that we rebuilt within the wetlands zoning.

After checking our records, we in fact did not have written authorization to rebuild an existing shed that had rotted away and was demolished in the location. My wife and I sincerely apologize for the error on our part, as we thought we could rebuild it without formal approval. We are in the process of going before the Conservation Commission to either have this approved, or removed from the property (and donated to a local charity).

In any event, we will not be able to provide you with any documentation for the upcoming May ZBA meeting and we request that this review be tabled until such time as we can provide you with requested proper documentation as unfortunately this will take some time. We will notify Ms. Antonietti once we have finalized the Conservation Commission to have this re-scheduled.

Again Madam Chair, Jayne & I sincerely apologize for this error on our part and we will correct it. We are sending this letter via email to Ms. Antonietti and copying Arthur Reade, our attorney. Thank you for your time and consideration.

Sincerely yours,

Brian F. DeBiasio

Brian DeBiasio

CC: Arthur Reade



Zoning Board of Appeals

MAR 02 2021

RECEIVED

**TOWN OF NANTUCKET
BOARD OF APPEALS
NANTUCKET, MA 02554**

2021 MAR 16 PM 1:36

NANTUCKET
TOWN CLERK

PAID
MAR 04 2021
BY: DM 21252

APPLICATION

Fee: \$450.00

File No. 06-21

Owner's name(s): Jayne C. DeBiasio and Brian F. DeBiasio

**Mailing address: c/o Reade, Gullicksen, Hanley & Gifford, LLP
6 Young's Way, Post Office Box 2669, Nantucket, Massachusetts 02584**

Phone Number: 508-228-3128 E-Mail: air@readelaw.com

Applicant's name(s): Same

Mailing Address: Same

Phone Number: Same E-Mail: Same

Locus Address: 39 Meadow View Drive Assessor's Map/Parcel: 56-133

Land Court Plan 14830-O, Lot 50

Certificate of Title: 23121 Zoning District Residential-20 (R-20)

Uses on Lot- Commercial: None

Residential: Number of dwellings One

Date of Structure(s): all pre-date 7/72 No

Building Permit Numbers: 5615-87 (dwelling); 1350-12 (garage/studio)

Previous Zoning Board Application Numbers: 030-11; 25-19

**2 Fairgrounds Road Nantucket Massachusetts 02554
508-228-7215 telephone 508-228-7298 facsimile**

State below or attach a separate addendum of specific special permits or variance relief applying for:

The applicant requests that the condition set forth in the decision in File No. 030-11, which granted a Special Permit for side line setback of a garage/studio structure, that the studio which was the subject of that application "shall not be for human habitation", be removed. At the time of granting of the Special Permit, the locus was served by an on-site septic system which did not have the capacity for an additional bedroom. Subsequently, the locus has been connected to the municipal sewer system. The applicant has applied to the Planning Board for secondary dwelling approval, which has been granted.

I certify that the information contained herein is substantially complete and true to the best of my knowledge, under the pains and penalties of perjury.

SIGNATURE: *Jayne C. DeBiasio and Brian F. DeBiasio* Owner*

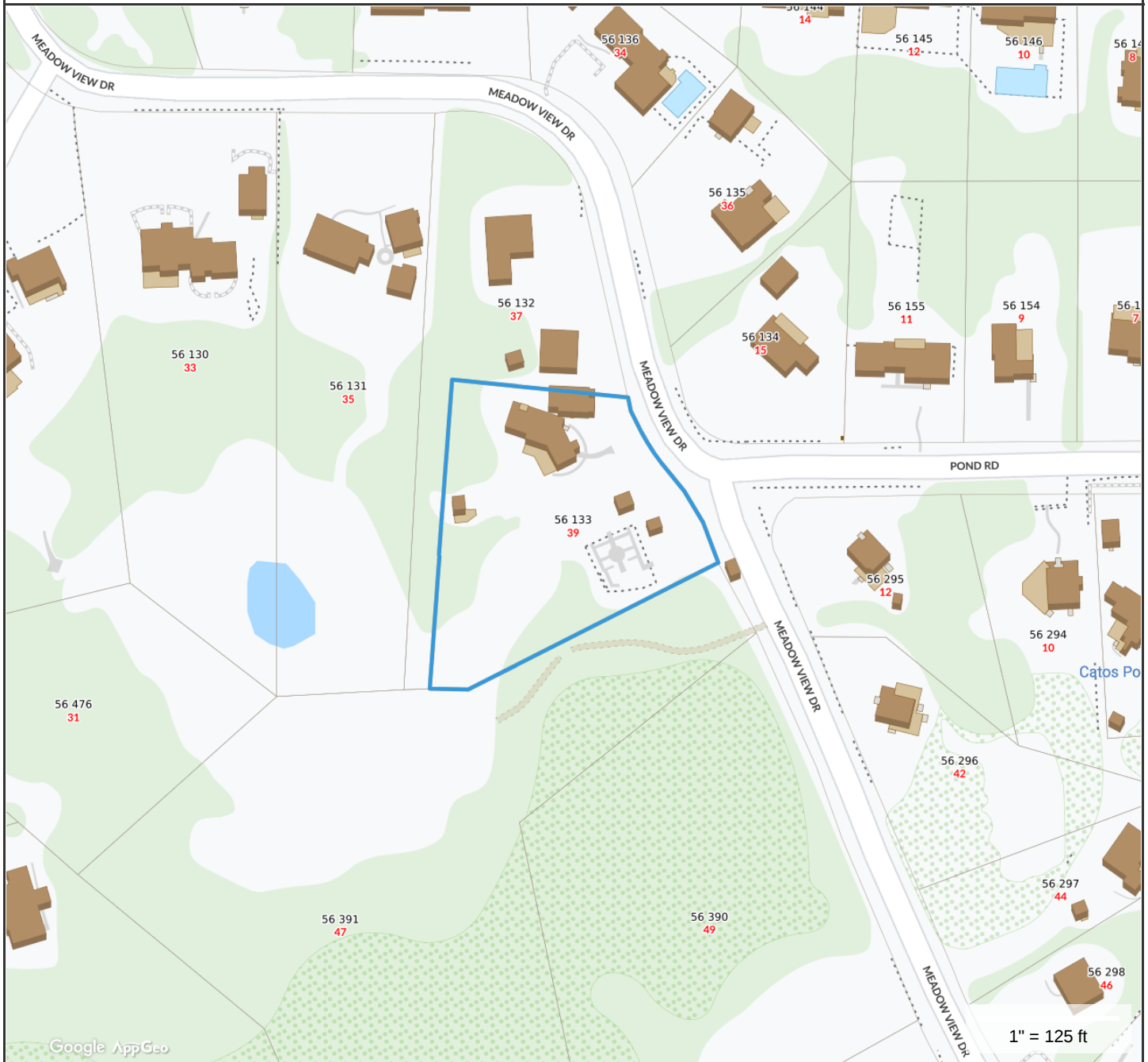
By:

SIGNATURE: *Arthur I. Reade, Jr.* Applicant/Attorney/Agent
Arthur I. Reade, Jr.

OFFICE USE ONLY

Application received on: __/__/__ By: __ Complete: __ Need Copies: __
Filed with Town Clerk: __/__/__ Planning Board: __/__/__ Building Dept.: __/__/__ By: __
Fee deposited with Town Treasurer: __/__/__ By: __ Waiver requested: __
Granted: __/__/__ Hearing notice posted with Town Clerk: __/__/__ Mailed: __/__/__
I&M __/__/__ & __/__/__ Hearing(s) held on: __/__/__ Opened on: __/__/__
Continued to: __/__/__ Withdrawn: __/__/__ Decision Due By: __/__/__
Made: __/__/__ Filed w/Town Clerk: __/__/__ Mailed: __/__/__

2 Fairgrounds Road Nantucket Massachusetts 02554
508-228-7215 telephone 508-228-7298 facsimile

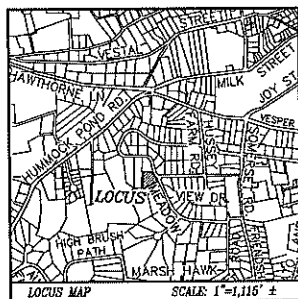
**Property Information**

Property ID 56 133
Location 39 MEADOW VIEW DR
Owner DEBIASIO JAYNE C & BRIAN F

**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



CURRENT ZONING CLASSIFICATION:
Residential 20 (R-20)

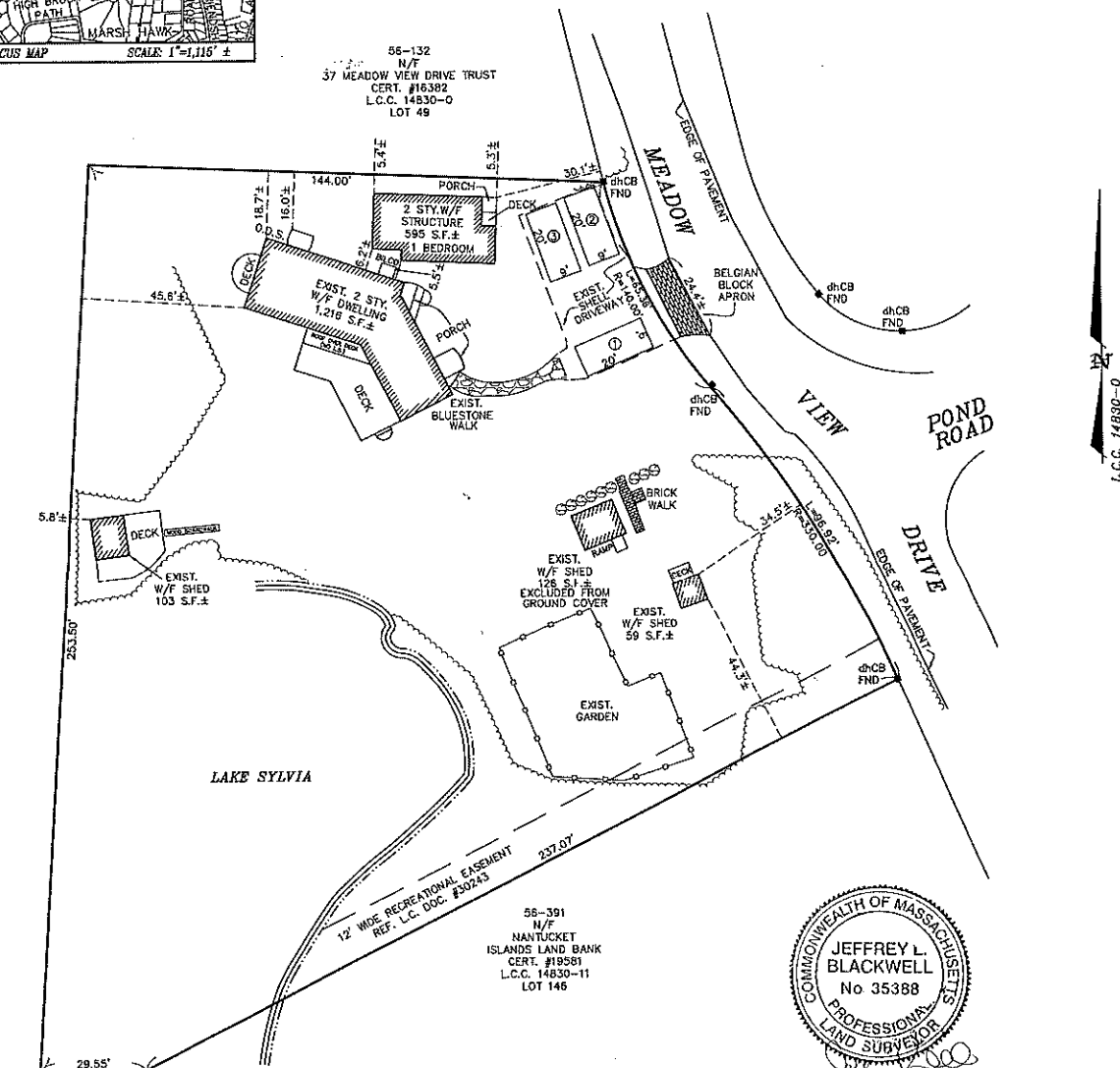
Existing:
MINIMUM LOT SIZE: 20,000 S.F. 40,764 S.F.±
MINIMUM FRONTAGE: 75 FT. SEE PLAN
FRONT YARD SETBACK: 30 FT. SEE PLAN
REAR/SIDE SETBACK: 10 FT.± SEE PLAN
GROUND COVER % : 12.5% 4.8% ±

*REF. SPECIAL PERMIT #030-11, DOC. 134331.

LEGEND

- dhCB ■ DENOTES CONCRETE BOUND WITH DRILLHOLE FOUND
- DENOTES EXIST. EDGE OF BRUSH
- DENOTES EXIST. PLANK FENCE

55-132
N/F
37 MEADOW VIEW DRIVE TRUST
CERT. #16382
L.C.C. 14830-0
LOT 48



L.C.C. 14830-0

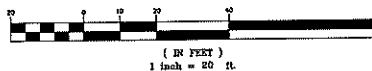


OWNER INFORMATION

JAYNE C. DEBIASIO
BRIAN F. DEBIASIO
CERT. OF TITLE #23121
L.C.C. 14830-0, LOT 50
ASSESSOR'S MAP 56, PARCEL 133
#39 MEADOW VIEW DRIVE

LOT AREA = 40,764± S.F.

GRAPHIC SCALE



BLACKWELL & ASSOCIATES, Inc.

PROFESSIONAL LAND SURVEYORS & CIVIL ENGINEERS
20 TEASDALE CIRCLE
NANTUCKET, MASSACHUSETTS 02554
(508) 228-9026
www.blackwellsurvey.com

SITE PLAN OF LAND

PREPARED FOR
JAYNE C. & BRIAN F. DEBIASIO
#39 MEADOW VIEW DRIVE
NANTUCKET, MA
MAP: 56, PARCEL: 133

T:\KEN 25 JOB 31

V:\DRAWFILES\B7378\SP 2021.dwg 1/7/2021 1:59:41 PM EST

JANUARY 07, 2021

Design/Drawn by: CLR
Approved by: JLB

SHEET 1 OF 1

B7378

Town of Nantucket

Zoning Board of Appeals

LIST OF PARTIES IN INTEREST IN THE MATTER OF THE PETITION OF:

PROPERTY OWNER..... Jayne C. DeBiasio and Brian F. DeBiasio
MAILING ADDRESS..... c/o Reade, Gullicksen, Hanley & Gifford, LLP
PROPERTY LOCATION..... 39 Meadow View Drive
ASSESSOR MAP/PARCEL..... Map 56, Parcel 133
SUBMITTED BY..... Reade, Gullicksen, Hanley & Gifford, LLP

SEE ATTACHED PAGES

I certify that the foregoing is a list of all persons who are owners of abutting property, owners of land directly opposite on any public or private street or way; and abutters of the abutters and all other land owners within 300 feet of the property line of owner's property, as they appear on the most recent applicable tax list (M.G.L. c. 40A, Section 11 and Zoning Code Chapter 40A, Section 139-29B (2).

2-9-2021

DATE

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: 2021.02.09 15:10:20 -05'00'

ASSESSOR'S OFFICE
TOWN OF NANTUCKET

Abutters Listing

MBLU	Lot	Lot Cut	Owner Full Name	Co-Owner Full Name	Address Line 1	City	State	Zip	Location
56	129		PENN JONATHAN TRUSTEE		120 CABOT STREET	CHESTNUT HILL	MA	02467	29 MEADOW VIEW DR
56	130		PONDERON LLC	C/O KUPPER WILLIAM P & JACQUELINE	28536 CHIANTI TERRACE	BONITA SPRINGS	FL	34135	33 MEADOW VIEW DR
56	131		MORASH JEFFREY D		35 MEADOW VIEW DR	NANTUCKET	MA	02554	35 MEADOW VIEW DR
56	132		MCGOVERN MARTHA C TRST	37 MEADOWVIEW DR TRUST #305	4825 GULF OFMEXICO DR UNIT C	LONGBOAT KEY	FL	34228	37 MEADOW VIEW DR
56	133		DEBIASIO JAYNE C & BRIAN F		39 MEADOW VIEW DR	NANTUCKET	MA	02554	39 MEADOW VIEW DR
56	134		CHAPMAN JOHN S JR & EDITH H		3 BORDEAUX CIRCLE	OLMSTED TOWNSHIP	OH	44138	15 POND RD
56	135		HINSON AMY & JAMES G		36 MEADOW VIEW DR	NANTUCKET	MA	02554	36 MEADOW VIEW DR
56	136		SLAVITZ NOREEN C		34 MEADOW VIEW DR	NANTUCKET	MA	02554	34 MEADOW VIEW DR
56	137		HANSEN JEFFREY TRST ETAL	HANSEN FAMILY TRUST	52 WHITEWOOD ROAD	MILFORD	MA	01757	32 MEADOW VIEW DR
56	138		30 MEADOW VIEW LLC		21 RUTLAND SQUARE #2	BOSTON	MA	02118	30 MEADOW VIEW DR
56	143		JOHNSON PAUL H & BRENDA B		16 MEADOW VIEW DR	NANTUCKET	MA	02554	16 MEADOW VIEW DR
56	144		LEHMACHER THOMAS J ETAL		23 COUGHLIN ROAD	KILLINGWORTH	CT	06419	14 MEADOW VIEW DR
56	145		ACKME LLC		4 HEATHER WAY	MILL VALLEY	CA	94941	12 MEADOW VIEW DR
56	154		ALLEN ELISA H		9 POND RD	NANTUCKET	MA	02554	9 POND RD
56	155		KUSZPA JOHN & ANNE P M		11 POND RD	NANTUCKET	MA	02554	11 POND RD
56	294		BLANK THEODORE J & CRISTINA		10 POND RD	NANTUCKET	MA	02554	10 POND RD
56	295		KANE JOHN J JR & ANGELA M		83 EAGLE ROCK ROAD	STOUGHTON	MA	02072	12 POND RD
56	296		PATTERSON ARTHUR H & CHISWICK	NANCY R	2443 HICKORY HILL DR	STATE COLLEGE	PA	16803	42 MEADOW VIEW DR
56	390		ALPER KARIN & MICHAEL TRST	KARIN ALPER REVOC TRUST 2005	5 CHESTNUT HILL TERRACE	NEWTON	MA	02467	49 MEADOW VIEW DR
56	391		NANTUCKET ISLANDS LAND BANK		22 BROAD ST	NANTUCKET	MA	02554	47 MEADOW VIEW DR
56	476		NANTUCKET ISLANDS LAND BANK		22 BROAD STREET	NANTUCKET	MA	02554	31 MEADOW VIEW DR
Count:	21								

PENN JONATHAN TRUSTEE
120 CABOT STREET
CHESTNUT HILL, MA 02467

PONDERON LLC
C/O KUPPER WILLIAM P & JACQUELINE
28536 CHIANTI TERRACE
BONITA SPRINGS, FL 34135

MORASH JEFFREY D
35 MEADOW VIEW DR
NANTUCKET, MA 02554

MCGOVERN MARTHA C TRST
37 MEADOWVIEW DR TRUST #305
4825 GULF OFMEXICO DR UNIT C
LONGBOAT KEY, FL 34228

DEBIASIO JAYNE C & BRIAN F
39 MEADOW VIEW DR
NANTUCKET, MA 02554

CHAPMAN JOHN S JR & EDITH H
3 BORDEAUX CIRCLE
OLMSTED TOWNSHIP, OH 44138

HINSON AMY & JAMES G
36 MEADOW VIEW DR
NANTUCKET, MA 02554

SLAVITZ NOREEN C
34 MEADOW VIEW DR
NANTUCKET, MA 02554

HANSEN JEFFREY TRST ETAL
HANSEN FAMILY TRUST
52 WHITEWOOD ROAD
MILFORD, MA 01757

30 MEADOW VIEW LLC
21 RUTLAND SQUARE #2
BOSTON, MA 02118

JOHNSON PAUL H & BRENDA B
16 MEADOW VIEW DR
NANTUCKET, MA 02554

LEHMACHER THOMAS J ETAL
23 COUGHLIN ROAD
KILLINGWORTH, CT 06419

ACKME LLC
4 HEATHER WAY
MILL VALLEY, CA 94941

ALLEN ELISA H
9 POND RD
NANTUCKET, MA 02554

KUSZPA JOHN & ANNE P M
11 POND RD
NANTUCKET, MA 02554

BLANK THEODORE J & CRISTINA
10 POND RD
NANTUCKET, MA 02554

KANE JOHN J JR & ANGELA M
83 EAGLE ROCK ROAD
STOUGHTON, MA 02072

PATTERSON ARTHUR H & CHISWICK
NANCY R
2443 HICKORY HILL DR
STATE COLLEGE, PA 16803

ALPER KARIN & MICHAEL TRST
KARIN ALPER REVOC TRUST 2005
5 CHESTNUT HILL TERRACE
NEWTON, MA 02467

NANTUCKET ISLANDS LAND BANK
22 BROAD ST
NANTUCKET, MA 02554

NANTUCKET ISLANDS LAND BANK
22 BROAD STREET
NANTUCKET, MA 02554

**Materials Provided
by Staff**



2011 00134331

Cert: 23121 Doc: SP
Registered: 08/09/2011 01:52 PM



**TOWN OF NANTUCKET
BOARD OF APPEALS
NANTUCKET, MASSACHUSETTS 02554**

11 JUL 15 A9 58

Date: July 15, 2011

To: Parties in Interest and Others concerned with the Decision of
The BOARD OF APPEALS in the Application of the following:

Application No: 030-11

Owner/Applicant: BRIAN F. DEBIASIO AND JAYNE C. DEBIASIO

Enclosed is the Decision of the BOARD OF APPEALS which has this
day been filed with the office of the Nantucket Town Clerk.

An Appeal from this Decision may be taken pursuant to Section 17
of Chapter 40A, Massachusetts General Laws.

Any action appealing the Decision must be brought by filing a
complaint in Land Court within TWENTY (20) days after this day's
date. Notice of the action with a copy of the complaint and
certified copy of the Decision must be given to the Town Clerk so
as to be received within such TWENTY (20) days.

Ed S. Toole (SAB)

Edward S. Toole, Chairman

cc: Town Clerk
Planning Board
Building Commissioner/Zoning Enforcement Officer

PLEASE NOTE: MOST SPECIAL PERMITS AND VARIANCES HAVE A TIME LIMIT
AND WILL EXPIRE IF NOT ACTED UPON ACCORDING TO NANTUCKET ZONING
BY-LAW SECTION 139-30 (SPECIAL PERMITS); SECTION 139-32
(VARIANCES). ANY QUESTIONS, PLEASE CALL THE NANTUCKET ZONING BOARD
OF APPEALS OFFICE AT 508-228-7215.

**NANTUCKET ZONING BOARD OF APPEALS
2 Fairgrounds Road
Nantucket, Massachusetts 02554**

Assessor's Map 56, Parcel 133
39 Meadow View Drive
Residential - 20

Land Court Plan 14830-0, Lot 50
Certificate of Title No. 23,121

DECISION:

1. At a public hearing of the Nantucket Zoning Board of Appeals, on Thursday, June 9, 2011, at 1:00 P.M., at 4 Fairgrounds Road, Nantucket, Massachusetts, the Board made the following decision on the application of BRIAN F. DEBIASIO AND JAYNE C. DEBIASIO, c/o Paul S. Jensen, PC, PO Box 3097, Nantucket, MA 02584, File No. 030-11:

2. Applicant is requesting Special Permit relief pursuant to Nantucket Zoning Bylaw Sections 139-16.C.(1) (reducing side yard setback to five feet) in order to construct a garage/studio approximately 5.5 feet from the side yard lot line in a zoning district that requires a ten (10) foot side yard setback that can be reduced to five (5) feet with Special Permit relief. The Locus is situated at 39 Meadow View Drive, is shown on Nantucket Tax Assessor's Map 56 as Parcel 133, is shown on Land Court Plan 14830-0 as Lot 50, and is registered as Certificate of Title No. 23,121 in the Nantucket County Registry District of the Land Court. The property is zoned Residential - 20.

3. Our decision is based upon the application and accompanying materials, representations, and testimony received at our public hearing. There was no Planning Board recommendation on the basis that no matters of planning concern were presented. There was one (1) letter from the direct abutter to proposed garage/studio and a petition signed by nine (9) additional abutters, all approving the Applicant's plans and urging the Board to grant the requested relief.

4. Attorney Paul Jensen and the Applicant were present at the hearing. Attorney Jensen explained that the Applicant is requesting Special Permit relief pursuant to Nantucket Zoning Bylaw Section 139-16.C.(1) in order to reduce the side yard setback from ten (10) feet to five (5) feet.

The Applicant stated that he intends to construct a garage/studio approximately 5.5 feet from the side yard lot line in a zoning district that requires a ten (10) foot side yard setback that can be reduced to five (5) feet by Special Permit. The Applicant is **burdened by existing wetlands** on the property. The only location where the Applicant could **build outside** the **50' wetland boundary** is within the ten (10) foot side yard setback.

The Board asked the purpose of the studio and reiterated to the Applicant that such a structure shall **not be for human habitation**. The Applicant confirmed that the use would not be for human habitation.

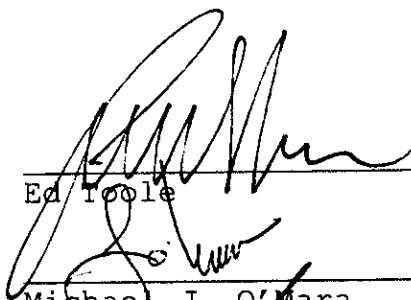
5. Therefore, after a discussion with the Applicant and Counsel for the Applicant, the Board finds that such a Special Permit may be granted to reduce the side yard setback from ten (10) feet to five (5) feet to allow the applicant to site the studio because such a permit would be in harmony with the general purpose and intent of the Zoning Bylaw.

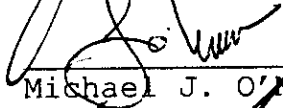
6. Accordingly, by a vote of FOUR in favor and ONE opposed (McCarthy opposed), the Board of Appeals made the finding that a Special Permit reducing the side yard setback from ten (10) feet to five (5) feet could be granted to the Applicant in order to allow the Applicant to site a studio within said ten (10) foot setback would be in harmony with the general purpose and intent of the Zoning Bylaw with the following conditions:

- a. Said studio shall not be for human habitation.
- b. There shall be **no bathtub or shower facilities** in the Studio.
- c. The **footprint** of the studio shall be **no larger than 582 square feet**, as shown on the attached site plan entitled, "Site Plan to Accompany Zoning Board of Appeals Application," prepared by Blackwell and Associates, Inc., dated May 10, 2011, attached hereto as "Exhibit A."
- d. The **ridge height** of said studio shall be **no higher than twenty-three (23) feet**.

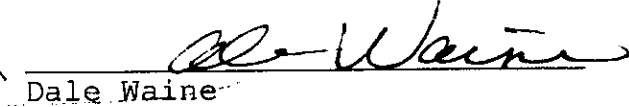
SIGNATURE PAGE TO FOLLOW

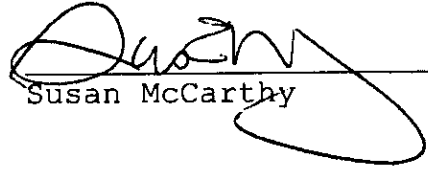
Dated: July 15, 2011


Ed Toole


Michael J. O'Mara


Kerim Koseatac

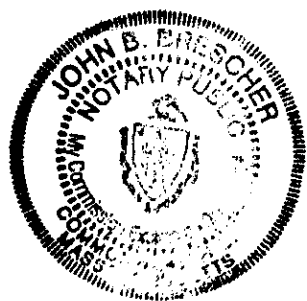

Dale Waine

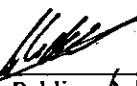

Susan McCarthy

COMMONWEALTH OF MASSACHUSETTS

Nantucket, ss. July 15, 2011

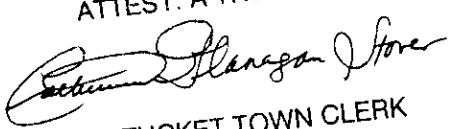
On this 15 day of July, 2011, before me, the undersigned Notary Public, personally appeared Ed Toole, who is personally known to me, and who is the person whose name is signed on the preceding or attached document, and who acknowledged to me that he she signed it voluntarily for its stated purpose.




Notary Public: John B. Brescher
My commission expires: 12/31/2012

I CERTIFY THAT 14 DAYS HAVE ELAPSED AFTER THE DECISION WAS FILED IN THE OFFICE OF THE TOWN CLERK, AND THAT NO APPEAL HAS BEEN FILED, PURSUANT TO GENERAL LAWS 40A, SECTION 11

 TOWN CLERK

ATTEST: A TRUE COPY

NANTUCKET TOWN CLERK

AUG 09 2011

56-132 N/T
37 MEADOW VIEW DRIVE TRUST
 CERT. #10382
 L.C.C. 14830-0
 LOT 49

CONSERVATION COMMISSION
 50' NO STRUCTURE SETBACK

EXIST. 1,000 GAL. SEPTIC TANK
 CONCRETE LANDING
 EXIST. LEACH PIT
 STEPS
 PROPOSED STRUCTURE 582 S.F.±
 EXIST. 2 STY. W/F DWELLING 1,216 S.F.±
 ROOFED PORCH
 EXIST. BLUESTONE WALK
 EXIST. BRICK WALK
 EXIST. W/F SHED 103 S.F.±
 EXIST. W/F SHED 99 S.F.±
 EXIST. GARDEN
 EXIST. 10-BOX
 EXIST. SHELL DRIVEWAY

LOT AREA=40,764 S.F.±

BORDERING WETLAND DELINEATED BY KENNETH J. PANACEK, K.P. LANDSCAPE & ENVIRONMENTAL SERVICES

LAKE SYLVIA

12' WIDE RECREATIONAL EASEMENT REF. L.C. DOC. #30243

237.00' 56°00'36"W

56-391 N/T
 NANTUCKET ISLANDS LAND BANK
 CERT. #10581
 L.C.C. 14830-11
 LO 146

LEGEND

- DENOTES CONCRETE BOUND WITH DRELLHOLE POUND
- DENOTES EXIST. CABLE PEDIMENTAL
- DENOTES EXIST. ELECTRICAL OUTLET
- DENOTES EXIST. AREA LIGHT
- DENOTES EXIST. UNDERGROUND LP TANK
- DENOTES EXIST. WATER FAUCET
- DENOTES EXIST. WATER METER
- DENOTES EXIST. WATER VALVE
- DENOTES EXIST. BORDERING WETLAND FLAG
- DENOTES EXIST. BORDERING VEGATED WETLAND FLAG
- DENOTES EXIST. WETLAND DELINEATION
- DENOTES EXIST. EDGE OF BRUSH
- DENOTES EXIST. PUNY HEDGE
- DENOTES EXIST. PLANK FENCE

EXISTING
 40,764 S.F.±
 SEE PLAN
 SEE PLAN
 SEE PLAN
 3.2% ±

CURRENT ZONING CLASSIFICATION:
 Residential: 20 (R-20)
 MINIMUM LOT SIZE: 20,000 S.F.
 MINIMUM FRONTAGE: 75 FT.
 FRONT YARD SETBACK: 30 FT.
 REAR/SIDE SETBACK: 10 FT.
 GROUND COVER %: 12.5%

ORIGINAL SIGNED AND STAMPED COPIES OF THIS PLAN MAY BE PHOTOGRAPHED BY THE BOARD OF APPEALS OR THE NANTUCKET REGISTRY OF DEEDS FOR RECORDING PURPOSES. IN CASES OF DISCREPANCIES REGARDING INFORMATION CONTAINED HEREON AND UNAUTHORIZED PHOTOCOPIES OF THIS PLAN, ONLY ORIGINALLY STAMPED AND ENDORSED COPIES SHALL BE ACKNOWLEDGED BY THE CERTIFYING LAND SURVEYOR.

THIS INSPECTION PLAN WAS PREPARED TO ACCOMPANY AN APPLICATION TO THE NANTUCKET BOARD OF APPEALS AND IS NOT TO BE CONSIDERED A FULL INSTRUMENT SURVEY. THIS PLAN SHOULD NOT BE USED TO ESTABLISH PROPERTY LINES, FENCES, HEDGES OR ANY ANCILLARY STRUCTURES ON THE PREMISES. THE PROPERTY LINES SHOWN RELY ON CURRENT DEEDS AND PLANS OF RECORD.

THIS INSPECTION PLAN IS NOT A CERTIFICATION AS TO THE TITLE OR OWNERSHIP OF THE PROPERTY SHOWN. OWNERS OF ADJOINING PROPERTIES ARE SHOWN ACCORDING TO CURRENT TOWN OF NANTUCKET ASSESSOR RECORDS.

THIS PLAN SHALL NOT BE USED FOR ANY OTHER PURPOSE OTHER THAN ITS INTENDED USE STATED ABOVE.

© Blackwell & Associates Inc.

Zoning Board of Appeals

NOTE: SEPTIC SYSTEM SHOWN HEREON IS BASED UPON RECORD FILES AT THE NANTUCKET HEALTH DEPARTMENT. LOT IS SERVED BY TOWN WATER.

Site Plan to Accompany Zoning Board of Appeals Application

Nantucket, Mass.

SCALE: 1"= 20' DATE: MAY 10, 2011

JAYNE C. DEBIASIO
BRIAN F. DEBIASIO

Owners: ...
 Cert. No.: #3371 Plan: L.C.C. 14830-0, Lot 50
 Tax Map-Parcel: ... 56-133
 Locust: ... 39 MEADOW VIEW DRIVE

BLACKWELL & ASSOCIATES, Inc.
 Professional Land Surveyors
 20 TRADDALE CIRCLE
 NANTUCKET, MASS. 02554
 (508) 228-9026

GRAPHIC SCALE

(IN FEET)
 1 inch = 20 ft

T: WEN 25 JOB 31
 11/06/2011 11:17:05 2844 5/10/2011 10:28:43 AM EDT

B7378



2019 00163564

Cert: 23121 Doc: MSP
Registered: 11/04/2019 03:47 PMNANTUCKET
TOWN CLERK

2019 OCT -9 PM 3:46



**TOWN OF NANTUCKET
BOARD OF APPEALS
NANTUCKET, MASSACHUSETTS 02554**

Date: September 27, 2019

To: Parties in Interest and Others concerned with the Decision of
The BOARD OF APPEALS in the Application of the following:

Application No.: 25-19Owner/Applicant: JAYNE C. DEBIASIO & BRIAN F. DEBIASIOProperty Description: 39 Meadow View Drive
Map 56, Parcel 133

Enclosed is the Decision of the BOARD OF APPEALS which has this
day been filed with the office of the Nantucket Town Clerk.

An Appeal from this Decision may be taken pursuant to Section 17
of Chapter 40A, Massachusetts General Laws.

Any action appealing the Decision must be brought by filing a
complaint in Nantucket Superior Court or Land Court within TWENTY
(20) days after this day's date. Notice of the action with a copy
of the complaint and certified copy of the Decision must be given
to the Town Clerk so as to be received within such TWENTY (20)
days.



Eleanor W. Antonietti,
Zoning Administrator

cc: Town Clerk
Planning Board
Building Commissioner/Zoning Enforcement Officer

PLEASE NOTE: MOST SPECIAL PERMITS AND VARIANCES HAVE A TIME LIMIT AND
WILL EXPIRE IF NOT ACTED UPON ACCORDING TO NANTUCKET ZONING BY-LAW
SECTION 139-30 (SPECIAL PERMITS); SECTION 139-32 (VARIANCES). ANY
QUESTIONS, PLEASE CALL THE NANTUCKET ZONING BOARD OF APPEALS OFFICE AT
508-325-7587.

NANTUCKET ZONING BOARD OF APPEALS
2 Fairgrounds Road
Nantucket, Massachusetts 02554

Assessor's Map 56, Parcel 133
39 Meadow View Drive
Residential Twenty ("R-20")

Certificate of Title No. 23121
Land Court Plan No. 14830-O
Lot 50

DECISION:

1. At a public hearing of the Nantucket Zoning Board of Appeals, held on Thursday, September 12, 2019 at 1:00 P.M., at 4 Fairgrounds Road, Nantucket, Massachusetts, the Board made the following decision on the application of **JAYNE C. DEBIASIO & BRIAN F. DEBIASIO**, 39 Meadow View Drive, Nantucket, Massachusetts 02554, **File No. 25-19**.
2. Applicants are seeking to modify prior relief by Special Permit (Decision File No. 030-11) which permitted a reduction of the sideline setback from ten (10) feet to five (5) feet in order to construct a garage/studio within the northerly side yard setback. The structure has been constructed and when the "as-built" survey was done in pursuit of the Certificate of Occupancy, issues arose related to certain conditions contained in the Decision which applicants seek to either eliminate or alter in order to validate the as-built structure. Locus is situated at 39 Meadow View Drive, shown on Assessor's Map 56 as Parcel 133, as Lot 50 upon Land Court Plan 14830-O. Evidence of owner's title is registered on Certificate of Title No. 23121 at the Nantucket County District of the Land Court. The site is zoned Residential Twenty (R-20).
3. Our decision is based upon the application and accompanying materials, representations and testimony received at our public hearing. There was no Planning Board recommendation on the basis that no matters of planning concern were presented. Except for presentation by the applicants' representative, there was neither support nor opposition presented at the public hearing.
4. Applicants' representative explained that the Applicant is requesting to modify prior Special Permit relief granted in Zoning Board of Appeals Decision No. 030-11 (registered as Document No. 134331 at the Nantucket County District of the Land Court) which approved a reduction of the sideline setback from ten (10) to five (5) feet pursuant to Section 139-16.C(1) to allow construction of a garage/studio as close as 5.5 feet from the northerly side yard lot line. The approval was subject to the following conditions:
 - a. *Said studio shall not be for human habitation.*
 - b. *There shall be no bathtub or shower facilities in the Studio.*

- c. *The footprint of the studio shall be no larger than 582 square feet, as shown on the attached site plan entitled, "Site Plan to Accompany Zoning Board of Appeals Application," prepared by Blackwell and Associates, Inc., dated May 10, 2011, attached hereto as "Exhibit A."*
- d. *The ridge height of said studio shall be no higher than twenty-three (23) feet.*

The studio has been constructed and when the "as-built" survey was done in pursuit of the Certificate of Occupancy, certain discrepancies became apparent in connection with specific conditions contained in the Decision.

5. Applicants propose to modify or eliminate three of the conditions in the prior decision in the following manner:
 - **Elimination of condition (b)** prohibiting bathtub or shower facilities in the Studio. In 2011 when the Special Permit was granted, the area was not yet on Town sewer but has since been connected. The property is also on Town water.
 - **Modification of condition (c)** to validate the As-Built ground cover of the garage at 595 sq. ft. as shown on plan entitled, "Building Location Plan of Land in Nantucket, Mass.", dated August 2, 2019, prepared by Blackwell & Associates, Inc., a reduced copy of which is attached herewith as "Exhibit A", for a difference of roughly thirteen (13) sq. ft.
 - **Modification of condition (d)** to validate the As-Built ridge height of the garage at 23.3 feet, an increase of roughly 3.5 inches from the maximum permitted 23 feet, per letter dated August 13, 2019, from Jeff Blackwell, P.L.S. dated 8/13/19, submitted with this application.
6. In addition, Applicants are seeking validation of the As-Built siting of the garage/studio. The approval was for a reduction from ten (10) feet to "approximately 5.5 feet" from the northerly side yard lot line. However, the above-referenced survey shows the structure as close as 5.3 feet, in excess of five (5) feet allowable by Special Permit relief pursuant to Section 139-16.C(1), for a difference of roughly 1.5 inches.
7. Accordingly, by **UNANIMOUS** vote, the Zoning Board of Appeals made the finding that the proposed amendments to the prior Special Permit granted in File No. 030-11 were in harmony with the purpose and intent of the Zoning By-law, and **GRANTED** the **MODIFICATION** to the **SPECIAL PERMIT** as requested by the applicants, by striking condition (b), modifying conditions (c) and (d), and validating the as-built garage/studio as shown on "Exhibit A", all as set forth above. Condition (a) and the remainder of the relief in said Special Permit shall remain in full force and effect.

SIGNATURE PAGE FOLLOWS

Assessor's Map 56, Parcel 133
39 Meadow View Drive
Residential Twenty ("R-20")

Certificate of Title No. 23121
Land Court Plan No. 14830-O
Lot 50

Dated: September 12, 2019

**I CERTIFY THAT 20 DAYS HAVE ELAPSED AFTER
THE DECISION WAS FILED IN THE OFFICE OF THE
TOWN CLERK, AND THAT NO APPEAL HAS BEEN
FILED, PURSUANT TO GENERAL LAWS 40A, SECTION 11**

NOV 04 2019

TOWN CLERK

ATTEST: A TRUE COPY

Nancy R. Holmes
NANTUCKET TOWN CLERK

[Signature]
Edward S. Toole

[Signature]
Michael O'Mara

[Signature]
Geoffrey W. Thayer

[Signature]
Jim Mondani

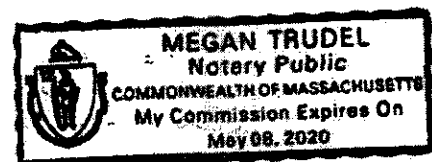
COMMONWEALTH OF MASSACHUSETTS

Nantucket, ss.

On the 4th day of October, 2019, before me, the undersigned notary public, personally appeared Jim Mondani, one of the above-named members of the Zoning Board of Appeals of Nantucket, Massachusetts, personally known to me to be the person whose name is signed on the preceding document, and acknowledged that they signed the foregoing instrument as their free act and deed and voluntarily for the purposes therein expressed.

[Signature]
Official Signature and Seal of Notary Public

My commission expires: May 6, 2020



*REF. SPECIAL FORMS #030-11, DOC. 134331.

56-132
N/P
37 MEADOW VIEW DRIVE TRUST
CERT. #4382
L.C.C. 14830-0
LOT 48

BUILDING LOCATION OF LAND IN NANTUCKET, MA

SCALE: 1" = 20' DATE: AUGUST 1988

JAYNE C. DEBIA
Owner: **BRIAN F. DEBIA**

Cost. of Title \$32121 . Map L.C.C. #1
Locust: . . 30 MEADOW VIEW DRIVE

BLACKWELL & ASSOCIATES
Professional Land Surveyors

THIS PLOT PLAN WAS PREPARED FOR THE TOWN OF HANFORD BY BUILDING DEPARTMENT ONLY AND SHOULD NOT BE CONSIDERED A PRELIMINARY LINE SURVEY. THE PROPERTY LINES SHOWN ON THIS ESTABLISH PROPERTY LINES BASED ON THE BEST AVAILABLE RECORDS AND ARE NOT BASED ON ANY AUXILIARY STRUCTURES ON THE PREMISES. THE PROPERTY LINES SHOWN RELY ON CURRENT DEEDS AND PLATS OF RECORD.

THIS PLOT PLAN IS NOT A CERTIFICATION AS TO TITLE OR OWNERSHIP OF THE PROPERTY SHOWN. OWNERS OF ADJOINING PROPERTIES ARE SHOWN ACCORDING TO CURRENT ASSESSOR RECORDS.

ASSESSOR MAP: 58 PARCEL: 133

T: 2025 1 400 0
W: DRAMFLEX@7378@SENER.COM | 8/2/2012 8:40:42 AM EDT

**BUILDING LOCATION PLAN
OF LAND IN
NANTUCKET, MASS.**

SCALE: 1" = 20' DATE: AUGUST 2, 2018

JAYNE C. DEBIASIO
BRIAN F. DEBIASIO

Owner: **BRIAN F. DEBIASIO**

Cart. of Title: #23121 . Plan: L.C.C. 14830-Q. 101.50

Locust: 30 MEADOW VIEW DRIVE

BLACKWELL & ASSOCIATES, Inc.
Professional Land Surveyors
80 TRADDALE CIRCLE
NANTUCKET, MASS. 02554
(508) 226-8028

B7S78

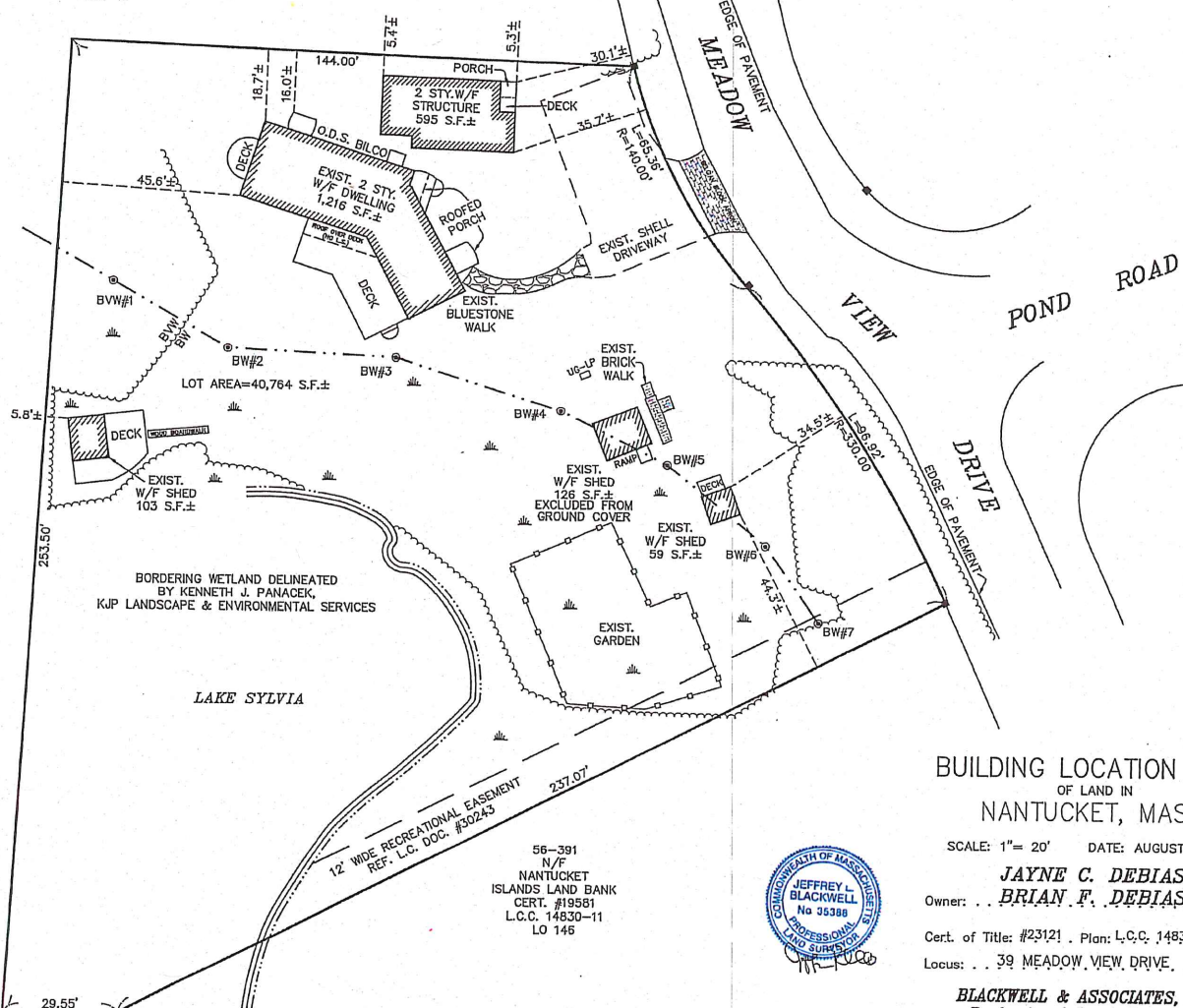
EXHIBIT A

CURRENT ZONING CLASSIFICATION:
Residential 20 (R-20)

	Existing:
MINIMUM LOT SIZE:	20,000 S.F. 40,764 S.F.±
MINIMUM FRONTAGE:	75 FT. SEE PLAN
FRONT YARD SETBACK:	30 FT. SEE PLAN
REAR/SIDE SETBACK:	10 FT.* SEE PLAN
GROUND COVER % :	12.5% 4.8% ±

*REF. SPECIAL PERMIT #030-11, DOC. 134331.

56-132
N/F
37 MEADOW VIEW DRIVE TRUST
CERT. #16382
L.C.C. 14830-0
LOT 49



THIS PLOT PLAN WAS PREPARED FOR THE TOWN OF NANTUCKET BUILDING DEPARTMENT ONLY AND SHOULD NOT BE CONSIDERED A PROPERTY LINE SURVEY. THIS PLAN SHOULD NOT BE USED TO ESTABLISH PROPERTY LINES, FENCES, HEDGES OR ANY ANCILLARY STRUCTURES ON THE PREMISES. THE PROPERTY LINES SHOWN RELY ON CURRENT DEEDS AND PLANS OF RECORD.
THIS PLOT PLAN IS NOT A CERTIFICATION AS TO TITLE OR OWNERSHIP OF THE PROPERTY SHOWN. OWNERS OF ADJOINING PROPERTIES ARE SHOWN ACCORDING TO CURRENT ASSESSOR RECORDS.

ASSESSOR MAP: . . 56 . . , PARCEL: . . 133 . .

56-391
N/F
NANTUCKET
ISLANDS LAND BANK
CERT. #19581
L.C.C. 14830-11
LO 145



BUILDING LOCATION PLAN OF LAND IN NANTUCKET, MASS.

SCALE: 1" = 20' DATE: AUGUST 2, 2019

JAYNE C. DEBIASIO

Owner: . . BRIAN F. DEBIASIO

Cert. of Title: #23121 . Plan: L.C.C. 14830-0, LOT 50

Locus: . . 39 MEADOW VIEW DRIVE

BLACKWELL & ASSOCIATES, Inc.
Professional Land Surveyors
20 TEASDALE CIRCLE
NANTUCKET, MASS. 02554
(508) 228-9026

B7378

"EXHIBIT A"

PLANNING BOARD

FILE # PBDW-2021-010089



NANTUCKET
TOWN CLERK

2021 JAN 11 PM 2:49



Nantucket Planning Board

APPLICATION FOR A SECONDARY (2ND) DWELLING PERMIT

Date Submitted: 01-11-2021 Fee Amount: \$100-

Applicant: Jayne C. DeBiasio and Brian F. DeBiasio

Mailing address: c/o Reade, Gullicksen, Hanley & Gifford, LLP, 6 Young's Way,
P.O. Box 2669, Nantucket, MA 02584

Daytime phone number: 508-228-3128 Fax: 508-228-5630

E-mail Address: air@readelaw.com

Owner (if other than applicant): Same

Mailing address: _____

Signature of Property Owner(s) *Attors / Reade & Atty*

Location of proposed secondary (2ND) dwelling:

Street Address: 39 Meadow View Drive

Assessors Tax Map #: 56 Parcel #: 133

Size of Parcel: 40,764 sf Zoning District: R-20

Secondary Dwelling # of Bedrooms: 1

Primary Dwelling # of Bedrooms: 3

Number of Parking Spaces required (See Chapter 139-18 of the Bylaw): 3

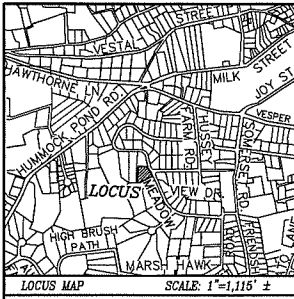
Number of Parking Spaces provided: 3

Does construction of the secondary dwelling require the approval of the Conservation Commission? (Y/N) No If yes, has the approval already been granted? (Y/N) --

Please provide a brief description of the proposed second dwelling:

PLEASE DO NOT WRITE "SEE ATTACHED."

Existing studio to be converted to one-bedroom secondary dwelling,
as shown on plan by Blackwell & Associates, Inc., dated January 7, 2021,
filed herewith.



CURRENT ZONING CLASSIFICATION:
Residential 20 (R-20)

MINIMUM LOT SIZE:	20,000 S.F.	40,764 S.F.±
MINIMUM FRONTAGE:	75 FT.	SEE PLAN
FRONT YARD SETBACK:	30 FT.	SEE PLAN
REAR/SIDE SETBACK:	10 FT.*	SEE PLAN
GROUND COVER % :	12.5%	4.8% ±

*REF. SPECIAL PERMIT #030-11, DOC. 134331.

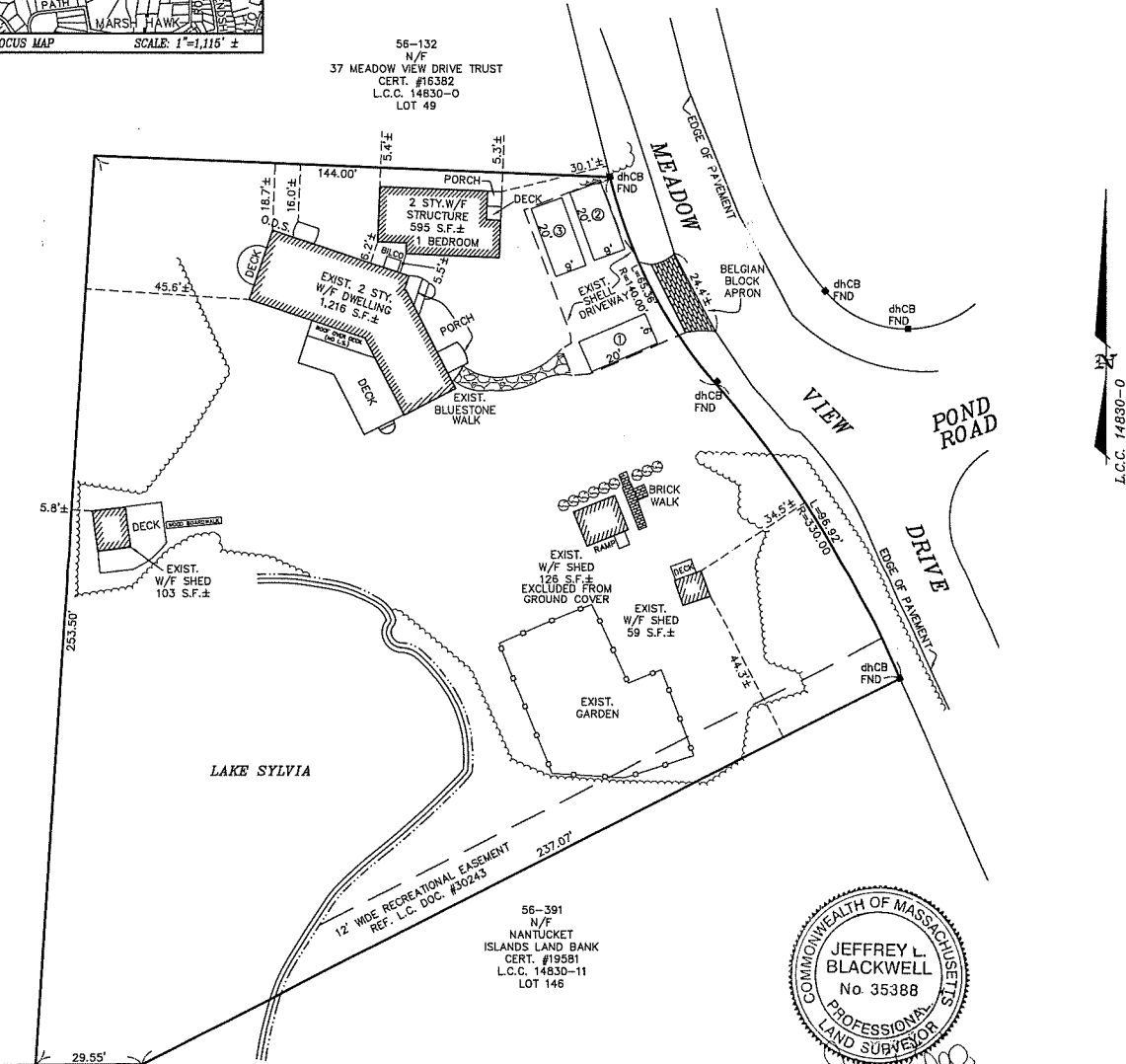
LEGEND

dhCB ■ DENOTES CONCRETE BOUND WITH DRILLHOLE FOUND

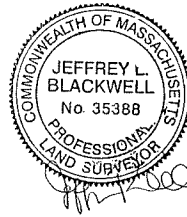
--- DENOTES EXIST. EDGE OF BRUSH

--- DENOTES EXIST. PLANK FENCE

56-132
N/F
37 MEADOW VIEW DRIVE TRUST
CERT. #16382
L.C.C. 14830-0
LOT 49



56-391
N/F
NANTUCKET
ISLANDS LAND BANK
CERT. #19581
L.C.C. 14830-11
LOT 146

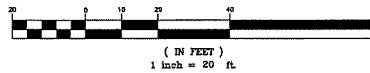


OWNER INFORMATION

JAYNE C. DEBIASIO
BRIAN F. DEBIASIO
CERT. OF TITLE #23121
L.C.C. 14830-0, LOT 50
ASSESSOR'S MAP 56, PARCEL 133
#39 MEADOW VIEW DRIVE

LOT AREA = 40,764± S.F.

GRAPHIC SCALE



BLACKWELL & ASSOCIATES, Inc.
PROFESSIONAL LAND SURVEYORS & CIVIL ENGINEERS

20 TEASDALE CIRCLE
NANTUCKET, MASSACHUSETTS 02554
(508) 228-9026
www.blackwellsurvey.com

SITE PLAN OF LAND

PREPARED FOR
JAYNE C. & BRIAN F. DEBIASIO
#39 MEADOW VIEW DRIVE
NANTUCKET, MA
MAP: 56, PARCEL: 133

Design/Drawn by: CLR
Approved by: JLB

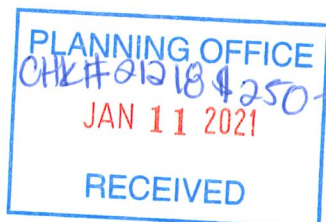
SHEET 1 OF 1

B7378

JANUARY 07, 2021

NANTUCKET
TOWN CLERK

2021 JAN 11 PM 2:49



Nantucket Planning Board

Application for a Special Permit

Date: January 11, 2021 Planning Board File #: _____

Name of development: _____

Owner(s) name(s): Jayne C. DeBiasio and Brian F. DeBiasio

Mailing address: c/o Reade, Gullicksen, Hanley & Gifford, LLP, 6 Young's Way, P.O. Box 2669, Nantucket, MA 02584

Phone number: 508-228-3128 Fax number: 508-228-5630 E-mail: air@readelaw.com

Applicant's name: Same

Mailing address: _____

Phone number: _____ Fax number: _____ E-mail: _____

Engineer / surveyor's name: _____

Mailing address: _____

Phone number: _____ Fax number: _____ E-mail: _____

Location of lot(s):

☐ Street address 39 Meadow View Drive

☐ Tax Assessors Map 56 Parcel 133

☐ Nantucket Registry of Deeds. Plan Book _____ and Page _____ ~~OR~~

~~Plan File #~~ _____ ~~OR~~ Land Court Plan # 14830-O at Certificate # 23121
Lot 50

Size of parcel: _____ sq. ft. Zoning District: _____

Special Permit sought: (check one)

- ☐ Cluster subdivision
- ☐ Commercial WECS
- ☐ Driveway Access/Curb Cut Special Permit
- ☐ Harbor Overlay District (HOD)
- ☐ Major Commercial Development (MCD)

- ☐ Multi-family Special Permit
- ☐ Moorlands Management District Subdivision or Construction (MMD)
- ☐ NEHOD (Neighborhood Employee Housing Overlay District)
- ☐ MRD (Major Residential Development)
- ☐ MIPOD (Mid-Island Planned Overlay District)
- ☐ Other Uses Requiring a Special Permit (specify all uses and *Nantucket Code* sections)

Section	Description
139-2 (Definitions)	The applicants request relief by Special Permit from the requirement of 10 feet of scalar separation between primary and secondary dwellings, in connection with conversion of an existing studio to a secondary dwelling. The structures are 5.5 feet apart at the closest point, as shown upon plan by Blackwell & Associates, Inc., dated January 7, 2021, filed herewith.
_____	_____
_____	_____
_____	_____

Specify all associated Zoning Code relief sought:

Section	Description
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Only the zoning relief expressly requested above will be considered as part of this application.

If applying for a Major Commercial Development, specify how the application will comply with Section 139-11 (j) of the *Zoning Code of the Town of Nantucket*, also known as the Town's Affordable Housing Effort:

Planning Board filing fee due: \$ _____

Engineering Inspection Escrow Deposit due: \$ _____

I/ we hereby certify that the applicant(s) cited above have been authorized by me/ us to file a Special Permit application with the Planning Board on property that I/ we own.

JAYNE C. DEBIASIO and BRIAN F. DEBIASIO

By:

Arthur I. Reade, Jr.

Owner(s)' Signature(s) Arthur I. Reade, Jr., Attorney

Applicant's Signature

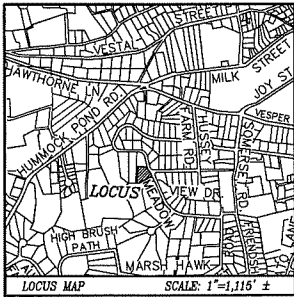
I/we _____, the undersigned, hereby authorize
_____ to act as agent(s) on my/our behalf and to
make any necessary revisions on this filed application as they may be requested by the Board to meet its governing
rules and guidelines.

Owner(s)' signature(s)

Check List:

- ☐ Planning Board Special Permit abutters list – to be obtained at the Tax Assessor's office
- ☐ Completed application form entitled "Application to the Planning Board for a Special Permit"
- ☐ Application fee of \$250.00 payable to Town of Nantucket
- ☐ Abutters fee of \$6.90 per abutters payable to Pitney Bowes Reserved Funds
- ☐ Four (4) sets of mailing labels with each abutter's name and address
 - 1" x 2 5/8" size, typed labels, are preferred
 - duplicate labels are not necessary if the same owner is listed for more than one abutting property
- ☐ Town Clerk's stamped application (*provide 2 copies to the Town Clerk-one for Town Clerk and one for Planning Board*)

*****All materials MUST also be submitted via email to mtrudel@nantucket-ma.gov and cancero@nantucket-ma.gov.**

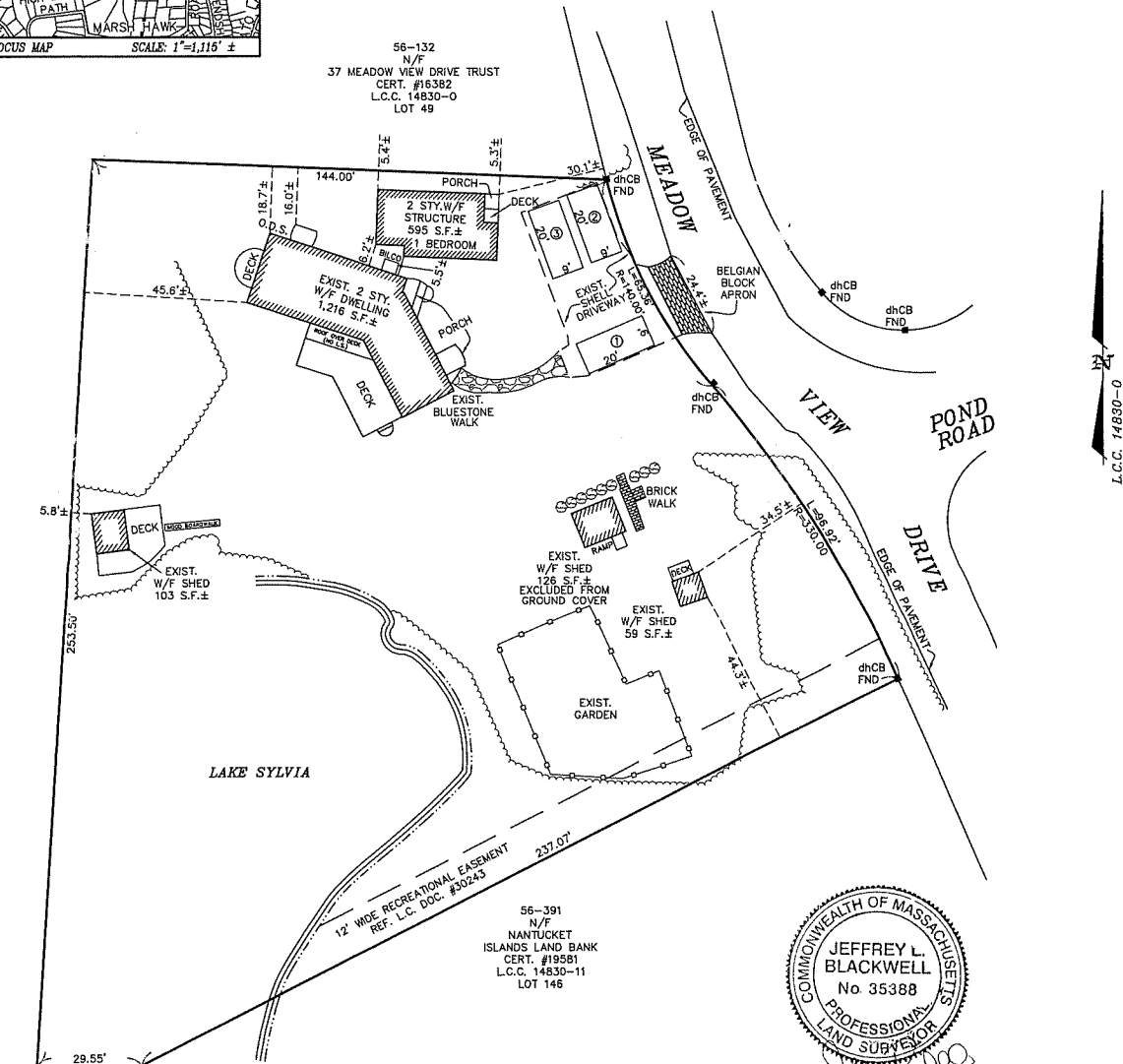


CURRENT ZONING CLASSIFICATION:
Residential 20 (R-20)

Existing:
MINIMUM LOT SIZE: 20,000 S.F. 40,764 S.F.±
MINIMUM FRONTAGE: 75 FT. SEE PLAN
FRONT YARD SETBACK: 30 FT. SEE PLAN
REAR/SIDE SETBACK: 10 FT.* SEE PLAN
GROUND COVER %: 12.5% 4.8% ±

*REF. SPECIAL PERMIT #030-11, DOC. 134331.

LEGEND
dhCB ■ DENOTES CONCRETE BOUND WITH DRILLHOLE FOUND
FD — DENOTES EXIST. EDGE OF BRUSH
—○— DENOTES EXIST. PLANE TIES



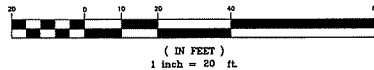
OWNER INFORMATION

JAYNE C. DEBIASIO
BRIAN F. DEBIASIO
CERT. OF TITLE #23121
L.C.C. 14830-0, LOT 50
ASSESSOR'S MAP 56, PARCEL 133
#39 MEADOW VIEW DRIVE

LOT AREA = 40,764± S.F.



GRAPHIC SCALE



BLACKWELL & ASSOCIATES, Inc.
PROFESSIONAL LAND SURVEYORS & CIVIL ENGINEERS

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(508) 228-9026
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SITE PLAN OF LAND
PREPARED FOR
JAYNE C. & BRIAN F. DEBIASIO
#39 MEADOW VIEW DRIVE
NANTUCKET, MA
MAP: 56, PARCEL: 133

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JANUARY 07, 2021

Design/Drawn by: CLR
Approved by: JLB

SHEET 1 OF 1

B7378



UPDATE

Original Meeting Posting Date: 02-03-2021

Time: 3:42PM Posting Number: T 114

MEETING POSTING

Pursuant to MGL Chapter 30A, § 18-25

All meeting notices and agenda must be filed, and time stamped with the Town Clerk's Office and posted at least 48 hours prior to the meeting (excluding Saturdays, Sundays and Holidays)

Committee/Board/s

PLANNING BOARD

Day, Date, and Time

MONDAY, FEBRUARY 8, 2021 @ 4:00PM

Location / Address

REMOTE PARTICIPATION VIA ZOOM WEBINAR

**Pursuant to Governor Baker's March 12, 2020 Order Regarding Open Meeting Law (Attached). Information on viewing the meeting can be found at <http://www.nantucket-ma.gov/138/Boards-Commissions-Committees>*

Signature of Chair or
Authorized Person

MEGAN TRUDEL
LAND-USE SPECIALIST

WARNING:

IF THERE IS NOT A QUORUM OF MEMBERS PRESENT, OR IF MEETING POSTING IS NOT IN COMPLIANCE WITH THE OML STATUTE, NO MEETING MAY BE HELD!

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

Board Members: Judith Welch Wegner (Chair), John Trudel, III (Vice-Chair), Nat Lowell, "Fritz" McClure, and David Iverson

Alternates: Stephen Welch, Campbell Sutton and David Callahan

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

PLANNING BOARD AGENDA 02-08-2021

(Subject to change)

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

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

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

ZOOM WEBINAR REGISTRATION LINK:

https://zoom.us/webinar/register/WN_ZzKjbOa6R0ycJUdVytjkWg

To view the meeting only, see link below: YouTube Link:

<https://youtu.be/rpG-mhhZYfw>

I. Call to order:

II. Approval of the agenda:

III. Minutes:

- September 14, 2020
- October 26, 2020

IV. Second Dwellings:

- Rafael Osona, 8 Boulevarde (Map 80, Parcel 75)
- EPR RGH LLC, 119 Eel Point Road (Map 33, Parcel 17.2)
- Jayne C. DeBiasio & Brian F. DeBiasio, 39 Meadow View Drive (Map 56, Parcel 133)
SEE PUBLIC HEARING
- Kyle Snell, 5 Pine Crest Drive (Map 68, Parcel 427)
- 2 Mayflower Circle LLC, Frank Glaser, 2 Mayflower Circle (Map 68, Parcel 725)
- 14 North Road LLC, 14 North Road (Map 43, Parcel 83)
- Catherine Kinsella, 19B Hummock Pond Road (Map 56, Parcel 468)
- Robert & Linda Flanagan, 19 Longwood Drive (Map 71, Parcel 41)
- Mark & Lynda Cutone, 35 Chuck Hollow Road (Map 75, Parcel 105)
- Kingfisher Realty Trust, 278 Polpis Road (Map 25, Parcel 2)
- James Fong, 85 Tom Nevers Road (Map 91, Parcel 14)
- FAE Andrew Perlman LLC, 17 Sherburne Turnpike (Map 30, Parcel 172.1)
- Nantucket 62 Walsh LLC, 60-62 Walsh Street (Map 29, Parcels 85 & 85.2)
- 5 Luff Road LLC, 5 Luff Road (Map 66, Parcel 351)
- Samuel & T. Michelle Oliva, 7 Shady Lane (Map 30, Parcel 171)

V. Tertiary Dwellings:

- FAE Andrew Perlman LLC, 17 Sherburne Turnpike (Map 30 Parcel 172.1)

VI. ANR Plans:

- Timothy Parsons, 33 Hinsdale Road (Map 68 Parcel 411)
- Marylin Lane Homeowners Association Trust, 9 Correia Lane (Map 80 Parcel 58)
- Samuel Limperis, 12 Lovers Lane (Map 68 Parcel 196)
- Kyle M. & Michelle J. Roberts, 8 Green Meadows (Map 67 Parcel 381)
- George U. & Susan M. Carneal, Trustees of the Carneal Nantucket Trust, 19 Sherburne Turnpike Road (Map 30 Parcel 173),
- James G. & Sarah R. Tyler, 47 Millbrook Road (Map 56 Parcel 231)

VII. Previous Plans:

- #7661 Woodland Hill Lot Release
- #7321 White Whale Lane Lot Release
- #8254 Reliance Way Lot Release

VIII. Public Hearings:

- PLSP-2020-11-0092 2 Mayflower Circle LLC, 2 Mayflower Circle, *action deadline 06-15-2021*
REQUEST TO CONTINUE
- PLSP-2020-12-0098 5 Luff Road LLC, 5 Luff Road, *action deadline 04-11-2021*
REQUEST FOR WITHDRAWAL
- PLSP-2020-10-0089 & PLSP-2020-10-0090 10 Cliff Road LLC, 10A & 10B Cliff Road, *action deadline 02-21-2021*
- PLSP-2020-11-0094 Nantucket Boys and Girls Club, 69 Sparks Avenue, *action deadline 06-15-2021*
- PLSP-2020-12-0095 Elena & Veselin Nikolova, 5 Bailey Road, *action deadline 04-11-2021*
- PLSP-2020-12-00102 Isaiah Stover, 63 Cato Lane, *action deadline 05-09-2021*
- PLSP-2021-01-00101 Charles & Myra Wrubel Trustees of Reedy Owl Realty Trust, 8 Walbang Avenue, *action deadline 05-09-2021*
- **PLSP-2021-01-00103 Jayne C. DeBiasio & Brian F. DeBiasio, 39 Meadow View Drive, *action deadline 05-09-2021***
- PLSP-2021-01-00105 LMD Investment Limited Partnership, 140 & 144 Pleasant Street, *action deadline 05-09-2021*
- PLSP-2021-01-00104 Six Essex Road Condominium, 6B Essex Road, *action deadline 05-09-2021*

IX. ATM Warrant Articles *(Carry over from the February 4, 2021 Planning Board meeting if necessary. An updated meeting posting will be posted on Friday, February 5, 2021)*

❖ Zoning Articles Proposed by the Planning Board:

- Zoning Map amendment to place properties off of Tautemo and Osprey Ways and Hummock Pond Road currently located in the Residential 20 (R-20) district and Limited Use General 2 (LUG-2) district in the Village Residential (VR) district and/or Limited Use General 1 (LUG-1) district;

❖ Zoning Articles Proposed by Citizen Petition:

- Zoning Bylaw amendment to reduce the maximum allowed height in the Commercial Mid-Island (CMI) district from 40 feet to 30 feet; **REQUEST FOR WITHDRAWAL/TAKE NO ACTION**
- Zoning Map amendment to place a property at 10 Clifton Street currently located in the Sconset Residential 1 (SR-1) district in the Sconset Old Historic (SOH) district;
- Zoning Map amendment to place 8 properties on the north side of Polpis Road currently located in the Village Residential (VR) district in the Village Neighborhood (VN) district;
- Zoning Map amendment to place properties located off Chatham Road, Monomoy Road, Polpis Road, and Milestone Road currently located in the Village Residential (VR) district in the Residential 20 (R-20) district and a Zoning Bylaw amendment to remove the same properties from the Country Overlay District and to place them in the Town Overlay District;
- Zoning Map amendment to place properties at 8 and 10 Chatham Road currently located in the Limited Use General 1 (LUG-1) district in the Village Residential (VR) district;
- Zoning Map amendment to place properties of Old South Road and Airport Road currently located in the Residential 20 (R-20) district in the Commercial Trade Entrepreneurship and Craft (CTEC) and/or the Commercial Neighborhood (CN) district;
- Zoning Map amendment to place property at 18 Evergreen Way currently located in the Limited Use General 1 (LUG-1) district in the Residential 40 (R-40) district;
- Zoning Map amendment to place a property at 25 Rugged Road currently located in the Limited Use General 2 (LUG-2) district in the Residential 20 (R-20) district;

New Business

Nantucket Island School of Design and the Arts, Inc

File No. 20-21

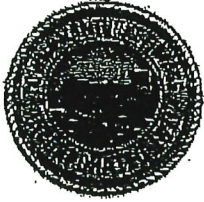
23 & 25 Wauwinet Rd

Variance Relief

2BA

NANTUCKET
TOWN CLERK

2021 AUG 16 PM 3:11



TOWN OF NANTUCKET
BOARD OF APPEALS
NANTUCKET, MA 02554

APPLICATION

Fee: \$450.00

File No. 20-21

Owner's name(s): Nantucket Island School of Design and the Arts, Inc.
c/o Reade, Gullicksen, Hanley & Gifford, LLP
Mailing address: PO Box 2669, Nantucket, MA 02584

Phone Number: (508) 228-3128 E-Mail: mh@readelaw.com

Applicant's name(s): same

Mailing Address: _____

Phone Number: _____ E-Mail: _____

Locus Address: 23 and 25 Wauwinet Road Assessor's Map/Parcel: 20 - Parcels 36 & 80
Land Court Plan 6283-12, Lot 103

Land Court Plan/Plan Book & Page/Plan File No.: and Plan 6283-Lot 105
10132 and

Deed Reference/Certificate of Title: 18379 Zoning District LUG-3

Uses on Lot- Commercial: None ☒ Yes (describe) educational use

Residential: Number of dwellings _____ Duplex _____ Apartments _____

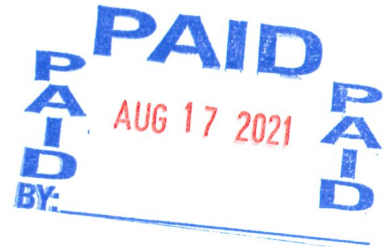
Date of Structure(s): all pre-date 7/72 _____ or _____

Building Permit Numbers: 467-74, 1760-81, 2880-83, 4163-85, 13407-96,
829-06, 1441-17, 2-19-11-0216

Previous Zoning Board Application Numbers: 027-80 and 028-98



**TOWN OF NANTUCKET
BOARD OF APPEALS
NANTUCKET, MA 02554**



APPLICATION

Fee: \$450.00

File No. **28-21**

Owner's name(s): Nantucket Island School of Design and the Arts, Inc.

c/o Reade, Gullicksen, Hanley & Gifford, LLP

Mailing address: PO Box 2669, Nantucket, MA 02584

Phone Number: (508) 228-3128 E-Mail: mh@readelaw.com

Applicant's name(s): same

Mailing Address: _____

Phone Number: _____ E-Mail: _____

Locus Address: 23 and 25 Wauwinet Road Assessor's Map/Parcel: 20 - Parcels 36 & 80

Land Court Plan 6283-12, Lot 103

Land Court Plan/Plan Book & Page/Plan File No.: and Plan 6283-Lot 105

10132 and

Deed Reference/Certificate of Title: 18379 Zoning District LUG-3

Uses on Lot- Commercial: None ☒ Yes (describe) educational use

Residential: Number of dwellings _____ Duplex _____ Apartments _____

Date of Structure(s): all pre-date 7/72 _____ or _____

467-74, 1760-81, 2880-83, 4163-85, 13407-96,

Building Permit Numbers: 829-06, 1441-17, 2-19-11-0216

Previous Zoning Board Application Numbers: 027-80 and 028-98

State below or attach a separate addendum of specific special permits or variance relief applying for:

See addendum attached hereto.

I certify that the information contained herein is substantially complete and true to the best of my knowledge, under the pains and penalties of perjury.

SIGNATURE: Nantucket Island School of Owner*

SIGNATURE: Design and the Arts, Inc.
by: Moiraane Bailey Applicant/Attorney/Agent*

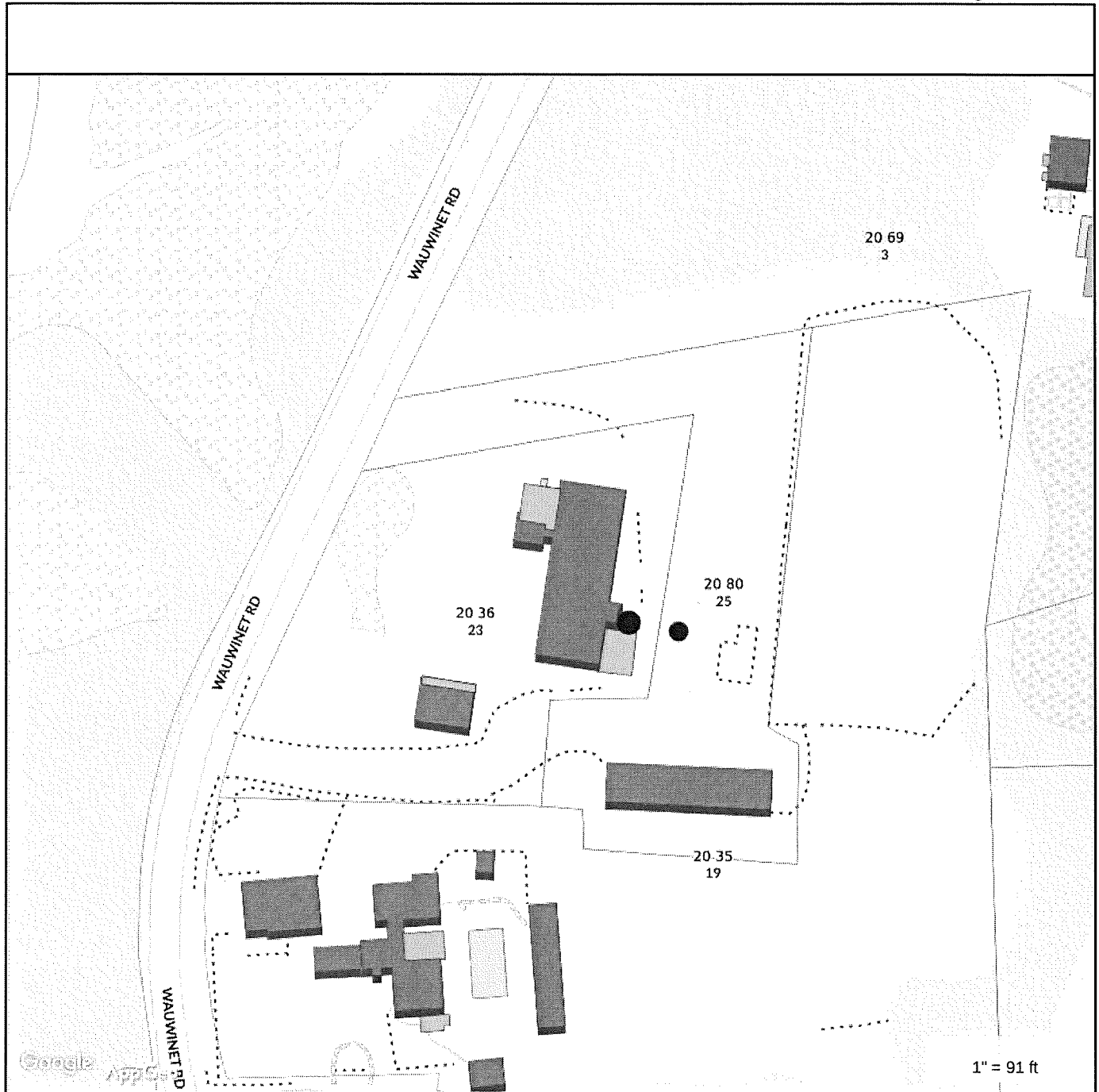
*If an Agent is representing the Owner or the Applicant, please provide a signed proof of agency.

OFFICE USE ONLY

Application received on: __/__/__ By: __ Complete: __ Need Copies: __
Filed with Town Clerk: __/__/__ Planning Board: __/__/__ Building Dept.: __/__/__ By: __
Fee deposited with Town Treasurer: __/__/__ By: __ Waiver requested: __
Granted: __/__/__ Hearing notice posted with Town Clerk: __/__/__ Mailed: __/__/__
I&M __/__/__ & __/__/__ Hearing(s) held on: __/__/__ Opened on: __/__/__
Continued to: __/__/__ Withdrawn: __/__/__ Decision Due By: __/__/__
Made: __/__/__ Filed w/Town Clerk: __/__/__ Mailed: __/__/__

ADDENDUM

Applicant, a not-for-profit educational corporation, proposes to relocate onto its property from neighboring land, a structure which was originally part of historic Seaview Farm, similar to other structures upon the Premises. The Premises is pre-existing, non-conforming as to lot area and ground cover; the relocated structure will not meet current rear yard setback requirement, and the proposed relocation will increase overall ground cover. Applicant requests that the changes in setback and ground cover resulting from the proposed building relocation be deemed reasonable, and that pursuant to MGL c 40A Section 3, no relief is required. In the alternative, Applicant requests that Condition (c) in the Variance/Special Permit relief issued in File No. 028-98, be modified so as to allow for the structure to be relocated onto the Premises as proposed, or that additional Variance and/or Special Relief, as same may be applicable, be granted to allow for the proposed structure relocation.



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 07/29/2021
Data updated Jan. 2021

Print map scale is approximate.
Critical layout or measurement
activities should not be done using
this resource.

Town of Nantucket

Zoning Board of Appeals

LIST OF PARTIES IN INTEREST IN THE MATTER OF THE PETITION OF:

PROPERTY OWNER..... *Nantucket Island School of Design*
MAILING ADDRESS..... c/o Reade, Gullicksen, Hanley & Gifford, LLP
PROPERTY LOCATION..... *23 & 25 Wharfedale Road*
ASSESSOR MAP/PARCEL..... *Map 20; Parcels 310 & 80*
SUBMITTED BY..... Reade, Gullicksen, Hanley & Gifford, LLP

SEE ATTACHED PAGES

I certify that the foregoing is a list of all persons who are owners of abutting property, owners of land directly opposite on any public or private street or way; and abutters of the abutters and all other land owners within 300 feet of the property line of owner's property, as they appear on the most recent applicable tax list (M.G.L. c. 40A, Section 11 and Zoning Code Chapter 40A, Section 139-29B (2).

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: 2021.08.05 15:43:49 -04'00'

8-5-2021

DATE

ASSESSOR'S OFFICE
TOWN OF NANTUCKET

Abutters Listing

MBLU	Lot	Lot Cnt	Owner Full Name	Co-Owner Full Name	Address Line 1	City	State	Zip	Location
20	8	8	RILEY HENRY BARTON TRST	CASUAL WATER TRUST	241 S 6TH ST #1811	PHILADELPHIA	PA	19106	6 EAT FIRE SPRING RD
20	13		BAYBERRY FARM LLC	C/O CLIFTON ANTHONY A	123 S BROAD ST SUITE 2040	PHILADELPHIA	PA	19109	3 POLPIS HARBOR RD
20	14		NANTUCKET TOWN OF		16 BROAD ST	NANTUCKET	MA	02554	WAUWINNET RD
20	16		NANTUCKET TOWN OF	TOWN BUILDING	16 BROAD ST	NANTUCKET	MA	02554	18 WAUWINNET RD
20	25		NANTUCKET CONSERVATION FOUND		PO BOX 13	NANTUCKET	MA	02554	MEOQUE CREEK
20	35		NANTUCKET ISLANDS LAND BANK		22 BROAD ST	NANTUCKET	MA	02554	19 WAUWINNET RD
20	36		NISDA		PO BOX 1848	NANTUCKET	MA	02554	23 WAUWINNET RD
20	37		WULLSCHLEGER JON SEARS &	BARBARA HALL	4713 EDLERBERRY DR	SARASOTA	FL	34241	17 WAUWINNET RD
20	41		DICKSON MARY JANE		PO BOX 409	SIASCONSET	MA	02554	15 WAUWINNET RD
20	45		POLPIS HIGH FIVE LLC		15 WAUWINNET RD	NANTUCKET	MA	02554	15- WAUWINNET RD
20	67		YOUNG BRINTON COXE & HILDA OST	C/O JENNIFER KINDT	642 THORNCROFT DRIVE	WEST CHESTER	PA	19380	7 EAT FIRE SPRING RD
20	68		POLPIS HARBOR REALTY LLC		C/O MICHAEL ALPER	CHESTNUT HILL	MA	02467	5 EAT FIRE SPRING RD
20	69		MORRISON PETER A & WAWRO		3 EAT FIRE SPRING RD	NANTUCKET	MA	02554	3 EAT FIRE SPRING RD
20	80		MARY TR NISDA		PO BOX 1848	NANTUCKET	MA	02554	25 WAUWINNET RD
Count:	14								



**TOWN OF NANTUCKET
BOARD OF APPEALS
NANTUCKET, MA 02554**

A P P L I C A T I O N

Fee: \$450.00

File No. _____

Owner's name(s): Nantucket Island School of Design and the Arts, Inc.

c/o Reade, Gullicksen, Hanley & Gifford, LLP

Mailing address: PO Box 2669, Nantucket, MA 02584

Phone Number: (508) 228-3128 E-Mail: mh@readelaw.com

Applicant's name(s): same

Mailing Address: _____

Phone Number: _____ E-Mail: _____

Locus Address: 23 and 25 Wauwinet Road Assessor's Map/Parcel: 20 - Parcels 36 & 80

Land Court Plan 6283-12, Lot 103

Land Court Plan/Plan Book & Page/Plan File No.: and Plan 6283-Lot 105

10132 and

Deed Reference/Certificate of Title: 18379 Zoning District LUG-3

Uses on Lot- Commercial: None ☒ Yes (describe) educational use

Residential: Number of dwellings _____ Duplex _____ Apartments _____

Date of Structure(s): all pre-date 7/72 _____ or _____

467-74, 1760-81, 2880-83, 4163-85, 13407-96,

Building Permit Numbers: 829-06, 1441-17, 2-19-11-0216

Previous Zoning Board Application Numbers: 027-80 and 028-98

State below or attach a separate addendum of specific special permits or variance relief applying for:

See addendum attached hereto.

I certify that the information contained herein is substantially complete and true to the best of my knowledge, under the pains and penalties of perjury.

SIGNATURE: Nantucket Island School Owner*

SIGNATURE: Design and the Arts, Inc.
by: Moiraane Harley Applicant/ Attorney/Agent*

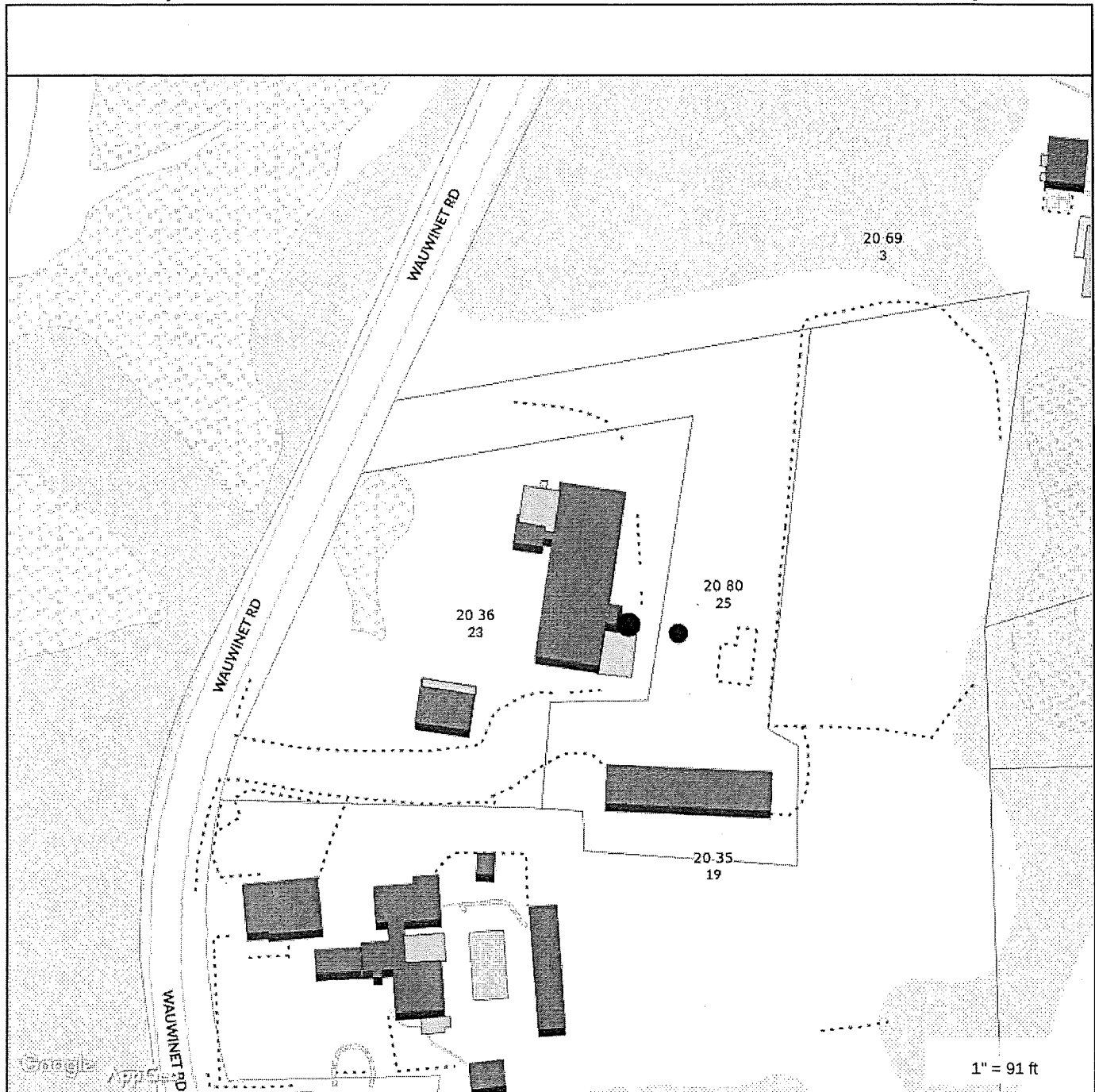
*If an Agent is representing the Owner or the Applicant, please provide a signed proof of agency.

OFFICE USE ONLY

Application received on: __/__/__ By: ____ Complete: ____ Need Copies: ____
Filed with Town Clerk: __/__/__ Planning Board: __/__/__ Building Dept.: __/__/__ By: ____
Fee deposited with Town Treasurer: __/__/__ By: ____ Waiver requested: ____
Granted: __/__/__ Hearing notice posted with Town Clerk: __/__/__ Mailed: __/__/__
I&M __/__/__ & __/__/__ Hearing(s) held on: __/__/__ Opened on: __/__/__
Continued to: __/__/__ Withdrawn: __/__/__ Decision Due By: __/__/__
Made: __/__/__ Filed w/Town Clerk: __/__/__ Mailed: __/__/__

ADDENDUM

Applicant, a not-for-profit educational corporation, proposes to relocate onto its property from neighboring land, a structure which was originally part of historic Seaview Farm, similar to other structures upon the Premises. The Premises is pre-existing, non-conforming as to lot area and ground cover; the relocated structure will not meet current rear yard setback requirement, and the proposed relocation will increase overall ground cover. Applicant requests that the changes in setback and ground cover resulting from the proposed building relocation be deemed reasonable, and that pursuant to MGL c 40A Section 3, no relief is required. In the alternative, Applicant requests that Condition (c) in the Variance/Special Permit relief issued in File No. 028-98, be modified so as to allow for the structure to be relocated onto the Premises as proposed, or that additional Variance and/or Special Relief, as same may be applicable, be granted to allow for the proposed structure relocation.



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Data updated Jan. 2021

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Town of Nantucket

Zoning Board of Appeals

LIST OF PARTIES IN INTEREST IN THE MATTER OF THE PETITION OF:

PROPERTY OWNER.....*Nantucket Island School Design*
MAILING ADDRESS.....c/o Reade, Gullicksen, Hanley, & Gifford, LLP
PROPERTY LOCATION.....*23 & 25 Wauwinet Road*
ASSESSOR MAP/PARCEL.....*Map 20; Parcels 36 & 80*
SUBMITTED BY.....Reade, Gullicksen, Hanley & Gifford, LLP

SEE ATTACHED PAGES

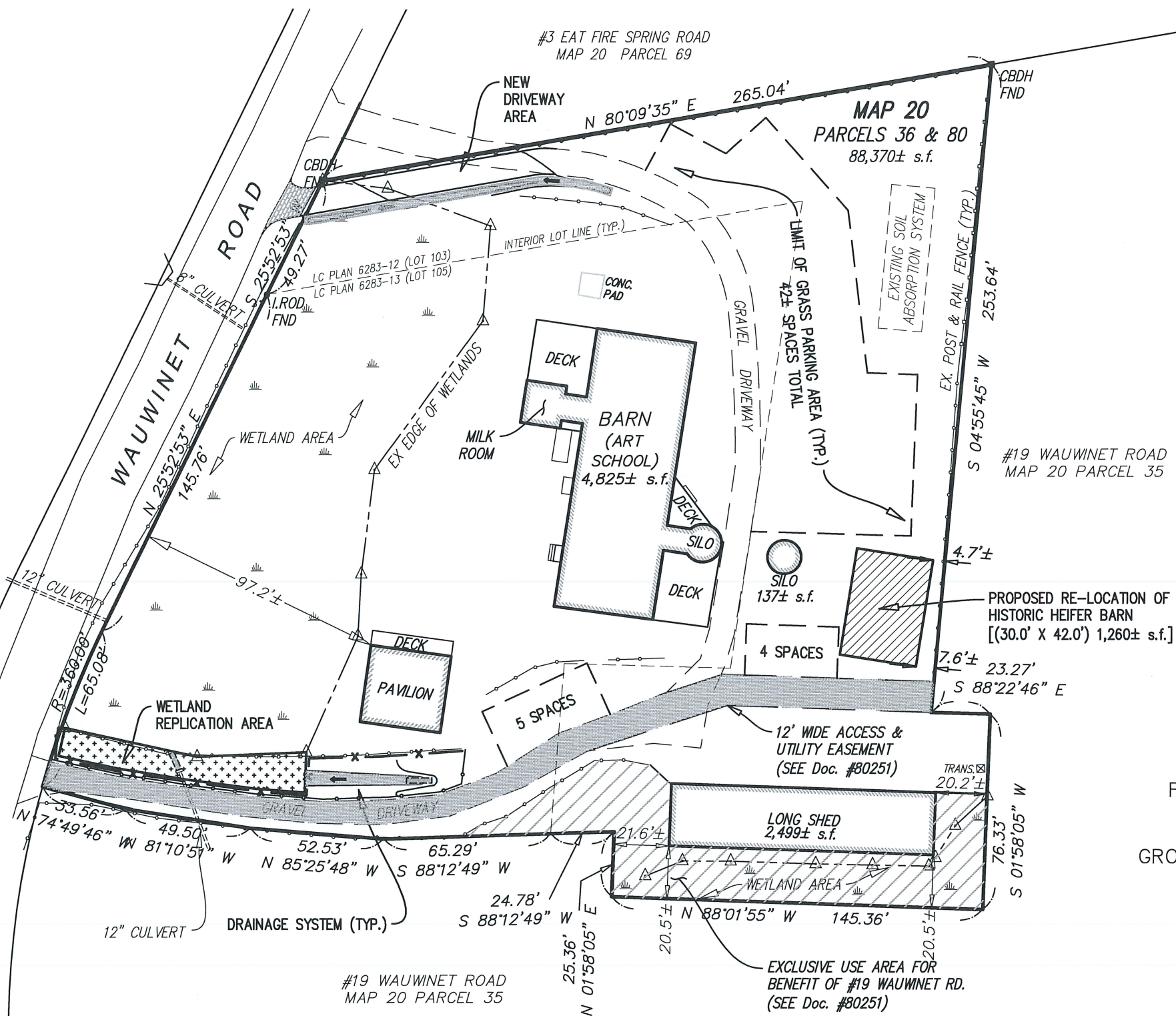
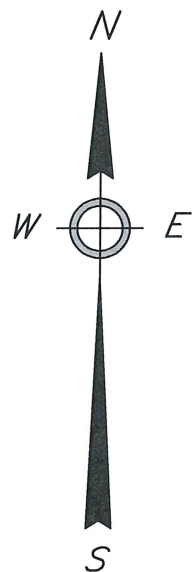
I certify that the foregoing is a list of all persons who are owners of abutting property, owners of land directly opposite on any public or private street or way; and abutters of the abutters and all other land owners within 300 feet of the property line of owner's property, as they appear on the most recent applicable tax list (M.G.L. c. 40A, Section 11 and Zoning Code Chapter 40A, Section 139-29B (2)).

8-5-2021

DATE

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: 2021.08.05 15:43:49 -04'00'

ASSESSOR'S OFFICE
TOWN OF NANTUCKET

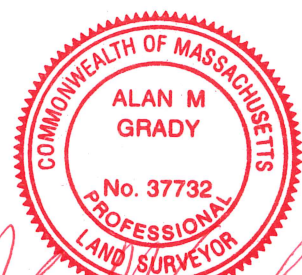


Notes

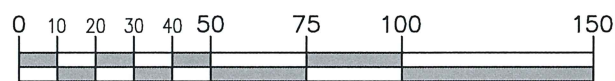
1. LOCUS: #23 & #25 WAUWINET ROAD
MAP 20 PARCEL 36 & 80
2. OWNER: NANTUCKET ISLAND SCHOOL
OF DESIGN AND THE ARTS, INC.
23 WAUWINET ROAD
NANTUCKET, MA 02554
3. DEED REF: CERT. #10132 & #18379
4. PLAN REF: L.C. PLAN #6283-13 (LOT 105)
L.C. PLAN #6283-12 (LOT 103)
5. A PORTION OF THE LOCUS DOES FALL WITHIN
SPECIAL FLOOD HAZARD ZONE "AE" (el. 7) AS
SHOWN ON FEMA FLOOD INSURANCE RATE MAP
No. 25019C-0092-G dated 06/09/2014.

ZONE: LUG-3

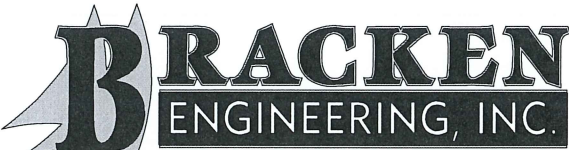
	REQUIRED	EXISTING	PROPOSED
LOT AREA:	120,000 s.f.	88,370± s.f.	88,370± s.f.
FRONTAGE:	200'	260.11'	260.11'
FRONT YARD:	35'	97.2'±	97.2'±
SIDE YARD:	20'	20.5'±	20.5'±
REAR YARD:	20'	20.2'±	4.7'±
GROUND COVER:	3% (MAX)	8.4%	9.9%
(7,461± s.f. - BARN, SILOS & LONG SHED ONLY, DOES NOT INCLUDE PAVILION OR PROP. HEIFER BARN)			
(8,721± s.f. - BARN, SILOS, LONG SHED & PROP. HEIFER BARN ONLY, DOES NOT INCLUDE PAVILION)			



PLAN SCALE



Date:	Drawn:	Checked:
AUGUST 11, 2021	RMM/ERC/BEI	DFB/AMG



BRACKEN
ENGINEERING, INC.

49 HERRING POND ROAD
BUZZARDS BAY, MA 02532

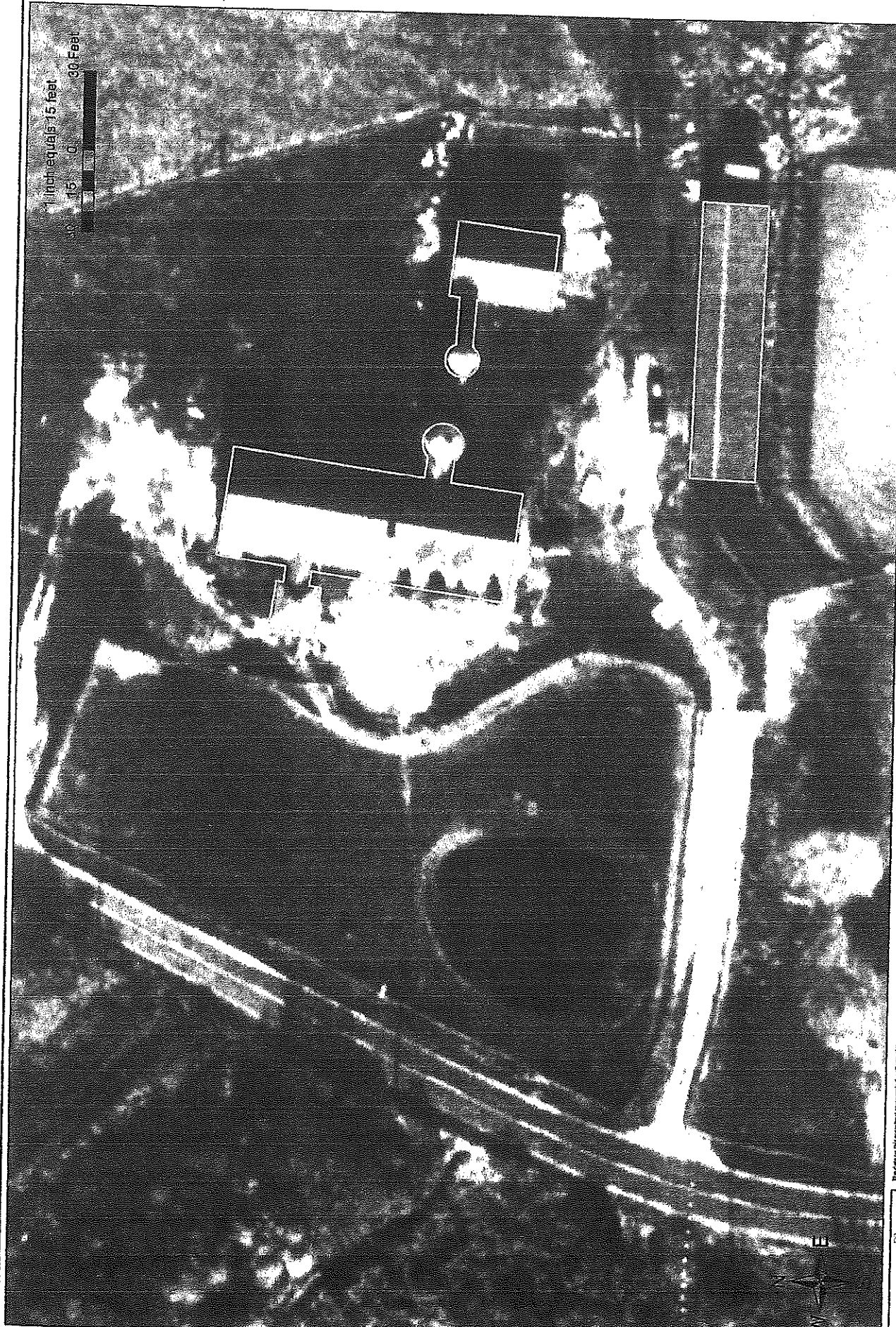
(tel) 508.833.0070
(fax) 508.833.2282

19 OLD SOUTH ROAD
NANTUCKET, MA 02554

(tel) 508.325.0044
www.brackeneng.com

PROPOSED SITE PLAN IN NANTUCKET, MA

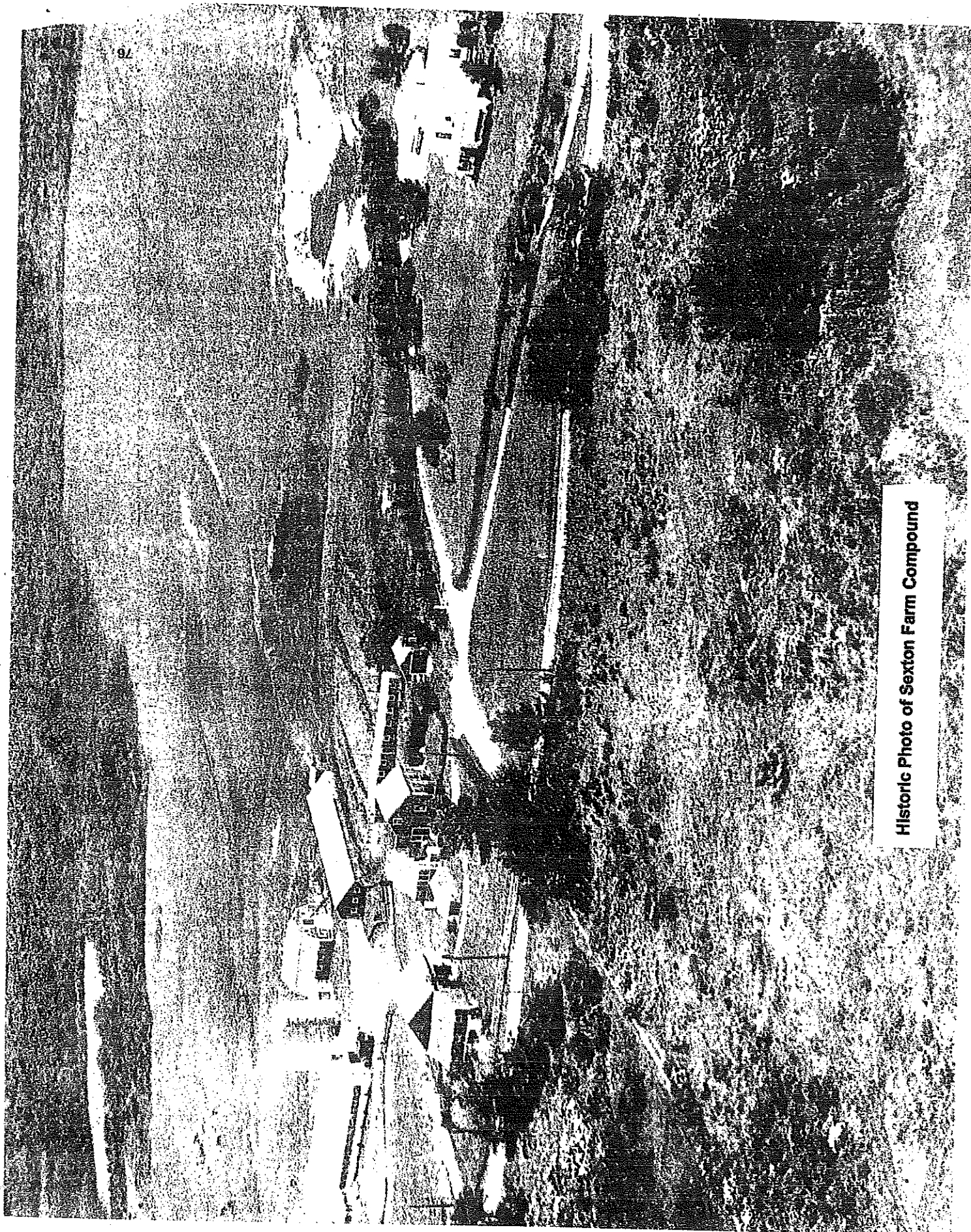
Prepared for:
**NANTUCKET ISLAND SCHOOL OF
DESIGN AND THE ARTS, INC.**
23 & # 25 WAUWINET ROAD
MAP 20 PARCELS 36 & 80



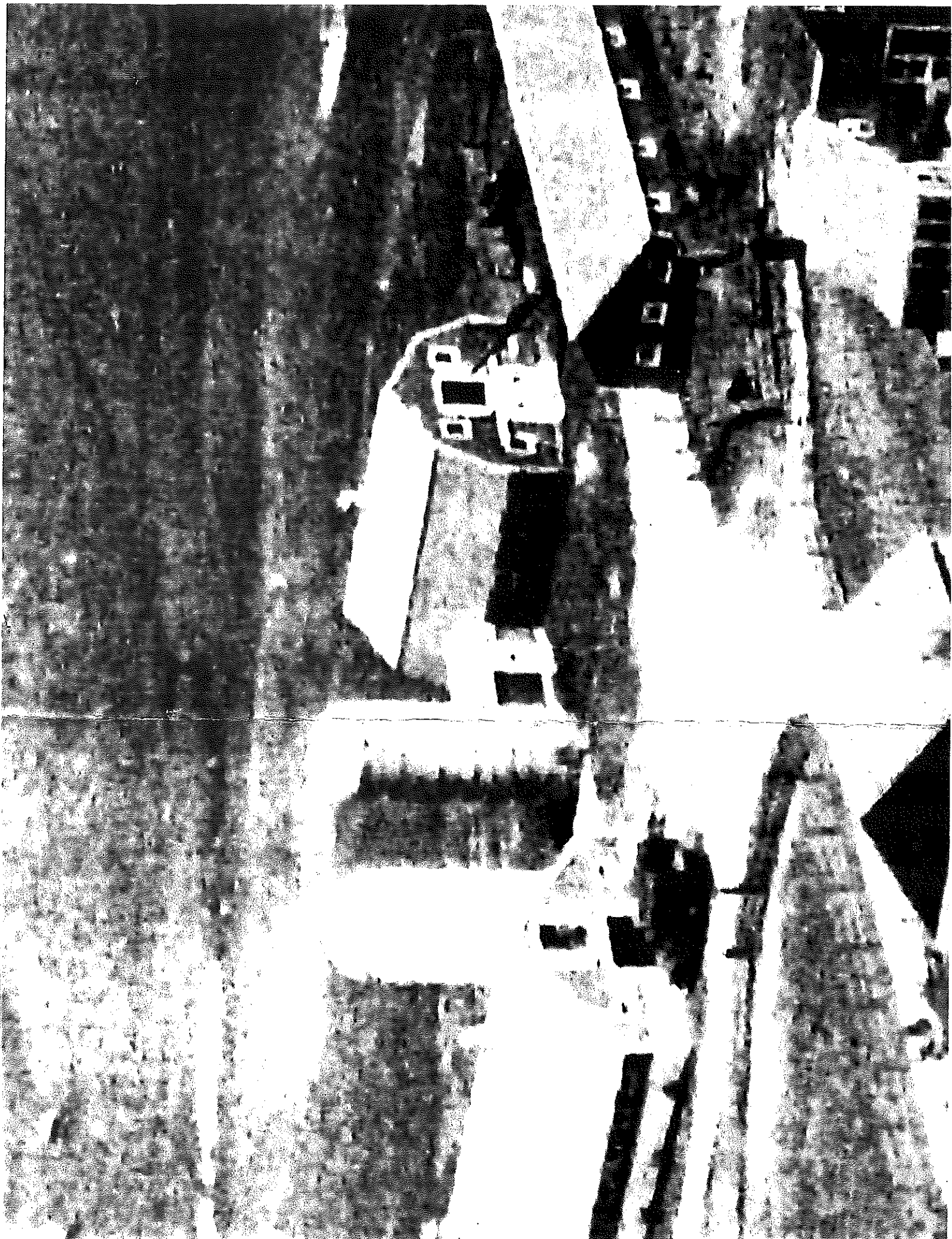
statistical analysis in the study, and the results were not statistically significant. The CO in the second half of the study was 100% and the CO in the first half was 100%.

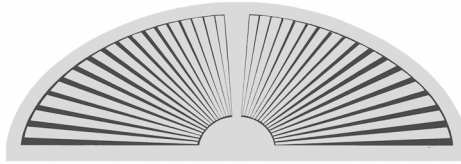
Town of Nantucket - GIS Mapsheet

[illegible]



Historic Photo of Sexton Farm Compound





NANTUCKET PRESERVATION TRUST

Preserving the Island's Architectural Heritage

BOARD OF DIRECTORS

Executive Committee

Ken Beaugrand, *Chairman*

Alison Potts, *President*

David Brown, *Vice Chairman*

Anne Troutman, *Vice President*

Christian Hoffinan, *Vice President*

Bill Moore, *Treasurer*

Barbara Halsted, *Secretary*

Directors

Janet Bailey

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Andrew Forsyth

Al Forster

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Michael Kovner

Mary-Adair Macaire

Angus MacLeod

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Cathy Ward

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Susan Boardman

Caroline Ellis

Michelle Elzay

Mary Helen Fabacher

Michael Fabacher

Nancy Forster

Betsy Grubbs

Carol Kinsley

Marcia Richards

Esta-Lee Stone

Marie Sussek

Pam Waller

Executive Director

Mary Bergman

September 3, 2021

Zoning Board of Appeals

Leslie Woodson Snell, Deputy Director of Planning

Town of Nantucket

2 Fairgrounds Road

Nantucket, MA 02554

Dear ZBA Members,

I am writing on behalf of the Nantucket Preservation Trust to support the Nantucket Island School of Design and the Arts (NISDA's) application to the Zoning Board of Appeals.

Seaview Farm is one of the few remaining historic farming complexes on the island. NPT supports the proposed relocation of the historic Heifer Barn to the NISDA property, provided the barn is set on its original location and its exterior restored to its original condition. There is a pending preservation easement on this property, and NISDA will work with the Nantucket Preservation Trust's Easement Committee to ensure this work is completed to the Secretary of the Interior's standards.

I hope the ZBA will look favorably on this important historic preservation project.

Sincerely,

Mary Bergman

Executive Director

Abutters Listing

MBLU	Lot	Lot Cut	Owner Full Name	Co-Owner Full Name	Address Line 1	City	State	Zip	Location
20	8	8	RILEY HENRY BARTON TRST	CASUAL WATER TRUST	241 S 6TH ST #1811	PHILADELPHIA	PA	19106	6 EAT FIRE SPRING RD
20	13		BAYBERRY FARM LLC	C/O CLIFTON ANTHONY A	123 S BROAD ST SUITE 2040	PHILADELPHIA	PA	19109	3 POLPIS HARBOR RD
20	14		NANTUCKET TOWN OF		16 BROAD ST	NANTUCKET	MA	02554	WAUWINET RD
20	16		NANTUCKET TOWN OF	TOWN BUILDING	16 BROAD ST	NANTUCKET	MA	02554	18 WAUWINET RD
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20	36		NISDA		PO BOX 1848	NANTUCKET	MA	02554	23 WAUWINET RD
20	37		WILLSCHLEGER JON SEARS &	BARBARA HALL	4713 EDLERBERRY DR	SARASOTA	FL	34241	17 WAUWINET RD
20	41		DICKSON MARY JANE		PO BOX 409	SIASCONSET	MA	02564	15 WAUWINET RD
20	45		POLPIS HIGH FIVE LLC		15 WAUWINET RD	NANTUCKET	MA	02554	15- WAUWINET RD
20	67		YOUNG BRINTON COXE & HILDA OST	C/O JENNIFER KINDT	642 THORNCROFT DRIVE	WEST CHESTER	PA	19380	7 EAT FIRE SPRING RD
20	68		POLPIS HARBOR REALTY LLC		C/O MICHAEL ALPER	CHESTNUT HILL	MA	02467	5 EAT FIRE SPRING RD
20	69		MORRISON PETER A & WAWRO		3 EAT FIRE SPRING RD	NANTUCKET	MA	02554	3 EAT FIRE SPRING RD
20	80		MARY TR NISDA		PO BOX 1848	NANTUCKET	MA	02554	25 WAUWINET RD
Count:	14								

RILEY HENRY BARTON TRST
CASUAL WATER TRUST
241 S 6TH ST #1811
PHILADELPHIA, PA 19106

BAYBERRY FARM LLC
C/O CLIFTON ANTHONY A
123 S BROAD ST SUITE 2040
PHILADELPHIA, PA 19109

NANTUCKET TOWN OF
16 BROAD ST
NANTUCKET, MA 02554

NANTUCKET TOWN OF
TOWN BUILDING
16 BROAD ST
NANTUCKET, MA 02554

NANTUCKET CONSERVATION FOUND
PO BOX 13
NANTUCKET, MA 02554

NANTUCKET ISLANDS LAND BANK
22 BROAD ST
NANTUCKET, MA 02554

NISDA
PO BOX 1848
NANTUCKET, MA 02554

WULLSCHLEGER JON SEARS &
BARBARA HALL
4713 EDLERBERRY DR
SARASOTA, FL 34241

DICKSON MARY JANE
PO BOX 409
SIASCONSET, MA 02564

POLPIS HIGH FIVE LLC
15 WAUWINET RD
NANTUCKET, MA 02554

YOUNG BRINTON COXE & HILDA OST
C/O JENNIFER KINDT
642 THORNCROFT DRIVE
WEST CHESTER, PA 19380

POLPIS HARBOR REALTY LLC
C/O MICHAEL ALPER
CHESTNUT HILL, MA 02467

MORRISON PETER A & WAWRO MARY TR
3 EAT FIRE SPRING RD
NANTUCKET, MA 02554

~~NISDA~~
~~PO BOX 1848~~
~~NANTUCKET, MA 02554~~

Michael S. & Kristina Elizabeth

JEMISON

File No. 21-21

195 C Hummock Pond Rd

Amendment

2B/A
NANTUCKET
TOWN CLERK

2021 AUG 16 PM 3:11

**TOWN OF NANTUCKET
BOARD OF APPEALS
NANTUCKET, MA 02554**

APPLICATION

Fee: \$450.00

File No. 21-21

Owner's name(s): Michael S. Jemison and Kristina Elizabeth Jemison

Mailing address: 2038 Meadow Glen, Wymomissing, PA 19610

Phone Number: 508-228-0771 E-Mail: john@gliddenandglidden.com

Applicant's name(s): Same

Mailing Address: Same

Phone Number: E-Mail:

Locus Address: 195C Hummock Pond Road Assessor's Map/Parcel: 65/23

~~Land Court Plan/Plan Book & Page/Plan~~ File No.: Unit 2, Plan No. 03-34

Deed Reference/~~Certificate of Title~~: Book 865, Page 40

Zoning District: Village Residential

Uses on Lot- Commercial: No Yes (describe)

Residential: Number of dwellings: 1 Duplex _____ Apartments _____

Date of Structure(s):

Building Permit Numbers:



**TOWN OF NANTUCKET
BOARD OF APPEALS
NANTUCKET, MA 02554**



A P P L I C A T I O N

Fee: \$450.00

File No. 21-21

Owner's name(s): Michael S. Jemison and Kristina Elizabeth Jemison

Mailing address: 2038 Meadow Glen, Wymomissing, PA 19610

Phone Number: 508-228-0771 E-Mail: john@gliddenandglidden.com

Applicant's name(s): Same

Mailing Address: Same

Phone Number: E-Mail:

Locus Address: 195C Hummock Pond Road Assessor's Map/Parcel: 65/23

~~Land Court Plan/Plan Book & Page/Plan~~ File No.: Unit 2, Plan No. 03-34

~~Deed Reference/Certificate of Title:~~ Book 865, Page 40

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Residential: Number of dwellings: 1 Duplex _____ Apartments _____

Date of Structure(s):

Building Permit Numbers:

Previous Zoning Board Application Numbers: 043-96; 042-96; 044-96; 050-97; 057-98;
040-04

State below or attach a separate addendum of specific special permits or variance relief
applying for:

See attached Addendum A

I certify that the information contained herein is substantially complete and true to the
best of my knowledge, under the pains and penalties of perjury.

SIGNATURE: _____ Owner*

SIGNATURE: _____
~~Applicant/Attorney/Agent*~~

*If an Attorney or other Agent is representing the Owner or the Applicant, please provide
a signed proof of agency.

OFFICE USE ONLY

Application received on: __/__/__ By: _____ Complete: _____ Need Copies: _____
Filed with Town Clerk: __/__/__ Planning Board: __/__/__ Building Dept.: __/__/__ By: _____
Fee deposited with Town Treasurer: __/__/__ By: _____ Waiver requested: _____
Granted: __/__/__ Hearing notice posted with Town Clerk: __/__/__ Mailed: __/__/__
I&M __/__/__ & __/__/__ Hearing(s) held on: __/__/__ Opened on : __/__/__
Continued to: __/__/__ Withdrawn: __/__/__ Decision Due By: __/__/__
Made: __/__/__ Filed w/Town Clerk: __/__/__ Mailed: __/__/__

Addendum A

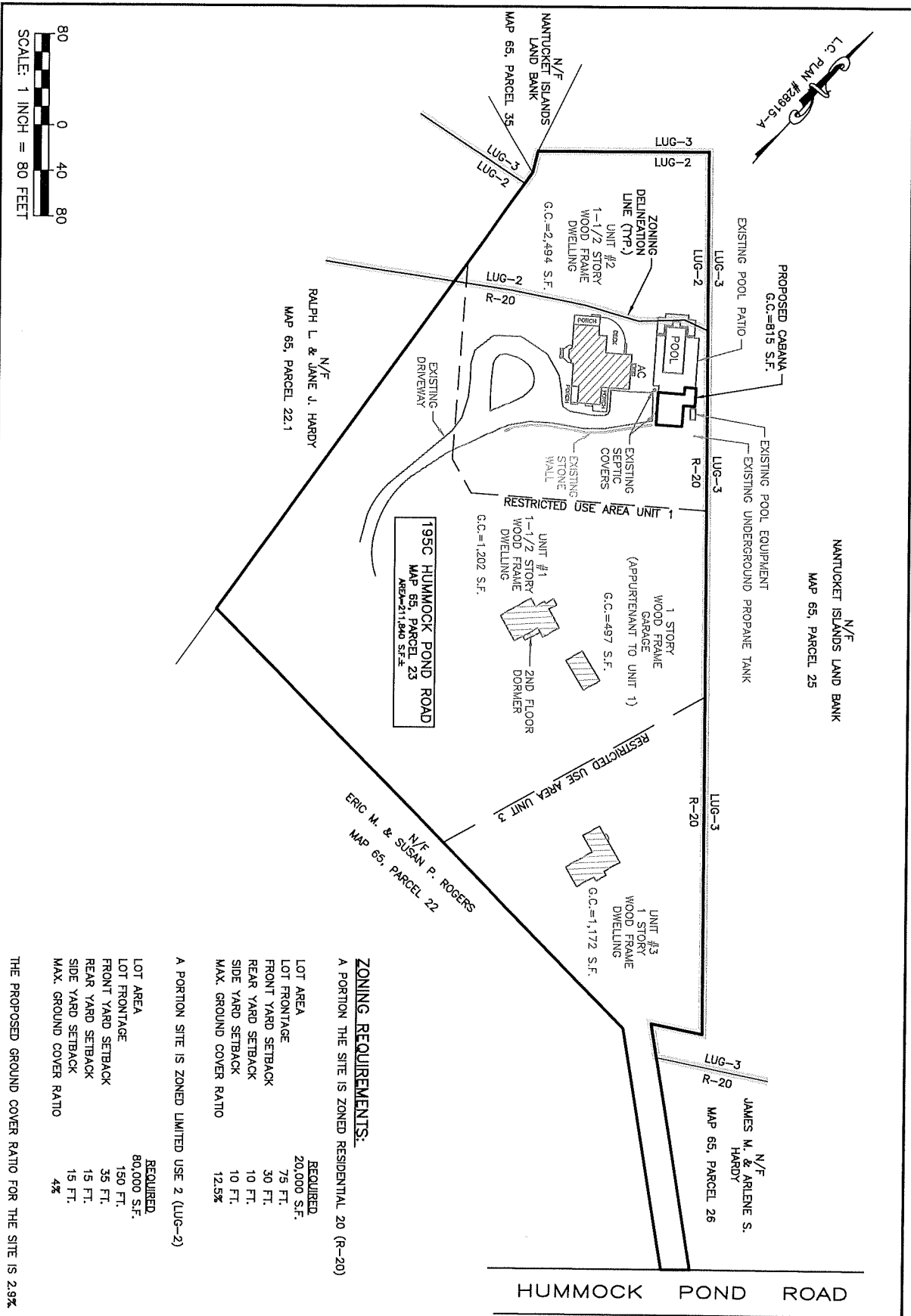
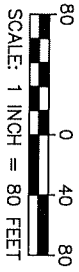
The Owner/Applicant, Michael S. Jemison and Kristina Elizabeth Jemison (hereinafter referred to as "Jemison") are the owners of Unit 2 of the Gardner Condominium, which is known and numbered as 195C Hummock Pond Road ("the Premises") by virtue of Unit Deed recorded in Book 865, Page 40 at the Nantucket Registry of Deeds. Applicant is requesting Special Permit relief pursuant to Nantucket Zoning Bylaw Section 139-30, and to the extent necessary 139-33, to allow for a modification to Zoning Board of Appeals Special Permit No. 040-04 to allow the ground cover to be increased to 3,309 square feet which is above the amount allowed in Special Permit No. 040-04, but still less than the maximum allowed in the Village Residential ("VR") zoning district.

195 Hummock Pond Road, the subject of the Gardner Condominium, is a conforming lot with a pre-existing nonconforming use. The nonconforming use being three (3) dwelling units located on one lot prior to the adoption of the zoning bylaw. The property was subsequently converted to a condominium form of ownership and Jemison is the record title holder of Unit 2, the Premises, which is improved with a single-family dwelling with approximately 2,494 square feet of ground cover. The Gardner Condominium and structures thereon otherwise conform to the intensity regulations of the VR zoning district.

Per the Zoning Board of Appeals Decision No. 040-04, the Board of Appeals allowed for the expansion of the units to 2,500 square feet of ground cover, per the condominium documents, as amended. Presently, Jemison is proposing to construct a pool cabana as shown on the site plan attached hereto as Exhibit B. The resulting ground cover for the Premises will be 3,309 square feet. The resulting ground cover for the entire condominium will be 2.9% in a zoning district that stipulates a maximum ground cover ratio of 10%. The other unit owners of the condominium have assented to this increase in ground cover and have agreed to amend the Master Deed in order to effectuate this change and said documentation will be forthcoming. The pool cabana was approved by the Historic District Commission by virtue of Certificate of Appropriateness No. HDC 2020-10-2155.

Accordingly, because the increase in ground cover to 3,309 square feet to 2.9% is well below the 10% maximum ground cover ratio and the other condominium unit owners have assented to this increase, the proposed request is in harmony with the purpose and intent of the Zoning Bylaw and a modification to the existing Special Permit may be granted.

Exhibit B



ZONING REQUIREMENTS:

A PORTION THE SITE IS ZONED RESIDENTIAL 20 (R-20)

LOT AREA	REQUIRED
20,000 S.F.	
LOT FRONTAGE	75 FT.
FRONT YARD SETBACK	30 FT.
REAR YARD SETBACK	10 FT.
SIDE YARD SETBACK	10 FT.
MAX. GROUND COVER RATIO	12.5%

A PORTION SITE IS ZONED LIMITED USE 2 (LUG-2)

LOT AREA	REQUIRED
80,000 S.F.	
LOT FRONTAGE	150 FT.
FRONT YARD SETBACK	35 FT.
REAR YARD SETBACK	15 FT.
SIDE YARD SETBACK	15 FT.
MAX. GROUND COVER RATIO	4%

THE PROPOSED GROUND COVER RATIO FOR THE SITE IS 2.9%

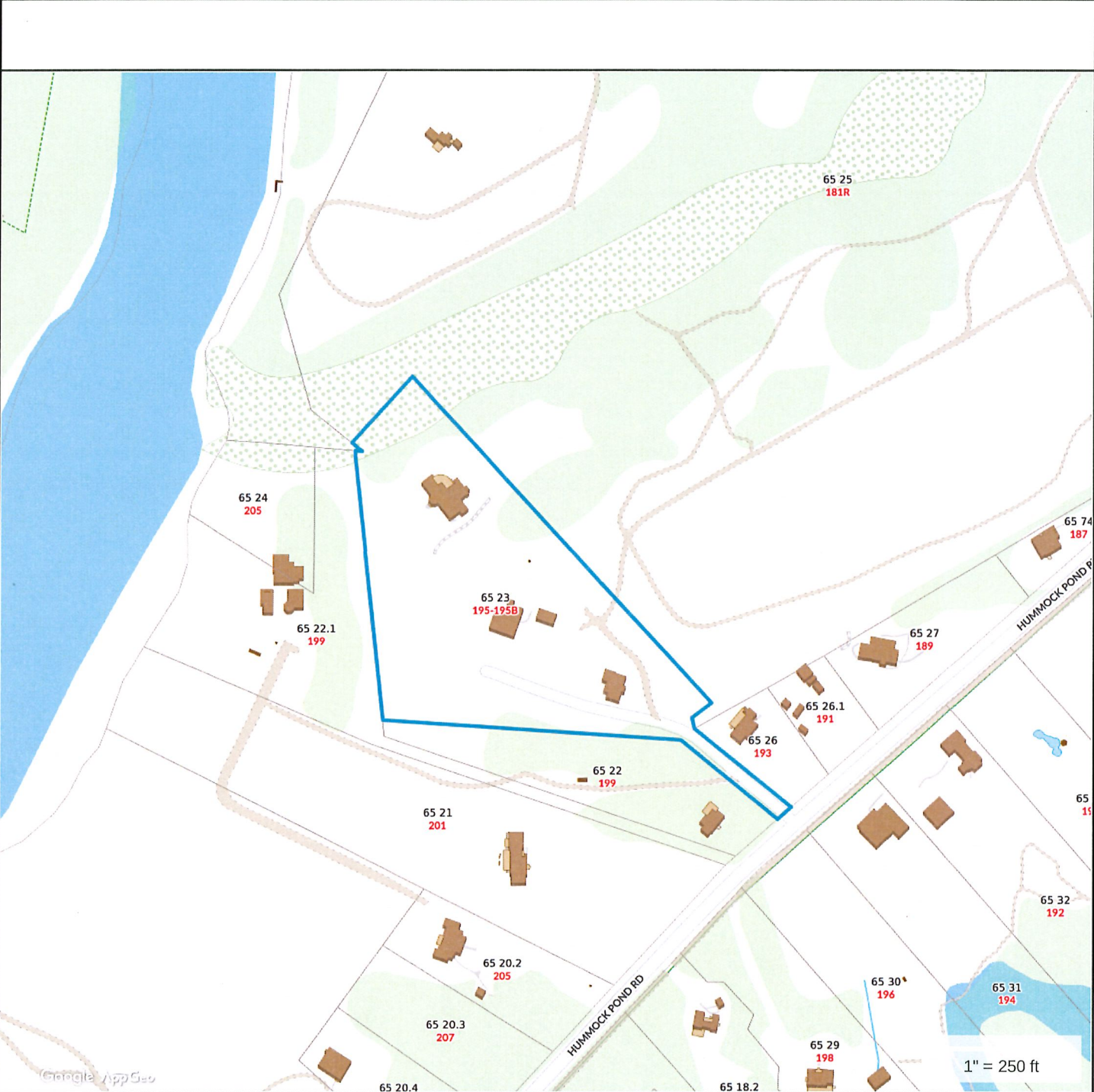
PROPOSED SITE PLAN

195C HUMMOCK POND ROAD
ASSESSOR'S MAP 65, PARCEL 23
NANTUCKET, MASSACHUSETTS



SITE DESIGN
ENGINEERING, LLC.
11 CUSHMAN STREET
MIDDLEBORO, MA 02346
T: 508-967-0673
F: 508-967-0674
WWW.SDE-LDEC.COM

DATE: JULY 16, 2021	REV. DATE:
PROJ.#: 18054	SCALE: 1" = 80'
DRAWN BY: SKD	CHECK BY: DCM
ISSUED FOR: APPROVAL	
PREPARED FOR: MICHAEL S. & KRISTINA ELIZABETH JEMISON	



Property Information	
Property ID	65 23.2
Location	195C HUMMOCK POND RD
Owner	JEMISON MICHAEL S & KRISTINA ELIZABETH



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 07/29/2021
Data updated Jan. 2021

Print map scale is approximate.
Critical layout or measurement activities should not be done using this resource.

TOWN OF NANTUCKET
ZONING BOARD OF APPEALS
1 EAST CHESTNUT STREET
NANTUCKET, MASSACHUSETTS 02554

Assessors Map 65
Parcel 23.2
LUG-2/R-2

195-197 Hummock Pond Road
LC Plan 28915-A
Plan File 47-O
Deed Ref. 865/40

At a Public Hearing of the Nantucket Zoning Board of Appeals, held at 1:00 P.M., Friday, April 2, 2004, in the Conference Room, Town Annex Building, 37 Washington Street, Nantucket, Massachusetts, on the Application of the MICHAEL S. AND KRISTINA E. JEMISON, of 1155 Reading Building, Wyomissing, PA 19610, Board of Appeals File No. 040-04, the Board made the following Decision:

1. Applicants are seeking a MODIFICATION of SPECIAL PERMIT relief granted in the Decision in BOA File No. 043-96, which allowed alterations to the single-family dwelling with a maximum ground cover of about 2,225 square feet. Applicants are asking the Board to alter and expand the dwelling up to a maximum ground cover of about 2,489 square feet, and/or a ground cover not to exceed 2,500 square feet, as allowed in the existing condominium document for this unit. The Locus is nonconforming as to number of units with the lot containing three separate single-family dwellings in a district that allows a maximum number of two dwelling units on one lot. The Lot is also nonconforming as to frontage. The Lot is conforming as to ground cover and would continue to meet ground cover requirements after the expansion. The previous Decision did not restrict the ground cover on the Lot as a condition. However, it contains a chart in paragraph #3 that specifies the ground cover for all three units.

The Premises is located at 195 – 197 HUMMOCK POND ROAD, UNIT #2, Assessor's Map 65, Parcel 23.2, Land Court Plan 28915-A, and Plan File 47-O. The property is zoned Residential-2 and Limited-Use-General-2.

2. The Decision is based upon the Application and the material submitted with it and the testimony and evidence presented at the Hearing. The Planning Board made no recommendation. There were two letters on file from the owners of Unit #1 and Unit #3 that supported the raise in ground cover for this unit to a maximum of 2500 square feet, stating that this was "exactly what is allowed by the Condominium documents".

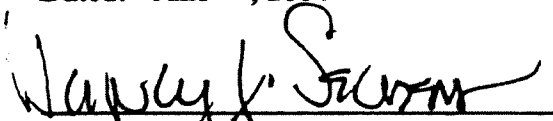
3. The Applicants, through their representative, stated that the property was benefited by previous grants of Special Permit relief in the Decisions in BOA File Nos. 043-96 (subject Unit #2), 050-97 and 044-96 (Unit #3), and 057-98 and 042-96 (Unit #1). The property is nonconforming as to the number of dwelling units allowed on one lot, having three separate single-family dwellings, in a district that allows a maximum of two. Though all alterations, which were the subject of the previous Decisions, were conforming, relief is necessary to alter or expand any of the units. Applicants are now before the Board to ask that the maximum ground cover allowed for Unit #2 be modified to be 2500 square feet. In the Decision in BOA File No. 043-96 a list of the then existing and proposed ground cover figures was contained in evidentiary paragraph # 3 and not specified in paragraph #4 as part of the conditions. Applicants' unit was allowed to expand the ground cover to a maximum of 2225 square feet in said Decision. The

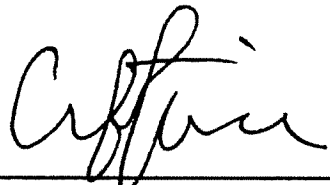
property has been transferred to new owners who are proposing to change the approved plans but did not have a new design as of the date of the public hearing. Applicants represented that each condominium unit is allowed in the condominium documents to construct up to a maximum ground cover of 2500 square feet and the Applicants are asking for the Decision to be modified to be consistent with this figure.

4. Based upon the foregoing, the Board finds that the Modification of the Decision in BOA File No. 043-96 to allow up to a maximum ground cover for Unit #2 of 2500 square feet without further relief from this Board, would not be substantially more detrimental to the neighborhood than the existing nonconforming situation, especially given the large size of the Lot and the location of the structures interior of the Lot. The Board further finds that there would no increase of any of the existing nonconformities, as there would continue to be three separate dwelling units on the site and any increase in ground cover to a maximum of 2500 square feet per unit would constitute a ground cover well below the maximum allowed on the site.

5. Accordingly, by a UNANIMOUS vote, the Board GRANTS the requested MODIFICATION of the SPECIAL PERMIT relief granted in the Decision in BOA File No. 043-96, to allow alteration and expansion of Unit #2 with a maximum ground cover of 2500 square feet without further relief from this Board.

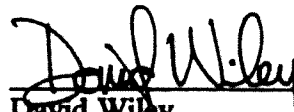
Dated: June 21, 2004


Nancy J. Savrens


C. Richard Loftin

Edward Toole

Edward Murphy


David Wiley
TOWN CLERK
JUN 21 AM 1:16
RECEIVED

JUL 14 2004

Nantucket County Received & Entered
Date: JUL 16 2004 Time: 1:50pm
Attest: Joanne Z. Kelley Register of Deeds

I CERTIFY THAT 20 DAYS HAVE ELAPSED AFTER THIS DECISION WAS FILED IN THE OFFICE OF THE TOWN CLERK, AND THAT NO APPEAL HAS BEEN FILED, PURSUANT TO GENERAL LAWS 48A, SECTION 11


TOWN CLERK

ATTEST: A TRUE COPY


NANTUCKET TOWN CLERK

End of
Instrument



BOOK 0517 PAGE 236

TOWN OF NANTUCKET

BOARD OF APPEALS

NANTUCKET, MASSACHUSETTS 02554

Date: September 20, 1996

To: Parties in Interest and Others concerned with the
Decision of the BOARD OF APPEALS in the Application of the
following:

Application No.: 043-96

Owner/Applicant: LINDA REID GARDNER (UNIT NO. 2)

Enclosed is the Decision of the BOARD OF APPEALS which has
this day been filed in the office of the Nantucket Town
Clerk.

An Appeal from this Decision may be taken pursuant to
Section 17 of Chapter 40A, Massachusetts General Laws.

Any action appealing the Decision must be brought by
filing an complaint in court within TWENTY (20) days after
this day's date. Notice of the action with a copy of the
complaint and certified copy of the Decision must be given
to the Town Clerk so as to be received within such TWENTY
(20) days...


Michael J. O'Kara, Chairman

cc: Town Clerk
Planning Board
Building Commissioner

PLEASE NOTE: MOST SPECIAL PERMITS AND VARIANCES HAVE A TIME
LIMIT AND WILL EXPIRE IF NOT ACTED UPON ACCORDING TO NANTUCKET
ZONING BY-LAW §139-30I (SPECIAL PERMITS); §139-32I (VARIANCES)
ANY QUESTIONS, PLEASE CALL THE NANTUCKET ZONING BOARD OF APPEALS.

TOWN OF NANTUCKET
ZONING BOARD OF APPEALS

At a Public Hearing of the Nantucket Zoning Board of Appeals opened at 1:00 P.M. on Friday, August 9, 1996, in the Selectman's Meeting Room, Town and County Building, Broad Street, Nantucket, Massachusetts, on the Application of Linda Reid Gardner, for herself as Owner and Applicant in connection with property situated at Hummock Pond Road (Board of Appeals File No. 043-96). The Board made the following decisions:

1. In ZBA file 043-96, Applicant is seeking a SPECIAL PERMIT under Nantucket Zoning By-Law Section 139-33A (alteration/extension of a pre-existing non-conforming use/structure). Applicant proposes to renovate the single-family dwelling, by expanding the ground cover from 790 $\pm$ square feet to 2225 $\pm$ square feet. The structure is sited upon a lot that consists of two (2) merged lots, containing 211,840 $\pm$ square feet of area that is nonconforming as to frontage having only 25.38 feet of frontage along Hummock Pond Road in a district that requires a minimum frontage of 75 feet in the Residential - 2 district and 150 feet in the LUG-2 district. The majority of the property (including the portions containing all of the improvements) is zoned Residential - 2, with a portion of the property zoned Limited Use General - 2. The Locus is also non-conforming as to number of dwelling units on one lot, containing three (3) said to be pre-existing separate dwelling units in a zoning district that requires a maximum of two (2) dwelling units on one lot. There is no expansion of the garage structure appurtenant to Unit No. 2 proposed. See BOA File Nos. 042-96 and 044-96 for similar requests for Unit No. 1 and Unit No. 3, respectively. For Applicant's title, see Unit Deed recorded in Book 509, Page 84 at the Nantucket Registry of Deeds.

The premises is located at 195-197 HUMMOCK POND ROAD, Assessor's Map 65, Parcels 23 and 24, Plan File 47-0 and Land Court Plan 28915-A. The property is zoned Residential - 2 and Limited Use General - 2.

2. The Board's findings are based upon the Application papers and testimony received at the meeting on Friday, August 9, 1996. There was no opposition to the request SPECIAL PERMIT relief expressed at the public hearing and the Planning Board made no recommendation.

3. The Applicant is the owner of Unit 2. Three dwelling units have existed on this property since prior to 1972. Relief is requested in this and the related applications to renovate, alter and expand the dwelling units (now known as Units 1, 2, and 3 of the Gardner Condominium) as follows:

Existing Ground Cover		Approx. Proposed Ground Cover
Unit One- dwelling only (Galen Gardner)	1230 $\pm$ sq. ft.	1550 $\pm$ sq. ft.
Unit Two (Linda Gardner)	790 $\pm$ sq. ft.	2225 $\pm$ sq. ft.
Unit Three (Shirley Gardner)	560 $\pm$ sq. ft.	1300 $\pm$ sq. ft.

The Board finds that given the size of the parcel and the modest nature of the additions proposed, the expansion of Unit 2 of the Gardner Condominium will not be substantially more detrimental to the neighborhood than the existing nonconformities.

4. Based on the foregoing findings, in connection with ZBA file No. 043-96, the Board hereby GRANTS, by a unanimous vote in favor of, the requested Special Permit under Nantucket Zoning By-Law Section 139-33A to allow the renovation and expansion of the structure known as Unit 2, substantially as shown on the plans approved by the Historic District Commission (Cert. of Appropriateness No. 20,332). The Board further, by unanimous vote, grants the requested waiver of the filing fee in connection with this application.

Dated: September 20 1996
Nantucket, MA

I CERTIFY THAT 20 DAYS HAVE ELAPSED AFTER THE DECISION WAS FILED IN THE OFFICE OF THE TOWN CLERK AND THAT NO APPEAL HAS BEEN FILED PURSUANT TO GENERAL LAWS 40A, SECTION 17.
J. Collins
TOWN CLERK

OCT 15 1996

OCT 16 1996
NANTUCKET COUNTY
REC'D ENTERED

2:25 PM
SANDRA M CHADWICK
ATTEST REGISTER

[Signature]
Robert Leichter
[Signature]
Linda F. Williams
[Signature]
Dale Waine
[Signature]
Bill Hourihan
[Signature]
Michael O'Mara

RECEIVED
TOWN CLERK'S OFFICE
NANTUCKET, MA 02554

SEP 20 1996
TIME: 11:55 A
CLERK: LR

End of
Instrument

Town of Nantucket

Zoning Board of Appeals

LIST OF PARTIES IN INTEREST IN THE MATTER OF THE PETITION OF:

PROPERTY OWNER..... Michael S. Jensen & Kristin Elizabeth Jensen
MAILING ADDRESS..... 2038 Mendon Glen, Wymondiscy, PA 19610
PROPERTY LOCATION..... 195C Hummock Pond Road
ASSESSOR MAP/PARCEL..... 65/23
SUBMITTED BY..... Glidden & Brosnan, PC

SEE ATTACHED PAGES

I certify that the foregoing is a list of all persons who are owners of abutting property, owners of land directly opposite on any public or private street or way; and abutters of the abutters and all other land owners within 300 feet of the property line of owner's property, as they appear on the most recent applicable tax list (M.G.L. c. 40A, Section 11 and Zoning Code Chapter 40A, Section 139-29B (2)).

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: 2021.08.04 11:54:53 -04'00'

9-4-2021

DATE

ASSESSOR'S OFFICE
TOWN OF NANTUCKET

Jason Olbres and Nichole Marks 200 Hummock Pond Rd Nantucket, MA
02554

Town of Nantucket Board of Appeals Nantucket MA 02554

Dear Leslie Snell, Nickesha Sheriff, and Susan McCarthy,

August 31, 2021

I am writing to express my opposition to allowing the applicant at 195c Hummock Pond Rd for any additional ground cover for their pool cabana. I feel the Board should take the following into consideration when reviewing this application.

The proposed cabana reads more like a guest house given the amount of proposed round cover of 815SF, and the "Playroom" has a closet and direct access to the full bathroom. While the plans and applications may be calling it a cabana, I feel given the size and amenities it will function more like guest house (or dwelling).

Allow the application states that they may be "conforming" to the ground cover ratio for their current zoning districts for the entire property of the condominium, they remain non-conforming due to the number of dwelling, and adding this structure, which reads more like a dwelling, would exacerbate this non-conformity.

Further, while they may be well under their current G.C. ratio for the entire condominium, I would gather that respective to their exclusive use area, that they are over this ratio since roughly half of that area is LUG-2. Their exclusive use area seems dense compared to the other units which have 1,172sf GC (Unit 1) and 1,699sf GC (Unit 3). The applicants 3304sf GC would be almost 15% greater than the other 2 units combined, or 65% greater than Unit 1 and 48% greater than Unit 3.

While the application states that revised condo documents are forthcoming, they are not here in the record, and they should be included with this application with the submission to the Board since according to this application their ground cover would be greater than the current condo docs allow.

Additionally, the location and proximity to Land Bank's Gardner Property does not seem to respect the special character that open space contributes to our island.

Sincerely,

Jason Olbres

Abutters Listing

MBLU	Lot	Lot Cut	Owner Full Name	Co-Owner Full Name	Address Line 1	City	State	Zip	Location
65	18	2	OLBRES JASON A & MARKS NICHOLE L		PO BOX 1602	NANTUCKET	MA	02554	200 HUMMOCK POND RD
65	20		BARTLETT HENRY D TR	BARTLETT FAMILY TRUST	5330 CHAMBREY COURT	COLORADO SPRINGS	CO	80919	211 HUMMOCK POND RD
65	20	2	BARTLETT REBECCA M		205 HUMMOCK POND RD	NANTUCKET	MA	02554	205 HUMMOCK POND RD
65	21		DOOLEY JOHN P SR & JEANNE M TR		PO BOX 465	NANTUCKET	MA	02554	201 HUMMOCK POND RD
65	22		ROGERS ERIC M & SUSAN P		199 HUMMOCK POND RD	NANTUCKET	MA	02554	199 HUMMOCK POND RD
65	22	1	HARDY RALPH L & JANE J TRS	HARDY FAMILY NOMINEE TRUST	4 SOMERSET RD	NANTUCKET	MA	02554	199 A HUMMOCK POND RD
65	23	1	KRINSKY JENNY L TRST ETAL		361 STONE POND RD	MARLBOROUGH	NH	03455	195B HUMMOCK POND RD
65	23	2	JEMISON MICHAEL S & KRISTINA ELIZABETH		2038 MEADOW GLEN	WYOMISSING	PA	19610	195C HUMMOCK POND RD
65	23	3	GARDNER RICHARD M JR & HAZEL K		126 PARKER ST APT 12A	ACTON	MA	01720	197 HUMMOCK POND RD
65	24		KENNEDY ROBERT E TR	R ERIC KENNEDY TRUST	2043 RANDOM RD #304	CLEVELAND	OH	44106	205 R HUMMOCK POND RD
65	25		NANTUCKET ISLANDS LAND BANK		22 BROAD ST	NANTUCKET	MA	02554	181 HUMMOCK POND RD
65	25	1	NANTUCKET ISLANDS LAND BANK		22 BROAD STREET	NANTUCKET	MA	02554	181R HUMMOCK POND RD
65	26		HARDY JAMES M & ARLENE S		193 HUMMOCK POND RD	NANTUCKET	MA	02554	193 HUMMOCK POND RD
65	26	1	HARDY JAMES M & ARLENE S		193 HUMMOCK POND ROAD	NANTUCKET	MA	02554	191 HUMMOCK POND RD
65	27		MACCORMICK ALEXANDER C ETAL		152 FEEKS LANE	LOCUST VALLEY	NY	11560	189 HUMMOCK POND RD
65	29		POWERS-TASCH PATRICIA		198 HUMMOCK POND RD	NANTUCKET	MA	02554	198 HUMMOCK POND RD
65	30		CHERNER STEPHEN P TR	C/O MAXIM FINANCIAL CORP	1482 EAST VALLEY ROAD STE 847	SANTA BARBARA	CA	93018	196 HUMMOCK POND RD
65	31		CHERNER STEPHEN P TR	C/O MAXIM FINANCIAL CORP	1482 EAST VALLEY RD STE 847	SANTA BARBARA	CA	93018	194 HUMMOCK POND RD
65	32		CHERNER STEPHEN P & VICKERY ME	C/O MAXIM FINANCIAL CORP	1482 EAST VALLEY RD STE 847	SANTA BARBARA	CA	93018	192 HUMMOCK POND RD
65	35		NANTUCKET ISLANDS LAND BANK		22 BROAD ST	NANTUCKET	MA	02554	HUMMOCK POND RD

Count 20

OLBRES JASON A & MARKS NICHOLE L
PO BOX 1602
NANTUCKET, MA 02554

DOOLEY JOHN P SR & JEANNE M TR
PO BOX 455
NANTUCKET, MA 02554

KRINSKY JENNY L TRST ETAL
361 STONE POND RD
MARLBOROUGH, NH 03455

KENNEDY ROBERT E TR R ERIC KENNEDY
TRUST
2043 RANDOM RD #304
CLEVELAND, OH 44106

HARDY JAMES M & ARLENE S
193 HUMMOCK POND RD
NANTUCKET, MA 02554

POWERS-TASCH PATRICIA
198 HUMMOCK POND RD
NANTUCKET, MA 02554

CHERNER STEPHEN P & VICKERY ME C/O
MAXIM FINANCIAL CORP
1482 EAST VALLEY RD, STE 847
SANTA BARBARA, CA 93018

BARTLETT HENRY D TR BARTLETT FAMILY
TRUST
5330 CHAMBREY COURT
COLORADO SPRINGS, CO 80919

ROGERS ERIC M & SUSAN P
199 HUMMOCK POND RD
NANTUCKET, MA 02554

JEMISON MICHAEL S & KRISTINA ELIZABETH
2038 MEADOW GLEN
WYOMISSING, PA 19610

NANTUCKET ISLANDS LAND BANK
22 BROAD ST NANTUCKET, MA 02554

HARDY JAMES M & ARLENE S
193 HUMMOCK POND RD
NANTUCKET, MA 02554

CHERNER STEPHEN P TR C/O MAXIM
FINANCIAL CORP
1482 EAST VALLEY ROAD, STE 847
SANTA BARBARA, CA 93018

NANTUCKET ISLANDS LAND BANK
22 BROAD ST NANTUCKET, MA 02554

BARTLETT REBECCA M
205 HUMMOCK POND RD
NANTUCKET, MA 02554

HARDY RALPH L & JANE J TRS HARDY
FAMILY NOMINEE TRUST
4 SOMERSET RD
NANTUCKET, MA 02554

GARDNER RICHARD M JR & HAZEL K
126 PARKER ST, APT 12A
ACTON, MA 01720

NANTUCKET ISLANDS LAND BANK
22 BROAD ST NANTUCKET, MA 02554

MACCORMICK-ALEXANDER C ETAL
152 FEEKS LANE
LOCUST VALLEY, NY 11560

CHERNER STEPHEN P TR C/O MAXIM
FINANCIAL CORP
1482 EAST VALLEY RD, STE 847
SANTA BARBARA, CA 93018

End of Packet