# ZBA MEETING PACKET

# 10/13/22

**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)

| | |
|---|---|
| **Committee/Board/s** | Zoning Board of Appeals |
| **Day, Date, and Time** | Thursday, October 13, 2022, at 12:00 PM |
| **Location / Address** | 4 Fairgrounds Road, Nantucket, MA<br>**PSF COMMUNITY ROOM** |
| **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

***To view the LIVE broadcast of the meeting, see YouTube Link at***
https://youtu.be/k6PxrYMZUNc

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:**
- September 08, 2022

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

**12-22 John Esposito** **12 Eat Fire Spring Rd** **Peirce Atwood LLP**
Applicant is appealing the building permit within the time allowed by G.L.c. 40A, § 15 for appeals under G.L.c. 40A, § 8: (1) as persons aggrieved by the decision of the inspector of buildings to issue building permits despite a violation of the Code, and (2) as persons aggrieved by the inability to obtain a stop-work order from the Building Commissioner pursuant to G.L.c. 40A, § 7 despite an acknowledgement that the Property owners are not in compliance with the Code. The Locus subject to the appeal is situated at 12 Eat Fire Spring Road, shown on Assessor's Map 20 as Parcel 62, and as Lot 84 upon Land Court Plan 6283-8,

Sheet 2. Evidence of owner's title is registered on Certificate of Title No. 28818 with the Nantucket County District of the Land Court. The site is zoned Limited Use General 3 (LUG-3).

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

**37-21 Kristina & Nicholas Amendolare 8 Bank Street Williams**

Applicants are seeking a Special Permit pursuant to Zoning Bylaw Sections 139-30 and 139-33A to make renovations, including an addition, to a single-family dwelling that is pre-existing non-conforming to the setbacks. Locus is situated at 8 Bank Street, shown on Assessor's Map 73 and Parcel 69. Evidence of owner's title is recorded in Book 1770, Page 216 on file at the Nantucket County Registry of Deeds. The site is zoned Sconset Old Historic (SOH).

**09-22 Harris on Weweeder, LLC 50 Weweeder Avenue Brescher**

Applicant is seeking Variance Relief pursuant to Zoning Bylaw Section 139-32 from the intensity regulations of Section 139-16A to site a proposed pool cabana in the side yard setback as close as 2.7 feet from the side yard lot line in a zoning district that requires a minimum of a ten (10) foot side yard setback and to increase the allowable groundcover ratio to 7.9% in a zoning district with a maximum groundcover ratio of 7%. Locus is situated at 50 Weweeder Avenue, shown on Assessor's Map 79 as Parcel 15 and upon Land Court Plan 42927-A. Evidence of owner's title is registered on Certificate of Title No. 27684 with the Nantucket County District of the Land Court. The site is zoned Limited Use 1 (LUG-1).

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

**10-22 Paul P. Moran & Jean M. Moran 4 Washington Avenue Santos**

Applicants are seeking Special Permit relief pursuant to Nantucket Zoning By-law Sections 139-30 and 139-2 in order to install an in-ground swimming pool. Locus is situated at 4 Washington Avenue, shown on Assessor's Map 60.2.4 as Parcel 65 and upon Land Court Plan 14672-A. Evidence of owner's title is registered on Certificate of Title No. 27684 with the Nantucket County District of the Land Court. The site is zoned Village Residential (VR).

**14-22 Montana Heaven LLC 13 Arkansas Avenue Cohen**

Applicant is seeking Special Permit relief pursuant to Nantucket Zoning By-law Sections 139-30 and 139-2 to install a residential swimming pool on a lot that is 20,180± SF with a single-family dwelling and a cottage with an attached garage. The Locus is situated at 13 Arkansas Avenue, shown on Assessor's Map 59.4 as Parcel 158 and is Lot 639 on Land Court Plan 3092-64. Evidence of owner's title is registered on Certificate of Title No. I-992 at the Nantucket County District of the Land Court. The site is zoned Village Residential (VR).

**13-22 Brian & Lorri Ryder 3.5 Mary Ann Drive Williams**

Applicants are seeking Variance relief pursuant to Nantucket Zoning By-law Sections 139-16C (1) (Intensity regulations-setback) in order to construct a 704 SF one-bedroom apartment on second floor of an existing personal storage building with a 2-bay garage space on the first floor. Locus is situated at 3.5 Mary Ann Drive, shown on Assessor's Map 68 as Parcel 988 and as lot 786 upon Land Court Plan 16514-78. Evidence of owner's title is registered on Certificate of Title No. 27496 with the Nantucket County District of the Land Court. The site is zoned Commercial Trade Entrepreneurial Craft (CTEC).

**VI. OTHER (VOTES MAY BE TAKEN)**

**VII. ADJOURNMENT (VOTE WILL BE TAKEN)**

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# MINUTES

# 09/08/22

# ZONING BOARD OF APPEALS

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

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

## ~~ MINUTES ~~

**Thursday, September 8, 2022**

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

Called to order at 1:15 pm and announcements made by Ms. McCarthy

| | |
|---|---|
| Staff in attendance: | Leslie Snell, Deputy Director of Planning; Billy Saad, Land Use Specialist; Marcus Silverstein, Town Lighting Officer and Zoning Enforcement Officer; Terry Norton, Town Minutes Taker (via YouTube) |
| Attending Members: | McCarthy, O'Mara, Allen, Poor, Mondani |
| Absent: | Botticelli, Toole, Thayer |

Agenda adopted by unanimous consent

| | |
|---|---|
| Motion | **Motion to Approve as revised.** (made by: O'Mara) (seconded) |
| Vote | Carried 5-0 |

## I. APPROVAL OF MINUTES

1. August 11, 2022

| | |
|---|---|
| Motion | **Motion to Approve.** (made by: Allen) (seconded) |
| Vote | Carried 5-0 |

## II. OLD BUSINESS

1. 37-21 Kristina & Nicholas Amendolare — 8 Bank Street — Williams
CONTINUED TO OCTOBER 13, 2022

| | |
|---|---|
| Motion | **Motion to Continue. (made by: O'Mara) (seconded)** |
| Vote | Carried 5-0 |

2. 22-21 Adam Delaney-Winn, Trustee of Warren's Landing Nominee Trust — 40 Warren's Landing Road — Reade

Applicant is appealing the determination of the Zoning Enforcement Officer that the driveway accessing the locus from Blue Heron Way is in violation of Zoning Bylaw Section 139-20.1B (1) because there is an additional driveway access from Warren's Landing Road. Locus is situated at 40 Warren's Landing Road, shown on Assessor's Map 38 as Parcel 45, and as Lot 10 upon Land Court Plan 16956-E. Evidence of owner's title is registered on Certificate of Title No. 27280 with the Nantucket County District of the Land Court. The site is zoned Limited Use General 2 (LUG-2).

| | |
|---|---|
| Voting | McCarthy, O'Mara, Allen, Poor, Mondani |
| Alternates | None |
| Recused | None |
| Documentation | File with associated plans, photos and required documentation |
| Representing | Arthur Reade, Reade, Gullicksen, Hanley, & Gifford LLP |
| Public | Jennifer Kerry, Sarah F. Alger P.C for 34/32 Warren's Landing Road |
| Discussion (2:24) | **Reade** – Presented supplemental materials at the table. Explained the situation behind the reasons for the appeal. We have a grassy area that starts at the dwelling and extends out to meet Blue Heron Way at grade; it's possible for a vehicle to drive into it. We propose to enter into a stipulation, agreed to by Mr. Silverstein, that the owner won't have more than 1 vehicle access until they have a Special Permit for a 2nd driveway, there won't be access from Blue Heron as long as the driveway from Warren Landing exists, the ZEO won't issue a fine for the Blue Heron Way access. This grassy area has been used for pedestrian and bicycle access to Blue Heron Way. |

**Silverstein** – We know that in the early 1970s, there was a driveway between Warrens Landing and this current access. In 1998, it became a requirement to have a special permit for a 2nd curb cut and 2003 the opening was restored. The prior owner said it was used by landscapers and to bring his boat in and out. There hasn't any sign of use over the past few months. He's reluctance in accepting Mr. Reade's letter promises the owner won't drive over it but the violation is the access; there seems to be reluctance to pinch that down to prohibit any vehicular use. The problem could be solved by some effort on the part of the owner to block it from vehicular use.

**Reade** – His client is willing to agree to not use it for vehicular access but isn't willing to block it off; explained those reservations.

**McCarthy** – If he's concerned about public safety, the blockage could be set back off the road. We're looking to decide whether or not to uphold Mr. Silverstein's decision and determine if the grassy area is being used now and constitutes a driveway. If the owners want to keep it as is, the owner needs to get a special permit from the DPW for a 2nd curb cut.

**Mondani** – He doesn't think the ZBA can require a fence or bolder.



PROPOSED

**Allen** – Asked if anything is stored in this area (no). Confirmed that if this were to becomes a second curb cut, confirmed they would have to go through the Conservation Commission for construction of the driveway.

**Kerry** – The appeal states the 2nd driveway exists pre-1998; photos indicate it did not exist in 1998 and should ask for a special permit. Her clients argue it is being used for vehicular access from Blue Heron Way and the proposed stipulation will have no effect. They ask for a fence or boulder to block the access. Asking that the appeal be denied.

**Silverstein** – This order is for a secondary driveway access. If the ZBA upholds the violation, they must seek the Special Permit.

**Reade** – The plan shows a clearing where the grassy area meets Blue Heron Way. If a physical obstruction were required here, everyone on the Island with a clearing at grade to a road would also be required to physically block the area.

Motion **Motion to Uphold the ZEO's determination.** (made by: Mondani) (seconded)
Vote Carried 4-1//Poor opposed

3. 09-22 Harris on Weweeder, LLC 50 Weweeder Avenue Brescher
CONTINUED TO OCTOBER 13, 2022

Motion **Motion to Continue.** (made by: Allen) (seconded)
Vote Carried 5-0

## III. NEW BUSINESS

1. 10-22 Paul P. Moran & Jean M. Moran 4 Washington Avenue Santos
CONTINUED TO OCTOBER 13, 2022

Motion **Motion to Continue.** (made by: O'Mara) (seconded)
Vote Carried 5-0

2. 11-22 Benjamin Rubenstein & Arienne Bistany 51 Tennessee Avenue Williams

Applicants are seeking Special Permit relief pursuant to Nantucket Zoning By-law Sections 139-2 and 139-7A in order to install an inground swimming pool. Locus is situated at 51 Tennessee Avenue, shown on Assessor's Map 59.4 as Parcel 202 and as lot 138,147,150 upon Land Court Plan 3092-S. Evidence of owner's title is registered on Certificate of Title No. 27878 with the Nantucket County District of the Land Court. The site is zoned Village Residential (VR).

Voting McCarthy, O'Mara, Allen, Poor, Mondani
Alternates None
Recused None
Documentation File with associated plans, photos and required documentation
Representing Linda Williams
Arthur Reade, Reade, Gullicksen, Hanley, & Gifford LLP
Public Bruce Mandell, 10 Midland Avenue
Discussion (1:18) **Williams** – Explained the reasons for the Special Permit; there is no exterior pool lighting. Pool has an autocover. The property is on Town water. The vegetative screen will be augmented and maintained. The addendum includes all conditions the ZBA normally puts on pools.

**O'Mara** – Expressed concerns about leaving water in a pool over the winter with just an autocover and collection of water or snow on the cover.

**Allen** – Where the vegetation is marked in red along M Street, asked if that is being removed for access during construction. The neighbors might feel more comfortable with the project as long as the vegetation and roots in that 100' swath of M Street aren't removed. Asked if there could be a condition that none of that vegetation be removed.

**Williams** – Access will be from Washington; there is no anticipation of removing vegetation along M Street. They don't want to condition the vegetation should a situation arise requiring opening from M Street.

**McCarthy** – Wording in some of the conditions should be more detailed.

**Mondani** – Asked about a condition requiring restoration of M Street to the condition prior to construction.

**Snell** – You can include a condition requiring M Street between Washington and Tennessee be regraded prior to sign-off of the pool.

**Mandell** – A group of concerned Madaket resident reviewed this and request some subsequent changes. Reviewed proposed wording changes for the ZBA to consider regarding the 9 conditions generally contained for relief in the Madaket VR district.

**Williams** – Rebuttals and comments regarding Mr. Mandell's proposed changes.

**Allen** – Asked for any lighting to be shown on the plans; it would also indicate the lack of lighting.

**McCarthy** – We'll condition it for no deck or landscape lighting.

**Mondani** – He supports some of Mr. Mandell's clarifications except for those that are required by code.

Discussion about which changes Mr. Mandell proposed to incorporate into the ZBA' conditions for the Special Permit.

**McCarthy** – Read the conditions in include accepted wording changes.

Discussion about the Dark Skies Initiative and Town Code Section 102 versus all lighting being turned off at 10:00 pm.

Motion **Motion to Approve the Request with the discussed conditions.** (made by: Allen) (seconded)
Vote Carried 5-0

## IV. OTHER BUSINESS

1. None



PROPOSED

## V. ADJOURNMENT

| | |
|---|---|
| Motion | **Motion to Adjourn at 3:05 pm.** (made by: Mondani ) (seconded) |
| Vote | Carried 5-0 |

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

1. None

Submitted by:
Terry L. Norton

PROPOSED

# NEW BUSINESS

# JOHN ESPOSITO

## File No. 12-22

# 12 EAT FIRE SPRING ROAD

**APPEAL**

PAID PAID PAID
SEP 12 2022
BY:
2022 SEP 12 PM 12:22

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

## APPLICATION

**Fee: $450.00** **File No.** 12-22

Owner's name(s): John Esposito

Mailing address: 14 Eat Fire Spring Road, Nantucket, MA 02554

Phone Number: 615-214-1444 E-Mail: _____

Applicant's name(s): John Esposito c/o Joel Quick, Esq., Pierce Atwood LLP

Mailing Address: 100 Summer Street, Boston, MA 02110

Phone Number: 617-488-8157 E-Mail: jquick@pierceatwood.com

Locus Address: 12 Eat Fire Spring Road Assessor's Map/Parcel: Map 20, Lot 62

Land Court Plan/Plan Book & Page/Plan File No.: Lot 84, Plan 6283-8, Sheet 2

Deed Reference/Certificate of Title: 28818 Zoning District LUG-3

Uses on Lot- Commercial: None X Yes (describe) _____
Residential: Number of dwellings 2 Duplex _____ Apartments _____

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

Building Permit Numbers: BLDR-2022-06-3146, BLDR-2022-06-3147, BLDR-2022-06-3148

Previous Zoning Board Application Numbers: n/a

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

**See attached letter.**

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

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## 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:__/__/__

PIERCE ATWOOD LLP

**JOEL QUICK**

100 Summer Street
Boston, MA 02110

**PH** 617.488.8157
**FX** 617.824.2020
jquick@pierceatwood.com

pierceatwood.com

August 19, 2022

**BY FEDERAL EXPRESS**

Susan McCarthy, Chair
Zoning Board of Appeals
Town of Nantucket
2 Fairgrounds Road
Nantucket, MA 02554

Re: *Building Permit and Enforcement Request Appeal*
*Massachusetts General Laws Chapter 40A, Sections 7, 8 and 15*
*12 Eat Fire Spring Road, Nantucket, Massachusetts*

Dear Chair McCarthy and Members of the Board:

This office represents John and Chantel Esposito (the Espositos), the owners of 14 Eat Fire Spring Road in Nantucket. My clients have observed building activity occurring at 12 Eat Fire Spring Road (the "Property") without building permits for much of the summer. Photos of the state of construction, taken June 26, 2022, July 13, 2022, and July 29, 2022, are attached to this letter.

The Building Department was notified by email about the work occurring without permits in mid-June. Shortly thereafter, our firm was retained and I called and emailed staff in the Building Department several times to inquire about whether building permits had issued for the ongoing construction. On July 28, 2022, after a significant amount of building had already occurred, building permits were finally issued. Copies of the building permits are attached to this letter.

On August 5, 2022, by letter to the Building Commissioner, zoning enforcement and a stop-work order were requested of the Building Commissioner for noncompliance with the Nantucket Zoning Code (the "Code"). A copy of that letter is attached. On August 16, 2022, the Building Commissioner indicated by email that he would direct the owners to obtain secondary dwelling approval from the Planning Board for the new configuration presently under construction. A copy of that email is attached. The Building Commissioner did not order that work cease on the Property. We are now submitting this appeal of the building permit and of the Building Commissioner's decision pursuant to Massachusetts General Laws ("G.L.") Chapter 40A, Sections 7, 8 and 15.

*The Espositos are appealing the building permit within the time allowed by G.L. c. 40A, § 15 for appeals under G.L. c. 40A, § 8: (1) as persons aggrieved by the decision of the inspector of buildings to issue the building permits despite a violation of the Code, and (2) as persons aggrieved by the inability to obtain a stop-work order from the Building Commissioner pursuant to G.L. c. 40A, § 7 despite an acknowledgement that the Property owners are not in compliance with the Code.*

This property contains a secondary dwelling. A secondary dwelling adequacy determination was obtained from the Nantucket Planning Board pursuant to Zoning Code Section 139-2 on January 13, 2020. A copy of the materials and staff report is attached to this letter. The minutes from the Planning Board meeting are also attached. The Planning Board adopted staff recommendations, which includes an as-built plan filing requirement.

After going to the Planning Board, the owner of the Property went to the Historic District Commission and sought a reconfiguration of the buildings on the property, apparently due to on-Property habitat for species covered by the Massachusetts Endangered Species Act. However, the Property owner failed to return to the Planning Board to seek approval of the reconfiguration for the secondary dwelling. There has been no adequacy finding by the Planning Board or a finding that the plan for the secondary dwelling comports with the parking and driveway requirements of the zoning bylaw.

The Property owner's failure to obtain building permits until long after construction has commenced is evidence of a general disregard for the law. It is worth noting at the outset that commencing construction without a building permit is itself a zoning violation. There is no indication that a fine was levied or that any enforcement issued due to this obvious error. The Espositos are concerned that the owners of the Property will refuse to obtain approval of the secondary dwelling in accordance with Section 139-2 of that Code despite the Building Commissioner's instruction. The Espositos are further concerned about the fact that the secondary dwelling is being constructed before it is approved. The Espositos ask that the Board order the Property owner to cease construction until the Planning Board has approved the secondary dwelling as relocated on the Property.

As set out in the letter to the Building Commissioner, the Espositos are also concerned about other zoning violations and ask that the Board order the Property owners to cease construction until they can demonstrate that their improvements, largely constructed without building permits, comply with the Code.

The Espositos are in the difficult position of not wanting to sit on their rights, but also not having certainty about zoning violations until such time as construction progresses further. However, the Espositos have the following concerns of additional zoning violations, as noted below.

It appears that the pool house and a retaining wall are being constructed within the 20-foot side-yard setback required in the LUG-3 zoning district. This retaining wall is shown on plans as four feet in height. The Espositos cannot be certain of this setback violation because they cannot enter the property to take a measurement and because the construction is in progress and the retaining wall may be for landscaping purposes and ultimately less than four feet.

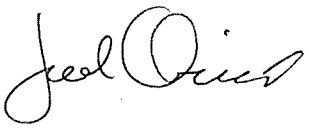
It appears that the amount of fill on site, as seen in the attached photographs, is primarily intended to raise the grade of the ground in an illegitimate attempt to avoid the height requirements of the Code by establishing a new grade for part of the Property. The definitions of "mean grade", "average mean grade", and "building and structure height" in Section 139-2 of the Code contemplate an "existing grade" i.e. the grade of the lot when plans were submitted. The Code reference to an "existing grade" does not contemplate a landowner bringing in a mountain of fill to raise the grade of all or part of a property during construction. The Espositos are concerned that there will be zoning height violations due to this activity given the height of the foundations on site and the amount of fill on site.

Finally, it appears that the plans submitted to and approved by the HDC may result in a ground cover ratio that exceeds what is allowed in the Code. There can be no certainty of a zoning violation until the construction progresses further to the point where the plans may change. For this reason, the Espositos did not detail these specific violations in a request for enforcement but want to preserve their ability to seek zoning enforcement should these or other dimensional violations become apparent. Had construction not commenced before permits issued, a more thorough analysis of what is proposed could have occurred that would avoid zoning violations.

For the foregoing reasons, the Espositos respectfully request that the Board enforce the Code by ordering the owners of the Property to cease work until a secondary dwelling approval has been obtained from the Planning Board. The Espositos also request that the Board find that the building permits should not have issued because the Property owners are in violation of the Code and rescind the building permits until the Property owners demonstrate that the work that has occurred complies with the Code. The Espositos ask that the Property owners be ordered to provide a zoning summary and a surveyed site plan documenting that the work is done in accordance with the plans submitted. The Espositos also ask that the Board order that the Property owners comply in all material respects with the dimensional requirements of the Code and that the Property owners demonstrate compliance with that order to the Board when construction is complete.

Thank you for your attention to this matter.

Sincerely,



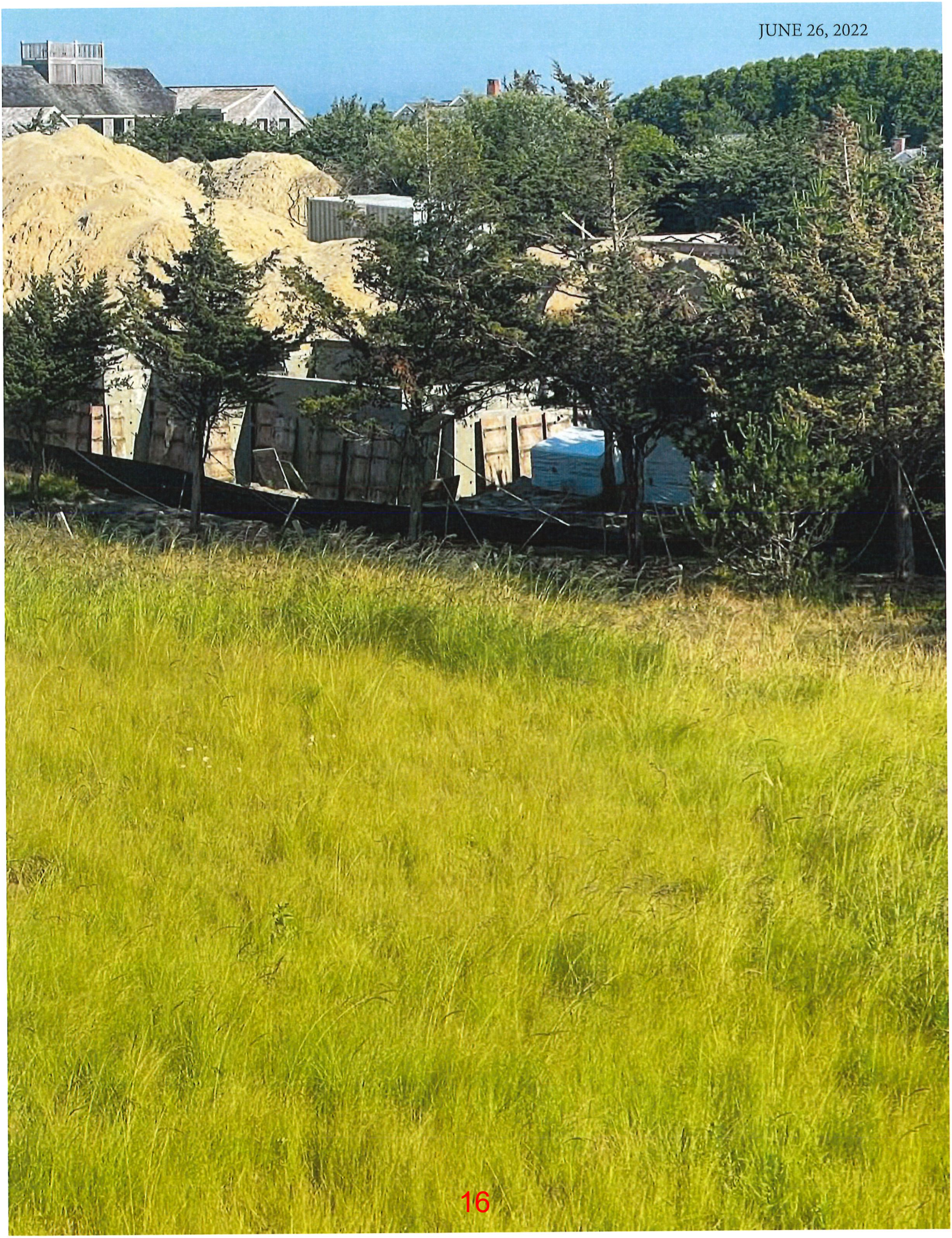
Joel Quick

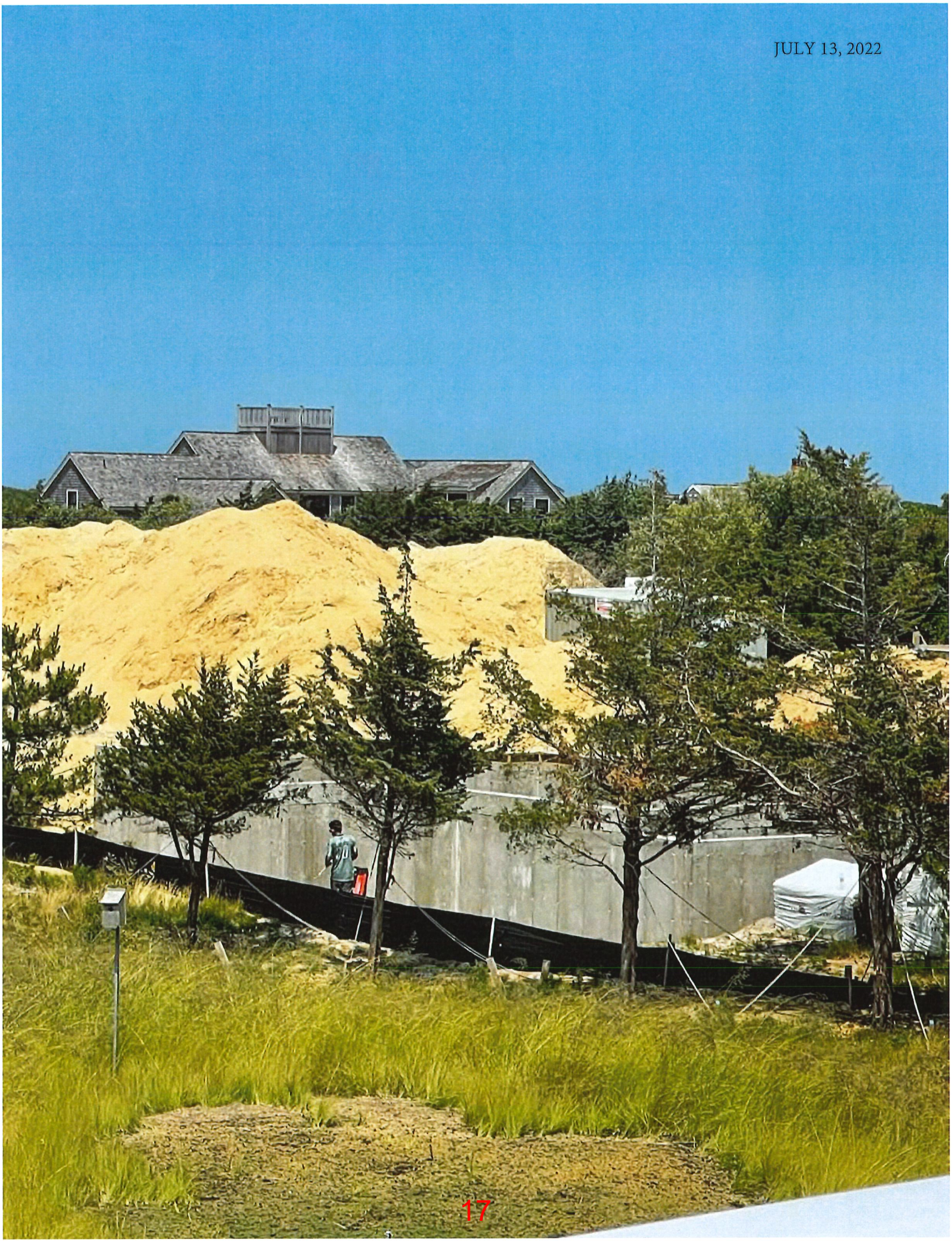
JQ/gmy
Enclosures

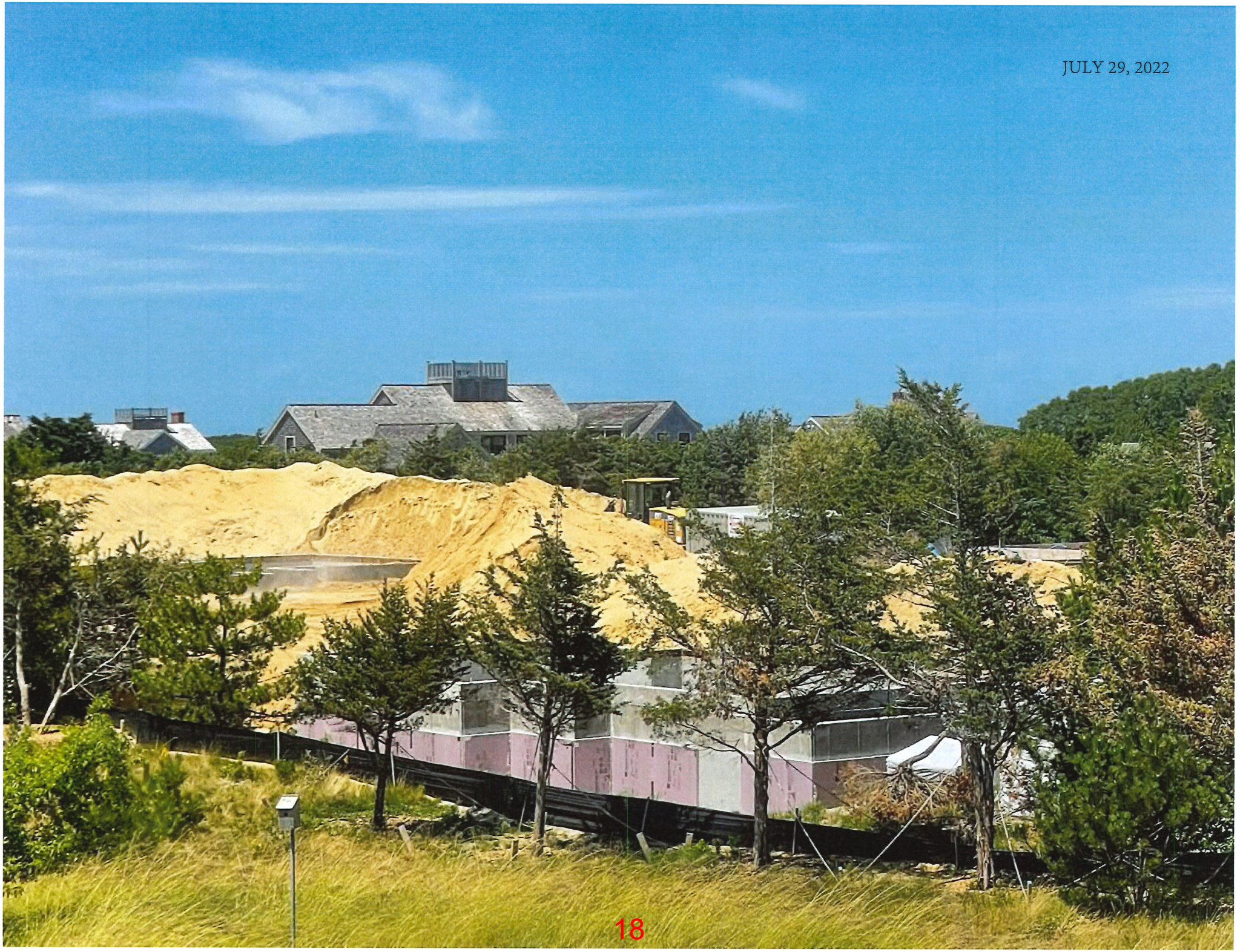
Cc: Laura Nicholson and Paul Piccirillo (by certified and first-class mail)

#15266802v1

# Photos of 12 Eat Fire Spring Road


JUNE 26, 2022


JULY 13, 2022


JULY 29, 2022
18

# Building Permits
# 12 Eat Fire Spring Road

COMMONWEALTH OF MASSACHUSETTS
Town of Nantucket
Planning and Land Use Services
2 Fairgrounds Road - Nantucket, MA 02554

# Permit

*Permit NO.:* BLDR-2022-06-3148
*Permit Type:* **Building (Residential)**
*Work Classification:* **New Structure**
*Permit Status:* **Issued**

**Issue Date: 07/28/2022**
**Expiration: 01/24/2023**

| Location Address | Parcel Number |
|---|---|
| 12 EAT FIRE SPRING RD, Nantucket, MA 02554 | 20 62 |

**Contacts**

| | |
|---|---|
| LAURA NICHOLSEN — **Parcel Owner**<br>12 EAT FIRE SPRING RD<br>LAURA.NICHOLSON@COMCAST.NET | PAUL PICARILLO — **Agent**<br>PAUL.PICARILLO@COMCAST.NET |

**Description:** NEW MAIN DU

**Valuation:** $0.00
**Total Sq Feet:** 0.00

**Inspection Requests:**
(508) 325-7587

| Fees | Amount |
|---|---|
| Miscellaneous | $18,160.00 |
| **Total:** | **$18,160.00** |

| Payments | Amt Paid |
|---|---|
| **Total Fees** | **$18,160.00** |
| Check # 2197 | $18,160.00 |
| **Amount Due:** | **$0.00** |

| Inspections: | |
|---|---|
| **Inspection Type** | |
| Foundation | |
| Framing | |
| Throat Inspection - Chimney | |
| Insulation | |
| Steel | |
| Final | |
| Final - Chimney | |
| HDC | |
| Planning Board | |

Provided that the person accepting this Permit shall conform to the terms of the application on file in the Building Department and to the provisions of the Statutes and the Ordinances relating to the Construction, Maintenance and Inspection of buildings in the Town of Nantucket, and the Massachusetts State Building Code 780 CMR 9th Edition.

A certificate of Occupancy will be issued upon return of this Permit only after all the required Inspections have been signed and dated by the appropriate Inspector.

This Permit shall become Invalid SIX (6) months from the date of issue if the work permitted has not commenced or is not progressing continuously to completion as far as reasonably practicable.

Persons contracting with unregistered contractors do not have access to the Guaranty Fund 780 CMR/MGL c142A.

**Additional Information**

**What is the COA number?:** 2022-04-6132

Issued By: Paul Murphy

July 28, 2022
Date

Date


THIS CARD MUST BE DISPLAYED IN A CONSPICUOUS PLACE ON THE PREMISES

COMMONWEALTH OF MASSACHUSETTS
Town of Nantucket
Planning and Land Use Services
2 Fairgrounds Road - Nantucket, MA 02554

# Permit

*Permit NO.:* BLDR-2022-06-3147
*Permit Type:* **Building (Residential)**
*Work Classification:* **New Structure**
*Permit Status:* **Issued**

**Issue Date: 07/28/2022**

**Expiration: 01/24/2023**

| Location Address | Parcel Number |
|---|---|
| 12 EAT FIRE SPRING RD, Nantucket, MA 02554 | 20 62 |

**Contacts**

| | |
|---|---|
| LAURA NICHOLSEN — **Parcel Owner**<br>12 EAT FIRE SPRING RD<br>LAURA.NICHOLSON@COMCAST.NET | PAUL PICARILLO — **Agent**<br>PAUL.PICARILLO@COMCAST.NET |

**Description:** 2ND DU / GARAGE ATTACHED.

**Valuation:** $0.00

**Total Sq Feet:** 0.00

**Inspection Requests:**
(508) 325-7587

| Fees | Amount |
|---|---|
| Miscellaneous | $6,764.00 |
| **Total:** | **$6,764.00** |

| Payments | Amt Paid |
|---|---|
| **Total Fees** | **$6,764.00** |
| Check # 2197 | $6,764.00 |
| **Amount Due:** | **$0.00** |

| Inspections: | |
|---|---|
| **Inspection Type** | |
| Foundation | |
| Framing | |
| Throat Inspection - Chimney | |
| Insulation | |
| Steel | |
| Final | |
| Final - Chimney | |
| HDC | |
| Planning Board | |

Provided that the person accepting this Permit shall conform to the terms of the application on file in the Building Department and to the provisions of the Statutes and the Ordinances relating to the Construction, Maintenance and Inspection of buildings in the Town of Nantucket, and the Massachusetts State Building Code 780 CMR 9th Edition.

A certificate of Occupancy will be issued upon return of this Permit only after all the required Inspections have been signed and dated by the appropriate Inspector.

This Permit shall become Invalid SIX (6) months from the date of issue if the work permitted has not commenced or is not progressing continuously to completion as far as reasonably practicable.

Persons contracting with unregistered contractors do not have access to the Guaranty Fund 780 CMR/MGL c142A.

**Additional Information**

**What is the COA number?:** 2022-04-6130

Issued By: Department Building

July 28, 2022
Date

Date

COMMONWEALTH OF MASSACHUSETTS
Town of Nantucket
Planning and Land Use Services
2 Fairgrounds Road - Nantucket, MA 02554

# Permit

*Permit NO.:* BLDR-2022-06-3146
*Permit Type:* **Building (Residential)**
*Work Classification:* **New Structure**
*Permit Status:* **Issued**

**Issue Date: 07/28/2022**

**Expiration: 01/24/2023**

**Location Address** | **Parcel Number**

12 EAT FIRE SPRING RD, Nantucket, MA 02554 | 20 62

**Contacts**

| | |
|---|---|
| LAURA NICHOLSEN — **Parcel Owner**<br>12 EAT FIRE SPRING RD<br>LAURA.NICHOLSON@COMCAST.NET | PAUL PICARILLO — **Agent**<br>PAUL.PICARILLO@COMCAST.NET |

**Description:** NEW POOL HOUSE WITH 2 BR / 2 BATHS.

**Valuation:** $0.00
**Total Sq Feet:** 0.00

**Inspection Requests:**
(508) 325-7587

| Fees | Amount |
|---|---|
| Miscellaneous | $4,288.00 |
| **Total:** | **$4,288.00** |

| Payments | Amt Paid |
|---|---|
| **Total Fees** | **$4,288.00** |
| Check # 2197 | $4,288.00 |
| **Amount Due:** | **$0.00** |

| Inspections: | |
|---|---|
| **Inspection Type** | |
| Foundation | |
| Framing | |
| Throat Inspection - Chimney | |
| Insulation | |
| Steel | |
| Final | |
| Final - Chimney | |
| HDC | |
| Planning Board | |

Provided that the person accepting this Permit shall conform to the terms of the application on file in the Building Department and to the provisions of the Statutes and the Ordinances relating to the Construction, Maintenance and Inspection of buildings in the Town of Nantucket, and the Massachusetts State Building Code 780 CMR 9th Edition.

A certificate of Occupancy will be issued upon return of this Permit only after all the required Inspections have been signed and dated by the appropriate Inspector.

This Permit shall become Invalid SIX (6) months from the date of issue if the work permitted has not commenced or is not progressing continuously to completion as far as reasonably practicable.

Persons contracting with unregistered contractors do not have access to the Guaranty Fund 780 CMR/MGL c142A.

**Additional Information**

**What is the COA number?:** 2022-04-6128

Issued By: Paul Murphy

July 28, 2022
Date

Date



THIS CARD MUST BE DISPLAYED IN A CONSPICUOUS PLACE ON THE PREMISES

COMMONWEALTH OF MASSACHUSETTS
Town of Nantucket
Planning and Land Use Services
2 Fairgrounds Road - Nantucket, MA 02554

# Permit

*Permit NO.:* ZNG-2022-06-0307
*Permit Type:* Zoning
*Work Classification:* Shed
*Permit Status:* Issued

**Issue Date:** 07/07/2022
**Expiration:** 01/03/2023

**Location Address** | **Parcel Number**

12 EAT FIRE SPRING RD, Nantucket, MA 02554 | 20 62

**Contacts**

| | |
|---|---|
| LAURA NICHOLSEN — Parcel Owner<br>12 EAT FIRE SPRING RD<br>LAURA.NICHOLSON@COMCAST.NET | PAUL PICARILLO — Agent<br>PAUL.PICARILLO@COMCAST.NET |

**Description:** NEW ZONING SHED

**Valuation:** $0.00
**Total Sq Feet:** 0.00

**Inspection Requests:**
(508) 325-7587

| Fees | Amount |
|---|---|
| Shed | $50.00 |
| **Total:** | **$50.00** |

| Payments | Amt Paid |
|---|---|
| **Total Fees** | **$50.00** |
| Cash | $50.00 |
| **Amount Due:** | **$0.00** |

| Inspections: | |
|---|---|
| **Inspection Type** | |
| Final | |
| HDC | |

Provided that the person accepting this Permit shall conform to the terms of the application on file in the Building Department and to the provisions of the Statutes and the Ordinances relating to the Construction, Maintenance and Inspection of buildings in the Town of Nantucket, and the Massachusetts State Building Code 780 CMR 9th Edition.

A certificate of Occupancy will be issued upon return of this Permit only after all the required Inspections have been signed and dated by the appropriate Inspector.

This Permit shall become Invalid SIX (6) months from the date of issue if the work permitted has not commenced or is not progressing continuously to completion as far as reasonably practicable.

Persons contracting with unregistered contractors do not have access to the Guaranty Fund 780 CMR/MGL c142A.

July 07, 2022

Issued By: _____ Date: _____

_____ Date: _____

_____ Date: _____

# Letter to Building Commissioner
# August 5, 2022

PIERCE ATWOOD LLP

**JOEL QUICK**

100 Summer Street
Boston, MA 02110

**PH** 617.488.8157
**FX** 617.824.2020
jquick@pierceatwood.com

pierceatwood.com

August 5, 2022

**BY FEDERAL EXPRESS**

Paul Murphy, Building Commissioner
Town of Nantucket
Building Department
2 Fairgrounds Road
Nantucket, MA 02554

Re: *Request for Zoning Enforcement*
*Massachusetts General Laws Chapter 40A, Section 7*
*12 Eat Fire Spring Road, Nantucket, Massachusetts*

Dear Commissioner Murphy:

This office represents John and Chantel Esposito (the Espositos), the owners of 14 Eat Fire Spring Road in Nantucket. My clients have observed building activity occurring at 12 Eat Fire Spring Road (the "Property") all summer. A photo of the state of construction, taken on August 1, 2022, is attached to this letter. Upon inquiry with your office, we were informed that the building permits issued to the Property owner on July 28, 2022—months after construction commenced. This approach of building first and seeking approval later does not end there.

My clients are concerned about zoning compliance. This property contains a secondary dwelling. A secondary dwelling adequacy determination was obtained from the Nantucket Planning Board pursuant to Zoning Code Section 139-2 on January 13, 2020. A copy of the materials and staff report is attached to this letter. The minutes from the Planning Board meeting are also attached and note that the Planning Board adopted staff recommendations, which includes an as-built plan filing requirement.

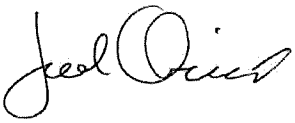
After going to the Planning Board, the owner of the Property went to the Historic District Commission and sought a reconfiguration of the buildings on the property. The plan filed with your office to obtain the well permit also shows this new configuration. However, the Property owner failed to return to the Planning Board to seek approval of the reconfiguration for the secondary dwelling. There has been no adequacy finding by the Planning Board or a finding that the plan for the secondary dwelling comports with the parking and driveway requirements of the zoning bylaw.

The Property owner's failure to obtain building permits until long after construction has commenced is evidence of a general disregard for the law. The Espositos are concerned about other potential zoning violations as well, but, at a minimum, ask that you find, that the owners of 12 Eat Fire Spring Road are in violation of the Nantucket Zoning Code for failing to obtain approval of the secondary dwelling in accordance with Section 139-2 of that Code. The Espositos ask that you order the Property owner to cease construction until the Planning Board has approved the secondary dwelling as relocated on the Property.

The Espositos reserve the right to appeal the building permits issued on July 28, 2022 pursuant to G.L. c. 40A, §§ 8 and 15 to the Nantucket Zoning Board of Appeals.

Thank you for your attention to this matter.

Sincerely,



Joel Quick

JQ/gmy
Enclosures

cc: Laura Nicholson and Paul Piccarillo (by certified and first-class mail)
#9214 8901 6806 7200 0170 41

# Email from Building Commissioner
# August 16, 2022

**From:** Paul Murphy
**To:** Joel Quick
**Cc:** Andrew Vorce; Leslie Snell
**Subject:** 12 Eat Fire Spring Road
**Date:** Tuesday, August 16, 2022 2:45:06 PM

***This message originated outside your organization***

Dear Attorney Quick,

I am in receipt of your request for zoning enforcement for 12 Eat Fire Spring Road. I will reach out to the owners and request that they return to the Planning Board to have the new location of the secondary dwelling approved by the board.

Very truly yours,

Paul Murphy
Building Commissioner
Town of Nantucket

This email was scanned by Bitdefender

# Secondary Dwelling Report
# January 13, 2020
# 12 Eat Fire Spring Road

# Nantucket Planning Board

**SECONDARY DWELLING REPORT**

**Prepared by:** Megan Trudel, Land Use Specialist **Meeting Date:** January 13, 2019

**12 Eat Fire Spring Road**
Assessors Map **#20** Parcel **#62**

| **Applicant** | **Owner** |
|---|---|
| Val Oliver Design Inc. | Picnic Associates c/o Barbara Waldman |

The applicant is proposing to construct a one (1) bedroom secondary dwelling. The proposed secondary dwelling, will have an approximate ground cover of 1291 square feet, will be a three car garage on the first floor with living space on the second floor and is located on the northeastern portion of the site, which has approximately 148,552 square feet and is zoned LUG-3. The five (5) bedroom primary dwelling has an approximate ground cover of 2,307 square feet.

Both dwellings will be accessed by a proposed gravel driveway off of Eat Fire Spring Road, which is a private, un-paved road. The driveway will contain a total of four (4) 9' x 20' exterior parking spaces and three (3) 9' x 20' interior parking spaces. The plan, as submitted meets the requirements of Zoning Bylaw Sections 139-18 and 139-20.1.

Planning staff recommends approval of this application with the following conditions:

(1) That the travelled surface of the driveway shall be a minimum of ten (10) feet in width and a maximum of fifteen (15) feet;
(2) That any future landscaping at the driveway entrances be limited to low growing plant material not to exceed three (3) feet in height;
(3) That the driveways be cleared free of vegetation and obstruction to a width of twelve (12) feet and a height of thirteen (13) feet; and,
(4) That the applicant shall submit an As-Built prior to the final inspection by staff which shall take place prior to the issuance of a Certificate of Occupancy.

PBDW-2019-12-0012

CHK # 1185 $100 -

# Nantucket Planning Board

## APPLICATION FOR A SECONDARY (2ND) DWELLING PERMIT

Date Submitted: 12-9-19 Fee Amount: $100

Applicant: Val Oliver Design Inc

Mailing address: PO Box 3057 Nantucket MA 02584

Daytime phone number: 508-325-4319 Fax: _____

E-mail Address: ackval62@gmail.com

Owner (if other than applicant): Picnic Associates c/o Barbara Waldman

Mailing address: 72 Goldmine Drive San Francisco CA 94131 (978-621-2341 )

Signature of Property Owner(s) (see attached power of agency) paul.piccirillo@comcast.net

Location of proposed secondary(2ND) dwelling:

Street Address: 12 Eat Fire Springs RD

Assessors Tax Map #: 20 Parcel #: 62

Size of Parcel: 148,552 Zoning District: LUG-3

Secondary Dwelling # of Bedrooms: 1

Primary Dwelling # of Bedrooms: 5

Number of Parking Spaces required (*See Chapter 139-18 of the Bylaw*): 4 (2- each dwelling)

Number of Parking Spaces provided: 7(3 in garage and 4 on site)

Please provide a brief description of the proposed second dwelling:
***PLEASE DO NOT WRITE "SEE ATTACHED."

3 car garage with 1 bedroom guest unit attached

RECEIVED
NOV 14 2019
BY: .....

Town of Nantucket — Department of Public Works

## Application for Curb Cut/Driveway Access Permit

Date: 11/12/19

Property Owner: PICNIC ASSOCIATES c/o WALDMAN & BARBARA Tel.: (978) 621-2341

Address: 78 GOLDMINE DRIVE SAN FRANCISCO, CA. 94131

On-Island Agent: VAL OLIVER Tel.: (508) 325-4319

Address: PO BOX 3057 02584 ACKUSHLA@GMAIL.COM

Location of Proposed Work: 12 EAT FIVE SPRINGS Map & Parcel: 20-62

Proposed Improvements: DRIVEWAY (EXISTING ROAD DIRT) NO APRON.

Plot plan showing proposed improvements must be attached. Site must be marked prior to inspection. No permit will be issued unless complete plans showing driveway location and drainage control are attached.

If curb cut will eliminate a legal parking space, approval from the Board of Selectman is required.

Parking Space Eliminated: _____ B.O.S. Approved: _____

All proposed work must comply with Chapter 139 (Zoning Bylaw), Section 139-20.1, Curb Cut and Driveway Access, of the Code of the Town of Nantucket.

Drainage improvements associated with the installation of the driveway on the subject property are the sole responsibility of the property owner.

This permit will be subject to the following conditions. All conditions must be met before certificate of occupancy is issued.

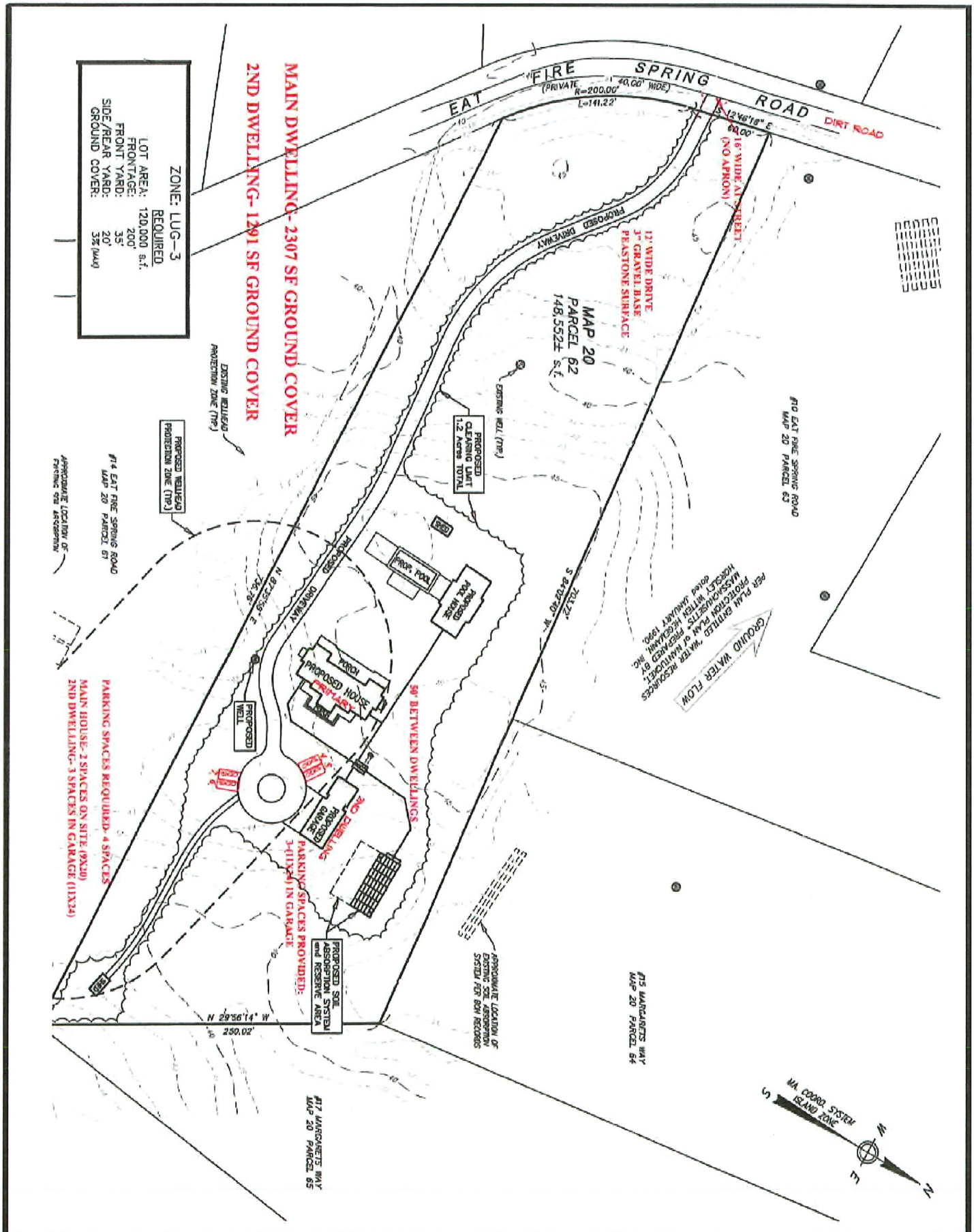
1. Any required pipe and/or appurtenances shall be installed at the owner's expense.
2. Stormwater run-off shall be prevented from discharging onto the public right-of-way.
3. Where applicable, an apron shall be installed by the property owner as per Ch. 139-20.1 B(2)(d).
4. Any granite or stone curbing removed shall be returned to the Department of Public Works garage.
5. Additional Conditions *if any)*: _____

Applicant Signature: _____

Issue Date: 11/18/19

Approved by DPW: _____

Expiration Date: 11/18/20




VAL OLIVER DESIGN, INC
PO BOX 3057
NANTUCKET, MA 02584

PICNIC ASSOCIATES-12 EAT FIRE SPRINGS RD
pROPOSED SECOND DWELLING APPROVAL

SCALE: 1/4"=1'
DRAWN BY: VO
DATE: 12-26-19

# Planning Board Minutes
# January 13, 2020

# Nantucket Planning Board

**Nantucket Planning Board APPROVED Minutes**

**MONDAY, JANUARY 13, 2020**
**5:00PM**
**4 Fairgrounds Road**
**Public Safety Facility Community Room**
**First Floor**

**Board Members:** Judith Welch Wegner (Chairman), John Trudel, III (Vice-Chairman), 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), Holly Backus (Preservation Planner) and Catherine Ancero (Administrative Specialist) and Meg Trudel (Land Use Planner)

I. **Call to order:**
Chair Wegner called the meeting to order at 5:00PM.

II. **Approval of the agenda:**
Mr. Trudel made a motion to approve the agenda, duly seconded by Mr. Lowell and voted 5-0 in favor.

III. **Consent Items:**

a. **Minutes:**

- **January 9, 2020** ***CONTINUED TO 02-10-2020***
- **December 9, 2019,** ***CONTINUED TO 02-10-2020***
- **November 14, 2019,** ***CONTINUED TO 02-10-2020***

| |
|---|
| **Voting:** Judith Welch Wegner (Chairman), John Trudel, III (Vice-Chairman), Nat Lowell, Frederick McClure, and David Iverson |
| **Alternates:** Campbell Sutton and Dave Callahan |
| **Recused:** Chair Wegner |
| **Documentation:** File with associated plans, photos and required documentation |
| **Representing:** None |
| **Discussion:** None |
| **Motion/Vote:** Mr. Lowell motioned to approve the minutes from January 9th and continue the minutes from December 9th and November 14th. The motion was duly seconded by Mr. Iverson and the Board voted 4-0 in favor. |

b. **ANR:**

- **PLSUB-2020-01-00021 Frederick Bisaillon, 65 ½ Surfside Road (Map 67 Parcel 223.5)**

| |
|---|
| **Voting:** Judith Welch Wegner (Chairman), John Trudel, III (Vice-Chairman), Nat Lowell, Frederick McClure, and David Iverson |
| **Alternates:** Campbell Sutton and Dave Callahan |
| **Recused:** None |
| **Documentation:** File with associated plans, photos and required documentation |
| **Representing:** None |
| **Discussion:** None |
| **Motion/Vote:** Mr. Trudel motioned to approve ANR PLSUB-2019-01-00021 in accordance with staff recommendations. The motion was duly seconded by Mr. Lowell and the Board voted 5-0 in favor. |

c. **Second Dwellings:**

- **PLDW-2019-11-0011 Galen Gardner, 1 Rainbows End (Map 80 Parcel 86)**

| |
|---|
| **Voting:** Judith Welch Wegner (Chairman), John Trudel, III (Vice-Chairman), Nat Lowell, Frederick McClure, and David Iverson |
| **Alternates:** Campbell Sutton and Dave Callahan |
| **Recused:** None |
| **Documentation:** File with associated plans, photos and required documentation |
| **Representing:** None |
| **Discussion:** None |
| **Motion/Vote:** Mr. Lowell motioned to approve the application for a secondary dwelling in accordance with staff recommendations. The motion was duly seconded by Mr. Iverson and the Board voted 5-0 in favor. |

- **PLDW-2019-11-0012 Val Oliver Design Inc., 12 Eat Fire Springs Road (Map 20 Parcel 62)**

| |
|---|
| **Voting:** Judith Welch Wegner (Chairman), John Trudel, III (Vice-Chairman), Nat Lowell, Frederick McClure, and David Iverson |
| **Alternates:** Campbell Sutton and Dave Callahan |
| **Recused:** None |
| **Documentation:** File with associated plans, photos and required documentation |
| **Representing:** None |
| **Discussion:** None |
| **Motion/Vote:** Mr. Lowell motioned to approve the application for a secondary dwelling in accordance with staff recommendations. The motion was duly seconded by Mr. Iverson and the Board voted 5-0 in favor |

- **PLDW-2019-12-0013 Pattie A. Dew, 18 Wood Hollow Road (Map 72 Parcel 9)**

| |
|---|
| **Voting:** Judith Welch Wegner (Chairman), John Trudel, III (Vice-Chairman), Nat Lowell, Frederick McClure, and David Iverson |
| **Alternates:** Campbell Sutton and Dave Callahan |
| **Recused:** None |
| **Documentation:** File with associated plans, photos and required documentation |
| **Representing:** None |
| **Discussion:** None |
| **Motion/Vote:** Mr. Lowell motioned to approve the application for a secondary dwelling in accordance with staff recommendations. The motion was duly |

| |
|---|
| seconded by Mr. Iverson and the Board voted 5-0 in favor |

- **PLDW-2019-12-0014 Derek & Christine Schoettle, 13 Irving Street (Map 79 Parcel 72)**

| |
|---|
| **Voting:** Judith Welch Wegner (Chairman), John Trudel, III (Vice-Chairman), Nat Lowell, Frederick McClure, and David Iverson |
| **Alternates:** Campbell Sutton and Dave Callahan |
| **Recused:** None |
| **Documentation:** File with associated plans, photos and required documentation |
| **Representing:** None |
| **Discussion:** None |
| **Motion/Vote:** Mr. Trudel motioned to approve the application for a secondary dwelling in accordance with staff recommendations. The motion was duly seconded by Mr. Lowell and the Board voted 5-0 in favor |

- **PLDW-2020-01-0015 Chris Loftus, 3 Parker Lane (Map 67 Parcel 319.1)**

| |
|---|
| **Voting:** Judith Welch Wegner (Chairman), John Trudel, III (Vice-Chairman), Nat Lowell, Frederick McClure, and David Iverson |
| **Alternates:** Campbell Sutton and Dave Callahan |
| **Recused:** None |
| **Documentation:** File with associated plans, photos and required documentation |
| **Representing:** None |
| **Discussion:** None |
| **Motion/Vote:** Mr. Trudel motioned to approve the application for a secondary dwelling in accordance with staff recommendations. The motion was duly seconded by Mr. Lowell and the Board voted 5-0 in favor |

- **PLDW-2020-01-0016 6 Stone Post Way Realty Trust c/o Jonathan Lieber, 6 Stone Post Way (Map 74 Parcel 38.1)**

| |
|---|
| **Voting:** Judith Welch Wegner (Chairman), John Trudel, III (Vice-Chairman), Nat Lowell, Frederick McClure, and David Iverson |
| **Alternates:** Campbell Sutton and Dave Callahan |
| **Recused:** None |
| **Documentation:** File with associated plans, photos and required documentation |
| **Representing:** None |
| **Discussion:** None |
| **Motion/Vote:** Mr. Lowell motioned to approve the application for a secondary dwelling in accordance with staff recommendations. The motion was duly seconded by Mr. Trudel and the Board voted 5-0 in favor |

## IV. Previous Plans:

- **#61-19 & 8139 Hawthorne Park, Hawthorne Lane & Hummock Pond Road,** *Proposed conservation restrictions*

| |
|---|
| **Voting:** Judith Welch Wegner (Chairman), John Trudel, III (Vice-Chairman), Nat Lowell, Frederick McClure, and David Iverson |
| **Alternates:** Campbell Sutton and Dave Callahan |
| **Recused:** None |
| **Documentation:** File with associated plans, photos and required documentation |

| |
|---|
| **Representing:** Attorney Sarah Alger |
| **Discussion:** Attorney Alger stated that her client has been unable to find an entity to hold the Conservation Restriction after exhausting all possible options and is now requesting that the Board hold the CR. |
| **Motion/Vote:** Mr. McClure motioned to refer the matter to Town Counsel for determination of whether the Planning Board has the authority to hold and enforce the conservation restriction. The motion was duly seconded by Mr. Trudel and the Board voted the Board voted 5-0 in favor. |

- **#14-04 Westmoor Club,** *Minor modification to the snack shack*

| |
|---|
| **Voting:** Judith Welch Wegner (Chairman), John Trudel, III (Vice-Chairman), Nat Lowell, Frederick McClure, and David Iverson |
| **Alternates:** Campbell Sutton and Dave Callahan |
| **Recused:** None |
| **Documentation:** File with associated plans, photos and required documentation |
| **Representing:** Paul Santos, Nantucket Surveyor |
| **Discussion:** None |
| **Motion/Vote:** Mr. Lowell motioned to approve the minor modification to the previously granted MCD special permit to allow for the enclosure of the porch area of the existing snack shack. The motion was duly seconded by Mr. Iverson and the Board voted 5-0 in favor. |

V. **Public Hearings:**

- **#62-19 Mid-Island Service Limited Partnership MCD, 41 & 43 Sparks Avenue,** *action deadline 3-31-2020,*
  ***CONTINUED TO 02-10-2020***
- **#71-19 Merlos Landscaping, Inc. (Modification #3), 8B Greglen Avenue,** *action deadline 02-12-2020,*
  ***CONTINUE TO 02-10-2020***
- **PLSUB-2019-12-00018 Skinners Way Subdivision, 320R Milestone Road,** *action deadline 04-29-2020,*
  ***CONTINUE TO 02-10-2020***
- **#65-19 Kim Glowacki, 3B Miller Lane,** *action deadline 04-01-2020*

| |
|---|
| **Voting:** Judith Welch Wegner (Chairman), John Trudel, III (Vice-Chairman), Nat Lowell, Frederick McClure, and David Iverson |
| **Alternates:** Campbell Sutton and Dave Callahan |
| **Recused:** Mr. Trudel |
| **Documentation:** File with associated plans, photos and required documentation |
| **Representing:** Linda Williams |
| **Discussion:** The application was for a secondary residential lot (covenant lot). The application had been continued from a prior meeting pending the receipt of a revised sight plan that matched the written application, which requested a waiver for an additional driveway access. Mrs. Trudel stated that the Applicant provided an updated plan with access off Little Isle Lane. Chair opened the floor to the public. No comments were made. |
| **Motion/Vote:** Mr. Lowell motioned to close the public hearing. The motion was duly seconded by Mr. McClure and the Board voted the Board voted 4-0 in favor. Mr. Lowell motioned to approve the application for a Special Permit for a secondary residential lot with the findings and conditions as notated in the staff report, granting the waiver for the additional driveway access, with staff confirming whether or not aprons would be required. The motion was duly seconded by Mr. Iverson the Board voted 4-0 in favor. |

- **PLSP-2019-12-0020 Mount Holly Properties LLC, 9 Teasdale Circle,** *action deadline 04-12-2020*

| |
|---|
| **Voting:** Judith Welch Wegner (Chairman), John Trudel, III (Vice-Chairman), Nat Lowell, Frederick McClure, and David Iverson |
| **Alternates:** Campbell Sutton and Dave Callahan |
| **Recused:** None |
| **Documentation:** File with associated plans, photos and required documentation |
| **Representing:** Carl Riedell and Jeff Blackwell, Surveyor |
| **Discussion:** The application was to validate additional curb cuts in a commercially zoned district. The site was the subject of a zoning violation for not having a Special Permit for the additional driveway accesses. Chair Wegner opened the floor to the public. No comments were made. |
| **Motion/Vote:** Mr. Trudel motioned to close the public hearing. The motion was duly seconded by Mr. Lowell and the Board voted by the Board 5-0 in favor. Mr. Trudel motioned to approve the application as proposed with the addition of the driveway apron meeting the depth requirements of the Section 139-20.1 with the findings and conditions set forth in the staff report. The motion was duly seconded by Mr. Lowell and the Board voted 5-0 in favor. |

- **#73-19 Caroline Way, LLC, 1 Caroline Way,** *action deadline 02-12-2020*

| |
|---|
| **Voting:** Judith Welch Wegner (Chairman), John Trudel, III (Vice-Chairman), Nat Lowell, Frederick McClure, and David Iverson |
| **Alternates:** Campbell Sutton and Dave Callahan |
| **Recused:** None |
| **Documentation:** File with associated plans, photos and required documentation |
| **Representing:** Attorney Rick Beaudette and Don Bracken, Surveyor |
| **Discussion:** Attorney Beaudette presented that his client altered the layout of the proposed second driveway access, and that the second access was more of a convenience and not designed specifically as a service entrance for the pool. Mr. McClure said that at the last meeting the Board denied a similar application and therefore he is opposed to this request as well. Chair Wegner opened the floor to the public. No comments were made. Ms. Sutton said that that she had previously expressed concerns, and while she appreciates the changed layout she believed that the site can be utilized by one driveway access. |
| **Motion/Vote:** Mr. Trudel motioned to close the public hearing. The motion was duly seconded by Mr. Lowell and the Board voted 5-0 in favor. Mr. McClure motioned to deny the proposed application, making the finding that the second driveway access would have a negative impact on the scenic and historic integrity of the neighborhood. The motion was duly seconded by Mr. Iverson and the Board voted 5-0 in favor. |

- **PLSP-2019-11-0013 Great Harbor Yacht Club, Inc., 4 Cedar Circle,** *action deadline 03-08-2020*

| |
|---|
| **Voting:** Judith Welch Wegner (Chairman), John Trudel, III (Vice-Chairman), Nat Lowell, Frederick McClure, and David Iverson |
| **Alternates:** Campbell Sutton and Dave Callahan |
| **Recused:** None |
| **Documentation:** File with associated plans, photos and required documentation |
| **Representing:** Attorney Steven Cohen |
| **Discussion:** The application is to validate a second driveway access and |

| |
|---|
| approve the dwelling as neighborhood employee housing. Attorney Cohen distributed a copy of the Housing Management Plan to the Board. There was discussion amongst the Board regarding the timeliness for the receipt of documents and supplemental information from the Applicant for the Board to consider. Chair Wegner opened the public hearing. There were no further comments from the public. |
| **Motion/Vote:** Mr. Trudel motioned to close the public hearing. The motion was duly seconded by Mr. Lowell and the Board voted 5-0 in favor. Mr. Trudel motioned to approve the application with the findings and conditions outlined in the staff report and that the Applicant further works with staff to bring the site into compliance with the Bylaw. The motion was duly seconded by Mr. Lowell and the Board voted 4-1 in favor. (Mr. McClure opposed) |

- **PLSP-2019-11-0014 Mark G. Burlingham, as Trustee of Legal-Sea Nominee Trust, 15 Beach Street,** *action deadline 03-08-2020*

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| **Voting:** Judith Welch Wegner (Chairman), John Trudel, III (Vice-Chairman), Nat Lowell, Frederick McClure, and David Iverson |
| **Alternates:** Campbell Sutton and Dave Callahan |
| **Recused:** None |
| **Documentation:** File with associated plans, photos and required documentation |
| **Representing:** Paul Santos from Nantucket Surveyors and Mark Burlingham |
| **Discussion:** The application requests a second driveway access. Mrs. Trudel stated that she spoke with the Fire Department regarding the existing fire hydrant and propane tanks in close proximity to the proposed parking spot. The fire department was ok with the location of the space, as long as the proper protections would be put into place. There was a discussion amongst the Board members and the Applicant to flare the driveway at the rear north side to create a pull in parking design versus a parallel parking design. Mr. McClure stated that he was concerned an approval would go against the original staff recommendation and that the proposed parallel parking spot would be illegally utilized as head in parking. Mr. Lowell stated that, in his observation, there are many similar existing parallel parking spaces in this neighborhood that were likely created without a permit and that the Applicant is attempting to create an additional parking space on his lot in the correct manner. Mr. Santos reminded the Board that even if the Board approves the application, the DPW still has to approve the curb cut permit. Chair Wegner opened the floor to the public. No comments were made. |
| **Motion/Vote:** Mr. Trudel motioned to close the public hearing. The motion was duly seconded by Mr. Lowell and the Board voted 5-0 in favor. Mr. Trudel motioned to approve the application with the conditions that the immediately adjacent hedges be manicured to a height not to exceed three feet, protection around the fire hydrant and gas tanks be installed subject to the Fire Department's recommendations, that a waiver also be granted for the apron requirement in the event that the Applicant prefers to utilize shell subject to the approval of the HDC, further making the findings that a second access would not be contrary to sound traffic and safety considerations and would not have an adverse effect on the scenic and historic integrity of the neighborhood. The motion was duly seconded by Mr. Lowell and the Board voted 4-1 in favor. (Mr. McClure opposed) |

Recess

- **PLSP-2019-11-0016 Barry Byrne Development (Modification #1), 152 Old South Road and 19 & 21 Tomahawk Road,** *action deadline 03-08-2020*

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| **Voting:** Judith Welch Wegner (Chairman), John Trudel, III (Vice-Chairman), Nat Lowell, Frederick McClure, and David Iverson |
| **Alternates:** Campbell Sutton and Dave Callahan |
| **Recused:** None |
| **Documentation:** File with associated plans, photos and required documentation |
| **Representing:** Linda Williams and Paul Santos, Surveyor |
| **Discussion:** The application was to modify an existing MCD, adding two additional parcels and validating the uses. Ms. Williams said that she does not agree with the screening suggestions outlined in the staff report, stating that there is no way to screen due to below grade of runway and grade of Old South Road, and that by doing so, would create an anomaly. Mr. Santos said that concerns mentioned in Mr. Pesce's report surrounding the apron have been addresses. Mrs. Snell said that the staff report does not limit the screening options, that there are different ways to address screening. Ms. Williams stated that putting screening on the Tomahawk Road portion of the site would be impossible, however is not opposed to being required to screen the portion of the site on Old South Road. Mr. Vorce said that all portions of the site abutting a roadway should have some type of screening and rejects the idea that it is impossible. Mr. Iverson said that he went to the site to view and agrees that additional screening on Tomahawk Road is. Mr. Trudel said that if the issues surrounding screening were not addressed at this point in the permitting process, it could potentially cause problems in the future. Chair Wegner opened the floor to the public. No comments were made. Chair Wegner said that she is in agreement that screening is necessary. Mr. McClure asked if there were any limitations as to how much material could be stored on the site. It was also suggested that if the property were to be sold or managed by a different person or entity that the MCD would need to come back before the Board for further relief. |
| **Motion/Vote:** Mr. Trudel motioned to close the public hearing. The motion was duly seconded by Mr. Lowell and the Board voted 5-0 in favor. Mr. Iverson motioned to approve the Modification to the MCD with the conditions that screening be installed at the Northeast corner of the site, that is control of the site were to change the MCD would need to be brought back to the Planning Board, and that the Applicant repair the grading and apron per Mr. Pesce's recommendations. The motion was duly seconded by Mr. Trudel and the Board voted 5-0 in favor. |

- **Redtail Lane**
  - **PLSUB-2019-11-00006 Redtail Lane Subdivision (Modification #2), 154 Cliff Road,** *action deadline 4-22-2020*
  - **PLSP-2019-11-0017 Red Tail Lane Rear-Lot Subdivision (Modification #1), 154 Cliff Road,** *action deadline 03-08-2020*

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| **Voting:** Judith Welch Wegner (Chairman), John Trudel, III (Vice-Chairman), Nat Lowell, Frederick McClure, and David Iverson |
| **Alternates:** Campbell Sutton and Dave Callahan |
| **Recused:** None |
| **Documentation:** File with associated plans, photos and required documentation |

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| **Representing:** Dan Mulloy |
| **Discussion:** The two applications are taken together. The first application modifies the AR Subdivision and the other modified the Special Permit for a Rear Lot Subdivision. The owner of Lot 5 is requesting to utilize Hickory Meadow Lane for access, which has been granted through an easement but is restricted in the original decision. Mr. Vorce said that he met with the Applicant's surveyor, Dan Mulloy to address concerns raised at the previous meeting and that there was no impediment with technical matters. Chair Wegner opened the floor to the public. No comments were made. |
| **Motion/Vote:**<br>Mr. Lowell motioned to close the public hearings for both applications. The motion was duly seconded by Mr. Trudel and the Board voted 5-0 in favor.<br><br>**AR Subdivision:** Mr. Lowell motioned to approve the request for a modification to condition number two, that the lot be limited to one dwelling and to allow for access to the lot from Hickory Meadow, a tertiary dwelling will not be allowed, and all other conditions of the original decision are to be upheld. The motion was duly seconded by Mr. Iverson and the Board voted 5-0 in favor.<br><br>**Rear Lot Subdivision:**<br>Mr. Lowell motioned to approve the request for the rear lot to be accessed from Hickory Meadow. The motion was duly seconded by Mr. Trudel and the Board voted 5-0 in favor. |

- **Second Dwelling: PLDW-2019-11-0009 BeKind Development Co LLC, 154R Cliff Road (future 3 Hickory Meadow Lane) (Map 41 Parcel 71.3)**

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| **Voting:** Judith Welch Wegner (Chairman), John Trudel, III (Vice-Chairman), Nat Lowell, Frederick McClure, and David Iverson |
| **Alternates:** Campbell Sutton and Dave Callahan |
| **Recused:** None |
| **Documentation:** File with associated plans, photos and required documentation |
| **Representing:** Dan Mulloy |
| **Discussion:** None |
| **Motion/Vote:** Mr. Iverson motioned to approve the application for a secondary dwelling in accordance with the recommendations outlined in the staff report. The motion was duly seconded by Mr. Lowell and the Board voted 5-0 in favor. |

- **PLSP-2019-12-0019 Nantucket Electric Company d/b/a National Grid, 1 & 5 Candle St., 2, 4 & 6 Commercial St. AND 10 New St.,** *action deadline 04-12-2020*

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| **Voting:** Judith Welch Wegner (Chairman), John Trudel, III (Vice-Chairman), Nat Lowell, Frederick McClure, and David Iverson |
| **Alternates:** Campbell Sutton and Dave Callahan |
| **Recused:** None |
| **Documentation:** File with associated plans, photos and required documentation |
| **Representing:** Attorney Joshua Lee Smith and Steve Holdgate |
| **Discussion:** The application is to extend an existing non-conforming use and create a raised platform for a new switch gear. Mr. McClure stated that he also sits on the Coastal Resiliency Advisory Committee and expressed concerns |

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| about the site and asked what would happen should the sea level continue to rise. Mr. McClure asked for the height of the proposed platform. Attorney Smith stated that they are proposing to install a raised metal flood-protection platform and affixed to the new platform will be three relocated switchgears and each switchgear will be contained within a secure metal enclosure. The existing 6-foot chain link fence and privet hedge will be extended. Chair Wegner opened the floor to the public. There was a brief discussion between the Board, Mr. Vorce, and the Applicant regarding the replacement of the wooden board fence on Candle Street that has fallen into disrepair as a part of the approval process for this application. |
| **Motion/Vote:** Mr. Trudel motioned to close the public hearing. The motion was duly seconded by Mr. Lowell and the Board voted 5-0 in favor. Mr. Trudel motioned to approve the application with the findings and conditions outlined in the staff report with the addition that the wood board fence located on Candle Street be repaired/replaced in accordance with the HDC requirements. The motion was duly seconded by Mr. Iverson and the Board voted 5-0 in favor. |

- **PLSP-2019-12-0021 Jessica E. Millard, Trustee, 5 Cudweed Road,** *action deadline 04-12-2020*

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| **Voting:** Judith Welch Wegner (Chairman), John Trudel, III (Vice-Chairman), Nat Lowell, Frederick McClure, and David Iverson |
| **Alternates:** Campbell Sutton and Dave Callahan |
| **Recused:** None |
| **Documentation:** File with associated plans, photos and required documentation |
| **Representing:** Nancy Drahzal |
| **Discussion:** The Applicant is requesting for a shed to be allowed on their property, which is in the MMD zoning district. Chair Wegner opened the floor to the public. No comments were made. Mr. McClure said that this is a non-conforming property and he is not in favor of the application. Ms. Sutton stated that she echoes Mr. McClure's comments. Chair Wegner stated that the ground cover being requested is over the limit and the landscape plan and the survey provided in the application do not align in terms of the placement of the shed. The Board discussed whether it would be used just for a storage shed or if it would eventually be renovated into a pool cabana type of structure. |
| **Motion/Vote:** Mr. Iverson motioned to close the public hearing. The motion was duly seconded by Mr. McClure and the Board voted 5-0 in favor. Mr. McClure motioned to deny the application for a shed. The motion was duly seconded by Mr. Iverson and the Board voted 4-1 in favor. (Mr. Trudel opposed) |

- **PLSUB-2019-12-0027 Lund Nantucket Realty LLC, 1 & 3 Hydrangea Lane,** *action deadline 04-29-2020*

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| **Voting:** Judith Welch Wegner (Chairman), John Trudel, III (Vice-Chairman), Nat Lowell, Frederick McClure, and David Iverson |
| **Alternates:** Campbell Sutton and Dave Callahan |
| **Recused:** None |
| **Documentation:** File with associated plans, photos and required documentation |
| **Representing:** Attorney Rick Beaudette |
| **Discussion:** The applications are to amend the subdivision requirement of one dwelling per lot and then is to validate a second driveway access because the Applicant will be combining the two lots into one lot. Chair Wegner opened the floor to the public. No comments were made. |
| **Motion/Vote:** Mr. Trudel motioned to close the public hearings. The motion was duly seconded by Mr. Lowell and the Board voted 5-0 in favor. Mr. Trudel motioned to approve both applications. The motion was duly seconded by Mr. Lowell and the Board voted 5-0 in favor. |

- **PLSP-2019-12-0023 6 West Creek Road, LLC, 6 West Creek Road,** *action deadline 04-12-2020*

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| **Voting:** Judith Welch Wegner (Chairman), John Trudel, III (Vice-Chairman), Nat Lowell, Frederick McClure, and David Iverson |
| **Alternates:** Campbell Sutton and Dave Callahan |
| **Recused:** None |
| **Documentation:** File with associated plans, photos and required documentation |
| **Representing:** Attorney Arthur Reade |
| **Discussion:** The application is to modify an existing special permit and change the use of the site. Chair Wegner opened the floor to the public. No comments were made. |
| **Motion/Vote:** Mr. Trudel motioned to close the public hearing. The motion was duly seconded by Mr. Lowell and the Board voted 5-0 in favor. Mr. Trudel motioned to approve the requested modification as proposed. The motion was duly seconded by Mr. Lowell and the Board voted 5-0 in favor. |

- **PLSP-2019-12-0024 Nantucket Commons (Amendment #27), 9C Bayberry Court, Unit 9.3,** *action deadline 04-12-2020*

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| **Voting:** Judith Welch Wegner (Chairman), John Trudel, III (Vice-Chairman), Nat Lowell, Frederick McClure, and David Iverson |
| **Alternates:** Campbell Sutton and Dave Callahan |
| **Recused:** None |
| **Documentation:** File with associated plans, photos and required documentation |
| **Representing:** Attorney Arthur Reade |
| **Discussion:** The application is requesting to modify an existing MCD to allow the conversion of office space to two employee housing apartments. Chair Wegner opened the floor to the public. No comments were made. |
| **Motion/Vote:** Mr. Trudel motioned to close the public hearing. The motion was duly seconded by Mr. Lowell and the Board voted 5-0 in favor. Mr. Trudel motioned to approve the amendment to a previously granted MCD special permit to change the use from office space to two additional inclusionary employee dwelling units. The motion was duly seconded by Mr. Lowell and the |

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| Board voted 5-0 in favor. |

- **PLSP-2019-12-0025 Waterworks of Nantucket, Inc. (Amendment #1), 5, 7 & 9 Tomahawk Road,** *action deadline 04-12-2020*

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| **Voting:** Judith Welch Wegner (Chairman), John Trudel, III (Vice-Chairman), Nat Lowell, Frederick McClure, and David Iverson |
| **Alternates:** Campbell Sutton and Dave Callahan |
| **Recused:** None |
| **Documentation:** File with associated plans, photos and required documentation |
| **Representing:** Attorney Jay Maroney |
| **Discussion:** The application was to amend an existing MCD to validate the use of storage containers. Chair Wegner opened the floor to the public. No comments were made. |
| **Motion/Vote:** Mr. Trudel motioned to close the public hearing. The motion was duly seconded, and the Board voted 5-0 in favor. Mr. Trudel motioned to approve application to validate the use of the storage containers on the site with the condition that screening be put into place along Tomahawk Road. The motion was duly seconded by Mr. Lowell and the Board voted 5-0 in favor. |

- **PLSP-2019-12-0026 Greg Glowacki, 15 Miller Lane,** *action deadline 04-12-2020*

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| **Voting:** Judith Welch Wegner (Chairman), John Trudel, III (Vice-Chairman), Nat Lowell, Frederick McClure, and David Iverson |
| **Alternates:** Campbell Sutton and Dave Callahan |
| **Recused:** None |
| **Documentation:** File with associated plans, photos and required documentation |
| **Representing:** Teddy King, Surveyor |
| **Discussion:** The application is for a secondary residential lot (covenant lot). Chair Wegner opened the floor to the public. No comments were made. |
| **Motion/Vote:** Mr. Lowell motioned to close the public hearing. The motion was duly seconded by Mr. Trudel and the Board voted 5-0 in favor. Mr. Lowell motioned to approve the application with the recommendations outlined in the staff report and to also approve the waiver for a separate driveway access. The motion was duly seconded by Mr. Trudel and the Board voted 5-0 in favor. |

There was a brief recess.

## VI. Public Comments:

## VII. Other Business:

Chair Wegner stated that Board's articles have not had a full discussion and wanted to make sure have ample time to resolve them.

- **National Grid L8,** *Update*

Mr. Vorce stated there was an upcoming Select Board meeting regarding the L8 project and the Board is encouraged to attend. A meeting will be posted just in case there are a quorum of Board members. The project involves pole replacements and wire upgrades. The estimates for underground wires were not something that the Select Board felt was attainable with the sense of urgency to move forward with the project. Mr. Vorce stated that he continues to worry about the general approach regarding the underground wiring in the historic downtown district. Mr. McClure stated that the CRAC discussions surrounding the project have been broad based and focused on acquiring data. Two of the focal points of the CRAC conversations have been potential effect on the power station and the second is the sewage

pump station ultimately what would happen if those areas are significantly inundated by storm water, storm surge, or the general effects of rising sea level in that area. Mrs. Backus stated that and RFP for a consultant to assist in establishing guidelines is currently being worked on.

- **Open Space Workgroup report**
  Chair Wegner provided an update regarding the Open Space Working Group with the report included in the packet.
- Mr. Vorce provided an update on the court ruling for 6 Fairgrounds Road stating that the appeals court ruled in favor of the Town, that there would be no further impediments for that project and that the court felt that the Town and Planning Board followed the correct procedure and that there was no validity for the claims made against the Town.
- **Warrant Articles Discussion:**
  The Board and staff discussed the procedure and process regarding public hearing warrant articles. Mrs. Snell will be working on the warrant articles and will send out to Board once done.
  - **Finalize second dwellings**
    There have been no proposed language changes since the last Planning Board discussion. Mr. McClure briefly discussed the background of his proposal regarding adding language to the current bylaw that would require one of the dwelling units to be owner occupied. This requirement would apply to newly constructed secondary dwellings units for which a building permit is issued after September 30, 2020. Mr. Lowell stated that anything Planning Board related that is controversial and discussed at Town meeting should be shown full Board support. Mr. Trudel stated that he foresees potential loop holes in this proposal and is uncertain how the proposed article will be received at Town Meeting. Mr. Trudel suggested to try simplifying the language changes. Mr. McClure said he doesn't know how else to simplify the proposal. Mr. Iverson stated that he is concerned about what people are going to build. Mr. Callahan stated that he is not in favor of the proposal article because homeowners should not be restricted or then face penalty for placing their property in an LLC ownership for either personal reasons or financial protection.
    Ms. Snell questioned if Board wants article re-written or leave it as it is. Chair Wegner stated leave as is. Chair Wegner motioned to strike everything other than the operative language seconded by Mr. Lowell and the Board voted 5-0 in favor.
  - **Pool**
    This article has been noticed as proposed. The criteria must be met at 7500 square feet is required and rear yard setbacks of 10 feet shall apply to the residential swimming pool and associated mechanical equipment. This article will apply to residential swimming pools for which a building permit is issued after September 30, 2020. The Board suggested that it would be useful to see what the data shows as it pertains to lot sizes in R-1 and R-5.
    **Technical amendments**
    Brief discussion regarding the proposed language changes to the definition of landscape contractor.
- **Joint meeting with the Select Board, Wednesday, January 15, 2020 @ 6PM, PSF Community room (first floor), Discuss Harbor Place**
- **Planning Board, Thursday, January 16, 2020 @ 6:00PM, PSF Community Room (first floor)**
- **Planning Board, Monday, January 27, 2020 @ 5PM, PSF Training Room (second floor)**
- **Planning Board non-public hearing agenda items is Thursday, February 6, 2020 at 12PM at 2 Fairgrounds Road (conference room)**
- **Planning Board regular meeting will be Monday, February 10, 2020 @ 5:00PM 4 Fairgrounds Road in the PSF Community Room (first floor)**
- **Planning Board, Thursday, February 13, 2020 @ 5:30PM, PSF Community Room (first floor),** *Warrant Articles discussion if needed only*

**VII. Adjournment:**

Meeting adjourned at 11:00PM.

# Septic Plan Showing Retaining Wall
# 12 Eat Fire Spring Road

PROPOSED SEWAGE DISPOSAL SYSTEM
IN NANTUCKET, MASSACHUSETTS
Prepared For:
12 EAT FIRE SPRING ROAD
REALTY TRUST
#12 EAT FIRE SPRING ROAD
MAP 20 PARCEL 62
Prepared By:
BRACKEN
ENGINEERING INC
49 MINARD POND ROAD
BUZZARDS BAY, MA 02532
(tel) 508.833.8979
(fax) 508.833.2282
www.brackeneng.com
15 OLD SOUTH ROAD
NANTUCKET, MA 02554
(tel) 508.228.2044
GENERAL NOTES
1. BENCHMARK (1): ELEVATION = 4.69 (NAVD88)
TOP OF CONCRETE BOUND
BENCHMARK (2): ELEVATION = 44.61 (NAVD88)
TOP OF CONCRETE BOUND
2. ALL CONSTRUCTION METHODS AND MATERIALS TO COMPLY WITH THE TOWN OF NANTUCKET BOARD OF HEALTH REGULATIONS.
3. ALL SYSTEM COMPONENTS SHALL BE MARKED WITH MAGNETIC TAPE OR A COMPARABLE MEANS IN ORDER TO LOCATE THEM ONCE BURIED.
4. NO FIELD MODIFICATION TO THE SYSTEM SHALL BE MADE WITHOUT PRIOR WRITTEN APPROVAL OF THE DESIGN ENGINEER AND BOARD OF HEALTH.
5. ALL JOINTS AND COVERS TO BE WATERTIGHT.
6. CONTRACTOR TO LOCATE DOWN TO THE SAND LAYER, APPROX. 20' DEPTH, EXISTING SOIL CONDITIONS MAY DICTATE DEEPER EXCAVATION
7. A CERTIFICATE OF OCCUPANCY MUST BE OBTAINED PRIOR TO BACKFILLING SYSTEM.
8. OWNER: 12 EAT FIRE SPRING ROAD REALTY TRUST
c/o LAURA MONOSSON, Trustee
PO BOX 16
NANTUCKET, MA 02554
9. DEED REFERENCE: Cert. #20077
10. PLAN REFERENCE: L.C. Plan #283-B (Lot B)
11. THE DESIGN IS INTENDED TO MEET TITLE 5 AND OTHER APPLICABLE REQUIREMENTS. THIS PLAN DOES NOT GUARANTEE THAT THE SYSTEM WILL BE INSTALLED AS DESIGNED, NOR DOES THIS PLAN GUARANTEE THE OPERATION OF THE SYSTEM.
12. THIS SYSTEM IS NOT DESIGNED FOR USE WITH A GARAGE DRAIN.
13. THE SEPTIC TANK SHALL BE PUMPED AS NEEDED, BUT AT LEAST ONCE EVERY THREE YEARS.
14. SOILS DOES NOT FALL WITHIN AN INTERIM WELLHEAD PROTECTION AREA.
15. SOILS DOES FALL WITHIN ZONE "B" OF THE NANTUCKET HARBOR WATERSHED PROTECTION DISTRICT.
16. SOILS DOES NOT FALL WITHIN A HEIGHT PRIORITY HABITAT OF RARE SPECIES, BUT NOT ESTIMATED HABITAT OF RARE WILDLIFE.
17. SOILS DOES NOT FALL WITHIN A SPECIAL FLOOD HAZARD ZONE AS SHOWN ON FLOOD INSURANCE RATE MAP No. 25019C-0032-G dated 06/03/2014.
18. CONTRACTOR TO REPORT TO ALL ANNOYANCE/NOISE REQUIREMENTS AND SPECIFICATIONS FOR INSTALLATION OF THE MICROFAST 1.0 HIGH STRENGTH UNIT.
19. THE RECORD PROPERTY OWNER IS TO FILE A NOTICE OF THE SYSTEM, INDICATING THE USE OF AN ENGINEERED OR DESIGN TO THE INSTALLATION OF PROPERTY.
20. NOVEMBER IS TO ESTABLISH AN OPERATION & MAINTENANCE PLAN WITH A COMPANY CERTIFIED TO OWNER(S) IN ACCORDANCE TO THE ASSOCIATED SYSTEM OPERATION FOR THE MICROFAST SYSTEM. ALL CONDITIONS, MONITORING & REPORTING IS TO BE CONDUCTED IN ACCORDANCE TO THE ASSOCIATED DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP) CHEMICAL USE PERMITS.
21. CONTRACTOR TO COORDINATE PLACEMENT OF THE MICROFAST BLOWER UNIT AND VENTS WITH THE HOMEOWNER & SYSTEM MANUFACTURER PRIOR TO INSTALLATION.
22. LOT WAS CREATED IN 1978.
Locus Map
Scale: 1" = 1,000'
GENERAL NOTES
1. BENCHMARK (1): ELEVATION = 4.69 (NAVD88) TOP OF CONCRETE BOUND
BENCHMARK (2): ELEVATION = 44.61 (NAVD88) TOP OF CONCRETE BOUND
2. ALL CONSTRUCTION METHODS AND MATERIALS TO COMPLY WITH THE TOWN OF NANTUCKET BOARD OF HEALTH REGULATIONS.
3. ALL SYSTEM COMPONENTS SHALL BE MARKED WITH MAGNETIC TAPE OR A COMPARABLE MEANS IN ORDER TO LOCATE THEM ONCE BURIED.
4. NO FIELD MODIFICATION TO THE SYSTEM SHALL BE MADE WITHOUT PRIOR WRITTEN APPROVAL OF THE DESIGN ENGINEER AND BOARD OF HEALTH.
5. ALL JOINTS AND COVERS TO BE WATERTIGHT.
6. CONTRACTOR TO LOCATE DOWN TO THE SAND LAYER, APPROX. 20' DEPTH, EXISTING SOIL CONDITIONS MAY DICTATE DEEPER EXCAVATION
7. A CERTIFICATE OF OCCUPANCY MUST BE OBTAINED PRIOR TO BACKFILLING SYSTEM.
8. OWNER: 12 EAT FIRE SPRING ROAD REALTY TRUST
c/o LAURA MONOSSON, Trustee
PO BOX 16
NANTUCKET, MA 02554
9. DEED REFERENCE: Cert. #20077
10. PLAN REFERENCE: L.C. Plan #283-B (Lot B)
11. THE DESIGN IS INTENDED TO MEET TITLE 5 AND OTHER APPLICABLE REQUIREMENTS. THIS PLAN DOES NOT GUARANTEE THAT THE SYSTEM WILL BE INSTALLED AS DESIGNED, NOR DOES THIS PLAN GUARANTEE THE OPERATION OF THE SYSTEM.
12. THIS SYSTEM IS NOT DESIGNED FOR USE WITH A GARAGE DRAIN.
13. THE SEPTIC TANK SHALL BE PUMPED AS NEEDED, BUT AT LEAST ONCE EVERY THREE YEARS.
14. SOILS DOES NOT FALL WITHIN AN INTERIM WELLHEAD PROTECTION AREA.
15. SOILS DOES FALL WITHIN ZONE "B" OF THE NANTUCKET HARBOR WATERSHED PROTECTION DISTRICT.
16. SOILS DOES NOT FALL WITHIN A HEIGHT PRIORITY HABITAT OF RARE SPECIES, BUT NOT ESTIMATED HABITAT OF RARE WILDLIFE.
17. SOILS DOES NOT FALL WITHIN A SPECIAL FLOOD HAZARD ZONE AS SHOWN ON FLOOD INSURANCE RATE MAP No. 25019C-0032-G dated 06/03/2014.
18. CONTRACTOR TO REPORT TO ALL ANNOYANCE/NOISE REQUIREMENTS AND SPECIFICATIONS FOR INSTALLATION OF THE MICROFAST 1.0 HIGH STRENGTH UNIT.
19. THE RECORD PROPERTY OWNER IS TO FILE A NOTICE OF THE SYSTEM, INDICATING THE USE OF AN ENGINEERED OR DESIGN TO THE INSTALLATION OF PROPERTY.
20. NOVEMBER IS TO ESTABLISH AN OPERATION & MAINTENANCE PLAN WITH A COMPANY CERTIFIED TO OWNER(S) IN ACCORDANCE TO THE ASSOCIATED SYSTEM OPERATION FOR THE MICROFAST SYSTEM. ALL CONDITIONS, MONITORING & REPORTING IS TO BE CONDUCTED IN ACCORDANCE TO THE ASSOCIATED DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP) CHEMICAL USE PERMITS.
21. CONTRACTOR TO COORDINATE PLACEMENT OF THE MICROFAST BLOWER UNIT AND VENTS WITH THE HOMEOWNER & SYSTEM MANUFACTURER PRIOR TO INSTALLATION.
22. LOT WAS CREATED IN 1978.
SYSTEM PROFILE
NOT TO SCALE
PROPOSED SOIL ABSORPTION SYSTEM
(48) 36" BioNuWave MOH-CHAMBER CHAMBERS
IN BED CONFIGURATION
(H-10 LOADING)
PROPOSED DISTRIBUTION BOX
PRE-CAST WATERTIGHT
(H-10 LOADING)
6" DIA. SLOPE
12" MAX. DEPTH
3" PVC PIPE
3) BLOWER AND VENT PROVIDED TO MANUFACT SLOPE MIN 0.005 ⅛ per foot MIN.
2) BLOWER UNIT TO BE VENTED ABOVE GROUND MIN 4 FEET FROM ANY WINDOW OR DOOR
1) BLOWER UNIT SHALL BE INSTALLED IN A PLUMBING ROOM OR CRAWLSPACE WITH ADEQUATE VENTILATION
PROPOSED 1,500 GALLON BIO-MICROBICS MICROFAST 1.0 HIGH STRENGTH UNIT
TANK TO BE CHARCOSTED WITH ASTM STANDARD C 1227-03 SCAL
2-COMPARTMENT WATERTIGHT
(H-20 LOADING)
(INTERNAL MOUNT)
(SEE DETAIL)
FAST MODULE
MAIN HOUSE
PROPOSED
POOL HOUSE
MAIN HSE TOP=47.00
COTTAGE TOP=47.00
POOL HSE TOP=47.20
MAIN HSE INV=43.20
MAIN HSE 2ND INV=43.00
COTTAGE INV=44.00
POOL HOUSE INV=44.80
(MAIN HOUSE INV. #1 12' / INV #2 16 LF) (COTTAGE 21 LF) (POOL HOUSE 125 LF)
4" SCH. 40 PVC
S=2.00E MIN.
S=1.00E MIN.
INV=42.30
INV=42.55
INV=41.80
INV=41.73
INV=41.64
INV=40.70
BOT = 40.70
TOP = 42.03
INV. = 41.64
12" MIN.
30" MAX.
4" SCH. 40 P.V.C.
FLUSH FABRIC
(SEE DETAIL)
REST I SET TRUE
P.C. = 43.04
P.C. = 43.04 to 43.84
PROPERTY LINE
VENT CHAMBERS WITH CHARCOAL FILTER
(CONNECT ALL ROWS TO VENT)
10' MIN.
(SEE NOTES BELOW)
(SEE NOTES BELOW)
(SEE NOTES BELOW)

# Historic District Commission Approvals
# 12 Eat Fire Spring Road

CERTIFICATE NO: _____ DATE ISSUED: _____

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

# CERTIFICATE OF APPROPRIATENESS

for structural work.

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

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

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

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

## PROPERTY DESCRIPTION

TAX MAP N°: 20 PARCEL N°. 102

Street & Number of Proposed Work: 12 EAST FIVE SPLINTER RD.

Owner of record: LAURA W HASSON TRUST

Mailing Address: PO BOX 116
NANTUCKET, MA 02554

Contact Phone #: _____ E-mail: _____

## AGENT INFORMATION (if applicable)

Name: VAN OMMEN DESIGN INC

Mailing Address: PO BOX 3057
NANTUCKET, MA 02584

Contact Phone (508) 325-4719 E-mail: advan102@gmail.com

FOR OFFICE USE ONLY

Date application received: _____ Fee Paid: $ 50.00

Must be acted on by: _____

Extended to: _____

Approved: _____ Disapproved: _____

Chairman: _____

Member: _____

Member: _____

Member: _____

Member: _____

Notes - Comments - Restrictions - Conditions

## DESCRIPTION OF WORK TO BE PERFORMED

See reverse for required documentation.

☐ New Dwelling ☐ Addition ☐ Garage ☐ Driveway/Apron ☐ Commercial ☐ Historical Renovation ☐ Deck/Patio ☐ Steps ☐ Shed
☐ Color Change ☐ Fence ☐ Gate ☐ Hardscaping ☐ Move Building ☐ Demolition ☒ Revisions to previous Cert. No. 73359
☐ Pool (Zoning District ____) ☐ Roof ☐ Other _____

Size of Structure or Addition: Length: _____ Sq. Footage 1st floor: _____ Decks/Patio: Size: _____ ☐ 1st floor ☐ 2nd floor
Width: _____ Sq. footage 2nd floor: _____ Size: _____ ☐ 1st floor ☐ 2nd floor
Sq. footage 3rd floor: _____

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

Height of ridge above final finish grade: North N/C South N/C East N/C West N/C

Additional Remarks

REVISIONS* 1. East Elevation

Historic Name: (describe) 2. South Elevation — REDUCE FOOTPRINT - 77 SF

Original Date: 3. West Elevation — REDUCE WIDTH - 2'10" BOTH WINGS

Original Builder: 4. North Elevation — REDUCE HT TO [illegible]

Is there an HDC survey form for this building attached? ☐ Yes ☐ N/A *Cloud on drawings and submit photographs of existing elevations.

## DETAIL OF WORK TO BE PERFORMED

**Foundation:** Height Exposed _____ ☐ Block ☐ Block Parged ☐ Brick (type) _____ ☐ Poured Concrete ☐ Piers

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

**Roof Pitch:** Main Mass _____/12_____ Secondary Mass _____/12_____ Dormer _____/12_____ Other _____

**Roofing material:** ☐ Asphalt: ☐ 3-Tab ☐ Architectural
☐ Wood (Type: Red Cedar, White Cedar, Shakes, etc.) _____

Fence: Height: _____
Type: _____
Length: _____

**Skylights (flat only):** Manufacturer _____ Rough Opening _____ Size _____ Location _____
Manufacturer _____ Rough Opening _____ Size _____ Location _____

**Gutters:** ☐ Wood ☐ Aluminum ☐ Copper ☐ Leaders (material) _____

**Leaders (material and size):** _____

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

**Trim:** A. Wood ☐ Pine ☐ Redwood ☐ Cedar ☐ Other _____
B. Treatment ☐ Paint ☐ Natural to weather ☐ Other _____
C. Dimensions: Fascia _____ Rake _____ Soffit (Overhang) _____ Corner boards _____ Frieze _____
Window Casing _____ Door Frame _____ Columns/Posts: Round _____ Square _____

**Windows*:** ☐ Double Hung ☐ Casement ☐ All Wood ☐ Other _____
☐ True Divided Lights(muntins), single pane ☐ SDL's (Simulated Divided Lights) Manufacturer _____

**Doors*** (type and material): ☐ TDL ☐ SDL Front _____ Rear _____ Side _____
Garage Door(s): Type _____ Material _____

**Hardscape materials:** Driveways _____ Walkways _____ Walls _____

* Note: Complete door and window schedules are required.

## COLORS

Sidewall NTW Clapboard (if applicable) — Roof WOOD NTW
Trim NTW Sash BLACK Doors BLACK
Deck NTW Foundation CEDAR Fence — Shutters —

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

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

Date 4/8/22 Signature of owner of record _____ Signed under penalties of perjury

# HISTORIC DISTRICT COMMISSION

2 Fairgrounds Road
Nantucket, Massachusetts 02554
Telephone: 508.325.7587
Email: plus@nantuclet-ma.gov

COMMISSIONERS

Ray Pohl
Chair

Abigail Camp
Vice-Chair

Diane Coombs

Val Oliver

John McLaughlin

ASSOCIATE COMMISSIONERS

Jesse Dutra

Carrie Thornewill

Stephen Welch

STAFF

Cathy Flynn
HDC Compliance Coordinator/Land Use Specialist
cflynn@nantucket-ma.gov

## Waiver of the HDC 10 Day Hearing Requirement

I VAL OLIVER DESIGN INC

AS AGENT FOR LAURA NICHOLSON TRUST

STREET ADDRESS 12 EATFIRE SPRINGS RD

MAP/PARCEL 20-62

UNDERSTAND THAT THE ABOVE REFERENCED APPLICATION SUBMITTED ON 4-8-22

WILL NOT BE REVIEWED BY THE HISTORIC DISTRICT COMMISSION, DUE INCREASE DEMAND, WITHIN THE 10 DAY PERIOD AS REQUIRED BY:

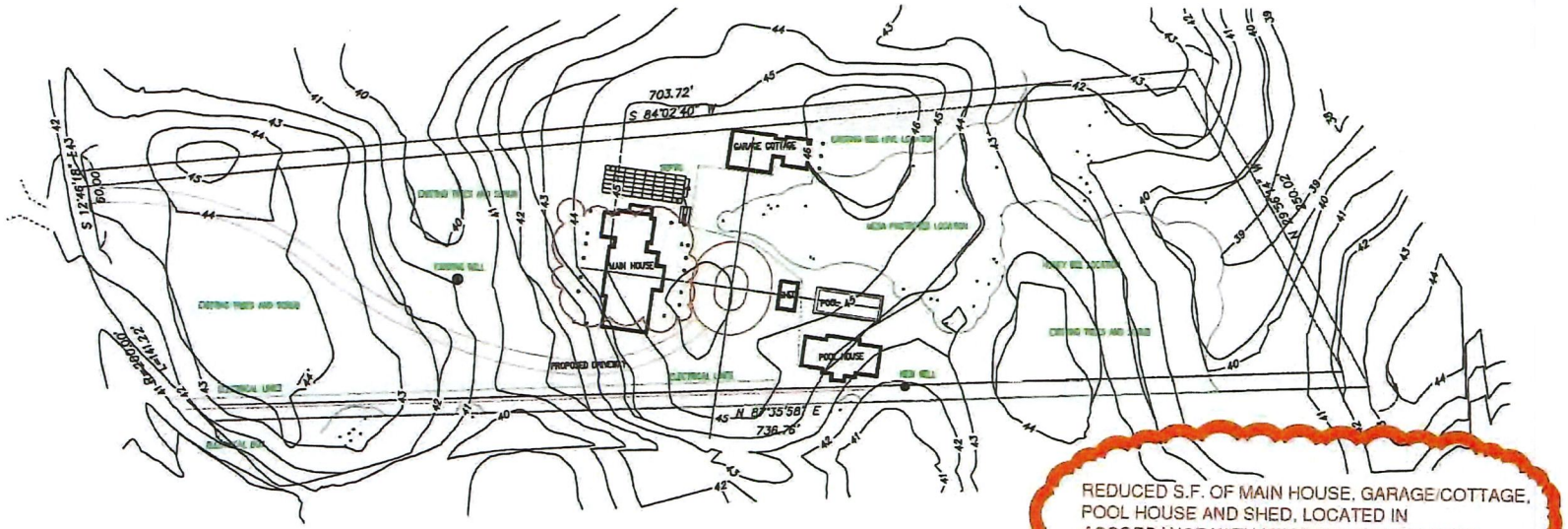
**SECTION 8 of the HDC enabling legislation: ... The Commission shall meet within ten (10) days of the receipt of an application for a certificate of appropriateness or permit for removal...**

AND I AGREE TO A WAIVER OF THE ABOVE MENTIONED REQUIREMENT.

Val Oliver — 4-8-22

Signature — Date

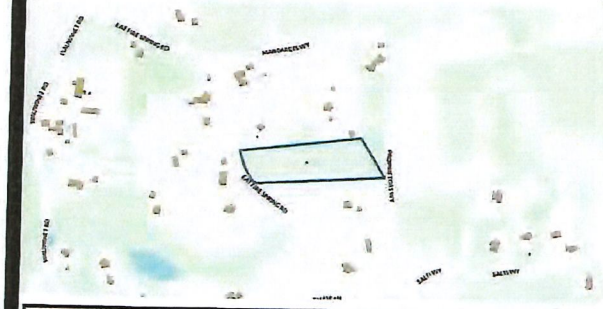
# 12 EAT FIRE SPRINGS RD- (MAIN HOUSE) REDUCE SIZE
# REV TO PREVIOUS COA 73359 (11-5-2019)

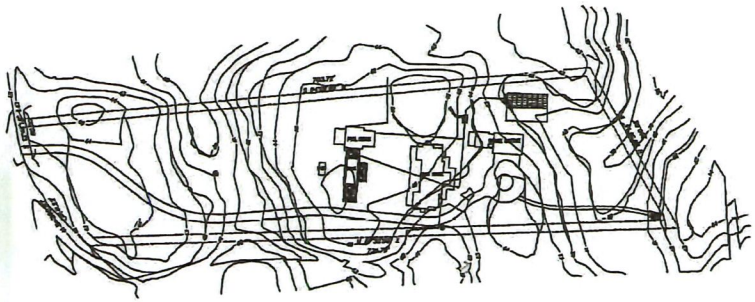



NEW REDUCED MESA APPROVED
SITE PLAN SCALE: $\frac{1}{32}$"= 1'-0"

REDUCED S.F. OF MAIN HOUSE, GARAGE/COTTAGE, POOL HOUSE AND SHED, LOCATED IN ACCORDANCE WITH MESA PROTECTED AREA

## MAP 20 PARCEL 62

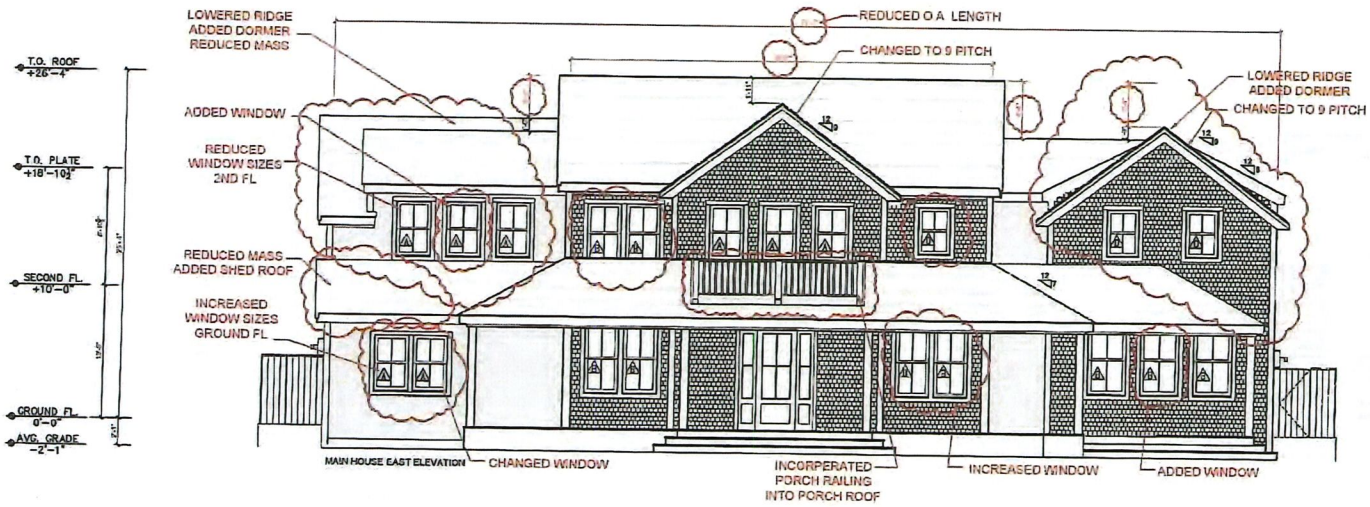




OLD HDC APPROVED
SITE PLAN
SCALE: $\frac{1}{64}$"= 1'-0"

N

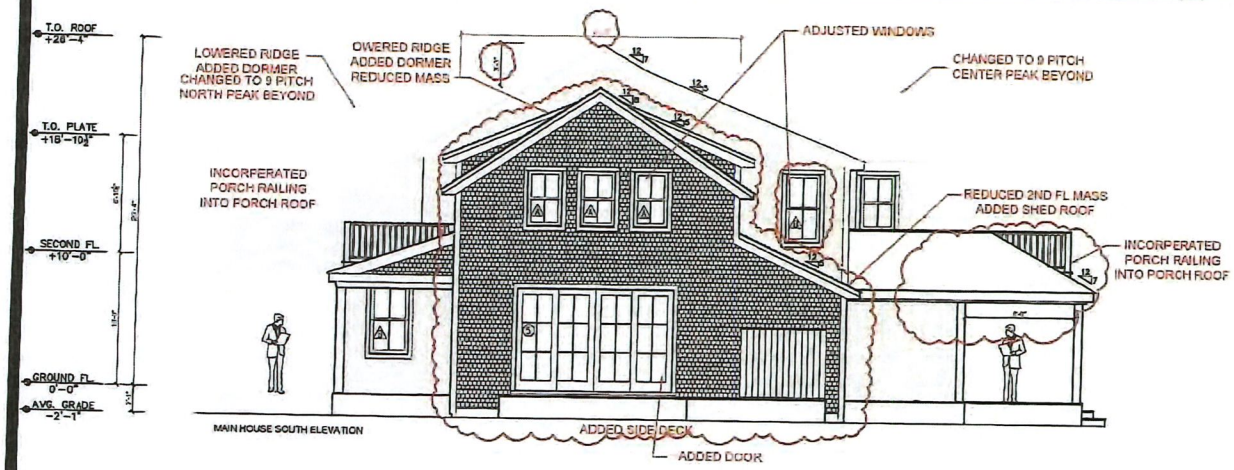
| PICNIC ASSOC. | ISSUE DATES: 12-28-2021 MESA APPROVED 2-16-2022 SUBMISSION FOR MARCH HDC REVIEW | REVISIONS: 2-18-2022 REDUCED S.F. / MESA | PRINT DATES: 2-18-2022 | SITE PLAN MAP 20 PARCEL 62 148552+/- S.F. 12 EATFIRE SPRING RD. NANTUCKET MA. | S |
|---|---|---|---|---|---|

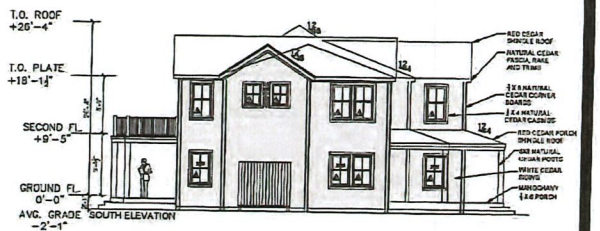



NEW REDUCED
MAIN HOUSE FRONT EAST ELEVATION
SCALE: $\frac{1}{4}$"= 1'-0"

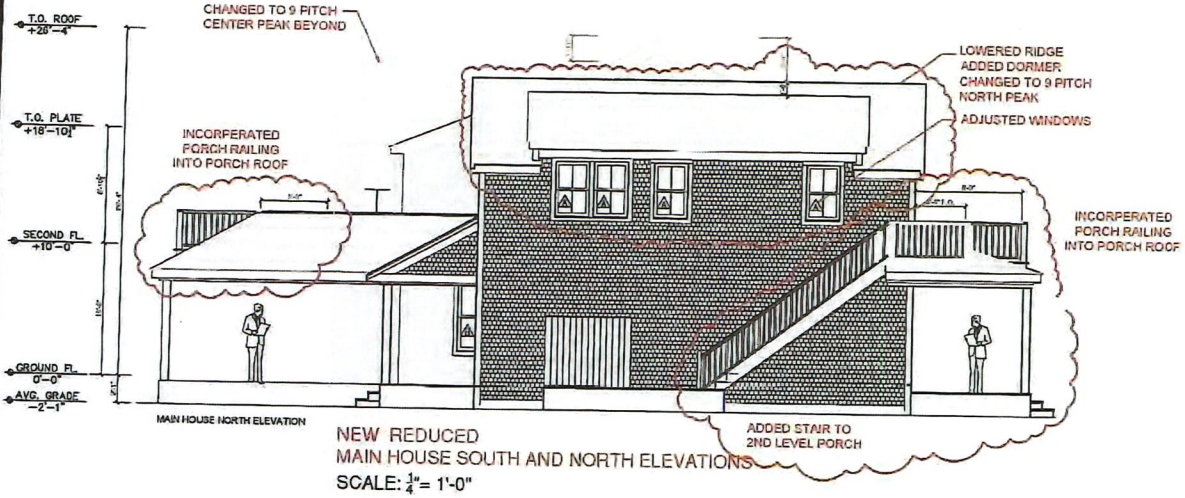
OLD HDC APPROVED
MAIN HOUSE FRONT EAST ELEVATION
SCALE: $\frac{1}{8}$"= 1'-0"

| PICNIC ASSOC. | ISSUE DATES: | REVISIONS: | PRINT DATES: | | |
|---|---|---|---|---|---|
| | 12-28-2021 MESA APPROVED<br>2-18-2022 SUBMISSION FOR MARCH HDC REVIEW | 2-18-2022 REDUCED S.F. / MESA | 2-18-2022 | MAIN HOUSE EAST ELEVATION<br>MAP 20 PARCEL 62 148552+/- S.F.<br>12 EAT FIRE SPRING RD. NANTUCKET MA. | 4 |



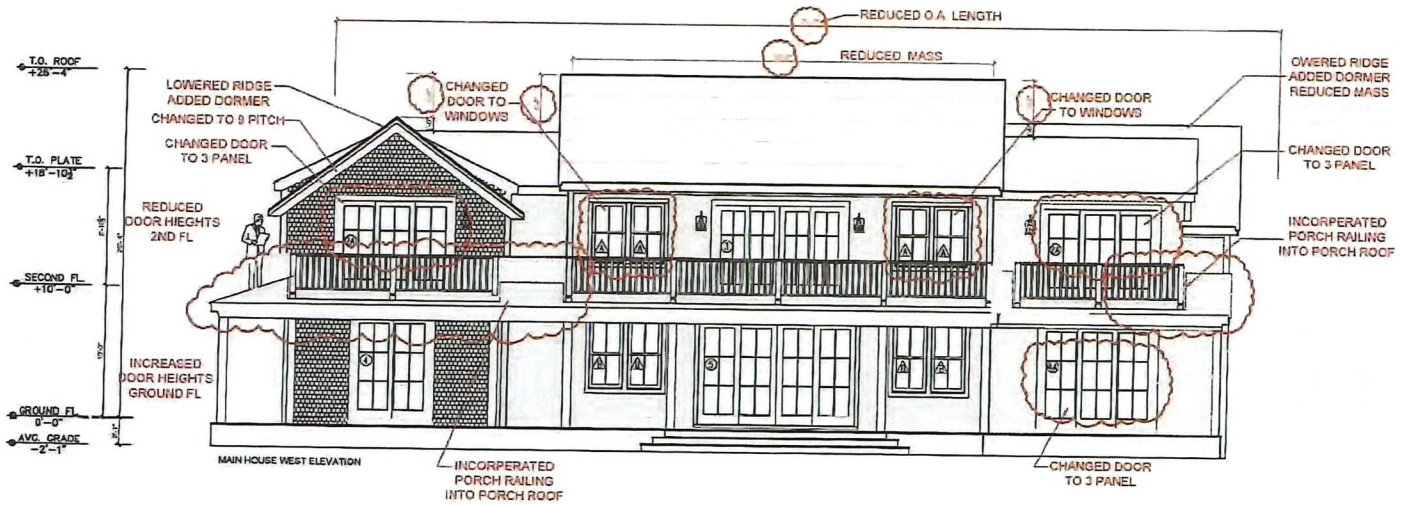



OLD HDC APPROVED
MAIN HOUSE SOUTH AND NORTH ELEVATIONS
SCALE: $\frac{1}{8}$"= 1'-0"

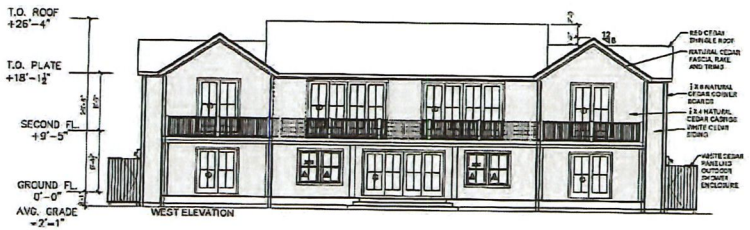



NEW REDUCED
MAIN HOUSE SOUTH AND NORTH ELEVATIONS
SCALE: $\frac{1}{4}$"= 1'-0"

| PICNIC ASSOC. | ISSUE DATES: | REVISIONS: | PRINT DATES: | MAIN HOUSE ELEVATIONS<br>MAP 20 PARCEL 62 148552+/- S.F.<br>12 EAT FIRE SPRING RD. NANTUCKET MA. | 5 |
|---|---|---|---|---|---|
| | 12-23-2021 MESA APPROVED<br>2-18-2022 SUBMISSION FOR MARCH HDC REVIEW | 2-18-2022 REDUCED S.F. / MESA | 2-18-2022 | | |

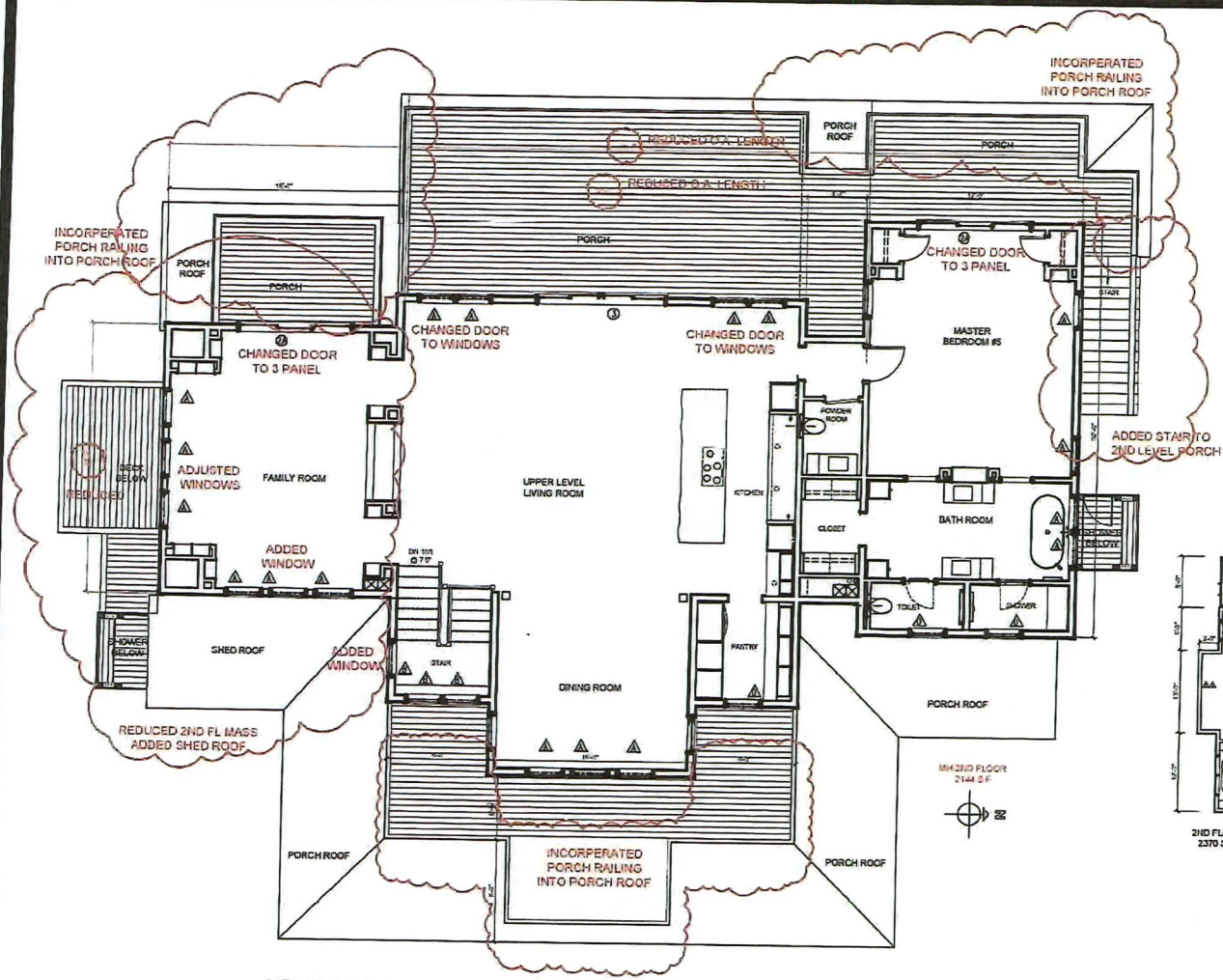



NEW REDUCED
MAIN HOUSE FRONT WEST ELEVATION
SCALE: $\frac{1}{4}$"= 1'-0"

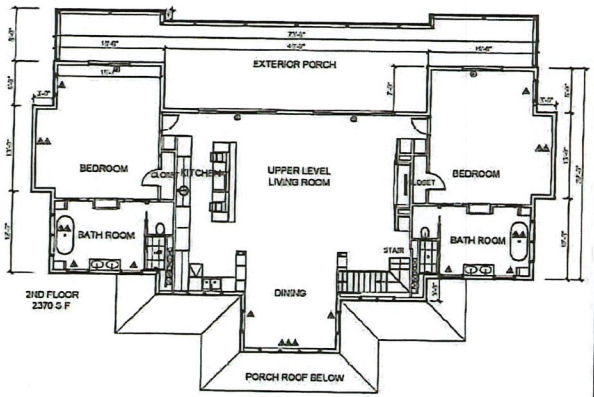



OLD HDC APPROVED
MAIN HOUSE FRONT WEST ELEVATION
SCALE: $\frac{1}{8}$"= 1'-0"

| PICNIC ASSOC. | ISSUE DATES: | REVISIONS: | PRINT DATES: | MAIN HOUSE WEST ELEVATION<br>MAP 20 PARCEL 62 148552+/- S.F.<br>12 EAT FIRE SPRING RD. NANTUCKET MA. | 4A |
|---|---|---|---|---|---|
| | 12-28-2021 MESA APPROVED<br>2-18-2022 SUBMISSION FOR MARCH HDC REVIEW | 2-18-2022 REDUCED S.F. / MESA | 2-18-2022 | | |

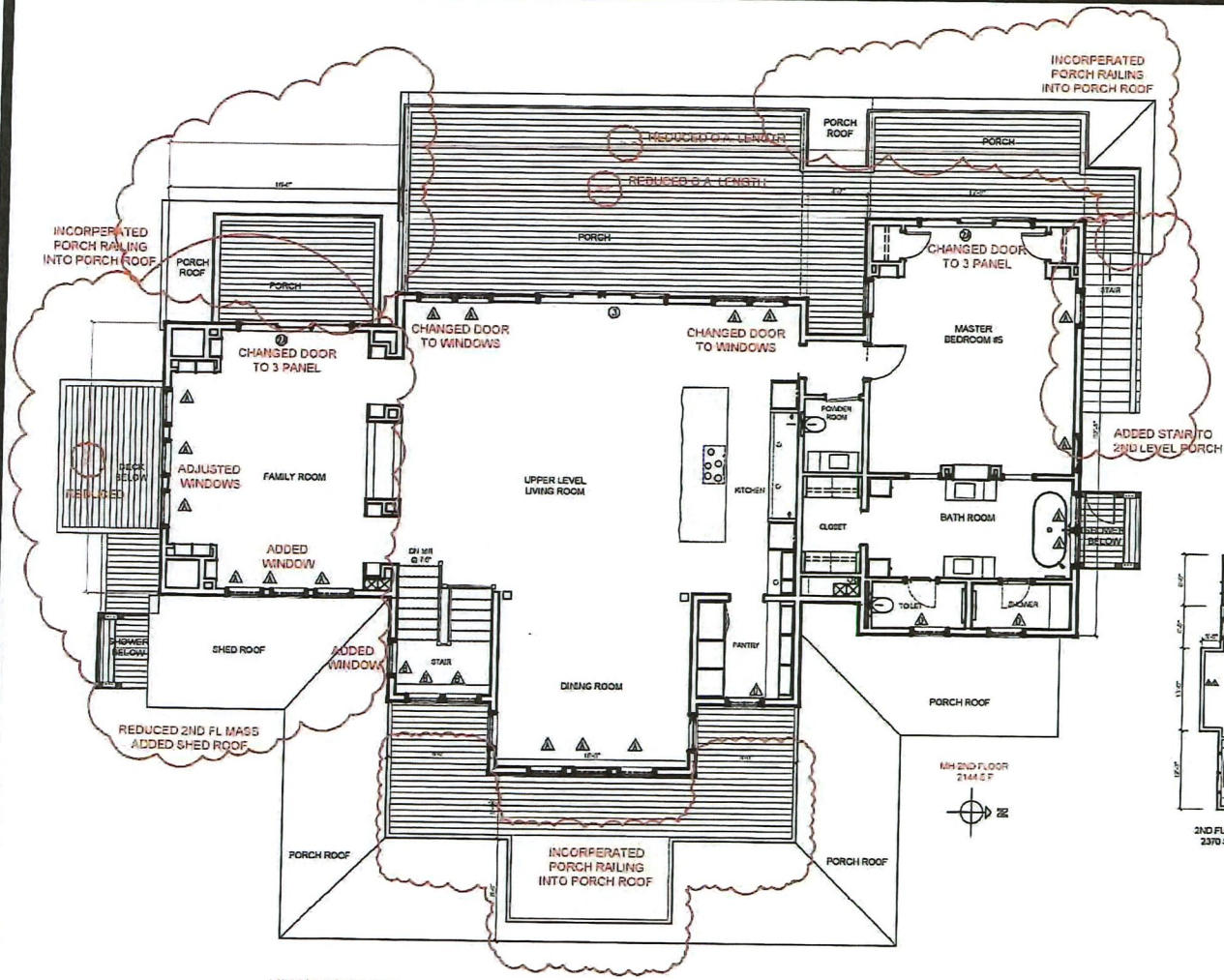



NEW REDUCED
MAIN HOUSE 2ND FLOOR PLAN
SCALE: $\frac{1}{4}$"= 1'-0"




OLD HDC APPROVED
MAIN HOUSE 2ND FLOOR PLAN
SCALE: $\frac{1}{8}$"= 1'-0"

| PICNIC ASSOC. | ISSUE DATES: | REVISIONS: | PRINT DATES: | MAIN HOUSE 2ND FLOOR PLAN<br>MAP 20 PARCEL 62 148552+/- S.F.<br>12 EAT FIRE SPRING RD. NANTUCKET MA. | 2 |
|---|---|---|---|---|---|
| | 12-28-2021 MESA APPROVED<br>2-16-2022 SUBMISSION FOR MARCH HDC REVIEW | 2-16-2022 REDUCED S.F. / MESA | 2-16-2022 | | |




NEW REDUCED
MAIN HOUSE 2ND FLOOR PLAN
SCALE: $\frac{1}{4}$"= 1'-0"

OLD HDC APPROVED
MAIN HOUSE 2ND FLOOR PLAN
SCALE: $\frac{1}{8}$"= 1'-0"

| PICNIC ASSOC. | ISSUE DATES: | REVISIONS: | PRINT DATES: | MAIN HOUSE 2ND FLOOR PLAN<br>MAP 20 PARCEL 62 148552+/- S.F.<br>12 EAT FIRE SPRING RD. NANTUCKET MA. | 2 |
|---|---|---|---|---|---|
| | 12-28-2021 MESA APPROVED<br>2-18-2022 SUBMISSION FOR MARCH HDC REVIEW | 2-18-2022 REDUCED S.F. / MESA | 2-18-2022 | | |

CERTIFICATE NO: 13354

DATE ISSUED: 11/5/19

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

# CERTIFICATE OF APPROPRIATENESS

for structural work.

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

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

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

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

## PROPERTY DESCRIPTION

TAX MAP N°: 30 PARCEL N°. 102

Street & Number of Proposed Work: 12 [illegible] SQUANTO RD

Owner of record: [illegible]

Mailing Address: 12 LOUDS INK DR

NANTUCKET, MA 02554

Contact Phone #: (978) 621-2201 E-mail:

## AGENT INFORMATION (if applicable)

Name: VAL DIMOV DESIGN INC.

Mailing Address: PO BOX 2652

NANTUCKET, MA 02554

Contact Phone #: 978-325-9319 E-mail: [illegible]@gmail.com

## FOR OFFICE USE ONLY

Date application received: 10-16-19 Fee Paid: $ 1462.50

Must be acted on by: 2-20-9

Extended to:

Approved: Disapproved:

Chairman:

Member:

Member:

Member:

Member:

Notes - Comments - Restrictions - Conditions

N-S ELEV. SMALL CASED WINDOW

2nd Fl. should be separated

and made 1 SIZE Larger

MAIN House.

## DESCRIPTION OF WORK TO BE PERFORMED

See reverse for required documentation.

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

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

☐ Pool (Zoning District ____) ☐ Roof ☐ Other

Size of Structure or Addition: Length: 43.1 Sq. Footage 1st floor: 2,170

Width: 29.1 Sq. footage 2nd floor: 2,220 - 1,100

Sq. footage 3rd floor: 2,170

Decks/Patio: Size: 20 x 12 ☐ 1st floor ☒ 2nd floor

Size: 12 x 12 ☐ 1st floor ☐ 2nd floor

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

Height of ridge above final finish grade: North 29'-4" South 28'-6" East 26'-4" West 29'-6"

Additional Remarks

Historic Name:

Original Date:

Original Builder:

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

REVISIONS* (describe)

1. East Elevation
2. South Elevation
3. West Elevation
4. North Elevation

*Cloud on drawings and submit photographs of existing elevations.

## DETAIL OF WORK TO BE PERFORMED

**Foundation:** Height Exposed ____ ☐ Block ☐ Block Parged ☐ Brick (type) ____ ☐ Poured Concrete ☐ Piers

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

**Roof Pitch:** Main Mass 12/12 Secondary Mass 12/12 Dormer ____/12 Other ____

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

☒ Wood (Type: Red Cedar, White Cedar, Shakes, etc.) ____

Fence: Height: ____ Type: ____ Length: ____

**Skylights (flat only):** Manufacturer ____ Rough Opening ____ Size ____ Location ____

Manufacturer ____ Rough Opening ____ Size ____ Location ____

**Gutters:** ☐ Wood ☐ Aluminum ☐ Copper ☐ Leaders (material) ____

**Leaders (material and size):** ____

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

☐ Other ____

**Trim:** A. Wood ☐ Pine ☐ Redwood ☐ Cedar ☐ Other ____

B. Treatment ☐ Paint ☐ Natural to weather ☐ Other ____

C. Dimensions: Fascia ____ Rake ____ Soffit (Overhang) ____ Corner boards ____ Frieze ____

Window Casing ____ Door Frame ____ Columns/Posts: Round ____ Square ____

**Windows*:** ☒ Double Hung ☐ Casement ☐ All Wood ☐ Other ____

☐ True Divided Lights(muntins), single pane ☐ SDL's (Simulated Divided Lights) Manufacturer ____

**Doors*** (type and material): ☐ TDL ☐ SDL Front ____ Rear ____ Side ____

Garage Door(s): Type ____ Material ____

**Hardscape materials:** Driveways ____ Walkways ____ Walls ____

* Note: Complete door and window schedules are required.

## COLORS

Sidewall WHITE Clapboard (if applicable) — Roof [illegible]

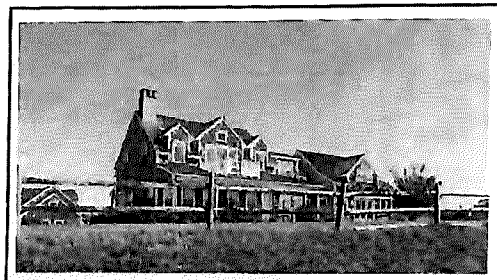
Trim WHITE Sash [illegible] Doors [illegible]

Deck [illegible] Foundation [illegible] Fence — Shutters —

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

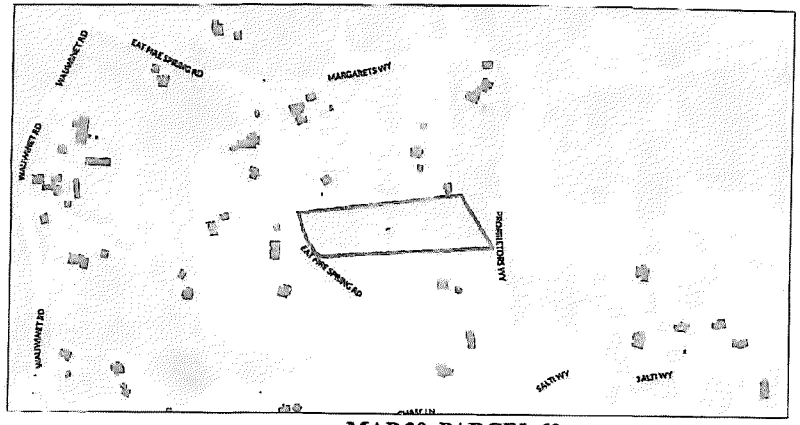
I hereby authorize the agent named above to act on my behalf to make changes in the specifications or the plans contained in this application in order to bring the application into compliance with the HDC guidelines. I hereby agree to abide by and comply with the terms and conditions of this application.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

Date 10/23/19 Signature of owner of record [signature] Signed under penalties of perjury



8 EAT FIRE SPRINGS RD

10 EAT FIRE SPRINGS RD

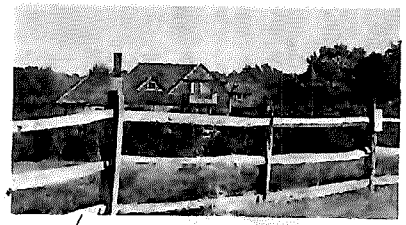



MAP 20 PARCEL 62

9 EAT FIRE SPRINGS RD

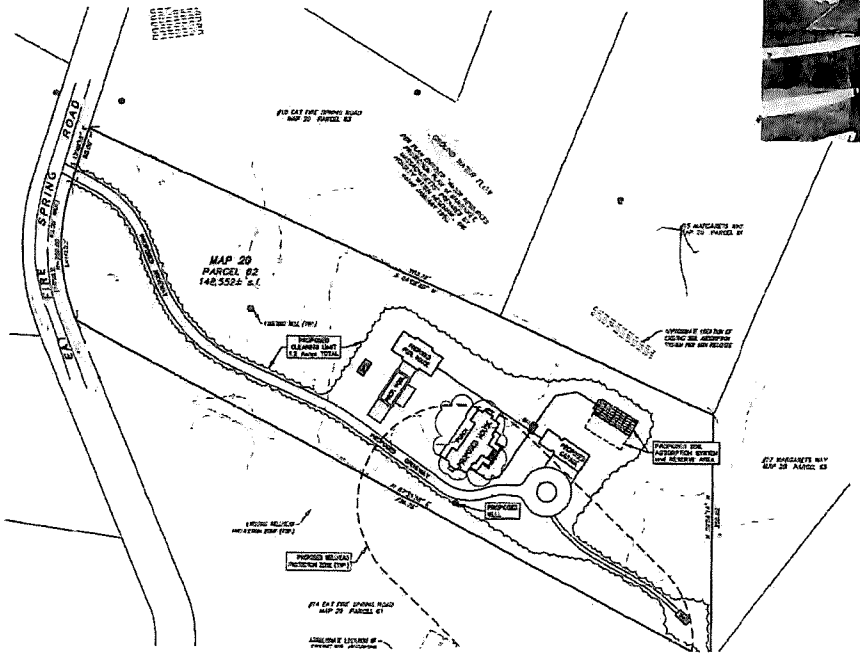
6 EAT FIRE SPRINGS RD

18 EAT FIRE SPRINGS RD



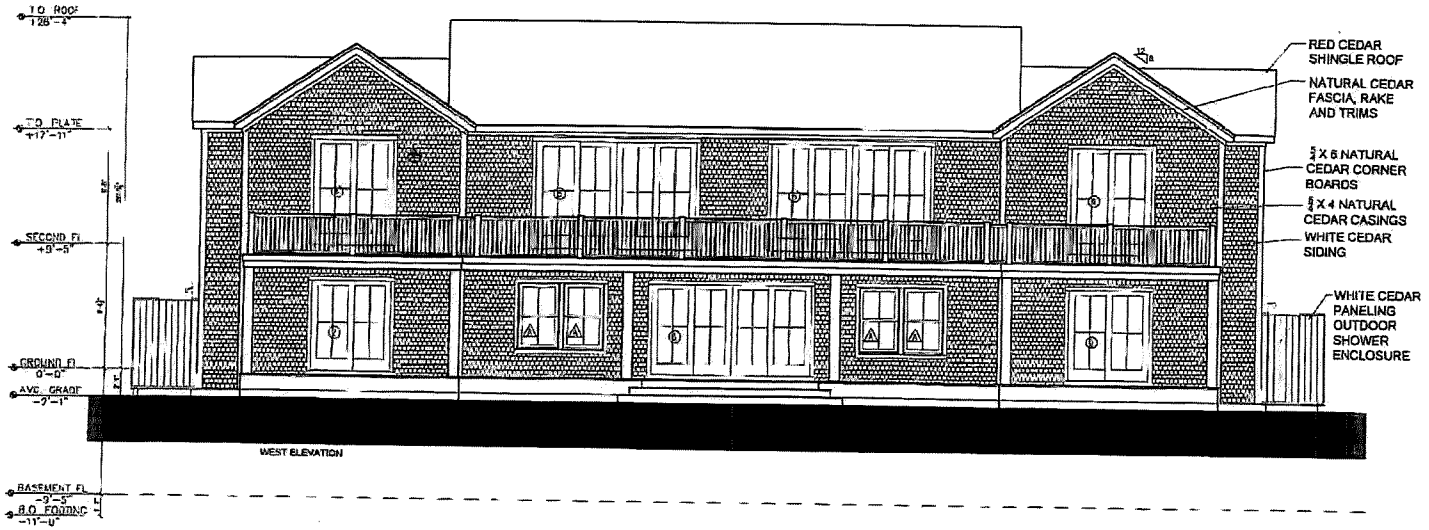
3 EAT FIRE SPRINGS RD

5 EAT FIRE SPRINGS RD




PICNIC ASSOCIATES- 12 EAT FIRE SPRINGS
NEW DWELLING

EAST ELEVATION




WEST ELEVATION

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

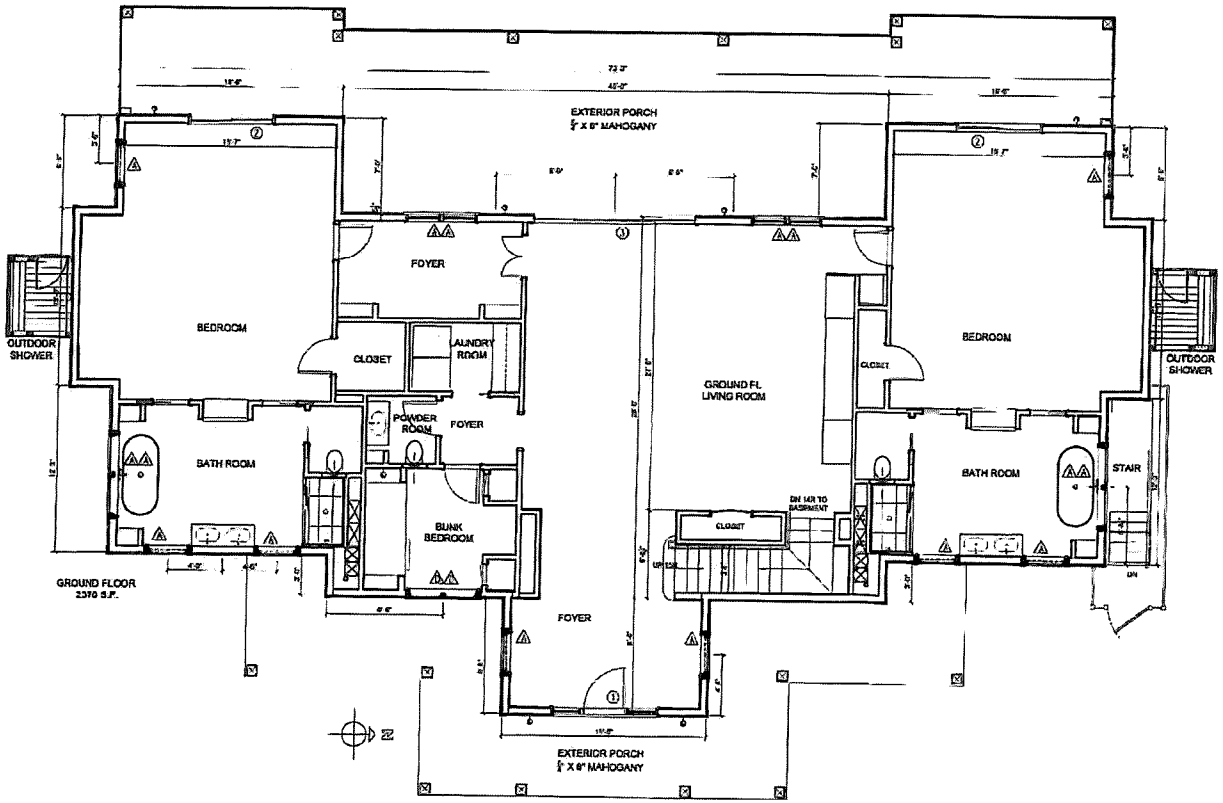
| PICNIC ASSOC. | ISSUE DATES: | REVISIONS: | PRINT DATES: 10-15-2019 | MAIN HOUSE ELEVATIONS<br>12 EAT FIRE SPRING RD. NANTUCKET MA. | 4 |
|---|---|---|---|---|---|

SOUTH ELEVATION

NORTH ELEVATION

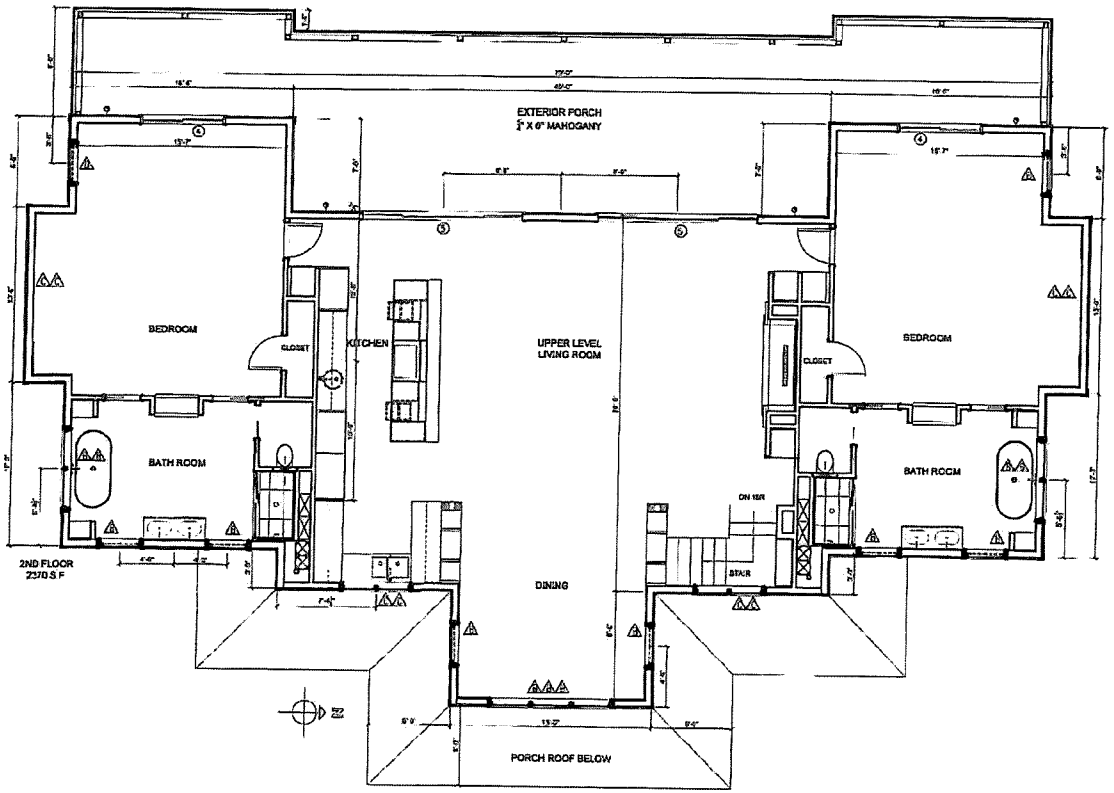
SCALE: 1/4"= 1'-0"

| PICNIC ASSOC. | ISSUE DATES: | REVISIONS: | PRINT DATES: 10-15-2019 11-11-2019 | MAIN HOUSE ELEVATIONS<br>12 EAT FIRE SPRING RD. NANTUCKET MA. | 5 |
|---|---|---|---|---|---|




SCALE: $\frac{1}{4}$"= 1'-0"

| PICNIC ASSOC. | ISSUE DATES: | REVISIONS: | PRINT DATES: 10-16-2019 | MAIN HOUSE GROUND FLOOR PLAN<br>12 EAT FIRE SPRING RD. NANTUCKET MA. | 1 |
|---|---|---|---|---|---|




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

| PICNIC ASSOC. | ISSUE DATES: | REVISIONS: | PRINT DATES: 10-15-2019 | MAIN HOUSE 2ND FLOOR PLAN<br>12 EAT FIRE SPRING RD. NANTUCKET MA. | 2 |
|---|---|---|---|---|---|

CERTIFICATE NO: _____ DATE ISSUED: _____

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

# CERTIFICATE OF APPROPRIATENESS

for structural work.

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

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

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

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

## PROPERTY DESCRIPTION

TAX MAP N°: 44 PARCEL N°. 705

Street & Number of Proposed Work: 10 CORLEY LANE

Owner of record: LARRY GOODE + DONNA MACKAY

Mailing Address: 2127 BROADWAY STREET

CANTON, MA. 02021

Contact Phone #: (617) 955-1052 E-mail: larrygoode@verizon.net

## AGENT INFORMATION (if applicable)

Name: VAN DYKE DESIGN INC.

Mailing Address: PO BOX 3287

NANTUCKET, MA 02584

Contact Phone #: (508) 332-4719 E-mail: ann@vandyke.com

FOR OFFICE USE ONLY

Date application received: _____ Fee Paid: $ _____

Must be acted on by: _____

Extended to: _____

Approved: _____ Disapproved: _____

Chairman: _____

Member: _____

Member: _____

Member: _____

Member: _____

Notes - Comments - Restrictions - Conditions

## DESCRIPTION OF WORK TO BE PERFORMED

See reverse for required documentation.

☐ New Dwelling ☐ Addition ☐ Garage ☐ Driveway/Apron ☐ Commercial ☐ Historical Renovation ☐ Deck/Patio ☐ Steps ☐ Shed
☐ Color Change ☐ Fence ☐ Gate ☒ Hardscaping ☐ Move Building ☐ Demolition ☐ Revisions to previous Cert. No. _____
☐ Pool (Zoning District ____) ☐ Roof ☐ Other _____

Size of Structure or Addition: Length: _____ Sq. Footage 1st floor: _____
Width: _____ Sq. footage 2nd floor: _____
Sq. footage 3rd floor: _____

Deck/Patio: Size: _____ ☐ 1st floor ☐ 2nd floor
BRICK Size: NEW ☒ 1st floor ☐ 2nd floor

Difference between existing grade and proposed finish grade: North _____ South _____ East _____ West _____
Height of ridge above final finish grade: North _____ South _____ East _____ West _____

Additional Remarks

Historic Name:

Original Date:

Original Builder:

REVISIONS* (describe)
1. East Elevation
2. South Elevation
3. West Elevation
4. North Elevation

Is there an HDC survey form for this building attached? ☐ Yes ☐ N/A *Cloud on drawings and submit photographs of existing elevations.

## DETAIL OF WORK TO BE PERFORMED

**Foundation:** Height Exposed _____ ☐ Block ☐ Block Parged ☐ Brick (type) _____ ☐ Poured Concrete ☐ Piers
**Masonry Chimney:** ☐ Block Parged ☐ Brick (type) _____ ☐ Other _____
**Roof Pitch:** Main Mass _____/12_____ Secondary Mass _____/12_____ Dormer _____/12_____ Other _____
**Roofing material:** ☐ Asphalt: ☐ 3-Tab ☐ Architectural
☐ Wood (Type: Red Cedar, White Cedar, Shakes, etc.) _____

Fence: Height: 6'-0"
Type: 5/1 PICKETS (ANTIQUE WHITE)
Length: @ 100'

**Skylights (flat only):** Manufacturer _____ Rough Opening _____ Size _____ Location _____
Manufacturer _____ Rough Opening _____ Size _____ Location _____
**Gutters:** ☐ Wood ☐ Aluminum ☐ Copper ☐ Leaders (material) _____
**Leaders (material and size):** _____
**Sidewall:** ☐ White cedar shingles _____ ☐ Clapboard (exposure: _____ Inches) Front ☐ _____ Side ☐ _____
☐ Other _____
**Trim:** A. Wood ☐ Pine ☐ Redwood ☐ Cedar ☐ Other _____
B. Treatment ☐ Paint ☐ Natural to weather ☐ Other _____
C. Dimensions: Fascia _____ Rake _____ Soffit (Overhang) _____ Corner boards _____ Frieze _____
Window Casing _____ Door Frame _____ Columns/Posts: Round _____ Square _____
**Windows*:** ☐ Double Hung ☐ Casement ☐ All Wood ☐ Other _____
☐ True Divided Lights(muntins), single pane ☐ SDL's (Simulated Divided Lights) Manufacturer _____
**Doors*** (type and material): ☐ TDL ☐ SDL Front _____ Rear _____ Side _____
Garage Door(s): Type _____ Material _____
**Hardscape materials:** Driveways SHELL / BELGIAN BLK Walkways BRICK / FLAGSTONE Stonewalls N/A

* Note: Complete door and window schedules are required.

## COLORS

Sidewall _____ Clapboard (if applicable) _____ Roof _____
Trim _____ Sash _____ Doors _____
Deck _____ Foundation _____ Fence _____ Shutters _____

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

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

Date 4/17/12 Signature of owner of record _____ Signed under penalties of perjury

# HISTORIC DISTRICT COMMISSION

2 Fairgrounds Road
Nantucket, Massachusetts 02554
Telephone: 508.325.7587
Email: plus@nantuclet-ma.gov

COMMISSIONERS

Ray Pohl
Chair

Abigail Camp
Vice-Chair

Diane Coombs

Val Oliver

John McLaughlin

ASSOCIATE COMMISSIONERS

Jesse Dutra

Carrie Thornewill

Stephen Welch

STAFF

Cathy Flynn
HDC Compliance Coordinator/Land Use Specialist
cflynn@nantucket-ma.gov

## Waiver of the HDC 10 Day Hearing Requirement

I VAL OLIVER DESIGN INC

AS AGENT FOR LARRY GOODE AND DONNA MACKAY

STREET ADDRESS 10 GREY LADY LANE

MAP/PARCEL 66-705

UNDERSTAND THAT THE ABOVE REFERENCED APPLICATION SUBMITTED ON

4-7-22

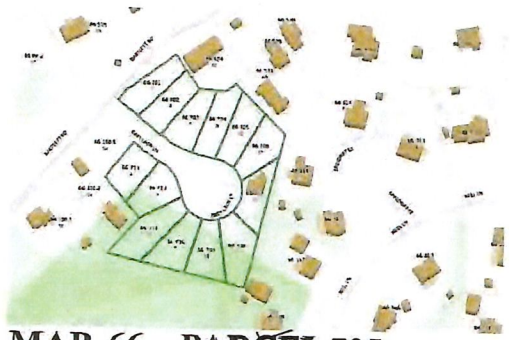
WILL NOT BE REVIEWED BY THE HISTORIC DISTRICT COMMISSION, DUE INCREASE DEMAND, WITHIN THE 10 DAY PERIOD AS REQUIRED BY:

**SECTION 8 of the HDC enabling legislation: ... The Commission shall meet within ten (10) days of the receipt of an application for a certificate of appropriateness or permit for removal...**

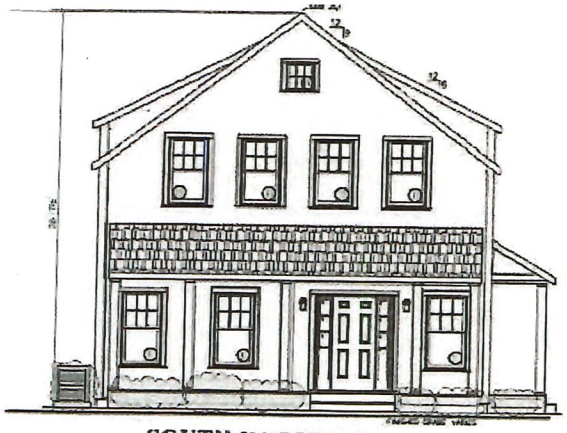
AND I AGREE TO A WAIVER OF THE ABOVE MENTIONED REQUIREMENT.

Val Oliver — 4-7-22

Signature — Date

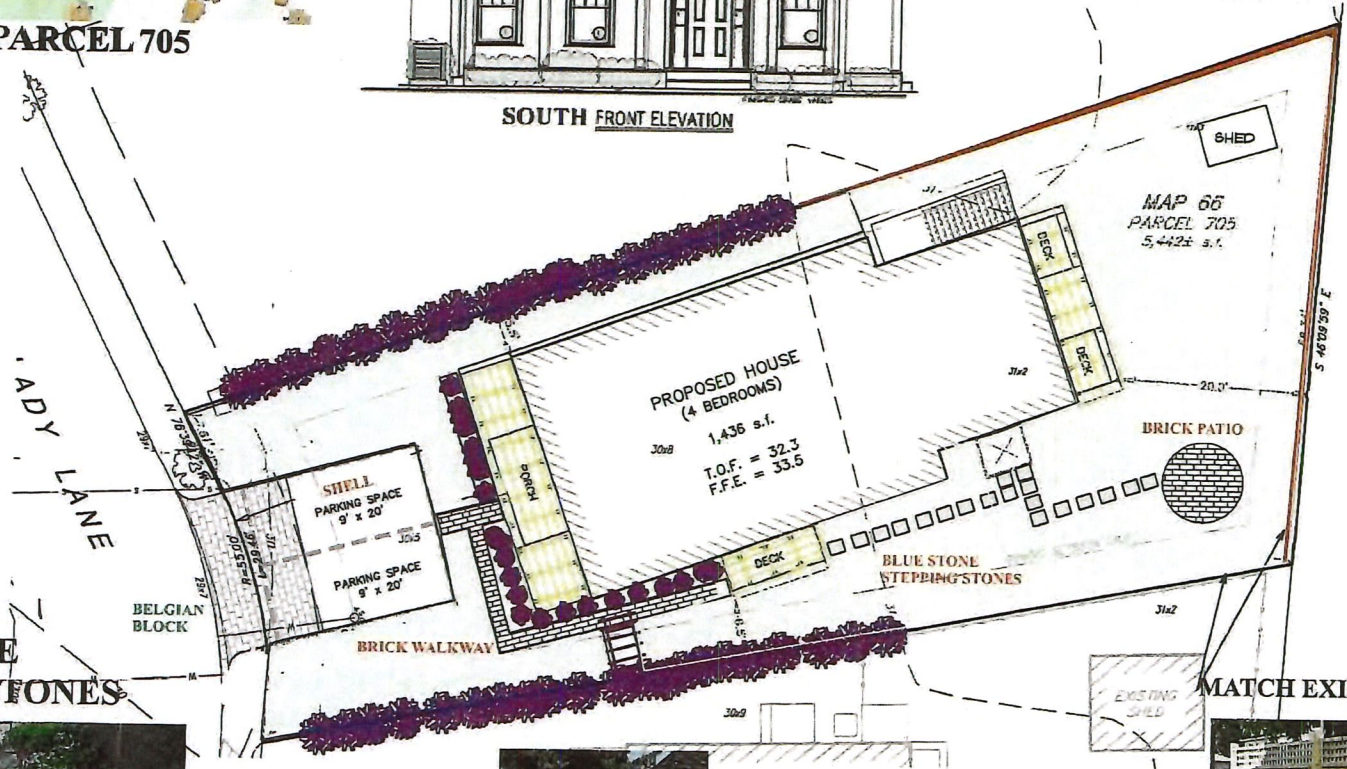


MAP 66 PARCEL 705



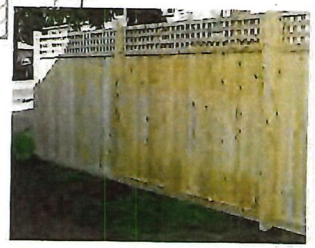
SOUTH FRONT ELEVATION

BRICK PATIO




BLUE STONE
STEPPING STONES

MATCH EXISTING FENCE



SCALE: NTS
DRAWN BY: VO
DATE: 4-4-22

GOODE-MACKAY 10 GREY LADY LANE
HARDSCAPE

VAL OLIVER DESIGN, INC
PO BOX 3057
NANTUCKET, MA 02584

CERTIFICATE NO: _____ DATE ISSUED: _____

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

# CERTIFICATE OF APPROPRIATENESS

for structural work.

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

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

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

## PROPERTY DESCRIPTION

TAX MAP N°: 20 PARCEL N°. 102

Street & Number of Proposed Work: 12 EAST FIRE SPRINGS RD.

Owner of record: LAURA NICHOLSON TRUST

Mailing Address: PO BOX 14

NANTUCKET, MA 02554

Contact Phone #: _____ E-mail: _____

## AGENT INFORMATION (If applicable)

Name: VAN OSMOL-PERHAM INC.

Mailing Address: PO BOX 3053

NANTUCKET MA 02584

Contact Phone #: (508) 325-4319 E-mail: ackha162@gmail.com

FOR OFFICE USE ONLY

Date application received: _____ Fee Paid: $ 50 ck

Must be acted on by: _____

Extended to: _____

Approved: _____ Disapproved: _____

Chairman: _____

Member: _____

Member: _____

Member: _____

Member: _____

Notes - Comments - Restrictions - Conditions

## DESCRIPTION OF WORK TO BE PERFORMED

See reverse for required documentation.

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

☐ Color Change ☐ Fence ☐ Gate ☐ Hardscaping ☐ Move Building ☐ Demolition ☒ Revisions to previous Cert. No. 73361 (11-5-2019)

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

Size of Structure or Addition: Length: _____ Sq. Footage 1st floor: -73 SF Decks/Patio: Size: _____ ☐ 1st floor ☐ 2nd floor

Width: _____ Sq. footage 2nd floor: _____ Size: _____ ☐ 1st floor ☐ 2nd floor

Sq. footage 3rd floor: _____

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

Height of ridge above final finish grade: North _____ South _____ East _____ West _____

Additional Remarks

Historic Name:

Original Date:

Original Builder:

REVISIONS* (describe)

1. East Elevation
2. South Elevation
3. West Elevation
4. North Elevation

REDUCE WIDTH -1'-0"
REDUCE -73 SF.
WINDOW/DOOR LIGHTWELLS
ADD SHOWER

Is there an HDC survey form for this building attached? ☐ Yes ☐ N/A *Cloud on drawings and submit photographs of existing elevations.

## DETAIL OF WORK TO BE PERFORMED

**Foundation:** Height Exposed _____ ☐ Block ☐ Block Parged ☐ Brick (type) _____ ☐ Poured Concrete ☐ Piers

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

**Roof Pitch:** Main Mass _____/12 Secondary Mass _____/12 Dormer _____/12 Other _____

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

☐ Wood (Type: Red Cedar, White Cedar, Shakes, etc.) _____

Fence: Height: _____
Type: _____
Length: _____

**Skylights (flat only):** Manufacturer _____ Rough Opening _____ Size _____ Location _____

Manufacturer _____ Rough Opening _____ Size _____ Location _____

**Gutters:** ☐ Wood ☐ Aluminum ☐ Copper ☐ Leaders (material) _____

**Leaders (material and size):** _____

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

☐ Other _____

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

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

C. Dimensions: Fascia _____ Rake _____ Soffit (Overhang) _____ Corner boards _____ Frieze _____

Window Casing _____ Door Frame _____ Columns/Posts: Round _____ Square _____

**Windows*:** ☐ Double Hung ☐ Casement ☐ All Wood ☐ Other _____

☐ True Divided Lights(muntins), single pane ☐ SDL's (Simulated Divided Lights) Manufacturer _____

**Doors* (type and material):** ☐ TDL ☐ SDL Front _____ Rear _____ Side _____

Garage Door(s): Type _____ Material _____

**Hardscape materials:** Driveways _____ Walkways _____ Walls _____

* Note: Complete door and window schedules are required.

## COLORS

Sidewall NTW Clapboard (if applicable) — Roof WOOD (NTW)

Trim NTW Sash BLACK Doors BLACK

Deck NTW Foundation GREY Fence — Shutters —

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

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

Date 4/7/20 Signature of owner of record _____ Signed under penalties of perjury

# HISTORIC DISTRICT COMMISSION

2 Fairgrounds Road
Nantucket, Massachusetts 02554
Telephone: 508.325.7587
Email: plus@nantuclet-ma.gov

COMMISSIONERS

Ray Pohl
Chair

Abigail Camp
Vice-Chair

Diane Coombs

Val Oliver

John McLaughlin

ASSOCIATE COMMISSIONERS

Jesse Dutra

Carrie Thornewill

Stephen Welch

STAFF

Cathy Flynn
HDC Compliance Coordinator/Land Use Specialist
cflynn@nantucket-ma.gov

## Waiver of the HDC 10 Day Hearing Requirement

I VAL OLIVER DESIGN INC

AS AGENT FOR LAURA NICHOLSON TRUST

STREET ADDRESS 12 EATFIRE SPRINGS RD

MAP/PARCEL 20-62

UNDERSTAND THAT THE ABOVE REFERENCED APPLICATION SUBMITTED ON 4-8-22

WILL NOT BE REVIEWED BY THE HISTORIC DISTRICT COMMISSION, DUE INCREASE DEMAND, WITHIN THE 10 DAY PERIOD AS REQUIRED BY:

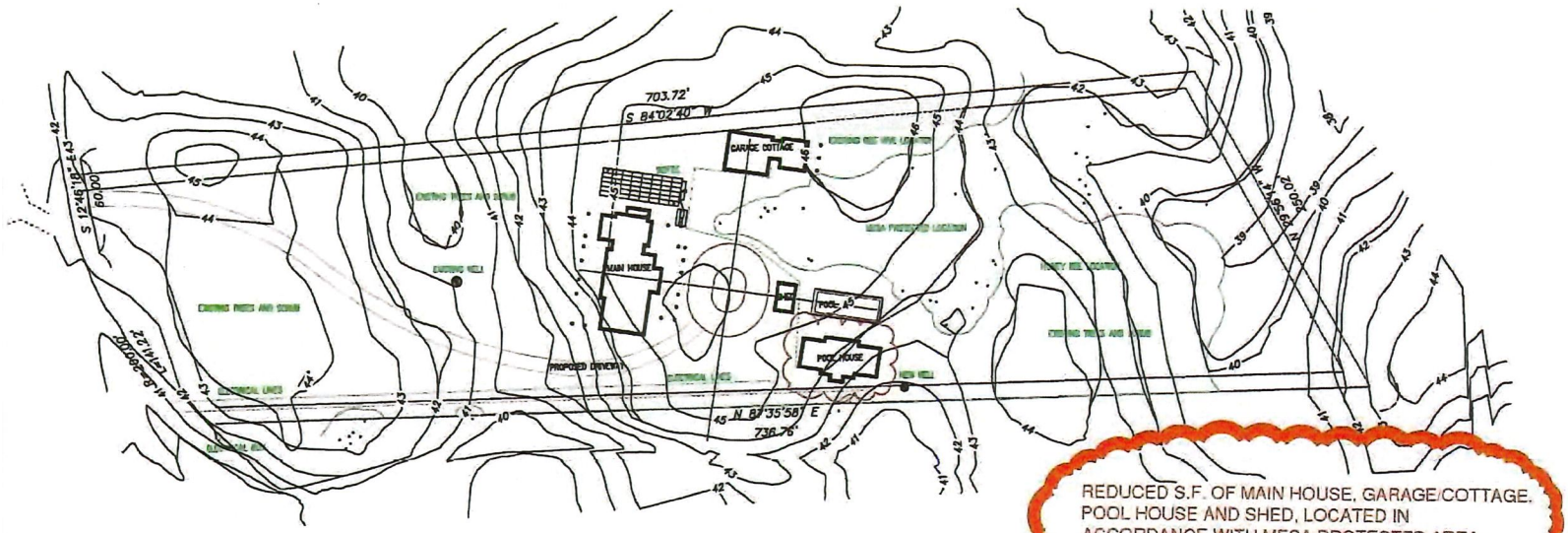
**SECTION 8 of the HDC enabling legislation: ... The Commission shall meet within ten (10) days of the receipt of an application for a certificate of appropriateness or permit for removal...**

AND I AGREE TO A WAIVER OF THE ABOVE MENTIONED REQUIREMENT.

Val Oliver — 4-8-22

Signature — Date

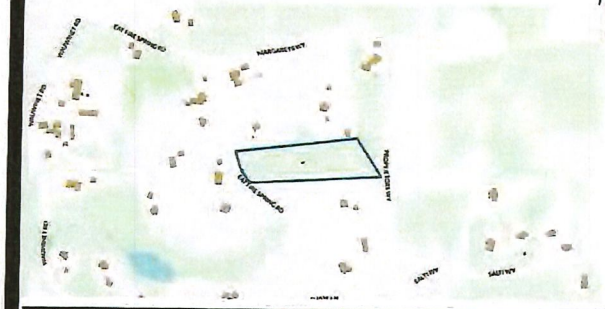
# 12 EAT FIRE SPRINGS RD- (POOL HOUSE) REDUCE SIZE
# REV TO PREVIOUS COA 73361 (11-5-2019)

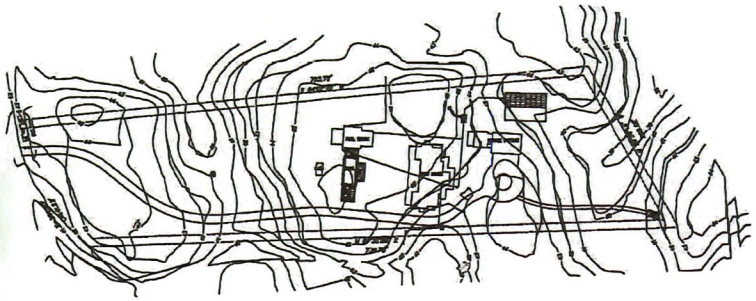



REDUCED S.F. OF MAIN HOUSE, GARAGE/COTTAGE, POOL HOUSE AND SHED, LOCATED IN ACCORDANCE WITH MESA PROTECTED AREA

NEW REDUCED MESA APPROVED
SITE PLAN SCALE: $\frac{1}{32}$"= 1'-0"

## MAP 20 PARCEL 62

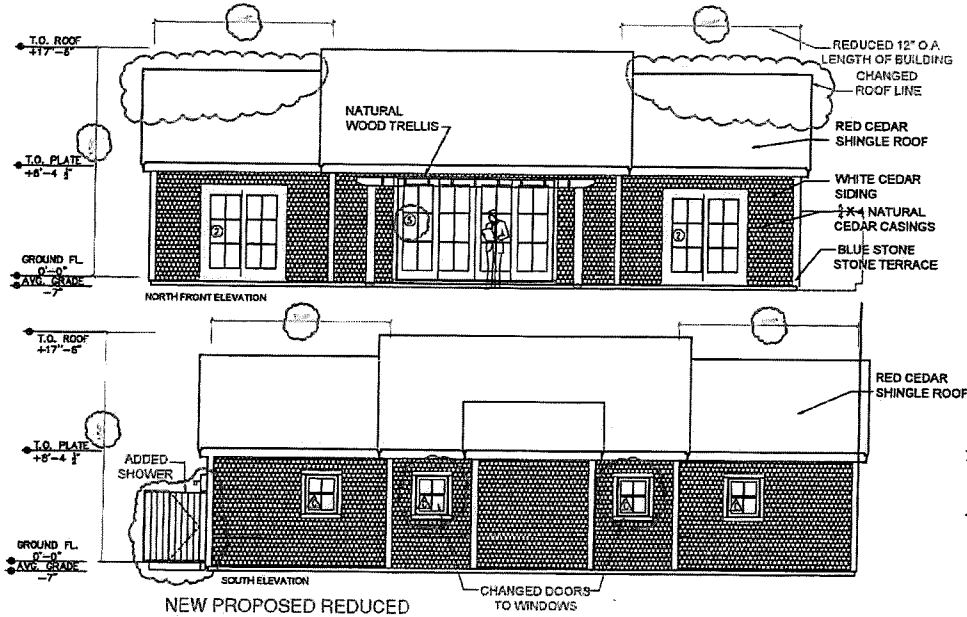


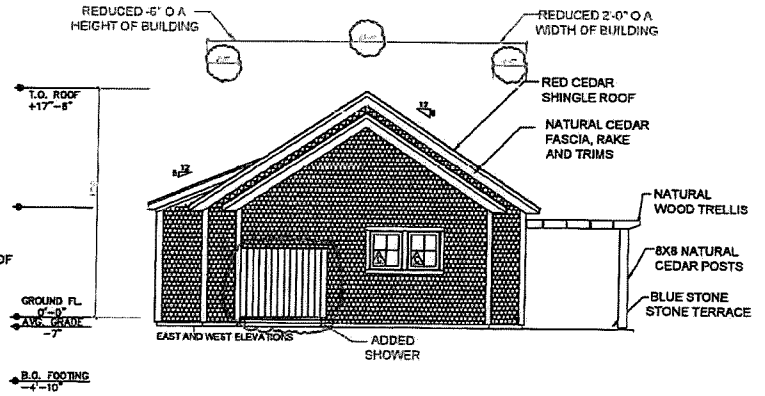
OLD HDC APPROVED
SITE PLAN
SCALE: $\frac{1}{64}$"= 1'-0"

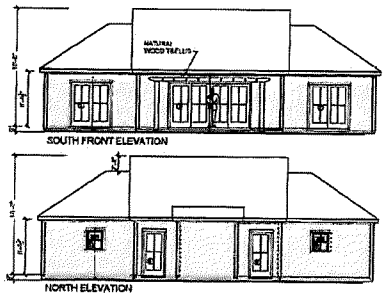
N

| PICNIC ASSOC. | ISSUE DATES: | REVISIONS: | PRINT DATES: | SITE PLAN<br>MAP 20 PARCEL 62 148552+/- S.F.<br>12 EATFIRE SPRING RD. NANTUCKET MA. | S |
|---|---|---|---|---|---|
| | 12-29-2021 MESA APPROVED<br>2-15-2022 SUBMISSION FOR MARCH HDC REVIEW | 2-18-2022 REDUCED S.F. / MESA | 2-19-2022 | | |



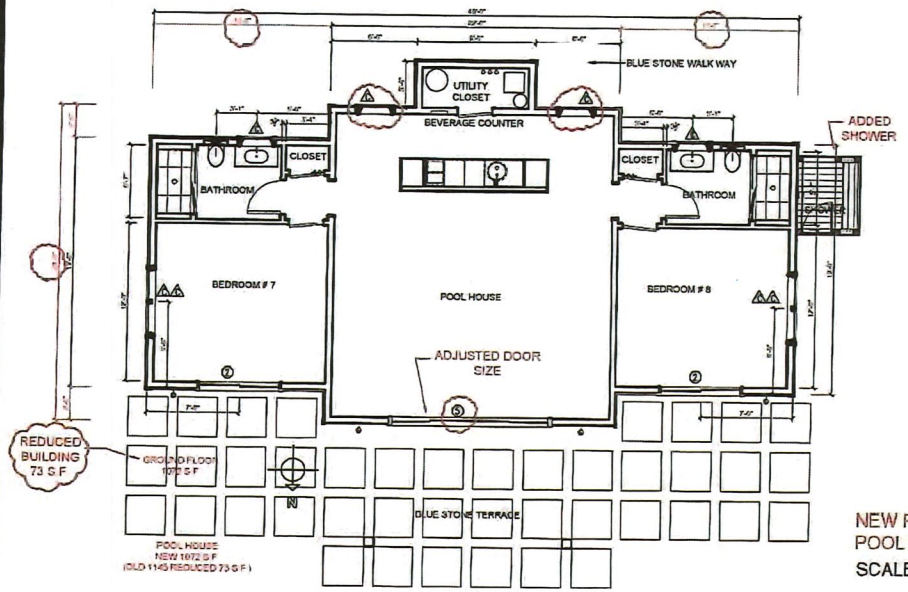

NEW PROPOSED REDUCED
POOL HOUSE ELEVATIONS
SCALE: 1/4" = 1'-0"

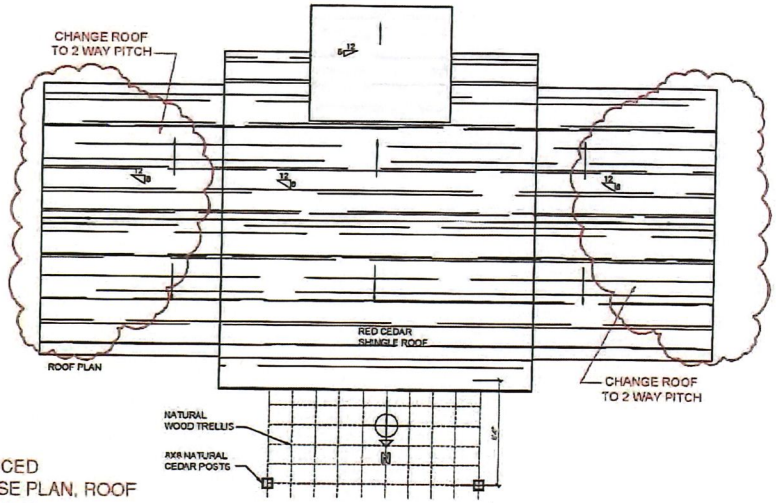


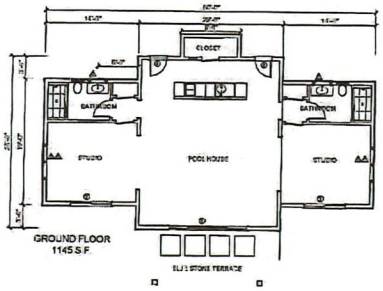
OLD HDC APPROVED
POOL HOUSE ELEVATIONS
SCALE: 1/8" = 1'-0"

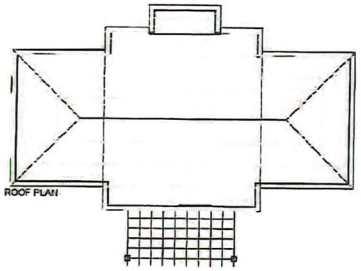
| PICNIC ASSOC. | ISSUE DATES: | REVISIONS: | PRINT DATES: | POOL HOUSE COTTAGE ELEVATIONS<br>MAP 20 PARCEL 62 148552+/- S.F.<br>12 EAT FIRE SPRING RD. NANTUCKET MA. | 8A |
|---|---|---|---|---|---|
| | 12-26-2021 MESA APPROVED<br>2-18-2022 SUBMISSION FOR MARCH HDC REVIEW | 2-16-2022 REDUCED S.F. / MESA | 2-18-2022 | | |




NEW REDUCED
POOL HOUSE PLAN, ROOF
SCALE: $\frac{1}{4}$"= 1'-0"




OLD HDC APPROVED
POOL HOUSE PLAN, ROOF
SCALE: $\frac{1}{8}$"= 1'-0"

| PICNIC ASSOC. | ISSUE DATES: | REVISIONS: | PRINT DATES: | POOL HOUSE COTTAGE PLAN & ROOF<br>MAP 20 PARCEL 62 148552+/- S.F.<br>12 EAT FIRE SPRING RD. NANTUCKET MA. | 8 |
|---|---|---|---|---|---|
| | 12-28-2021 MESA APPROVED<br>2-18-2022 SUBMISSION FOR MARCH HDC REVIEW | 2-18-2022 REDUCED S.F. / MESA | 2-18-2022 | | |

CERTIFICATE NO: 78361

DATE ISSUED: 11/5/19

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

# CERTIFICATE OF APPROPRIATENESS

for structural work.

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

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

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

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

## PROPERTY DESCRIPTION

TAX MAP N°: 20 PARCEL N°. 67

Street & Number of Proposed Work: 12 [illegible]

Owner of record: [illegible]

Mailing Address: 12 CRUISE DRIVE

NANTUCKET, MA 02554

Contact Phone #: _____ E-mail: _____

## AGENT INFORMATION (If applicable)

Name: [illegible]

Mailing Address: PO BOX 3057

NANTUCKET MA 02554

Contact Phone #: [illegible] E-mail: [illegible]

FOR OFFICE USE ONLY

Date application received: 11-5-19 Fee Paid: $ 93

Must be acted on by: 12-20-19

Extended to: _____

Approved: [illegible] Disapproved: _____

Chairman: [illegible]

Member: _____

Member: _____

Member: _____

Member: _____

Notes - Comments - Restrictions - Conditions

_____

_____

_____

## DESCRIPTION OF WORK TO BE PERFORMED

See reverse for required documentation.

☐ New Dwelling ☐ Addition ☐ Garage ☐ Driveway/Apron ☐ Commercial ☐ Historical Renovation ☐ Deck/Patio ☐ Steps ☐ Shed
☐ Color Change ☐ Fence ☐ Gate ☐ Hardscaping ☐ Move Building ☐ Demolition ☐ Revisions to previous Cert. No. _____
☐ Pool (Zoning District ____) ☐ Roof ☐ Other [illegible]

Size of Structure or Addition: Length: [illegible] Sq. Footage 1st floor: [illegible] Decks/Patio: Size: _____ ☐ 1st floor ☐ 2nd floor
Width: [illegible] Sq. footage 2nd floor: [illegible] Size: _____ ☐ 1st floor ☐ 2nd floor
Sq. footage 3rd floor: [illegible]

Difference between existing grade and proposed finish grade: North [illegible] South [illegible] East [illegible] West [illegible]
Height of ridge above final finish grade: North [illegible] South [illegible] East [illegible] West [illegible]
Additional Remarks

Historic Name:
Original Date:
Original Builder:

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

REVISIONS* (describe)

1. East Elevation
2. South Elevation
3. West Elevation
4. North Elevation

*Cloud on drawings and submit photographs of existing elevations.

## DETAIL OF WORK TO BE PERFORMED

**Foundation:** Height Exposed [illegible] ☐ Block ☐ Block Parged ☐ Brick (type) _____ ☐ Poured Concrete ☐ Piers

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

**Roof Pitch:** Main Mass [illegible]/12 Secondary Mass _____/12 Dormer _____/12 Other _____

**Roofing material:** ☐ Asphalt: ☐ 3-Tab ☐ Architectural
☐ Wood (Type: Red Cedar, White Cedar, Shakes, etc.) _____

Fence: Height: _____
Type: _____
Length: _____

**Skylights (flat only):** Manufacturer _____ Rough Opening _____ Size _____ Location _____
Manufacturer _____ Rough Opening _____ Size _____ Location _____

**Gutters:** ☐ Wood ☐ Aluminum ☐ Copper ☐ Leaders (material) _____

**Leaders (material and size):** _____

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

**Trim:** A. Wood ☐ Pine ☐ Redwood ☐ Cedar ☐ Other _____
B. Treatment ☐ Paint ☐ Natural to weather ☐ Other _____
C. Dimensions: Fascia _____ Rake _____ Soffit (Overhang) _____ Corner boards _____ Frieze _____
Window Casing _____ Door Frame _____ Columns/Posts: Round _____ Square _____

**Windows*:** ☐ Double Hung ☐ Casement ☐ All Wood ☐ Other _____
☐ True Divided Lights(muntins), single pane ☐ SDL's (Simulated Divided Lights) Manufacturer _____

**Doors*** (type and material): ☐ TDL ☐ SDL Front _____ Rear _____ Side _____
Garage Door(s): Type _____ Material _____

**Hardscape materials:** Driveways _____ Walkways _____ Walls _____

* Note: Complete door and window schedules are required.

## COLORS

Sidewall NTW
Trim NTW
Deck NTW
Clapboard (if applicable) _____
Sash [illegible]
Foundation [illegible]
Roof [illegible]
Doors [illegible]
Fence _____ Shutters _____

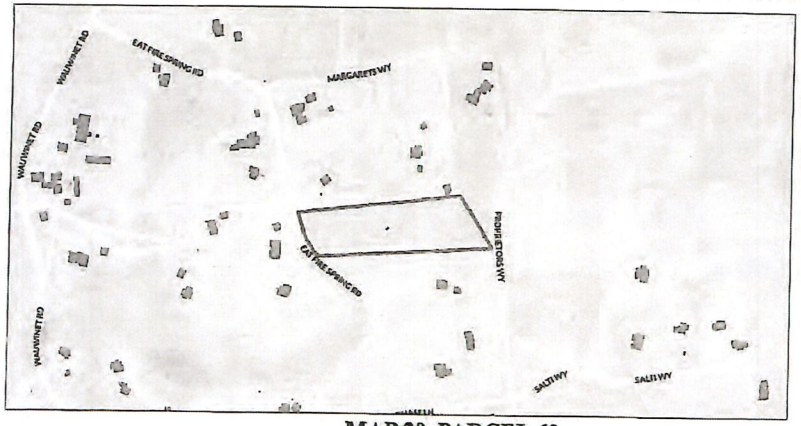
* Attach manufacturer's color samples if color is not from HDC approval list.

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

Date 11/5/19 Signature of owner of record [illegible] Signed under penalties of perjury

8 EAT FIRE SPRINGS RD

10 EAT FIRE SPRINGS RD



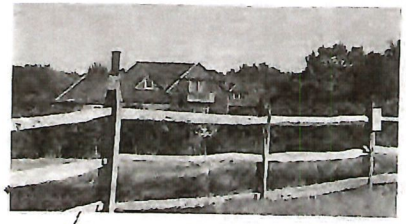

MAP 20 PARCEL 62

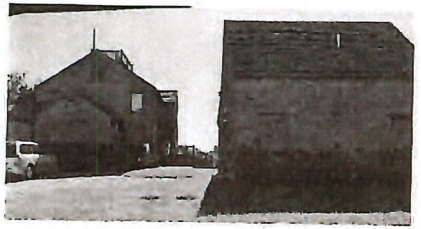
9 EAT FIRE SPRINGS RD

6 EAT FIRE SPRINGS RD

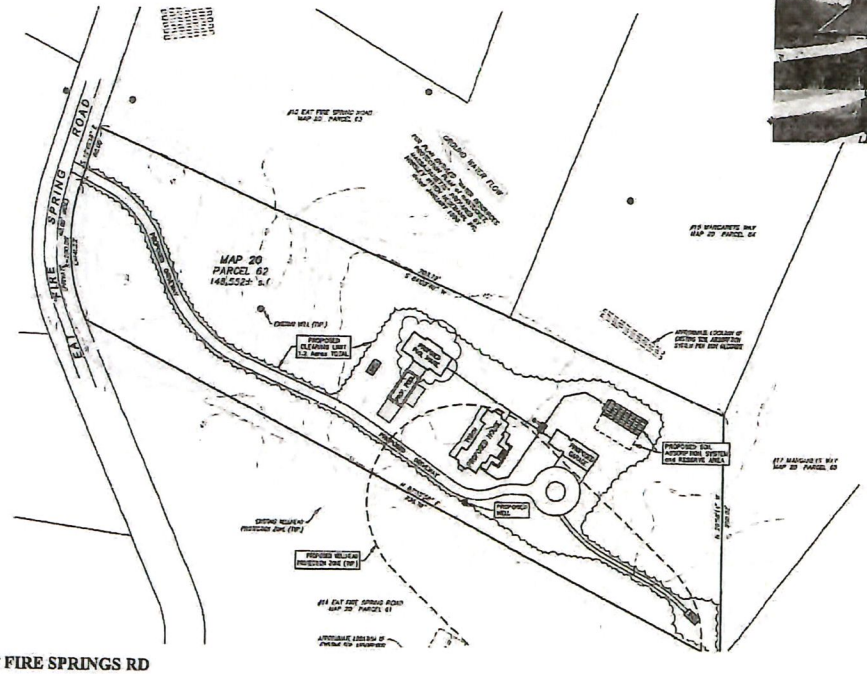
18 EAT FIRE SPRINGS RD

5 EAT FIRE SPRINGS RD





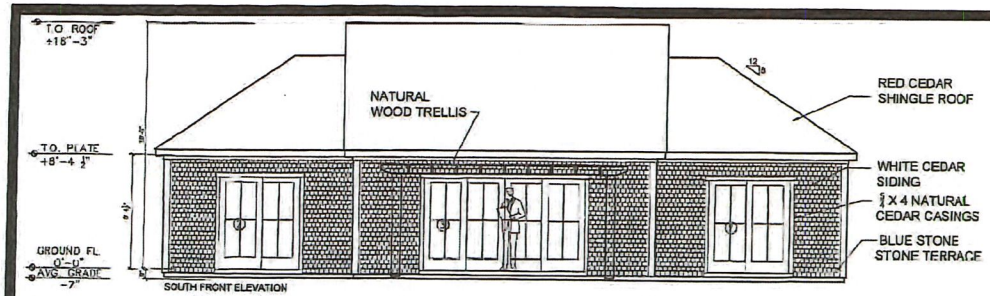
3 EAT FIRE SPRINGS RD

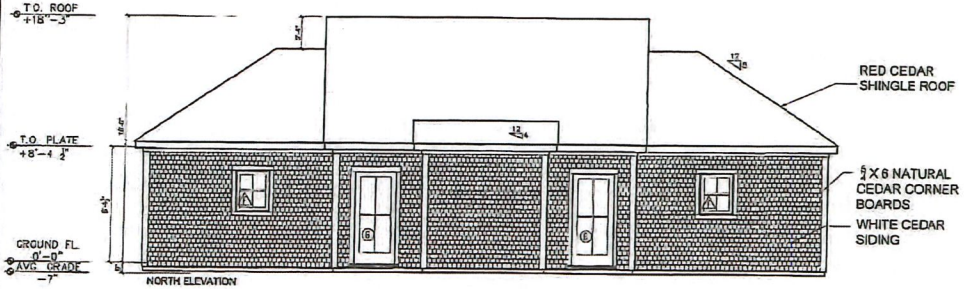


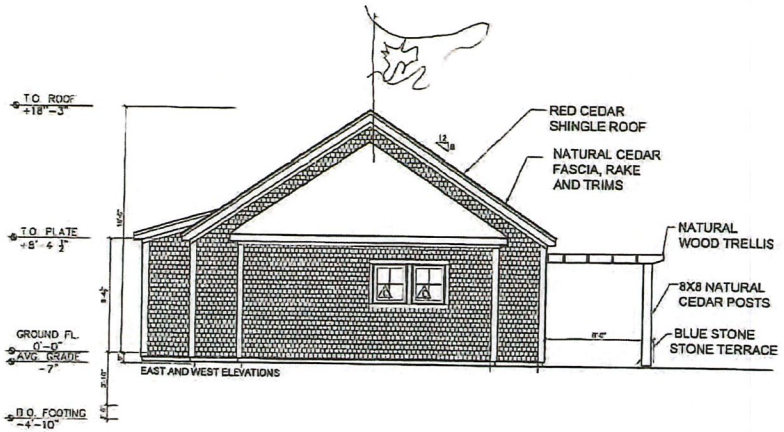

RECEIVED

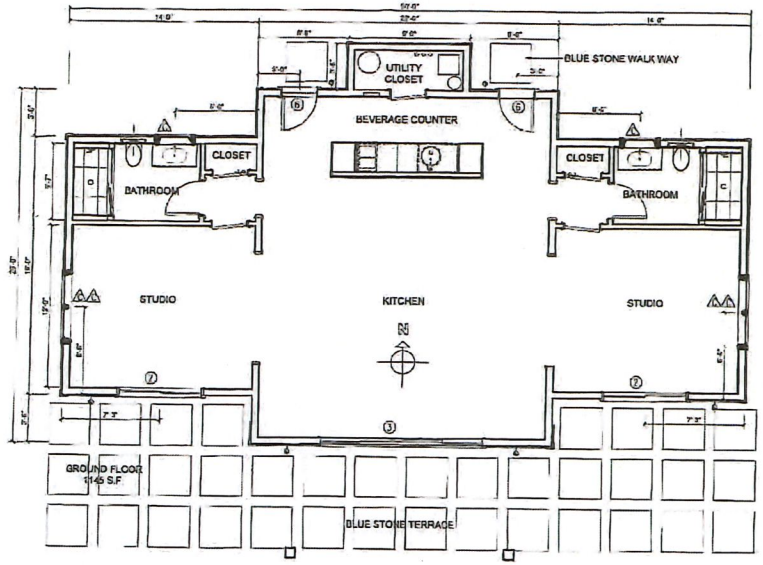
PICNIC ASSOCIATES- 12 EAT FIRE SPRINGS
POOL HOUSE

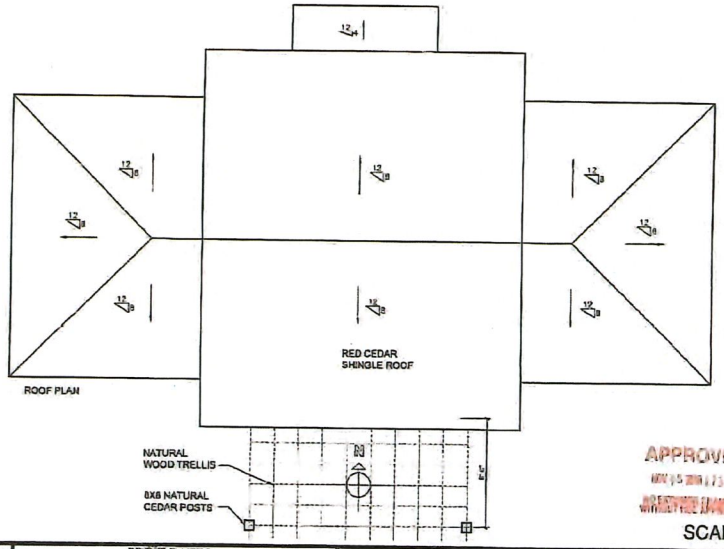
APPROVED




RECEIVED

APPROVED

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

| PICNIC ASSOC. | ISSUE DATES: | REVISIONS: | PRINT DATES: 10-15-2019 | POOL HOUSE COTTAGE PLAN & ELEVATIONS<br>12 EAT FIRE SPRING RD. NANTUCKET MA. | 8 |
|---|---|---|---|---|---|

CERTIFICATE NO: _____ DATE ISSUED: _____

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

# CERTIFICATE OF APPROPRIATENESS

for structural work.

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

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

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

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

## PROPERTY DESCRIPTION

TAX MAP N°: 20 PARCEL N°. 102

Street & Number of Proposed Work: 12 EAST FIVE SPRINGS RD.

Owner of record: LAURA NICHOLSON TRUST

Mailing Address: PO BOX 1416

NANTUCKET, MA 02554

Contact Phone #: _____ E-mail: _____

## AGENT INFORMATION (if applicable)

Name: VAL OMEL DESIGN INC.

Mailing Address: PO BOX 3057

NANTUCKET MA 02584

Contact Phone #: (508) 325-4819 E-mail: alexval62@gmail.com

FOR OFFICE USE ONLY

Date application received: _____ Fee Paid: $ _____

Must be acted on by: _____

Extended to: _____

Approved: _____ Disapproved: _____

Chairman: _____

Member: _____

Member: _____

Member: _____

Member: _____

Notes - Comments - Restrictions - Conditions

## DESCRIPTION OF WORK TO BE PERFORMED

See reverse for required documentation.

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

☐ Color Change ☐ Fence ☐ Gate ☐ Hardscaping ☐ Move Building ☐ Demolition ☒ Revisions to previous Cert. No. 733602

☐ Pool (Zoning District ____) ☐ Roof ☐ Other _____ 11-5-2019

Size of Structure or Addition: Length: _____ Sq. Footage 1st floor: -16 SF.

Width: _____ Sq. footage 2nd floor: _____

Sq. footage 3rd floor: _____

Decks/Patio: Size: _____ ☐ 1st floor ☐ 2nd floor

Size: _____ ☐ 1st floor ☐ 2nd floor

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

Height of ridge above final finish grade: North _____ South _____ East _____ West _____

Additional Remarks

Historic Name:

Original Date:

Original Builder:

REVISIONS* (describe)

1. East Elevation
2. South Elevation
3. West Elevation
4. North Elevation

REDUCE SHED HT BYLO*
REDUCE SHED BY 16 SF
ADD TWO WINDOWS

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

*Cloud on drawings and submit photographs of existing elevations.

## DETAIL OF WORK TO BE PERFORMED

**Foundation:** Height Exposed _____ ☐ Block ☐ Block Parged ☐ Brick (type) _____ ☐ Poured Concrete ☐ Piers

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

**Roof Pitch:** Main Mass _____/12_____ Secondary Mass _____/12_____ Dormer _____/12_____ Other _____

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

☐ Wood (Type: Red Cedar, White Cedar, Shakes, etc.) _____

Fence: Height: _____

Type: _____

Length: _____

**Skylights (flat only):** Manufacturer _____ Rough Opening _____ Size _____ Location _____

Manufacturer _____ Rough Opening _____ Size _____ Location _____

**Gutters:** ☐ Wood ☐ Aluminum ☐ Copper ☐ Leaders (material) _____

**Leaders (material and size):** _____

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

☐ _____

☐ Other _____

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

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

C. Dimensions: Fascia _____ Rake _____ Soffit (Overhang) _____ Corner boards _____ Frieze _____

Window Casing _____ Door Frame _____ Columns/Posts: Round _____ Square _____

**Windows*:** ☐ Double Hung ☐ Casement ☐ All Wood ☐ Other _____

☐ True Divided Lights(muntins), single pane ☐ SDL's (Simulated Divided Lights) Manufacturer _____

**Doors*** (type and material): ☐ TDL ☐ SDL Front _____ Rear _____ Side _____

Garage Door(s): Type _____ Material _____

**Hardscape materials:** Driveways _____ Walkways _____ Walls _____

* Note: Complete door and window schedules are required.

## COLORS

Sidewall MTW

Trim MTW

Deck MTW

Clapboard (if applicable) _____

Sash BLACK

Foundation GRAY

Roof NTW WOOD

Doors BLACK

Fence _____ Shutters _____

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

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

Date 4/7/22 Signature of owner of record _____ Signed under penalties of perjury

# HISTORIC DISTRICT COMMISSION

2 Fairgrounds Road
Nantucket, Massachusetts 02554
Telephone: 508.325.7587
Email: plus@nantuclet-ma.gov

COMMISSIONERS

Ray Pohl
Chair

Abigail Camp
Vice-Chair

Diane Coombs

Val Oliver

John McLaughlin

ASSOCIATE COMMISSIONERS

Jesse Dutra

Carrie Thornewill

Stephen Welch

STAFF

Cathy Flynn
HDC Compliance Coordinator/Land Use Specialist
cflynn@nantucket-ma.gov

## Waiver of the HDC 10 Day Hearing Requirement

I VAL OLIVER DESIGN INC

AS AGENT FOR LAURA NICHOLSON TRUST

STREET ADDRESS 12 EATFIRE SPRINGS RD

MAP/PARCEL 20-62

UNDERSTAND THAT THE ABOVE REFERENCED APPLICATION SUBMITTED ON 4-8-22

WILL NOT BE REVIEWED BY THE HISTORIC DISTRICT COMMISSION, DUE INCREASE DEMAND, WITHIN THE 10 DAY PERIOD AS REQUIRED BY:

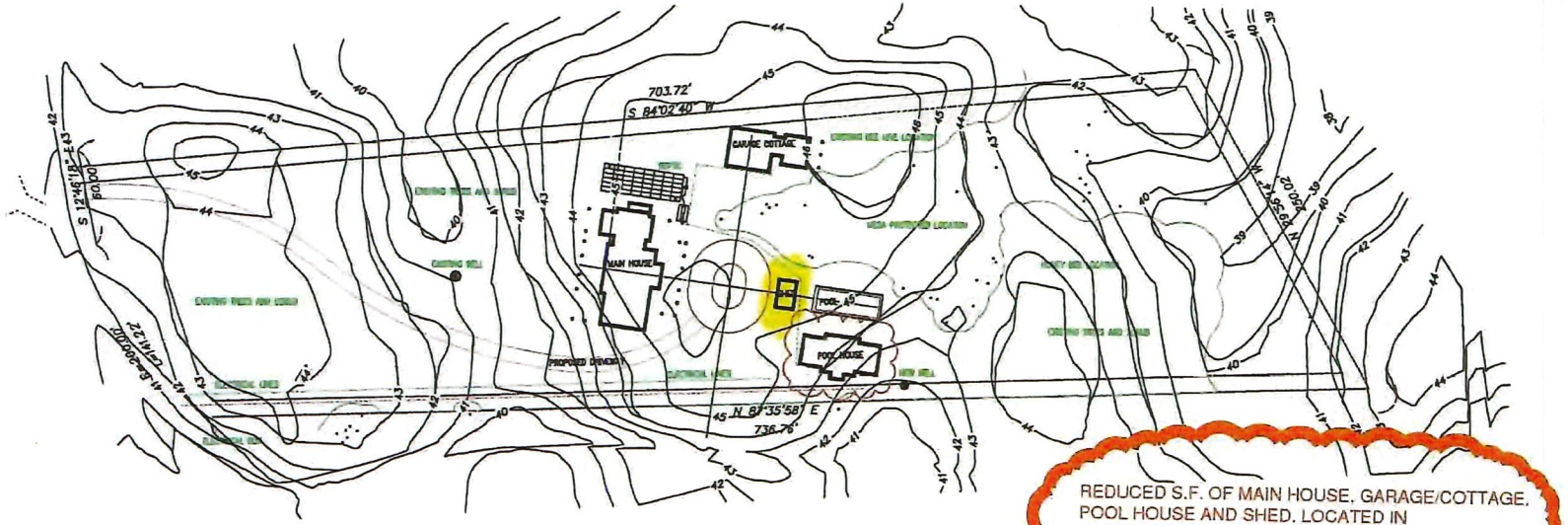
**SECTION 8 of the HDC enabling legislation: ... The Commission shall meet within ten (10) days of the receipt of an application for a certificate of appropriateness or permit for removal...**

AND I AGREE TO A WAIVER OF THE ABOVE MENTIONED REQUIREMENT.

Val Oliver — 4-8-22

Signature — Date

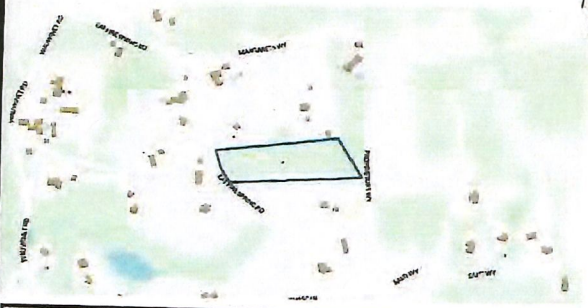
# 12 EAT FIRE SPRINGS RD- (SHED) REDUCE SIZE
# REV TO PREVIOUS COA 73362 (11-5-2019)

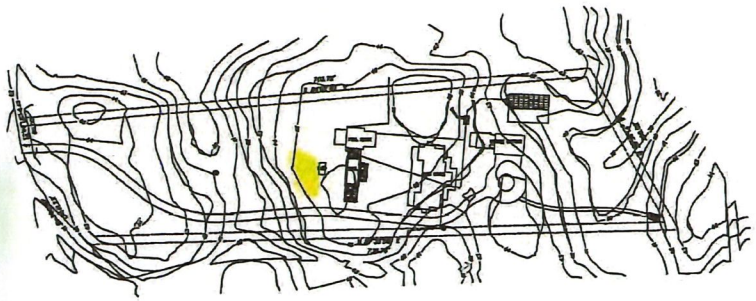



NEW REDUCED MESA APPROVED
SITE PLAN SCALE: $\frac{1}{32}$"= 1'-0"

REDUCED S.F. OF MAIN HOUSE, GARAGE/COTTAGE, POOL HOUSE AND SHED. LOCATED IN ACCORDANCE WITH MESA PROTECTED AREA

## MAP 20 PARCEL 62

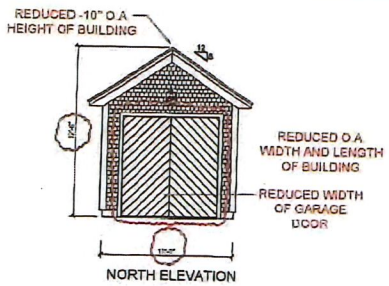


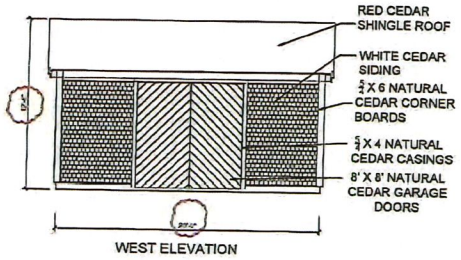


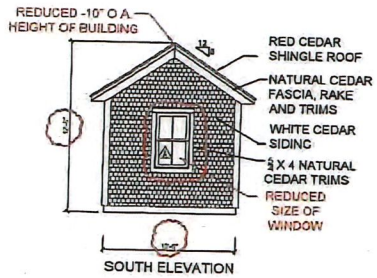
OLD HDC APPROVED
SITE PLAN
SCALE: $\frac{1}{64}$"= 1'-0"

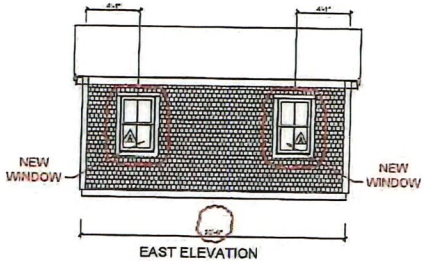
N

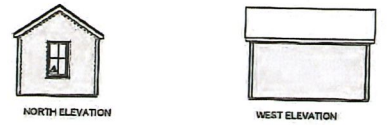
| PICNIC ASSOC. | ISSUE DATES: 12-23-2021 MESA APPROVED; 2-10-2022 SUBMISSION FOR MARCH HDC REVIEW | REVISIONS: 2-10-2022 REDUCED S.F. / MESA | PRINT DATES: 2-10-2022 | SITE PLAN<br>MAP 20 PARCEL 62 148552+/- S.F.<br>12 EATFIRE SPRING RD. NANTUCKET MA. | S |
|---|---|---|---|---|---|



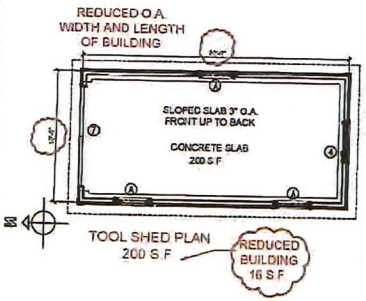



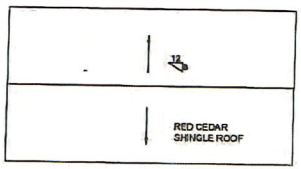


OLD HDC APPROVED
TOOL SHED PLAN, ROOF, ELEVATIONS
SCALE: $\frac{1}{8}$"= 1'-0"




NEW PROPSED REDUCED
TOOL SHED PLAN,ROOF, ELEVATIONS
SCALE: $\frac{1}{4}$"= 1'-0"

| PICNIC ASSOC. | ISSUE DATES: | REVISIONS: | PRINT DATES: | TOOL SHED PLAN, ELEVATIONS & ROOF PLAN<br>MAP 20 PARCEL 62 148552+/- S.F.<br>12 EAT FIRE SPRING RD. NANTUCKET MA. | 10 |
|---|---|---|---|---|---|
| | 12-28-2021 MESA APPROVED<br>2-18-2022 SUBMISSION FOR MARCH HDC REVIEW | 2-18-2022 REDUCED S.F. / MESA | 2-18-2022 | | |

CERTIFICATE NO: 23362

DATE ISSUED: 11/5/19

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

# CERTIFICATE OF APPROPRIATENESS

for structural work.

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

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

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

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

## PROPERTY DESCRIPTION

TAX MAP N°: 70 PARCEL N°. 62

Street & Number of Proposed Work: [illegible]

Owner of record: [illegible]

Mailing Address: [illegible]

Contact Phone #: _____ E-mail: _____

## AGENT INFORMATION (if applicable)

Name: [illegible]

Mailing Address: [illegible]

Contact Phone #: _____ E-mail: _____

FOR OFFICE USE ONLY

Date application received: 10-16-19 Fee Paid: $ 360

Must be acted on by: 12-20-19

Extended to: _____

Approved: [illegible] Disapproved: _____

Chairman: _____

Member: _____

Member: _____

Member: _____

Member: _____

Notes - Comments - Restrictions - Conditions

## DESCRIPTION OF WORK TO BE PERFORMED

See reverse for required documentation.

☐ New Dwelling ☐ Addition ☐ Garage ☐ Driveway/Apron ☐ Commercial ☐ Historical Renovation ☐ Deck/Patio ☐ Steps ☐ Shed
☐ Color Change ☐ Fence ☐ Gate ☐ Hardscaping ☐ Move Building ☐ Demolition ☐ Revisions to previous Cert. No. _____
☐ Pool (Zoning District ____) ☐ Roof ☐ Other _____

Size of Structure or Addition: Length: _____ Sq. Footage 1st floor: [illegible]
Width: _____ Sq. footage 2nd floor: _____
Sq. footage 3rc floor: _____

Decks/Patio: Size: _____ ☐ 1st floor ☐ 2nd floor
Size: _____ ☐ 1st floor ☐ 2nd floor

Difference between existing grade and proposed finish grade: North _____ South _____ East _____ West _____
Height of ridge above final finish grade: North _____ South _____ East _____ West _____
Additional Remarks

Historic Name:
Original Date:
Original Builder:

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

REVISIONS* (describe)
1. East Elevation
2. South Elevation
3. West Elevation
4. North Elevation

*Cloud on drawings and submit photographs of existing elevations.

## DETAIL OF WORK TO BE PERFORMED

**Foundation:** Height Exposed _____ ☐ Block ☐ Block Parged ☐ Brick (type) _____ ☐ Poured Concrete ☐ Piers

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

**Roof Pitch:** Main Mass _____/12_____ Secondary Mass _____/12_____ Dormer _____/12_____ Other _____

**Roofing material:** ☐ Asphalt: ☐ 3-Tab ☐ Architectural
☐ Wood (Type: Red Cedar, White Cedar, Shakes, etc.) _____

Fence: Height: _____
Type: _____
Length: _____

**Skylights (flat only):** Manufacturer _____ Rough Opening _____ Size _____ Location _____
Manufacturer _____ Rough Opening _____ Size _____ Location _____

**Gutters:** ☐ Wood ☐ Aluminum ☐ Copper ☐ Leaders (material) _____

**Leaders (material and size):** _____

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

**Trim:** A. Wood ☐ Pine ☐ Redwood ☐ Cedar ☐ Other _____
B. Treatment ☐ Paint ☐ Natural to weather ☐ Other _____
C. Dimensions: Fascia _____ Rake _____ Soffit (Overhang) _____ Corner boards _____ Frieze _____
Window Casing _____ Door Frame _____ Columns/Posts: Round _____ Square _____

**Windows*:** ☐ Double Hung ☐ Casement ☐ All Wood ☐ Other _____
☐ True Divided Lights(muntins), single pane ☐ SDL's (Simulated Divided Lights) Manufacturer _____

**Doors*** (type and material): ☐ TDL ☐ SDL Front _____ Rear _____ Side _____
Garage Door(s): Type _____ Material _____

**Hardscape materials:** Driveways _____ Walkways _____ Walls _____

* Note: Complete door and window schedules are required.

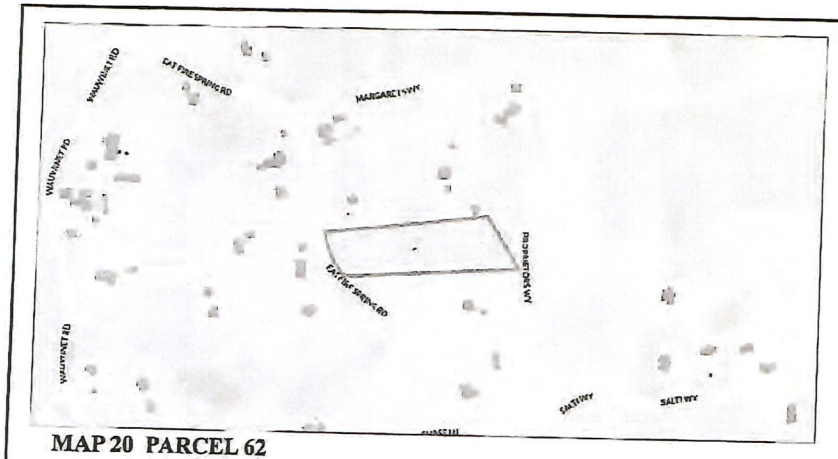
## COLORS

Sidewall [illegible] Clapboard (if applicable) _____ Roof [illegible]
Trim [illegible] Sash _____ Doors _____
Deck _____ Foundation _____ Fence _____ Shutters _____

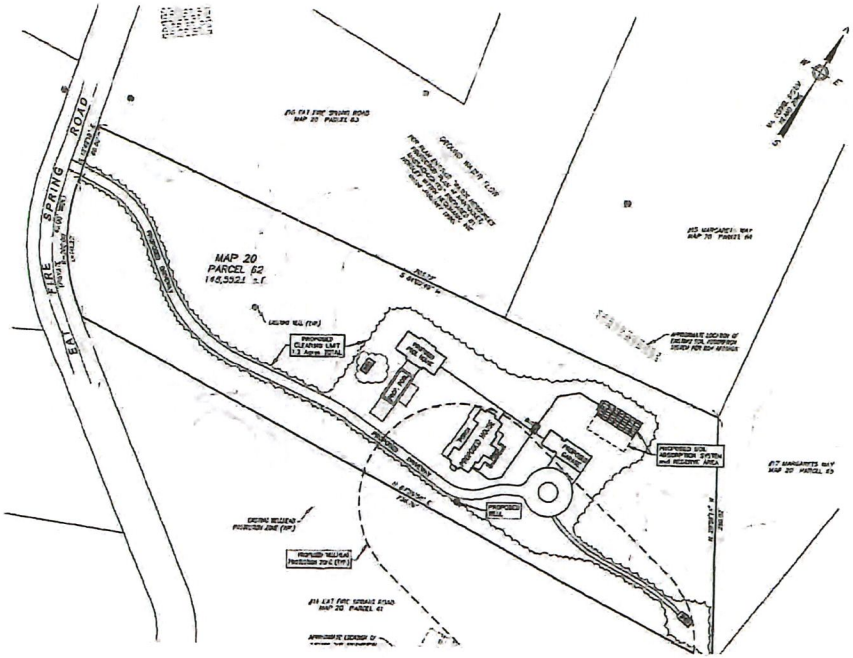
* Attach manufacturer's color samples if color is not from HDC approval list.

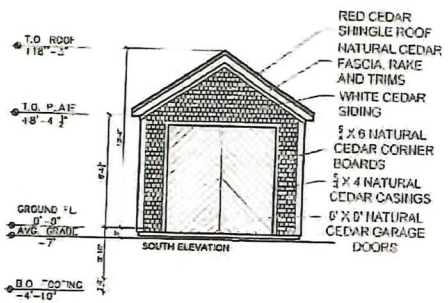
I hereby authorize the agent named above to act on my behalf to make changes in the specifications or the plans contained in this application in order to bring the application into compliance with the HDC guidelines. I hereby agree to abide by and comply with the terms and conditions of this application.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

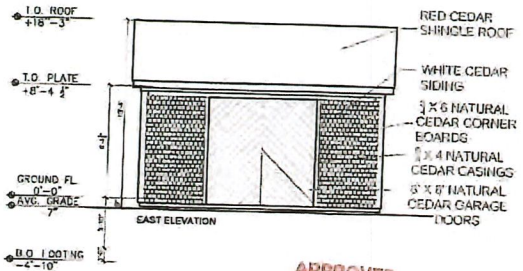
Date _____ Signature of owner of record _____ Signed under penalties of perjury



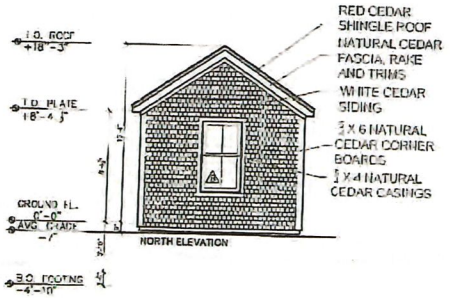

**MAP 20 PARCEL 62**

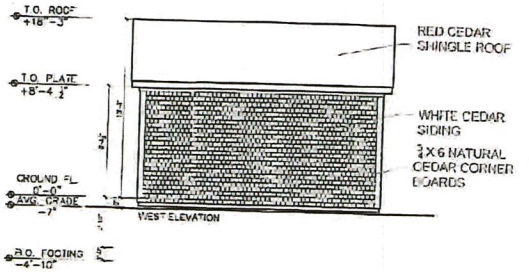


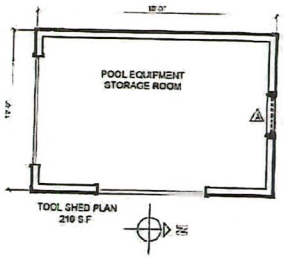



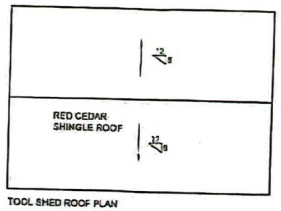




APPROVED

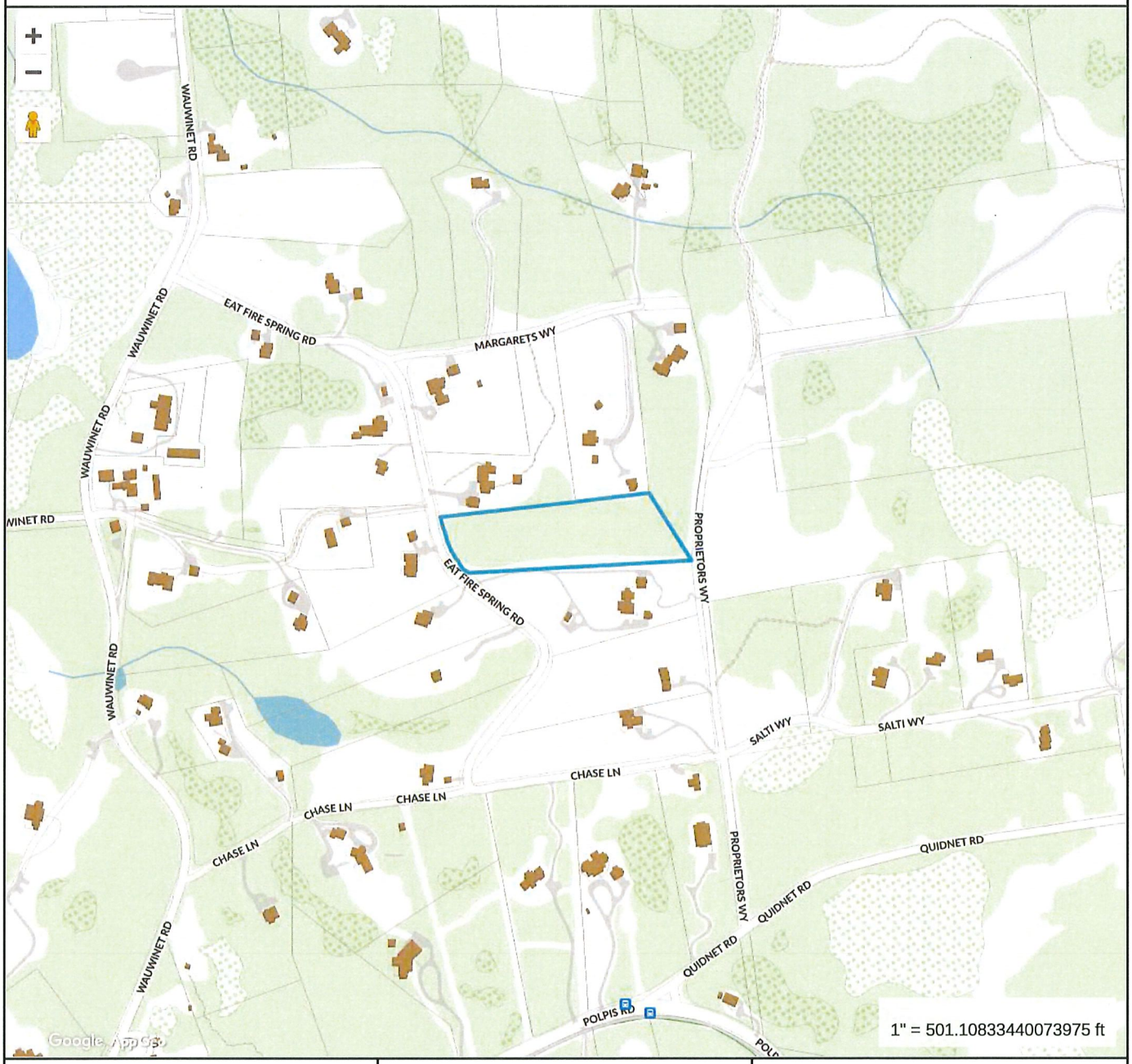



**PICNIC ASSOCIATES- 12 EAT FIRE SPRINGS SHED**




**Property Information**

| | |
|---|---|
| **Property ID** | 20 62 |
| **Location** | 12 EAT FIRE SPRING RD |
| **Owner** | NICHOLSON LAURA & PICCIRILLO PAUL |

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 07/28/2022
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..... Laura Nicholson, Trustee of 12 Eat Spring Road Realty Trust

MAILING ADDRESS..... P. O. Box 16, Nantucket, MA

PROPERTY LOCATION..... 12 Eat Fire Spring Road

ASSESSOR MAP/PARCEL..... 20-62

SUBMITTED BY..... Susan Godfrey on behalf of Joel Quick, Esq.
Pierce Atwood, 100 Summer Street
22nd Floor, Boston, MA 02110
sgodfrey@pierceatwood.com; 617-488-8171

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).

August 19, 2022

DATE

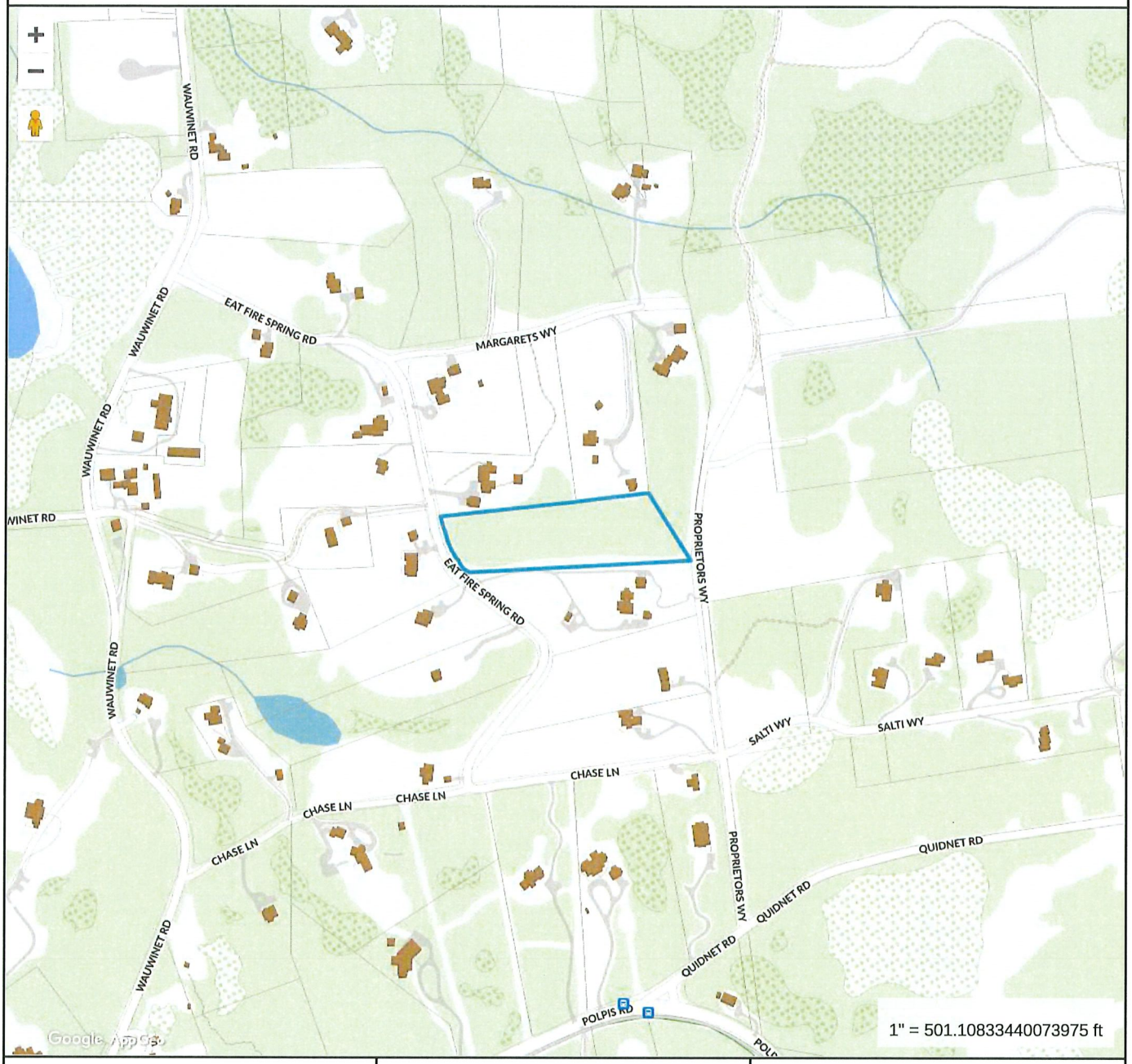
Mary Haley,
Senior Clerk,
Assessor's Office

Digitally signed by Mary Haley, Senior Clerk, Assessor's Office
Date: 2022.08.19 10:31:41 -04'00'

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 |
|---|---|---|---|---|---|---|---|---|---|
| 20 | 8 | 2 | ANDERSON KENNETH J TRST | C/O HENTZ KATHRYN | 84 ELM STREET | COHASSET | MA | 02025 | 8 EAT FIRE SPRING RD |
| 20 | 37 | | WULLSCHLEGER JON SEARS & | BARBARA HALL | 4713 EDLERBERRY DR | SARASOTA | FL | 34241 | 17 WAUWINET RD |
| 20 | 50 | 1 | FRIST WILLIAM H TRST | C/O KOLARICH DEBORAH A | PO BOX 150099 | NASHVILLE | TN | 37215-0099 | 2 SALTI WY |
| 20 | 50 | 2 | NANTUCKET CONSERVATION FND INC | | PO BOX 13 | NANTUCKET | MA | 02554 | SQUAM |
| 20 | 56 | | OWEN JUDSON H TRST ETAL | | 14 MULLBERRY LANE | EDISON | NJ | 08820 | 13 EAT FIRE SPRING RD |
| 20 | 57 | | 15 EAT FIRE SPRING RD LLC | | 1 CONSTITUTION CENTER | BOSTON | MA | 02129 | 15 EAT FIRE SPRING RD |
| 20 | 60 | | RUBALTELLI DAVID | | 16 EAT FIRE SPRING RD | NANTUCKET | MA | 02554 | 16 EAT FIRE SPRING RD |
| 20 | 61 | | ESPOSITO JOHN | | 313 LYNNWOOD BLVD | NASHVILLE | TN | 37205-2907 | 14 EAT FIRE SPRING RD |
| 20 | 63 | | COHEN STEVEN L TR | | PO BOX 786 | NANTUCKET | MA | 02554 | 10 EAT FIRE SPRING RD |
| 20 | 64 | | 15 MARGARETS WAY LLC | | 1205 NORTH ORANGE ST | WILMINGTON | DE | 19801 | 15 MARGARETS WY |
| 20 | 65 | | HELLER SIG & SHAW JAN | | 341 WEST 20TH ST | NEW YORK | NY | 10011 | 17 MARGARETS WY |
| 20 | 66 | | BRALVER CHARLES N TRST ETAL | BRALVER FAMILY TRUST III | 9 EAT FIRE SPRING RD | NANTUCKET | MA | 02554 | 9 EAT FIRE SPRING 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 | | 5 CHESTNUT HILL TERRACE | CHESTNUT HILL | MA | 02467 | 5 EAT FIRE SPRING RD |
| **Count:** | **14** | | | | | | | | |




**Property Information**

| | |
|---|---|
| **Property ID** | 20 62 |
| **Location** | 12 EAT FIRE SPRING RD |
| **Owner** | NICHOLSON LAURA & PICCIRILLO PAUL |

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Geometry updated 07/28/2022
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ANDERSON KENNETH J TRST
C/O HENTZ KATHRYN
84 ELM STREET
COHASSET, MA 02025

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

FRIST WILLIAM H TRST
C/O KOLARICH DEBORAH A
PO BOX 150099
NASHVILLE, TN 37215-0099

NANTUCKET CONSERVATION FND INC
PO BOX 13
NANTUCKET, MA 02554

OWEN JUDSON H TRST ETAL
14 MULLBERRY LANE
EDISON, NJ 08820

15 EAT FIRE SPRING RD LLC
1 CONSTITUTION CENTER
BOSTON, MA 02129

RUBALTELLI DAVID
16 EAT FIRE SPRING RD
NANTUCKET, MA 02554

ESPOSITO JOHN
313 LYNNWOOD BLVD
NASHVILLE, TN 37205-2907

COHEN STEVEN L TR
PO BOX 786
NANTUCKET, MA 02554

15 MARGARETS WAY LLC
1205 NORTH ORANGE ST
WILMINGTON, DE 19801

HELLER SIG & SHAW JAN
341 WEST 20TH ST
NEW YORK, NY 10011

BRALVER CHARLES N TRST ETAL
BRALVER FAMILY TRUST III
9 EAT FIRE SPRING RD
NANTUCKET, MA 02554

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

POLPIS HARBOR REALTY LLC
5 CHESTNUT HILL TERRACE
CHESTNUT HILL, MA 02467

Pat: avery.com/patents

Étiquettes d'adresse Easy Peel
Repliez à la hachure afin de révéler le rebord Pop-up

Allez à avery.ca/gabarits
Utilisez le Gabarit Avery 5160

ANDERSON KENNETH J TRST
C/O HENTZ KATHRYN
84 ELM STREET
COHASSET, MA 02025

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PO BOX 13
NANTUCKET, MA 02554

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SARASOTA, FL 34241

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BRALVER FAMILY TRUST III
9 EAT FIRE SPRING RD
NANTUCKET, MA 02554

Go to avery.com/templates
Use Avery Template 5160

Easy Peel® Address Labels
Bend along line to expose Pop-up Edge

AVERY 5160

# OLD BUSINESS

Kristina & Nicholas

# AMENDOLARE

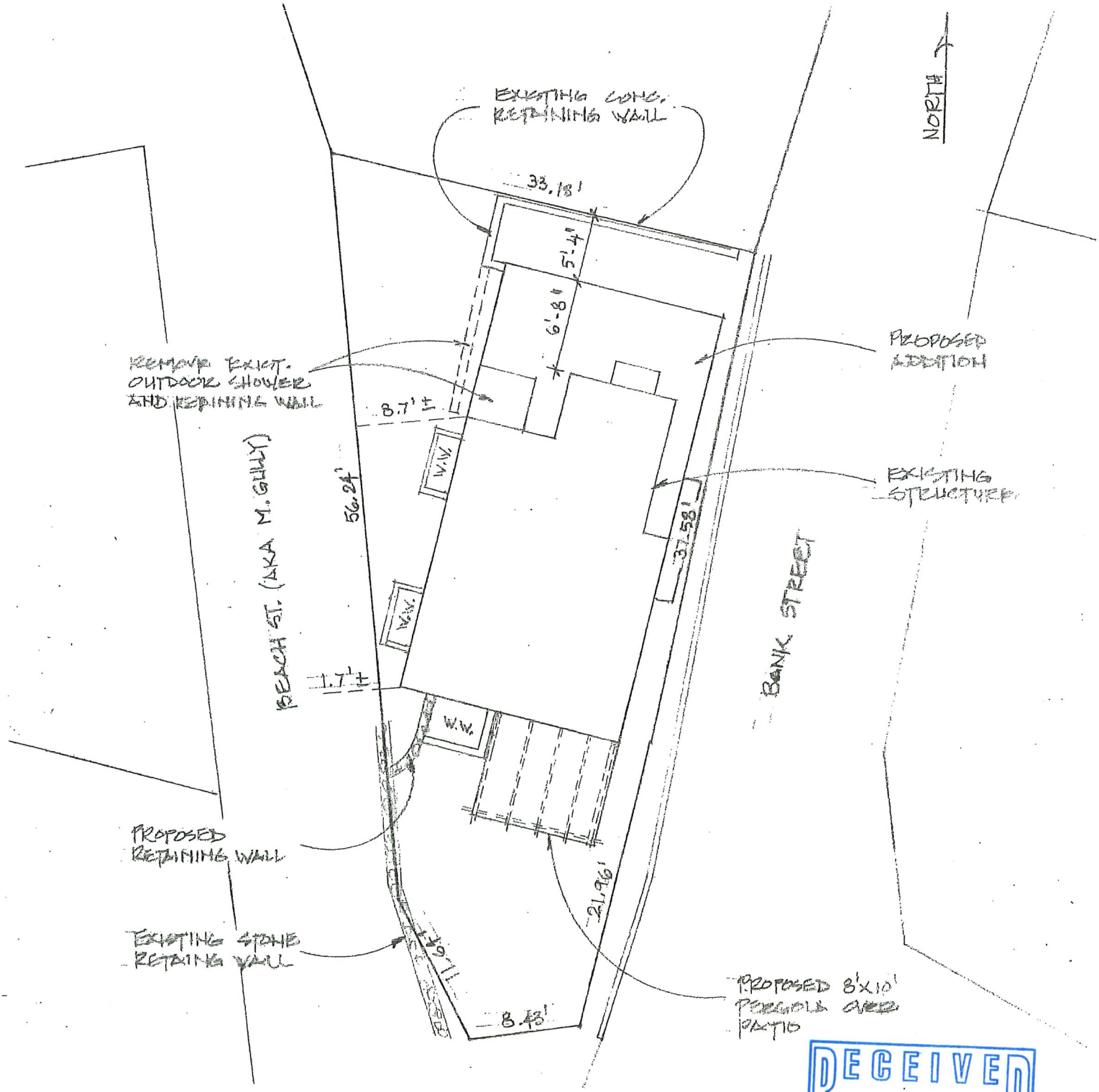
File No. 37-21

8 Bank St

**SPECIAL PERMIT**

# NEW MATERIALS SUBMITTED

Pg 92-181

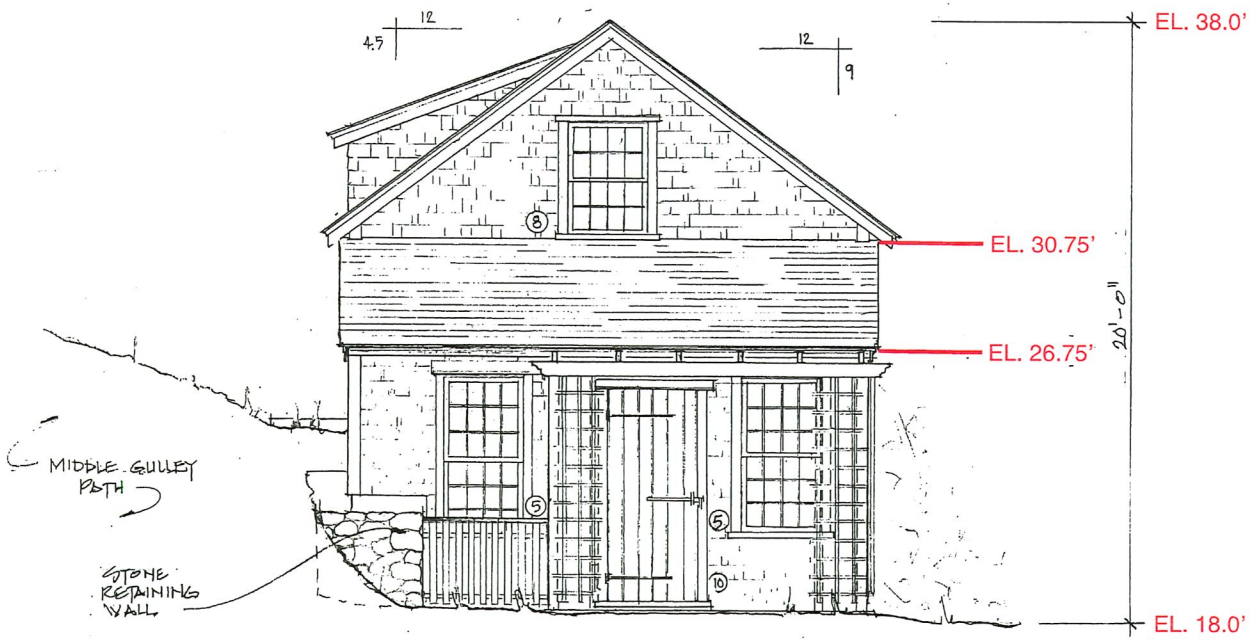



SITE PLAN
SCALE: 1" = 10'

RECEIVED
SEP 02 2022
By

AMENDOLARE RESIDENCE
8 BANK STREET
WOONSET, MA

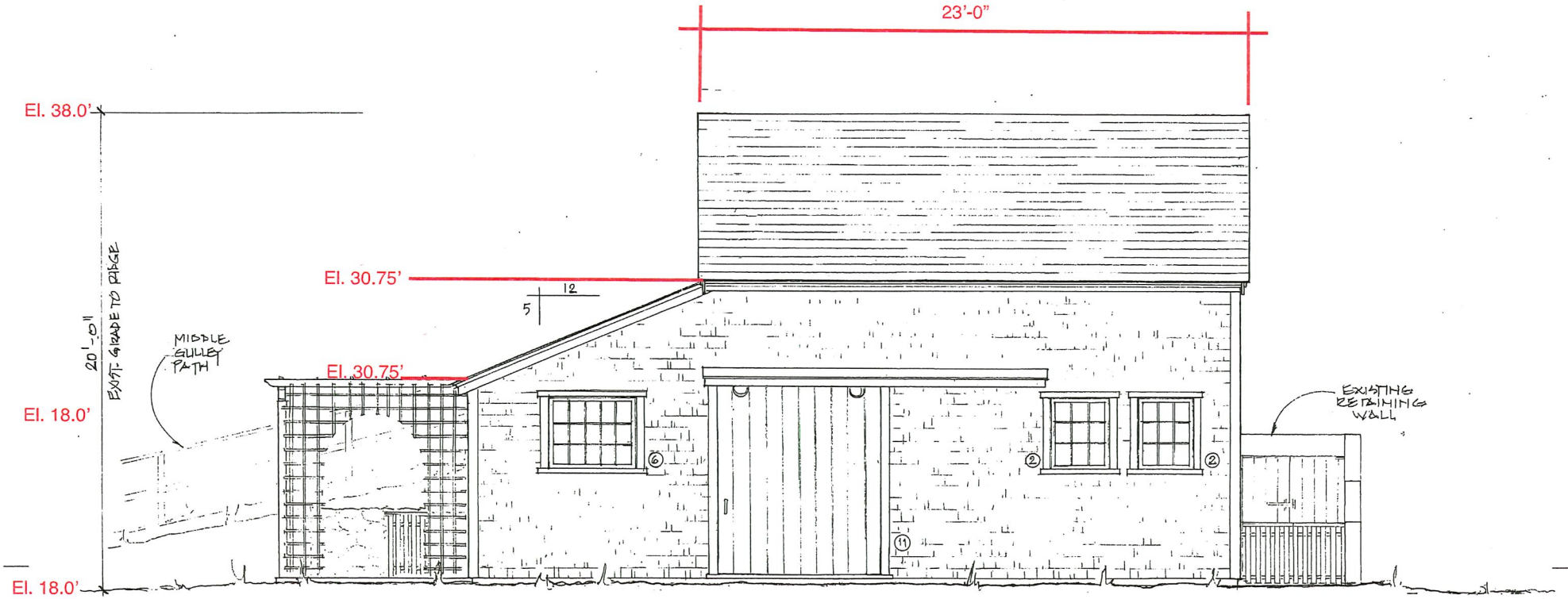
ANGUS MACLEOD DESIGNS
P.O. BOX 7055
WOONSET, MA
(508) 257-6789




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

AMENDOLARE RESIDENCE
8 BANK STREET
EGONSET, MA

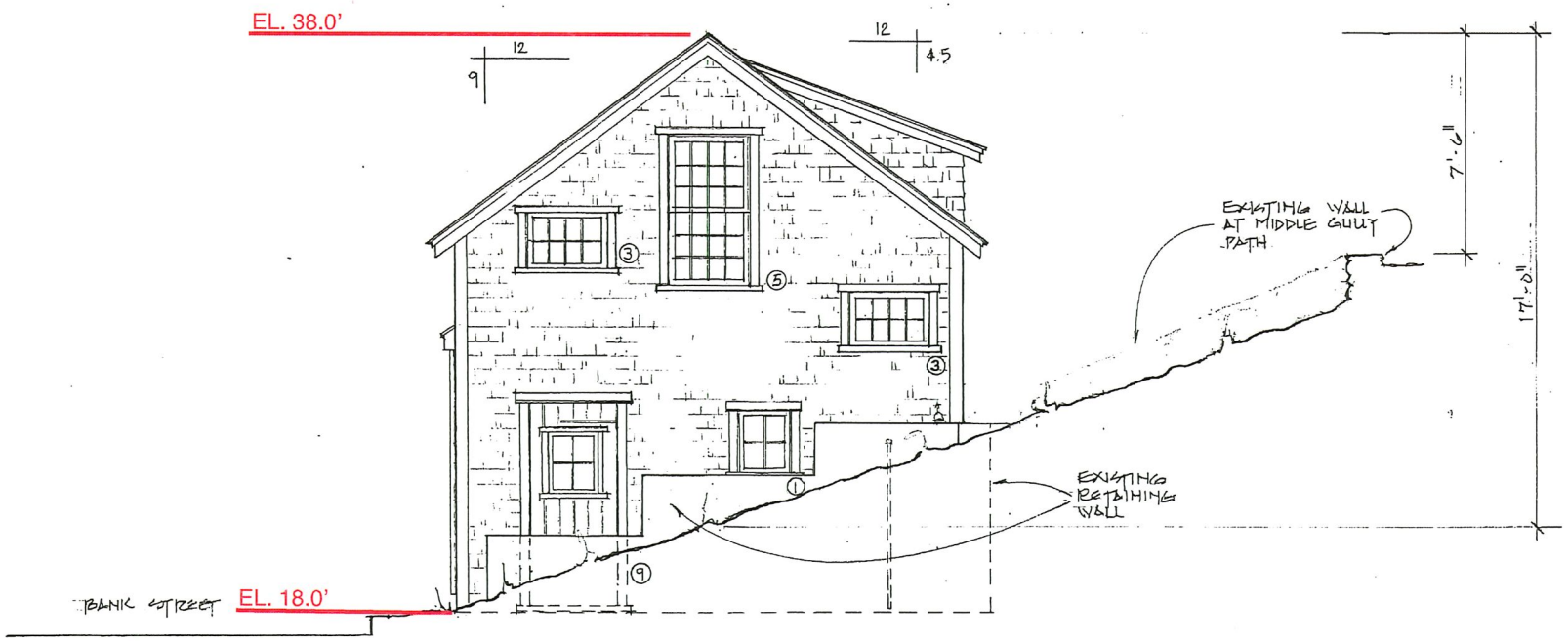
ANGUS MACLEOD DESIGNS
P.O. BOX 7055
EGONSET, MA
(508) 257-6789




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

AMENDOLARE RESIDENCE
8 BANK STREET
GLOUCESTER, MA

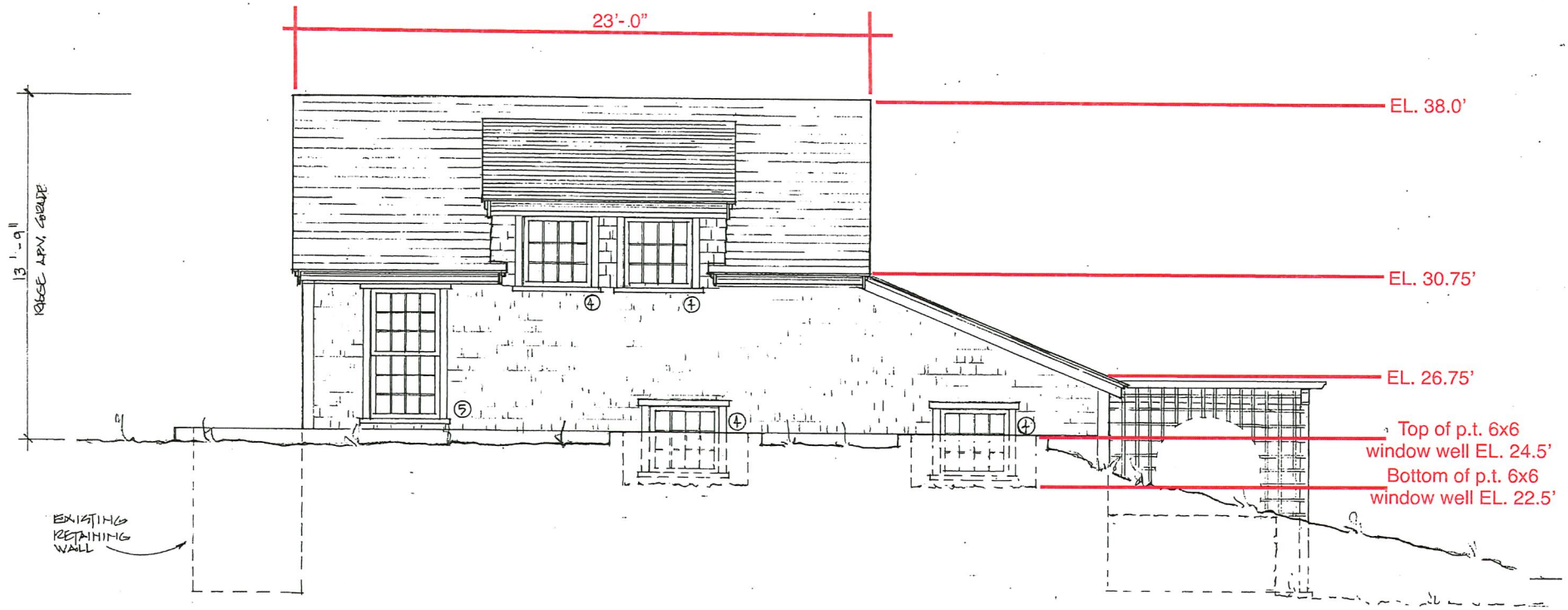
ANGUS MACLEOD DESIGNS
P.O. BOX 7055
GLOUCESTER, MA
(508) 257-6789




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

AMENDOLARE RESIDENCE
8 BANK STREET
GLOUCESTER, MA

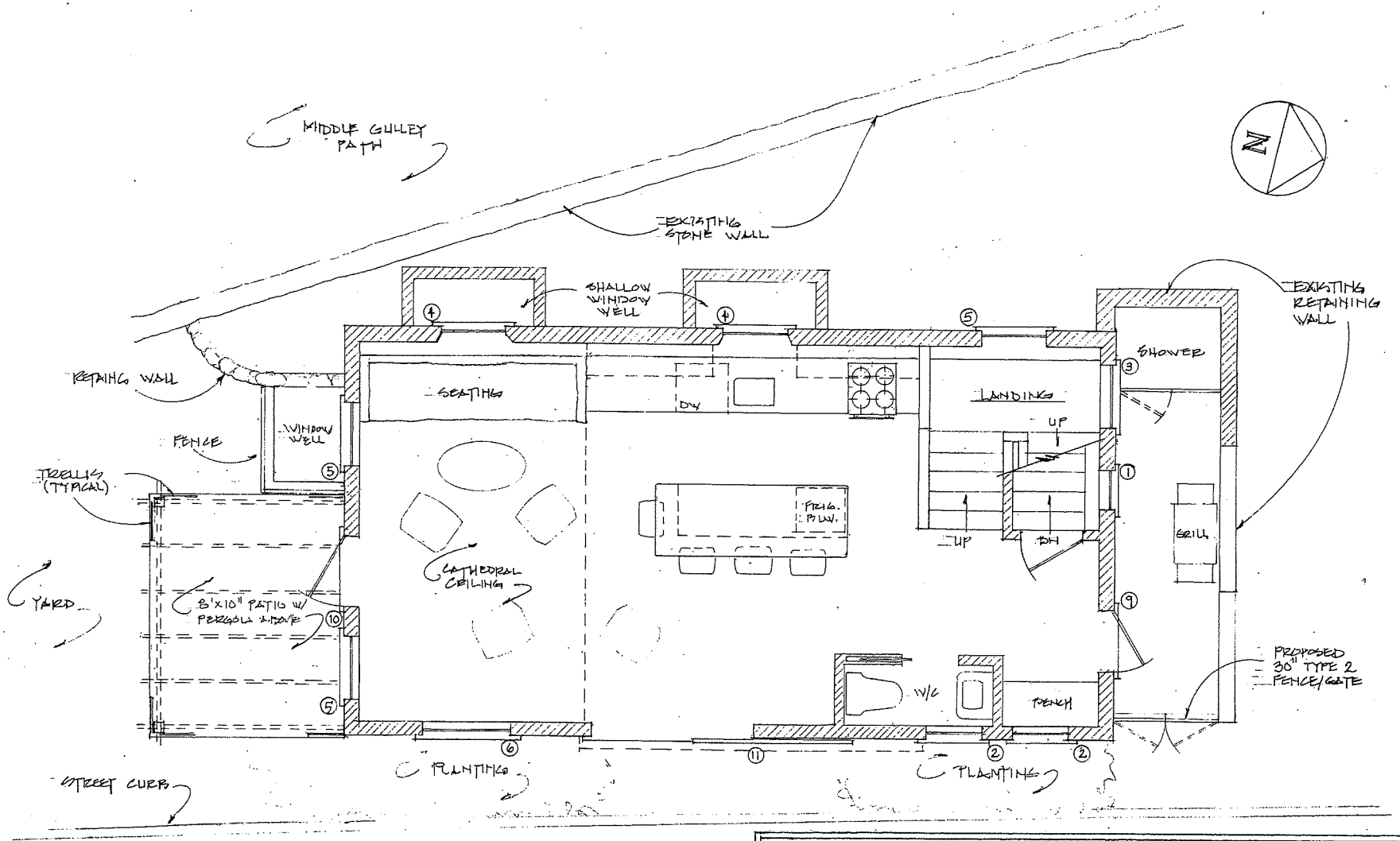
ANGUS MACLEOD DESIGNS
P.O. BOX 7055
GLOUCESTER, MA
(508) 257-6789




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

AMENDOLARE RESIDENCE
8 BANK STREET
ECONSET, MA

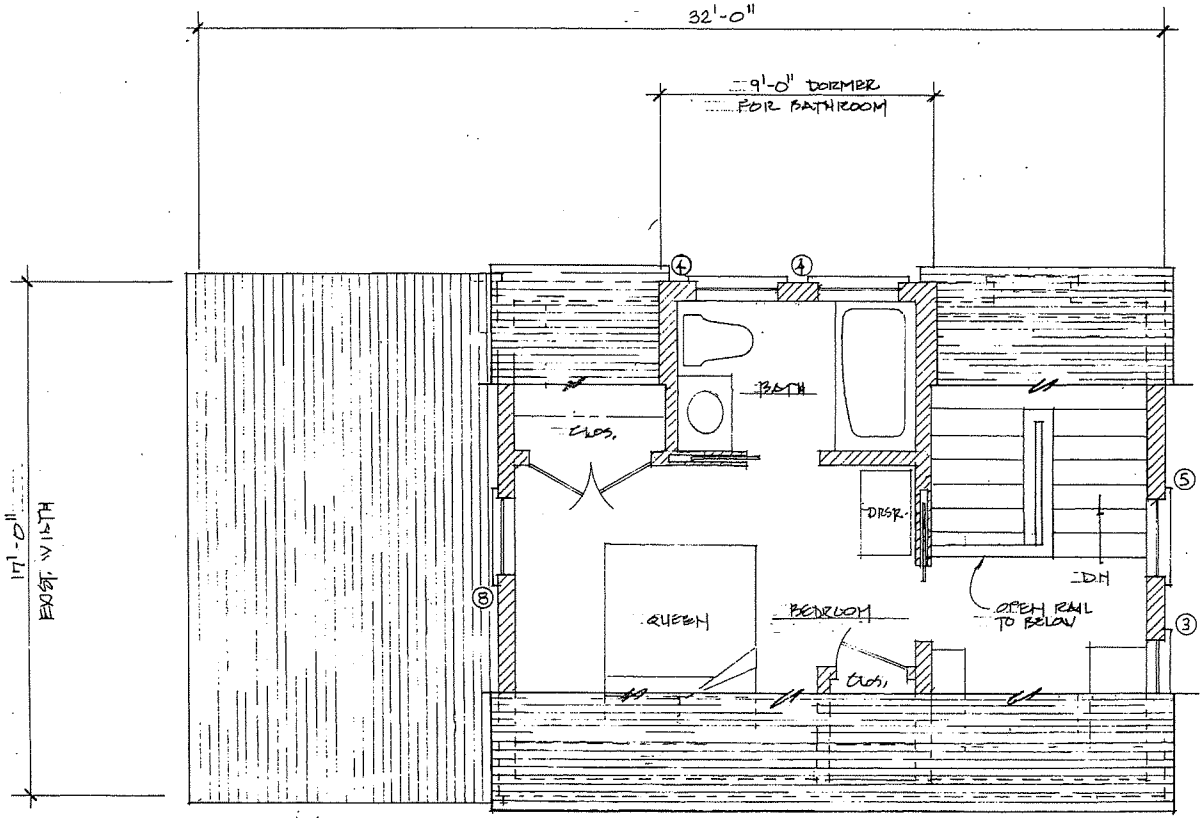
ANGUS MACLEOD DESIGNS
P.O. BOX 7055
ECONSET, MA
(508) 257-6789




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

AMENDOLARE RESIDENCE
8 BANK STREET
EGONSET, MA

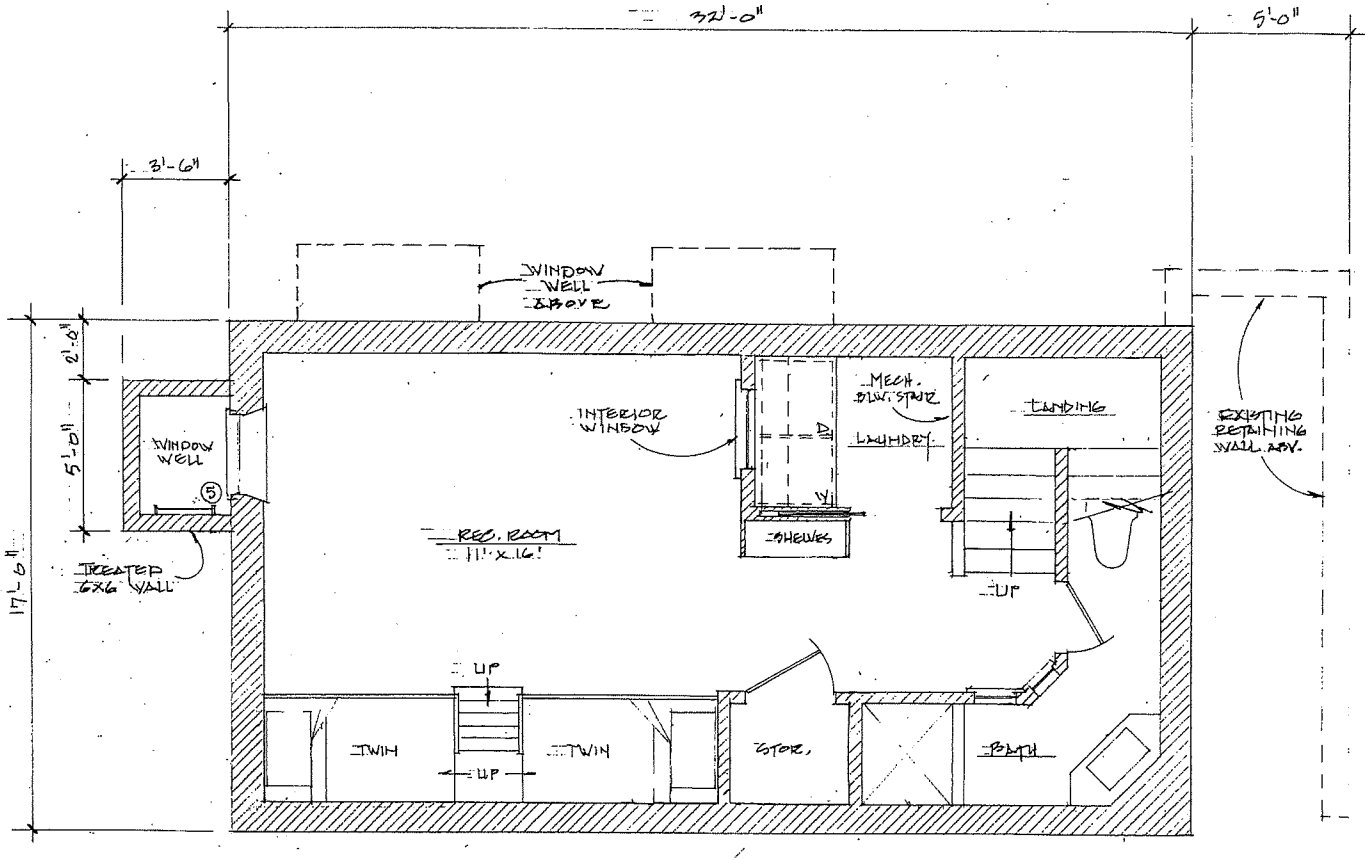
ANGUS MACLEOD DESIGNS
P.O. BOX 7055
EGONSET, MA
(508) 257-6789




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

AMENDOLARE RESIDENCE
8 BANK STREET
GLOUCESTER, MA

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




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

AMENDOLARE RESIDENCE
8 BANK STREET
GLOUCESTER, MA

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

TOSCANA CORPORATION
Nantucket Island, MA

Excavation & Site Work
Ready Mix Concrete
Building Relocation

toscanacorp.com

Tel: 508-228-1418 Fax: 508-228-5402 Email: info@toscanacorp.com 19 Arrowhead Drive, Nantucket Island, MA 02554

# Estimate

| | | | |
|---|---|---|---|
| **Submitted To:** | AMENDOLARE, NICK | **Date:** | Friday, June 10, 2022 |
| **Address:** | | **Job Name:** | SHORING/RASIE HOUSE |
| **City, State, Zip:** | Nantucket, MA 02554 | **Location:** | 8 BANK STREET |
| **Job Description:** | | **JOBNO:** | 6820 |

## THE COST TO:

1 - STRIP LOAM FROM AREAS TO BE DISTURBED AND REMOVE FROM SITE.

2 - MOVE HOUSE SIDEWAYS, LEAVING ROOM FOR SHORING AND EXCAVATION OF NEW FOUNDATION.

3 - MOBILIZE SHORING STOCK.

4 - INSTALL H-PILE AND WOOD LAGGING EARTH RETENTION SYSTEM PER MGA PLAN 05.05.22.

5 - REMOVE EXISTING FOUNDATION. EXCAVATE FOR NEW FOUNDATION. REMOVE FILL FROM SITE.

6 - BACKFILL FOUNDATION.

7 - MOVE HOUSE OVER AND LOWER ONTO NEW FOUNDATION.

8 - ALLOWANCE INCLUDED OF $7,200.00 TO RECONNECT SEWER AND WATER FROM STUBS ON SITE TO NEW FOUNDATION.

9 - SUBGRADE SITE.

## NOT INCLUDED ITEMS:

10 - Toscana rubble disposal fees.

11 - Disposal of any underground oil tanks.

12 - Disconnecting or reconnecting telephone, gas, electric or plumbing.

13 - Permits.

14 - Removal or replacement of any landscaping.

15 - Any carpentry work involved.

16 - Any masonry work involved.

17 - Screening charge ($44.00/Yard) and delivery for loam returning to site.

18 - Police Detail.

19 - Disposal or replacement cost of unsuitable soil.

20 - Brush disposal fees.

## REMARKS

21 - Toscana is not responsible for any damage to subject or adjacent properties as a result of any shoring, excavation or steel driving operations. A preconstruction survey is strongly recommended.

22 - Work cannot be scheduled until signed proposal is received by the office.

23 - We are not respons ble for weather effected changes to the site due to delays in schedule.

24 - This is an estimated price based on available information. Proposal will be provided with final plans.

*We Estimate the Cost to furnish material and labor in accordance with the above specifications to be:* [redacted]

**Payment is to be made as follows:**

# Estimate

| | | | |
|---|---|---|---|
| **Submitted To:** | AMENDOLARE, NICK | **Date:** | Friday, June 10, 2022 |
| **Address:** | | **Job Name:** | SHORING/RASIE HOUSE |
| **City, State, Zip:** | Nantucket, MA 02554 | **Location:** | 8 BANK STREET |
| **Job Description:** | | **JOBNO:** | 6820 |

**TIME & MATERIALS BILLED WEEKLY. PAYMENT IS DUE WITHIN TEN DAYS.**

Scope and Performance of Work: Toscana will perform all Work provided herein in a professional and workmanklike manner, consistent with the applicable standards of care and industry practices. Any additional work beyond the scope set forth herein shall be subject to additional costs and Toscana will perform such extra work only upon the execution of a written change order. The Parties acknowlege that the Work provided by Toscana constitutes furnishing of labor and/or materials in connection with the improvement to real property for all purposes.

Limitation of Liability: Toscana is not respons ble for any damages or claims caused by Acts of God (such as severe weather conditions), pre-existing conditions (such as cracks in plaster, tile, wallboard, masonry, weather damage, or pre-existing structural or cosmetic damage), acts of the Owner, or acts of any third-parties. Toscana's total potential liability is expressly limited to the Cost of the Work as defined herein. In no event shall Toscana have any liability for any enviornmental contamination or hazardous substance remediation or removal costs that may arise in connection with the Work. The Owner agrees to indemnify and hold Toscana harmless from any claims or damages in connection therewith. Toscana is not responsible for any consequential damages and the Parties hereby waive all such claims for damages as against one another.

Insurance: Although Toscana maintains liability insurance, Owner is soley responsible to provide its own insurance and shall carry sufficient, primary all-risk insurance to cover any damage to property that may result in connection with the Work. Toscana's insurance does not provide coverage for property damage to the benefit of any other party, including the Owner.

Payment: Owner shall pay for Toscana's services weekly and payment is due within ten (10) days upon receipt of Toscana's invoice. After ten (10) days, unpaid invoices accrue interest at a rate of 1 1/2% per month (18% per year). If Owner fails to make payment(s) as required under this Agreement or commits any other breach or default hereunder, Toscana shall have the right to immediately cease all Work and to recover from Owner all moneys owed for any Work performed as well as any costs and expenses incurred by Toscana, including without limitation reasonsable attorney's frees, as a result of any default or non-payment.

Authority: By signing below, the individuals hereby represent that they are duly authorized to bind their repsective Parties. In the event the parties do not sign the Agreement after receipt of same, but the Owner authorizes Toscana to proceed with the Work called for herein, the Parties represent that all terms and conditions of this Agrreement shall be binding as though fully exceuted by them unless expressly disclaimed in writing prior to commencement of the Work.

This proposal may be withdrawn by Toscana if not accepted within 30 days.

**Authorized Signature:** _____

**Acceptance of Estimate:** The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

**Signature:** _____ **Date of Acceptance:** _____

CURRENT ZONING CLASSIFICATION:
Siasconset Old Historic (SOH)

MINIMUM LOT SIZE: 5000 S.F.
MINIMUM FRONTAGE: 50 FT.
FRONT YARD SETBACK: none
REAR/SIDE SETBACK: 5 FT.
GROUND COVER % : 50%

73.1.3–100
N/F
LISA P. SODER
Deed Bk./Pg.: 1410/21
NO PLAN FOUND
#13 BROADWAY

73.1.3–71
N/F
BROADWAY LLC
Deed Bk./Pg.: 1358/259
NO PLAN FOUND
#11 BROADWAY

73.1.3–99
N/F
JOSEPH M. ARVAY
KATHY L. ARVAY
Deed Bk./Pg.: 1311/30
Plan Bk./Pg.: 24/42
#11 FRONT STEET

73.1.3–72
N/F
9 BROADWAY LLC
Deed Bk./Pg.: 1810/57
NO PLAN FOUND
#9 BROADWAY

73.1.3–70
N/F
9 BROADWAY LLC
Deed Bk./Pg.: 1810/57
NO PLAN FOUND
#9 FRONT STREET

73.1.3–26
N/F
MARK G. BURLINGHAM, TRUSTEE
LEGA SEA NOMINEE TRUST
#15 BEACH STEET

73.1.3–28
N/F
ANNE HEINEMANN, TRUSTEE
ISABEL LANDZERT, TRUSTEE
MARGARET H. VAN DEUSEN, TRUSTEE
THE VAN DEUSEN REALTY TRUST
Cert. 14731
L.C.C. 10553–A2
#7 FRONT STEET

73.1.3–27
N/F
NICOLE ALEXANDRIA TIRAPELLI
#7 BANK STEET

SSM FD

dhCB FD

CB FD

W/F STRUCTURE #11 BROADWAY

PORCH FLOOR ELEV.= 37.50±

EDGE OF SHELL

BEEHIVE CATCHBASIN

STONE WALL

CONCRETE RETAINING WALL TOW=34.9

TPF=37.70

TOW=34.5

TPF=37.5

PICKET FENCE

WATER METER

FRONT STREET

BEACH STREET

(PUBLIC - VARIABLE WIDTH) (JULY 1976 - COUNTY TAKING)

BANK STREET (PUBLIC - VARIABLE WIDTH) (JULY 1976 - COUNTY TAKING)

EXISTING CONCRETE RETAINING WALL TO REMAIN

PROPOSED STRUCTURE

PROPOSED RETAINING WALL

REMOVE RETAINING WALL

ODS

STEP

W.W.

EXISTING RIDGE ELEV.=29.98

LENGTH=23'

PROPOSED RIDGE ELEV.= 38.0

1 STRY. W/F STRUCTURE 390 S.F.± #8 BANK STREET THRESHOLD EL.=19.72

CHIMNEY

PROPOSED SHED ROOF ELEV.= 31.0

PROPOSED SHED ROOF ELEV.= 27.0

PROPOSED 4'-10" FENCE

PROPOSED RETAINING WALL

EXIST. 1,500 GAL. SEPTIC TANK

EXIST. LEACH TRENCHES

STONE RETAINING WALL

VGC

TOW

BOW

SITE BENCHMARK:
CORNER OF VERTICAL GRANITE CURB
EL.=18.00
REF. DATUM: PER BHPP (TOWN GIS)

## *LEGEND*

| | |
|---|---|
| dhCB FD ■ | *DENOTES CONCRETE BOUND WITH DRILLHOLE FOUND* |
| SSM FD ○ | *DENOTES STEEL SURVEY MARKER FOUND* |
| x22.6 | *DENOTES EXIST. GRADE SPOT ELEVATION* |
| ODS | *DENOTES EXIST. OUTDOOR SHOWER* |
| VGC | *DENOTES EXIST. VERTICAL GRANITE CURB* |
| TPF | *DENOTES TOP OF PICKET FENCE* |
| TOW | *DENOTES TOP OF WALL* |
| BOW | *DENOTES BOTTOM OF WALL* |

N

# *Site Plan of Land*
*in*
*Nantucket, Mass.*
*Prepared for*
*KRISTINA M. AMENDOLARE*
*NICHOLAS AMENDOLARE*

*Scale: 1"= 10' AUGUST 15, 2021*


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


GRAPHIC SCALE

10 0 5 10 20 40

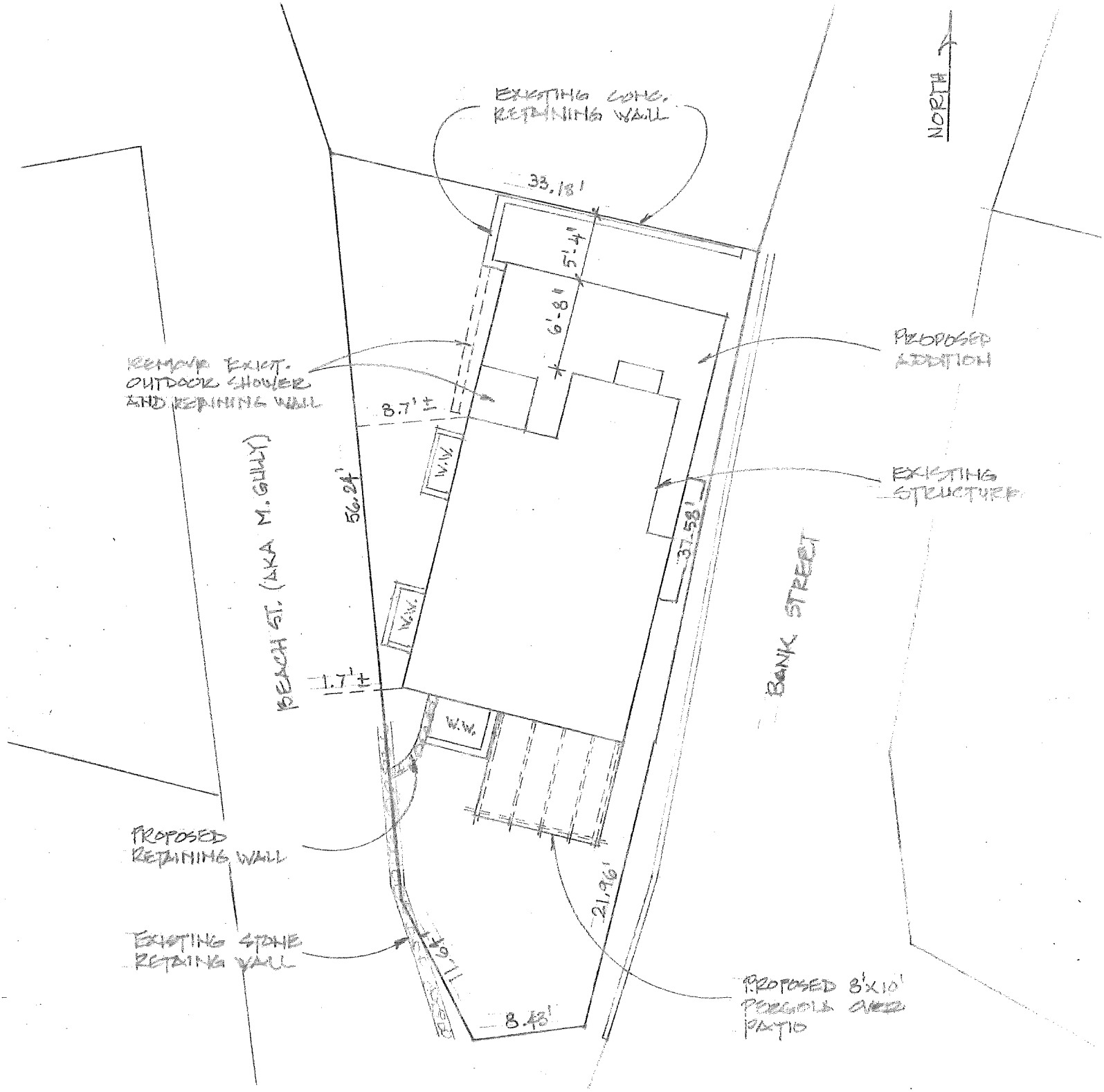
( IN FEET )
1 inch = 10 ft.

***OWNER INFORMATION***

KRISTINA M. AMENDOLARE
NICHOLAS AMENDOLARE
DEED. BK. 1770, PG. 216
PLAN: NONE
ASSESSOR'S MAP 73.1.3, PARCEL 69
#8 BANK STREET

T:\LUCAS JOB 50

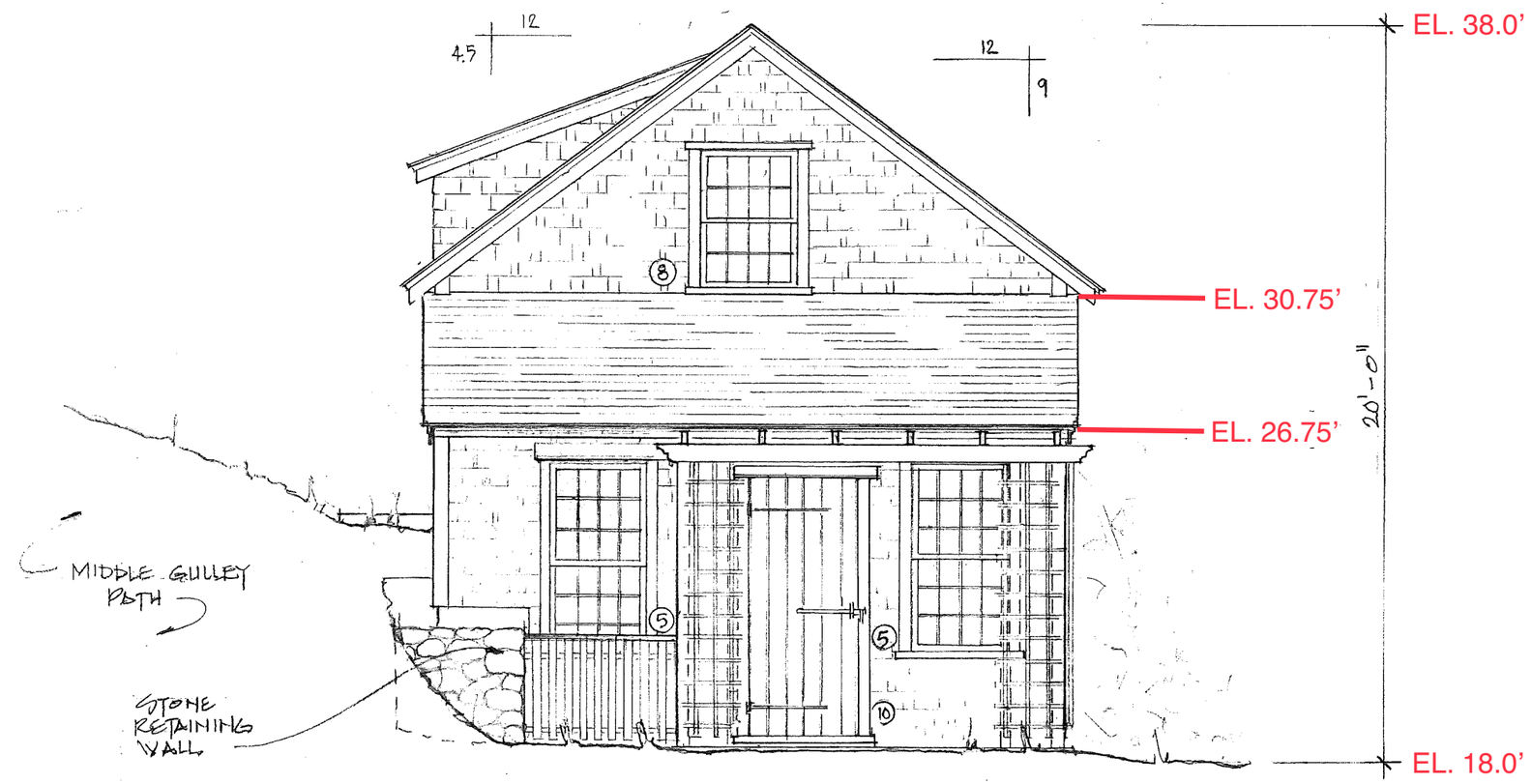
*B8867*




SITE PLAN
SCALE: 1" = 10'

AMENDOLARE RESIDENCE
8 BANK STREET
'GCONSET, MA

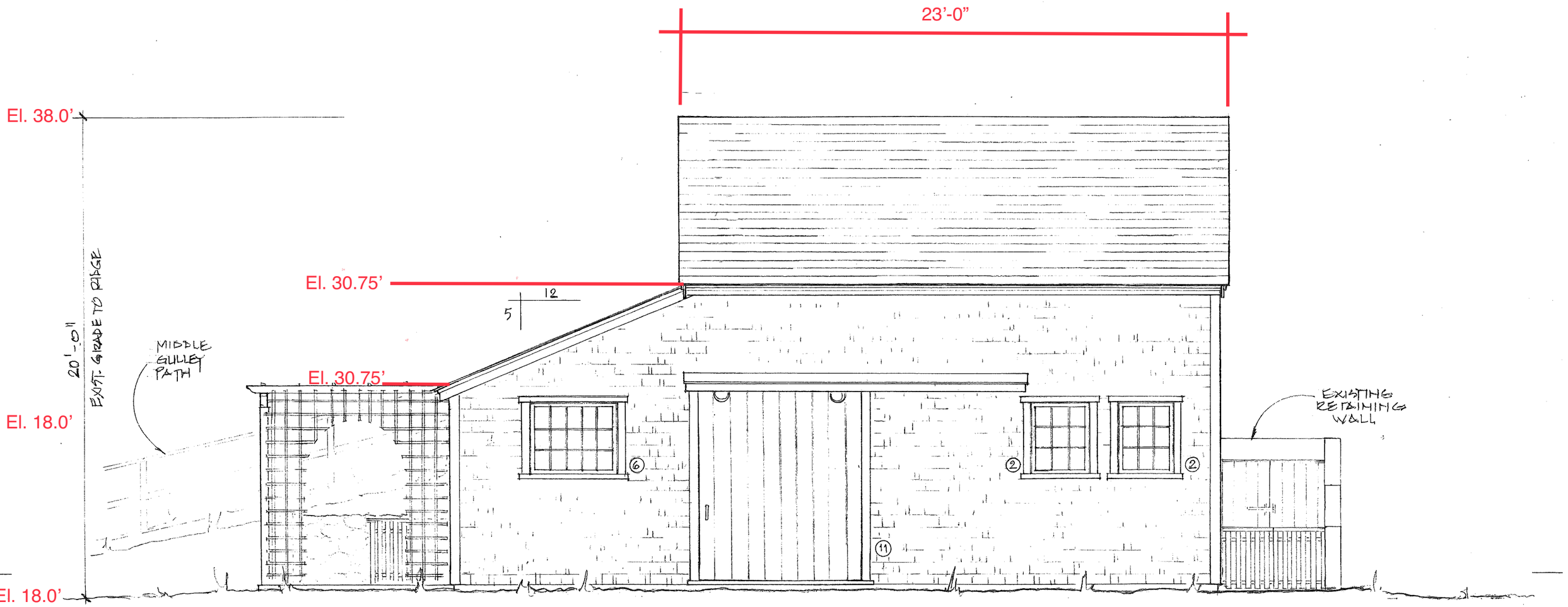
ANGUS MACLEOD DESIGNS
P.O. BOX 7055
'GCONSET, MA
(508) 257-6789




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

AMENDOLARE RESIDENCE
8 BANK STREET
GLOUCESTER, MA

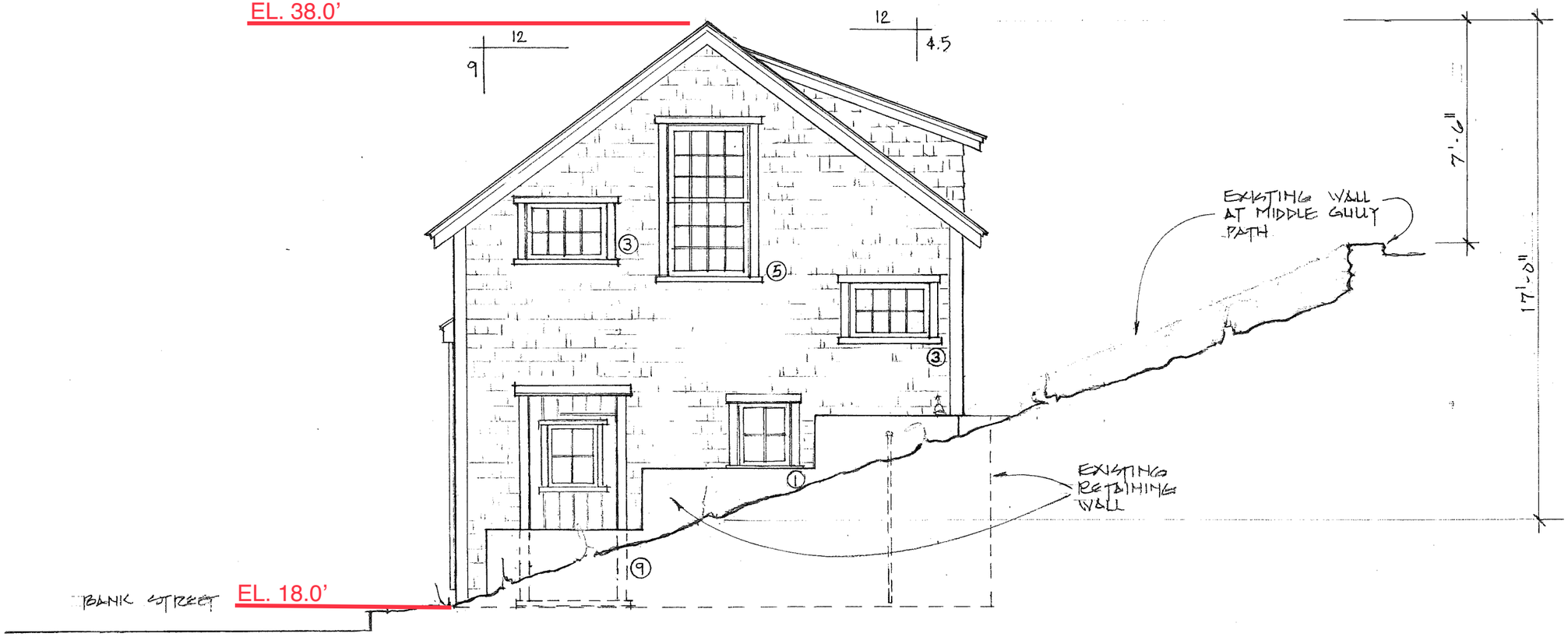
ANGUS MACLEOD DESIGNS
P.O. BOX 7055
GLOUCESTER, MA
(508) 257-6789




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

AMENDOLARE RESIDENCE
8 BANK STREET
WESCONSET, MA

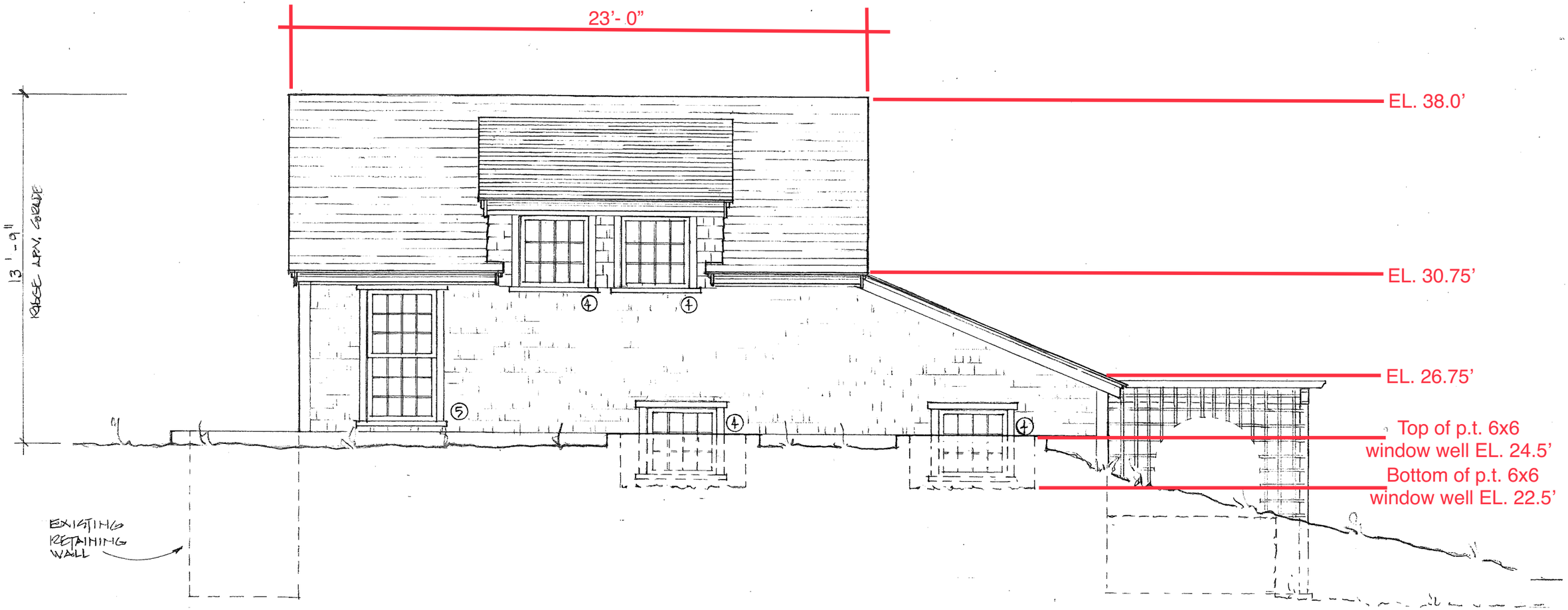
ANGUS MACLEOD DESIGNS
P.O. BOX 7055
WESCONSET, MA
(508) 257-6789




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

AMENDOLARE RESIDENCE
8 BANK STREET
NANTUCKET, MA

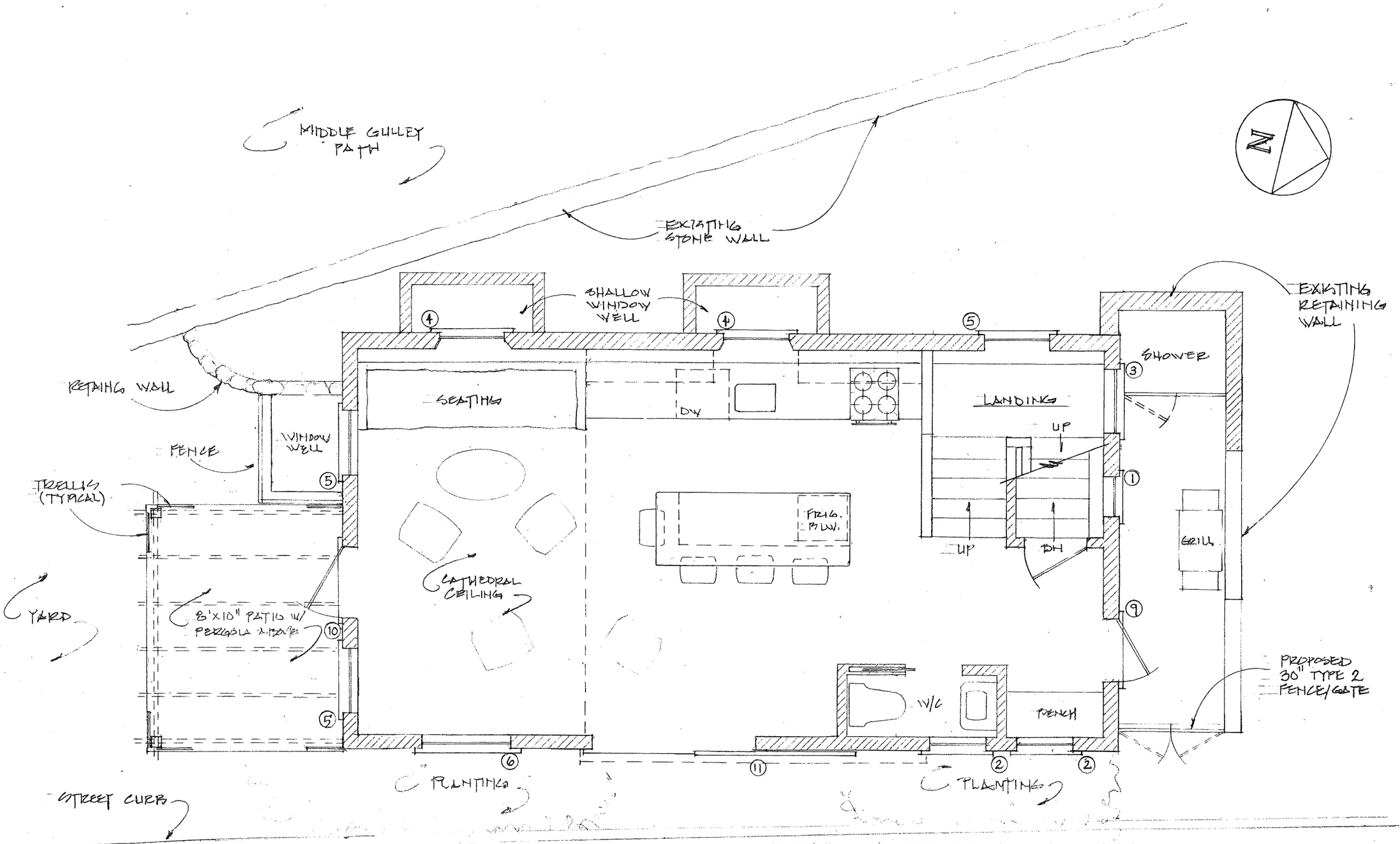
ANGUS MACLEOD DESIGNS
P.O. BOX 7055
NANTUCKET, MA
(508) 257-6789




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

AMENDOLARE RESIDENCE
8 BANK STREET
GLOUCESTER, MA

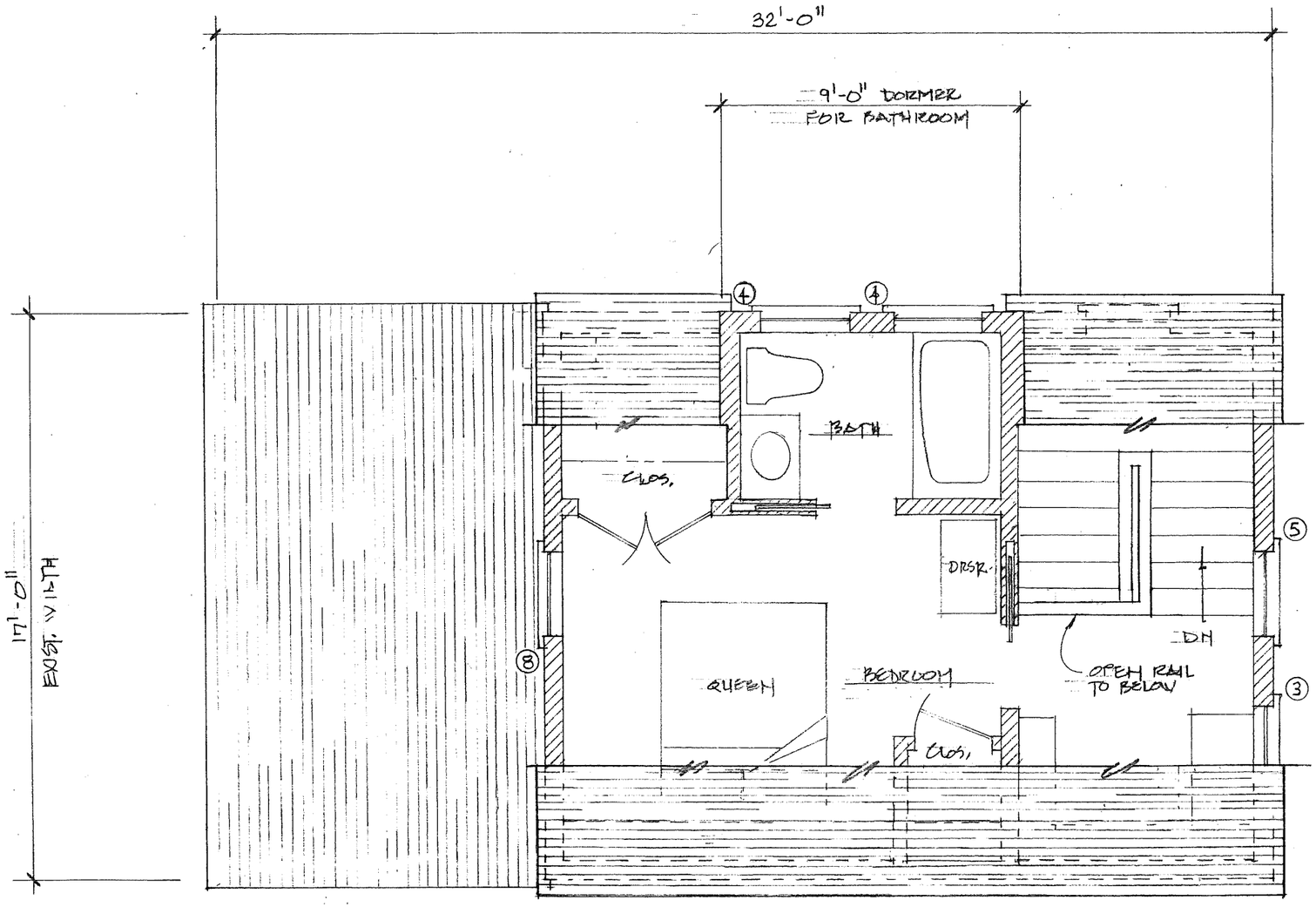
ANGUS MACLEOD DESIGN
P.O. BOX 7055
GLOUCESTER, MA
(508) 257-6789




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

AMENDOLARE RESIDENCE
8 BANK STREET
UCONSET, MA

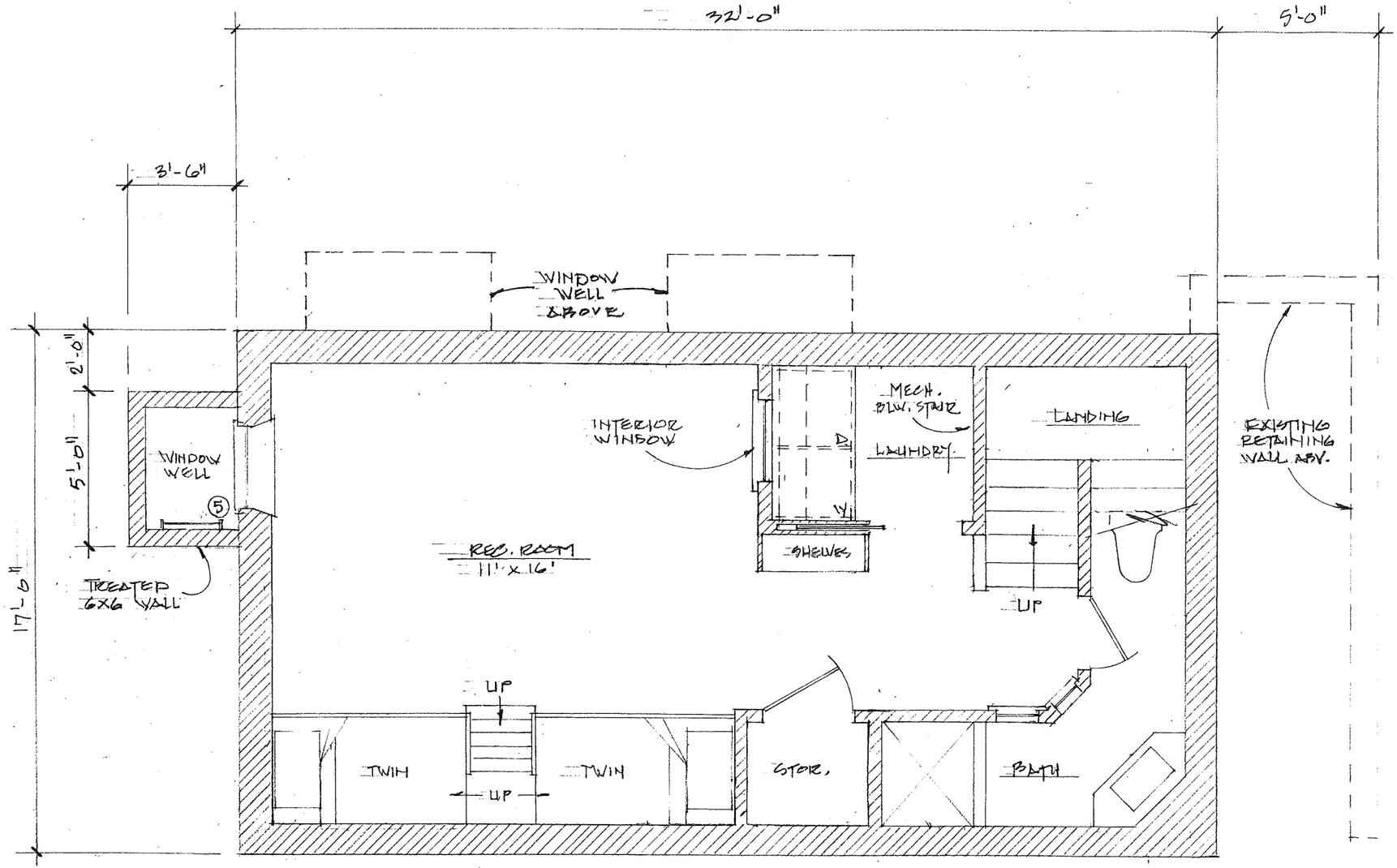
ANGUS MACLEOD DESIGNS
P.O. BOX 7055
UCONSET, MA
(508) 257-6789




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

AMENDOLARE RESIDENCE
8 BANK STREET
GLOUCESTER, MA.

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




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

AMENDOLARE RESIDENCE
8 BANK STREET
EXCONSET, MA

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

August 26, 2022
MGA File No. W0903

Kristina & Nicholas Amendolare
8 Bank Street
Nantucket, Massachusetts 02554
C: 781.632.9677
E: kristi@anchorlinepartners.com

RE: Temporary Earth Support – Proposed Redevelopment – 8 Bank Street – Nantucket, Massachusetts

To whom it may concern at the Nantucket Zoning Board of Appeals,

As a follow up to our meeting with the ZBA on May 12, 2022, McArdle Gannon Associates, Inc. (MGA) is providing additional information, as requested by members of the ZBA, for their consideration in approval of this project. This additional information includes: a list of abutting neighbors who will be offered pre-construction surveys of their property; a proposed evaluation of the existing stone retaining wall that extends along the western property line/eastern edge of Middle Gully Road; and additional information regarding the installation of the soldier piles for the shoring system (vibrating as opposed to drilling them into position).

Pre-construction Surveys: will be offered to the eight (8) adjacent properties (7 and 11 Front Street; 9, 11, and 13 Broadway; 7 and 11 Bank Street; and 15 Beach Street). Pre-construction surveys will be performed to document the existing conditions (interior and/or exterior) of the accessible portions of nearby structures that may be impacted by installation of the temporary earth support system and basement excavation. Documentation resulting from the surveys will be retained for use in evaluating potential claims (if any) of damage to the identified properties.

Video surveys of the accessible portions of each house or building's interior and/or exterior as well as applicable site features will be conducted. Photographs of applicable property features will also be taken. Digital copies of each survey will be available for download via Dropbox. Property owners that request a copy will be given access to download the digital files for their individual property.

Existing Stone Retaining Wall: Given its location and condition, we propose to investigate the existing stone retaining wall that extends along the western property line and eastern edge of Middle Gully Road. We intend to perform several test pits to evaluate its condition, dimensions, and depth of support. Information gathered from this investigation will be used to develop adequate protection measures (if deemed necessary) before installation of the temporary shoring system.

Soldier Pile Installation Method: The current shoring plans include using a "zero moment" or "non-resonant" vibrating hammer to install the soldier piles from existing grade into their final positions. This type of vibratory hammer is specifically designed for driving piles that are in close distance to urban and historical built environments by eliminating resonance frequencies during start up and shut down.

MGA has been involved in no less than 20 different projects on the island of Nantucket where a "zero moment" hammer was used to install shoring (both soldier and sheet piles) within feet of existing structures without claims of damage. A few examples are listed below with pictures in the attached Photo Log:

- 21 Broad Street Inn
- 25 Broadway
- The Graydon House
- The White Heron Theater
- 11 Lily Street
- 14 North Road
- 41b Cliff Road
- 100 Main Street
- 1 Jefferson Lane
- 130A Main Street
- 40 Jefferson Avenue
- 34 Codfish Park Road
- 25 Broad Street (Book Store)
- 65 N Centre Street
- 1 Lyon Street

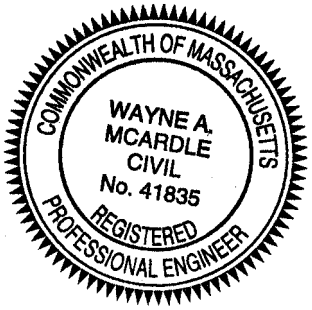
Additionally, there is precedence for this method of installation at a nearby site. 15 Beach Street installed a similar shoring system using a "zero moment" vibratory hammer for a new basement in the spring of 2021 (see photo 7 in the attached Photo Log).

We also believe the concerns raised by the Gardner's consultant (Mueser Rutledge Consulting Engineers) regarding the *"risk of settlement and cracking of the surrounding ground and retaining walls"* due to vibrations from the installation of the soldier piles are overstated.

Please contact me directly with any questions.

MCARDLE GANNON ASSOCIATES, INC.

Wayne A. McArdle, P.E.
Principal




Attachments: Photo Log

**Photo #1:** Soldier pile and wood lagging, 25 Broad Street Nantucket

**Photo #2:** Soldier pile installation, 17 Broad Street Nantucket

**Photo #3:** Soldier pile installation, 11 Lily Street Nantucket

**Photo #4:** Soldier pile installation, 25 Broadway Nantucket

**Photo #5:** Soldier pile installation, 100 Main Street Nantucket

**Photo #6:** Soldier pile installation, 130A Main Street Nantucket

**Photo #7:** Soldier pile and lagging installation, 15 Beach Street, Nantucket

# GEOTECHNICAL ENGINEERING REPORT

# PROPOSED RENOVATION
# 8 BANK STREET
# NANTUCKET, MASSACHUSETTS

***Prepared for:***

**Kristina & Nicholas Amendolare**
**8 Bank Street**
**Nantucket, Massachusetts**

***Prepared by:***

**McArdle Gannon Associates, Inc.**
**300 Oak Street, Suite 460**
**Pembroke, Massachusetts**

**Sherry L. Holmes, P.E.**

**Wayne A. McArdle, P.E.**
**Massachusetts Professional Engineer License No: 41835**

**May 5, 2022**
**MGA File No: W0903**

May 4, 2022
MGA File No. W0903

Kristina & Nicholas Amendolare
8 Bank Street
Nantucket, Massachusetts 02554

RE: Geotechnical Engineering Report – Proposed Renovation – 8 Bank Street, Nantucket, Massachusetts

Kristina & Nicholas:

McArdle Gannon Associates, Inc. (MGA) is pleased to present the results of our geotechnical engineering studies performed for the referenced project. The purpose of our studies was to assess subsurface conditions within/near the footprint of the existing residence and new addition and provide recommendations for site development as they relate to new foundation and basement slab support, underdrainage, and related earthwork construction considerations.

Our geotechnical engineering studies have been performed in accordance with our proposal to you dated February 8, 2022 and are subject to the Statement of Limitations attached as Appendix A.

## BACKGROUND

Our understanding of the current project design is based on our discussions with you, our site visits, and a review of the following documents:

- A plan entitled "Site Plan of Land," dated January 20, 2021, by Blackwell & Associates, Inc. (Blackwell),
- A plan entitled "Proposed Conditions Site Plan," dated November 15, 2021, by Blackwell,
- An AutoCAD file "EMAIL_carlson_SP 2021" provided by Balckwell,
- A plan entitled "As-Built Subsurface Sewage Treatment & Disposal System," dated August 14, 2020, by Site Design Engineering, LLC,
- An undated plan entitled "Topographic Section," by Angus Macleod Designs,
- A plan set "8 Bank St Revised 10-26.pdf" by Angus Macleod Designs,
- A soil evaluator test pit log dated January 3, 2018, and
- A plan entitled "Surficial Materials Map of the Siasconset Quadrangle, Massachusetts," by the United States Geological Survey (USGS), dated 2018.

The site is located at 8 Bank Street in the Siasconset area of Nantucket, Massachusetts. A Site Locus is attached as Figure 1. The site is bordered by Bank Street to the east, Beach Street to the south, Middle Gully Road to the west, and a residential property to the north.

The site is developed with an existing 390± square foot (s.f.) 1-story residence. Existing grades within most of the site range from about Elevation 18± to 20± feet, sloping up to the north and west to a high point at Elevation 31± feet at the northwestern corner of the property. An existing rubble retaining wall about 2± to 3± feet high borders the western property line and is the demarcation for the edge of Beach Street and Middle Gully Road.

We understand that the existing residence will razed and a new foundation with a full basement constructed in its place. In addition, a 170± s.f. addition (with basement) will be added to the northern side of the residence. The basement will have a finished floor at Elevation 9± feet, with the bottom of footings at about Elevation 7.7± feet.

The structure will be located about 1.2± to 11± feet from the existing property lines. Due to the proximity of the new basement to the property lines, temporary excavation support will be required for the excavation.

## SUBSURFACE EXPLORATIONS

A subsurface exploration program consisting of 2 soil test borings was completed as part of our studies to assess subsurface soil and groundwater conditions at the site with particular emphasis on assessing the quality and thickness of existing fills, the density and drainage characteristics of the natural soils, and depth to groundwater.

Geosearch, Inc. of Sterling, Massachusetts performed two borings (MGA-1 and MGA-2) at the site on April 5, 2022 using an all-terrain vehicle mounted drill rig. The borings were advanced using 4-inch flush jointed casing and drilling mud to a depth of 31± feet below existing ground surface elevations terminating in natural granular soils.

Standard penetration testing (SPT) and split spoon samples were generally obtained continuously in the upper 11± feet and at 5-foot intervals thereafter during advancement of the borings. The testing was performed by driving a standard 2-inch outside diameter split spoon sampler up to 24 inches using a standard 140-pound automatic trip hammer falling 30 inches. The number of hammer blows required to drive the sampler in 6-inch increments (or to refusal) are recorded on the boring logs attached in Appendix B.

The soil samples retrieved in the split spoon sampler during each SPT were visually described in the field by MGA using Burmister soil descriptions. It should be recognized that the inside diameter of the split spoon sampler is 1.4± inches. Therefore, soil samples obtained via Standard Penetration Testing do not account for soil fractions in excess of about 1.4± inches in diameter, which may be present in any given strata.

A 2-inch diameter monitoring well was installed in the completed borehole at boring MGA-1 to measure stabilized groundwater levels.

MGA personnel observed the explorations, visually described the conditions encountered, prepared the logs, and located the explorations in the field by pacing and/or line of sight from the existing site features. Ground surface elevations were estimated from ground surface spot elevations shown on the referenced "Site Plan of Land" by Blackwell and should be considered approximate. The exploration locations are approximately shown on Figure 2.

## LABORATORY SOIL TESTING

A laboratory soil testing program consisting of 3 wash sieves and 3 moisture content analyses was performed on selected samples of the existing fill and natural granular soils collected during the exploration phase from borings MGA-1 and MGA-2. The testing was performed to aid in classifying the soil and assess the grain size distribution of the soil which is useful in assessing engineering design parameters and predicting soil behavior. The results of these tests are provided in Appendix C.

## SUBSURFACE CONDITIONS

Based on the subsurface conditions observed in the explorations, the vicinity of the proposed residence is underlain by the following geologic units, listed in order of occurrence below existing ground surface:

Topsoil Fill: An approximately 9± inch thick layer of topsoil fill was encountered at the ground surface in boring MGA-1. The topsoil fill generally consists of dark brown, fine to medium sand with about 20 to 35 percent silt and up to 10 percent roots.

Existing Fill: Granular fill was encountered below the topsoil fill in boring MGA-1 and at the ground surface at boring MGA-2. The granular fill was about 4± to 5.7± feet in thickness and generally consists of very loose to loose, brown to light brown, fine to medium/fine to coarse sand with about 5 to 15 percent silt, and 0 to 15 percent fine to coarse gravel.

Refer to Appendix C for a gradation curve of the 1-3/8 inch minus fraction of the existing fill soils collected from boring MGA-1.

Natural Outwash Deposits: Natural outwash deposits (sand) were encountered at depths of 4± to 6.5± feet below existing grades in borings MGA-1 and MGA-2, corresponding to about Elevation 11.5± to 14.5± feet. The outwash deposits generally consist of very loose to medium dense, beige to olive-brown, fine to medium/medium/fine to coarse sand with up to about 10 percent silt and about 0 to 15 percent fine gravel.

The borings terminated in the natural outwash soils at about 31± feet below existing grades.

Refer to Appendix C for gradation curves of the 1-3/8 inch minus fraction of the natural outwash soils collected from borings MGA-1 and MGA-2.

Groundwater: Groundwater levels for our study were recorded in the test borings at the times and under the conditions noted on the logs. A stabilized groundwater reading was obtained in the monitoring well installed in boring MGA-1 at approximately 14.6± feet below existing ground surface on April 5, 2022, corresponding to approximately Elevation 3.4± feet.

Groundwater was not measured in boring MGA-2 due to the addition of water and drilling mud during drilling.

It should be expected that groundwater levels will fluctuate due to variations in temperature, tides, rainfall and other factors. Therefore, groundwater levels during construction and thereafter may be different than those reported herein.

## GEOTECHNICAL ENGINEERING CONSIDERATIONS AND RECOMMENDATIONS

Due to the elevation of stabilized groundwater measured at the site (Elevation 3.4± feet in the monitoring well in MGA-1) and the proposed basement slab elevation (Elevation 9± feet), a perimeter foundation underdrain system is recommended to transport groundwater from immediately below the residence and mitigate groundwater buildup beneath the basement slab.

Given the anticipated depth of excavation (about 10± to 15± feet below proposed grades) and the proximity of the property lines and adjacent roadways (Bank Street, Beach Street and Middle Gully Road), a temporary earth support system will be required along the perimeter of the proposed residence to protect adjacent structures against excessive movements caused by the excavation and to control the lateral extent of excavations and the volume of excavated soil.

Our recommendations addressing design and earthwork construction issues are made in the following sections as outlined below:

- Basement Excavation
- Foundations and Allowable Bearing Capacities
- Basement Slab Support
- Groundwater Control
- Buried Foundation/Basement Walls
- Excavation Slopes
- Temporary Excavation Support
- Pre-construction Surveys and Vibration Monitoring
- Geotechnical Instrumentation Monitoring

**Basement Excavation**

Based on the current design (basement finished floor at about Elevation 9± feet) and the subsurface conditions encountered at the boring locations, excavation for the basement of the proposed residence is anticipated to extend through the surficial existing fill soils and terminate in the natural outwash deposit.

If encountered below basement foundation or slab subgrade elevations, any existing fill soils, existing utilities, or structures should be removed from within the basement limits. Any over excavations associated with their removal (if any) should be backfilled with compacted structural fill as described below. Abandoned utilities located outside the basement footprint described above can be left in place provided the utility ends are capped and grouted in-place to prevent the migration of fines.

Basement excavation should be performed with a smooth edge bucket following installation of the soldier piles (see Temporary Excavation Support) and in concert with the installation of wood lagging as the excavation proceeds downward. Wood lagging should be installed as excavation proceeds with boards placed tightly against each other to mitigate the migration of soil between the boards. The exposed height should not exceed 2 feet unless ground conditions permit otherwise. Voids behind the lagging should be minimized, and backfilled (hand packed) with sand. Once complete, the excavation bottom should be cleaned of loose soil and the lightly compacted with a vibratory plate compactor capable of imparting a dynamic force of at least 6,000 pounds-force (lbf) (Wacker Neuson BPU3050 reversible vibratory plate compactor or equivalent). The basement subgrade should be assessed by MGA during construction.

In the event over-excavation is required, structural fill should be placed in controlled compacted lifts up to the proposed basemen subgrade elevations. Structural fill from on-site or off-site sources should be placed in 12-inch maximum thick lifts and each lift should be compacted to at least 95 percent of the material's maximum dry density as determined by ASTM D-1557 and to a firm and stable condition as assessed by the geotechnical engineer. Fill from off-site sources used within the proposed basement should meet the minimum gradation requirements for structural fill recommended in the attached Table 1.

On-site materials that are potentially reusable as structural fill include the natural outwash soils and other natural nonorganic granular soil deposits provided these soils are maintained at suitable moisture contents for proper compaction and that oversize particles, defined as those greater than 2/3 the loose lift thickness, are removed prior to reuse. Additional testing during construction may be necessary to assess conformance with gradation criteria.

The work described above should be observed by a geotechnical engineer from this office to verify that firm natural ground has been achieved and to verify that footing and slab subgrades are firm, dry and stable prior to the placement of concrete.

## Foundations and Allowable Bearing Capacities

Spread footings are recommended for support of the proposed residence provided the preceding recommendations are followed under appropriate geotechnical engineering field observation.

As previously stated, excavation for the basement should be performed with a smooth edge bucket as installation of the wood lagging proceeds. Any existing fill, utilities, or structures (if any) should be removed from beyond the proposed basement limits and properly backfilled with compacted structural fill.

If winter construction is anticipated, attention should be paid to protecting foundation subgrade soils from freezing. This protection should not only be implemented before footings are poured but after as well. During cold weather, do not excavate to full indicated depth unless footings or slabs can be poured immediately after the excavation is finished. Protect footings and slabs from frost penetration into the soils upon which they rest. Insulating blankets should be spread upon the subgrade soils around poured footings until the forms are stripped and backfilling is set to proceed. Backfilling should commence as soon as allowable after forms are removed. The contractor should be made responsible to provide frost protection measures until the building is up and heated.

Footings should also be designed and coordinated with respect to new utilities that will be located within the building footprint. Footings should not be located above any underground utility unless they are designed so as not to overstress the pipes and will not be undermined if a pipe breaks and soil migrates from below the footings into the pipe. Continuous strip footings should be designed to "bridge" over below ground utilities or should be stepped down so pipes pass through the foundation walls. Isolated column footings should either be dropped below the invert of the pipes or be located well away from them.

Provided the recommendations presented herein are followed under appropriate geotechnical engineering observation, a maximum allowable bearing capacity of 1 ton per square foot is recommended for use in the design of new foundations.

Regardless of the recommended allowable bearing capacity, continuous footings should be at least 18 inches wide and column footings (rectangular and/or circular) should be no less than 36 inches wide in the least lateral dimension.

Exterior footings and those located in unheated areas should be located at least 3 feet below finish grade for frost protection. Following the above criteria, total building foundation settlements are not expected to exceed 1 inch with differential settlements expected to be about ½ inch or less.

## Basement Slab Support

Slab-on-grade construction is recommended for the proposed basement slab provided the proposed building area is prepared as discussed above. The basement slab should bear on a 12-inch minimum thick layer of compacted ¾ inch "clean" crushed stone placed directly below the proposed slab. Three-quarter inch crushed stone should meet the recommended gradation requirements shown in Table 1.

## Groundwater Control

### Basement Foundation Drain

Due to the elevation of stabilized groundwater measured at the site (Elevation 3.4± feet in the monitoring well in MGA-1) and the proposed basement slab elevation (Elevation 9± feet), a basement foundation drain is recommended to transport groundwater from immediately below the residence and mitigate groundwater buildup beneath the basement slab (if any).

The basement foundation drain should consist of a four-inch minimum diameter perforated PVC pipe located on the interior side of the basement footing constructed as shown schematically in Figure 3. The perimeter drain should be surrounded in at least four inches of ¾ crushed stone, wrapped in a geotextile filter fabric and be laid flat at an invert elevation at least 8 inches below the underside of the basement floor slab.

The basement foundation drain should outlet to its own dedicated, independent structures (manholes/collection pits and drain lines) to transport groundwater away from the basement area and daylight to a reliable source that will not flood or back-up into the basement.

Manholes/collection pits located along the exterior/interior of the residence should be equipped with an electrical sump pump along with a backup pump connected to a generator and backup generator if deemed necessary by the owner. The sump pumps should incorporate a backflow preventer and sized to handle a peak flow of 20 gallons per minute.

As a further measure to control water, ground surfaces immediately around the building should be covered with loam, asphalt or concrete and should be sloping downward away from the structure. Downspouts and surface runoff should be diverted away from the building preferably toward storm drains.

### Dewatering

We anticipate that the basement excavation will be above groundwater levels at the site. However, dewatering may be required to control perched groundwater or after precipitation events. If required, we recommend that groundwater be drawn down at least to the base of the excavation to provide dry working conditions and to help minimize instability of the excavation bottom.

We anticipate groundwater control (if required) may be accomplished using open pits and sumps. The Contractor should be solely responsible for the design, construction, and performance of dewatering systems.

Discharge of pumped water is subject to local, state and federal regulations. The contractor should conduct dewatering and discharge water in accordance with all applicable regulations. The contractor should implement temporary surface water runoff control measures during construction. Temporary measures should include, but are not necessarily limited to, the use of small earth berms or construction of a drainage ditch adjacent to the top of proposed excavations to divert and/or reduce the amount of surface water flowing over exposed slopes and into excavations during construction.

**Buried Foundation/Basement Walls**

Foundation walls with unbalanced loading should be designed to resist lateral earth pressures. For foundation walls (rigid walls, at-rest pressures) use an equivalent fluid pressure of 60 pounds per cubic foot (pcf) times the height of the walls. This value is conditioned upon the walls being provided with positive drainage to prevent hydrostatic pressures from acting on the walls.

The following coefficients of friction to resist sliding between mass concrete and various bearing materials are recommended:

| Bearing Material | Recommended Sliding Coefficient |
|---|---|
| Crushed Stone | 0.6 |
| Natural Undisturbed Outwash Soils | 0.35 |

The minimum factors of safety for sliding and overturning under static loads should be 1.5 and 2 respectively. Passive pressure at the toe of the walls should not be included as a resisting force when analyzing for overturning and sliding.

**Excavation Slopes**

The Owner and the Contractor should be aware of and become familiar with applicable local, state, and federal safety regulations, including the current OSHA Excavation and Trench Safety Standards. Construction site safety generally is the sole responsibility of the Contractor, who shall also be solely responsible for the means, methods, and sequencing of construction operations. We are providing this information solely as a service to our client. Under no circumstances should the information provided below be interpreted to mean that MGA is assuming responsibility for construction site safety or the Contractor's activities; such responsibility is not being implied and should not be inferred.

The Contractor should be aware that slope height, slope inclination, or excavation depths (including utility trench excavations) should in no case exceed those specified in local, state, or federal safety regulations, e.g., OSHA Health and Safety Standards for Excavations, 29 CFR Part 1926, or successor regulations. Such regulations are strictly enforced and, if they are not

followed, the Owner, Contractor, and/or earthwork and utility subcontractors could be liable for substantial penalties.

For this Site, the existing fill and natural granular soils encountered in our exploratory investigation in the absence of groundwater are considered to be Type C soils when applying the OSHA regulations. OSHA recommends a maximum slope inclination of 1-½ horizontal to 1 vertical for Type C soils. Our preliminary soil classification is based solely on the materials encountered in widely spaced subsurface explorations. The Contractor should verify that similar conditions exist throughout the proposed areas of excavations. If different subsurface conditions are encountered at the time of construction, we recommend that we be contacted immediately to evaluate the conditions encountered.

**Temporary Excavation Support**

A temporary excavation support system will be required along the perimeter of the basement to protect adjacent structures/roadways against excessive movements caused by the excavation and to control the lateral extent of excavations and the volume of excavated soil.

In addition to consideration of the above factors, the types of excavation support system suitable for a particular project depends on the local subsurface soil conditions, the depth and width of the excavation, and the compatibility of the support system with the other construction requirements.

Given the depth of excavation (anticipated up to 10± to 13.3± feet below the cleared and regraded site) and the preference to install as few support members as necessary, we recommend soldier pile and lagging for temporary excavation support during construction. Based on information provided to us, the proposed basement is off-set about 1.2± to 11± feet from the property lines, which is generally sufficient to account for the depth of the soldier piles, installation tolerance, and potential deflection of the excavation support system for use with single-sided-forms. Waterproofing should be placed directly against the excavation support members and should consist of a self-adhering, continuous membrane type waterproofing, such as Pre-Prufe by Grace Companies. MGA is in the process of designing the support system and will provide design plans with additional details.

Driven soldier piles will generate ground vibrations and noise, which are anticipated to be distinctly perceptible to the adjacent properties. To mitigate the magnitude of vibrations generated by driven soldier piles, soldier piles should be installed using a resonance free vibratory hammer to limit vibrations induced during installation (start up and shut down) or installed in pre-drilled holes.

Wood lagging should consist of 3-inch minimum pressure treated construction grade timber. Lagging should be installed as excavation proceeds with boards placed tightly against each other to mitigate the migration of soil between the boards; the exposed height should not exceed 2 feet unless ground conditions permit otherwise. Voids behind the lagging should be minimized, and backfilled (hand packed) with sand.

The Contractor shall install and maintain the excavation support system in accordance with the design drawings, and in such a manner as to prevent movement, settlement, or loss of ground, removal of fines from the adjacent ground, and damage to or movement of adjacent structures and utilities. The Contractor shall make necessary provisions to prevent damage to roadways, utilities or other structures due to settlement caused by vibrations or movement of the excavation support system.

**Pre-construction Surveys and Vibration Monitoring**

In consideration of the urban environment of the project and the depth and lateral extent of excavation associated with the proposed construction, we feel it would be prudent to implement a geotechnical documentation and monitoring program prior to and during construction. The purpose of the program would be to monitor and document the following:

- The conditions of the adjacent buildings and appurtenant structures prior to construction to document existing conditions, and
- Vibrations caused by soldier pile installation and other construction activities.

Pre-construction surveys of the eight (8) adjacent properties (7 and 11 Front Street; 9, 11, and 13 Broadway; 7 and 11 Bank Street; and 15 Beach Street and any appurtenant structures) are recommended to document existing conditions prior to significant construction at the site. These surveys should be performed prior to demolition of the existing structures, installation of the soldier piles or significant earthwork at the site to document the existing conditions (interior and/or exterior) of the accessible portions of the structures that may be impacted by the construction activities (if any). Documentation resulting from the surveys would be retained for use in defending potential claims of damage to the identified properties.

Ground vibrations will be produced during demolition and soldier pile installation (if not pre-drilled). The magnitude of these vibrations typically decreases with increasing distance from the vibration source. Impacts from these vibrations are not anticipated to include damage to adjacent structures; however, the magnitude of vibrations is anticipated to be of sufficient magnitude to be noticed by abutters.

Vibrations should be monitored during the construction period. To limit impacts to adjacent structures, we recommend the following preliminary vibration threshold limits:

- A maximum peak particle velocity of two inches per second (2.0 ips) for vibrations with a frequency above 40 cycles per second (40 Hz),
- 1.5 ips for vibrations with a frequency between 30 Hz and 40 Hz,
- 1.0 ips for vibrations with a frequency between 20 Hz and 30 Hz, and
- 0.5 ips for vibrations with a frequency below 20 Hz.

MGA can provide additional detailed recommendations regarding the locations and the number of seismographs as the project moves forward.

### Geotechnical Instrumentation Monitoring

Installation of the temporary excavation support, and subsequent excavation for the construction of foundations must be performed in a manner which protects all nearby facilities. We recommend a coordinated geotechnical instrumentation monitoring program be implemented prior to and during construction. The purpose of the instrumentation program would be to monitor and document the following:

- Effect of excavation support system installation, excavation and related activities on movements of existing adjacent structures (including the existing retaining wall at 9 Front Street) and the ground outside the excavation, and
- Performance of the excavation support systems

To monitor vertical and horizontal deformation of identified existing structures and the temporary excavation system, surface monitoring points (SMPs) should be installed at the top of the temporary excavation support system, on the existing retaining wall of 9 Front Street (if amenable to the owners) and at 15 Beach Street (if amenable to the owners). The SMPs should be located such that daily construction activities will not inhibit the contractor/surveyor from obtaining readings at any time during construction. Monitoring points may consist of PK nails or fixed points on the structures and should be established by a registered land surveyor. Readings should be provided to the geotechnical consultant (in real time) for review.

Monitoring points at existing structures (if any) should be installed prior to significant construction operations at the site so that pre-construction baseline data can be established for comparison with construction, and post-construction data. Monitoring points at the temporary excavation support system should be installed immediately after the system has been installed, but prior to excavation for the basement. Readings should be accurate to within ¼ of an inch (vertical or horizontal).

Survey measurements on the SMP's should be made at the following intervals:

- Baseline: Prior to significant construction,
- During Construction: Upon completion site demolition activities, completion of soldier pile installation then once weekly,
- Post Construction: Upon completion of construction.

MGA can develop additional recommendations regarding locations and types of instrumentation, as well as movement threshold values as the projects moves forward.

## CONSTRUCTION OBSERVATION AND REVIEW

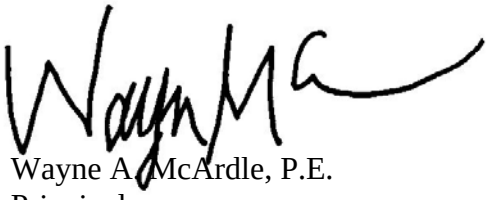
MGA should be retained to perform on-site construction observation services during foundation excavations. The purpose of our services is to assess the contractor's compliance with the project plans as well as our recommendations included in this report. Our on-site presence will allow us the opportunity to provide geotechnical engineering input on a timely basis if encountered subsurface conditions differ from those reported herein.

We also respectfully request the opportunity to review final site and foundation plans to see that our recommendations have been properly interpreted and included.

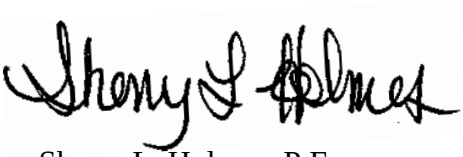
We appreciate the opportunity to assist you on this project and look forward to providing construction services as the project moves forward. Please feel free to contact us should you have any questions regarding this report or require additional information.

Very truly yours,

MCARDLE GANNON ASSOCIATES, INC.



Wayne A. McArdle, P.E.
Principal

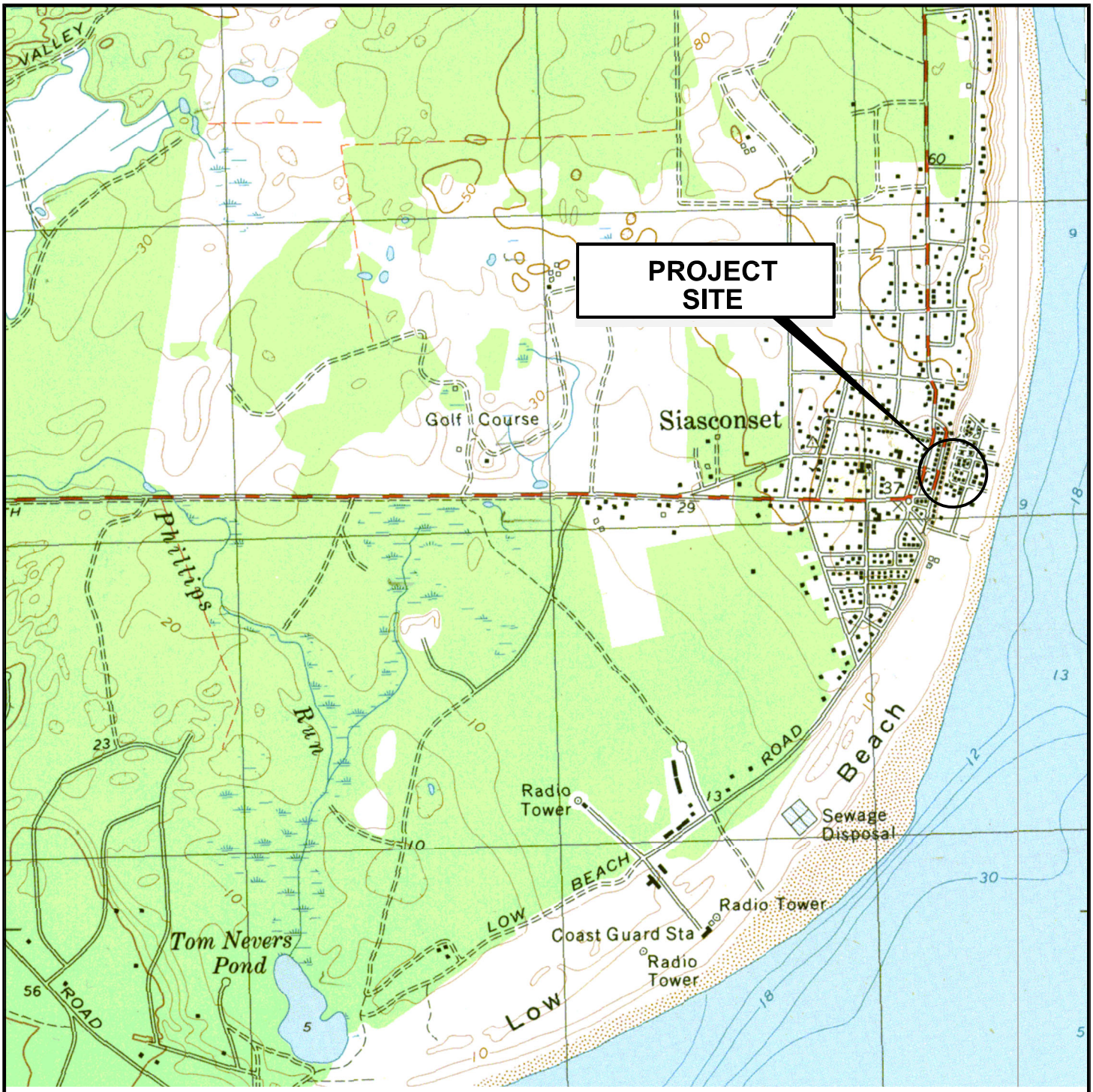


Sherry L. Holmes, P.E.
Geotechnical Engineer

WAM/slh

Attachments: Figure 1 – Site Locus
Figure 2 – Exploration Location Plan
Figure 3 – Basement Perimeter Foundation Drain
Table 1 – Recommend Use and Gradation Criteria for Fill Material
Appendix A – Statement of Limitations
Appendix B – Soil Test Boring Logs
Appendix C – Geotechnical Laboratory Test Results

**FIGURES**




SCALE: 1"=1500'

0 750 1500 3000 FEET

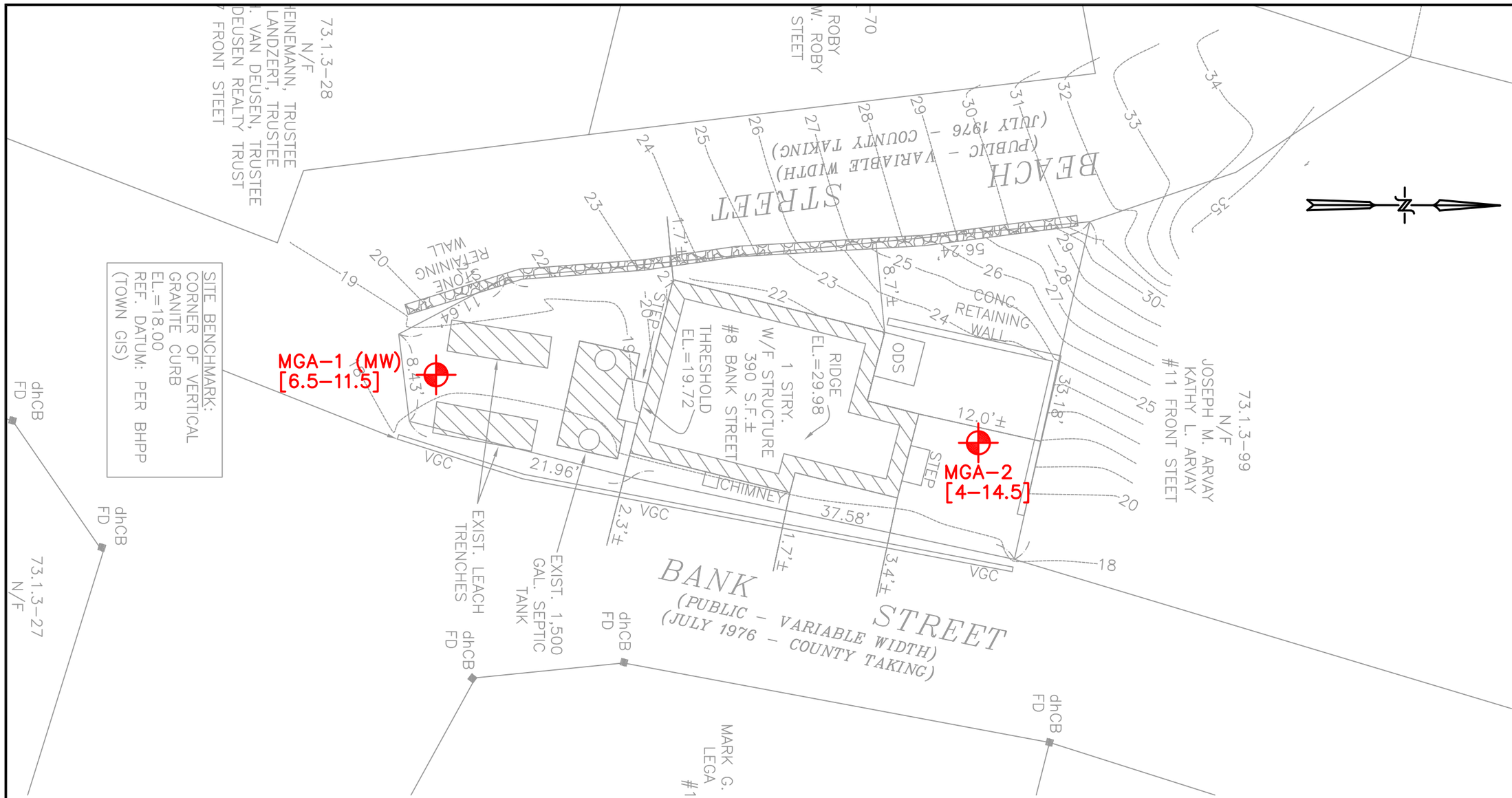
McArdle Gannon Associates, Inc.
Engineers & Consultants
300 Oak Street, Suite 460
Pembroke, MA 02359
781.826.0040 phone
781.735.0418 fax

LOCUS PLAN
PROPOSED RENOVATION
8 BANK STREET
NANTUCKET, MASSACHUSETTS

PROJECT: W0903 | DATE: 05/2022 | SCALE: AS NOTED

SKETCH NO.:
FIG. No. 1

DRAWN: SLH
CHECKED: WAM




## LEGEND:

| | |
|---|---|
| ⊕ | TEST BORINGS PERFORMED BY GEOSEARCH, INC. OF STERLING, MASSACHUSETTS ON APRIL 5, 2022. |
| [6.5–11.5] | INDICATES APPROXIMATE DEPTH–ELEVATION (IN FEET) OF BOTTOM OF EXISTING FILL AT BORING LOCATION. |
| (MW) | INDICATES GROUNDWATER MONITORING WELL INSTALLED AT BORING LOCATION. |

## NOTES:

1. BASE PLAN DEVELOPED FROM AUTOCAD FILE "2013_EMAIL TOPO_2021" RECEIVED APRIL 25 2022, BY BLACKWELL & ASSOCIATES, INC.
2. TEST BORING LOCATIONS SHOWN WERE DETERMINED BY PACING AND LINE OF SIGHT FROM EXISTING SITE FEATURES. THEIR LOCATIONS ARE APPROXIMATE.
3. MGA OBSERVED AND LOGGED THE TEST BORINGS SHOWN.

SCALE: 1"=10'

0 5 10 20

EXPLORATION LOCATION PLAN

PROPOSED RENOVATION
8 BANK STREET, NANTUCKET, MASSACHUSETTS

SKETCH NO.: FIG. No. 2

| DATE: | SCALE: | DRAWN: | CHECKED: |
|---|---|---|---|
| 05/2022 | AS NOTED | WAM | SLH |

PROJECT: W0903

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781.826.0040 phone
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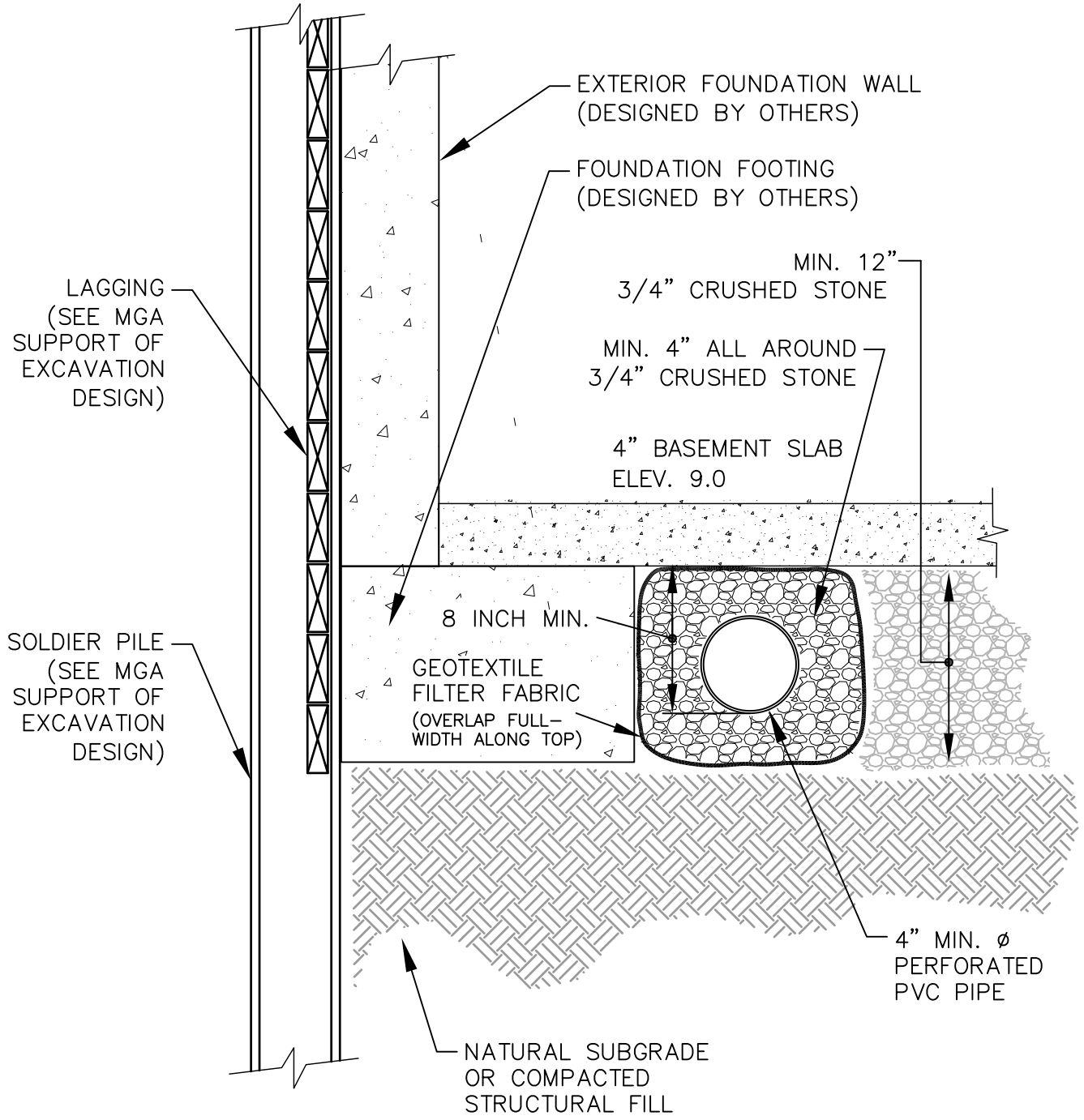


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# PERIMETER DRAIN SCHEMATIC
# PROPOSED RENOVATION

## 8 BANK STREET
NANTUCKET, MASSACHUSETTS

| PROJECT: W0903 | DATE: 05/2022 | SCALE: N.T.S. |
|---|---|---|

SKETCH NO.:
FIG. No. 3

DRAWN: WAM
CHECKED: SLH

**TABLE**

**TABLE 1**

**RECOMMENDED USE AND GRADATION CRITERIA FOR FILL MATERIALS**

## USE OF MATERIALS

| | |
|---|---|
| Off-site Structural Fill: | Backfill inside building area below base course and free draining backfill behind foundation walls and above underdrains |
| Crushed Stone: | Base course and as working mat in areas of sensitive subgrade |

## GRADATION REQUIREMENTS

**OFF-SITE STRUCTURAL FILL –** shall be free from ice and snow, roots, sod, rubbish and other deleterious or organic matter. Structural Fill shall conform to the following gradation requirements:

| Sieve Size | Percent Passing by Weight |
|---|---|
| * | 100 |
| No. 10 | 30 – 95 |
| No. 40 | 10 – 70 |
| No. 200 | 0 – 12** |

*Two thirds (2/3) of the loose lift thickness.
**0 – 8 for free-draining fill behind foundation/retaining walls and above underdrains.

**CRUSHED STONE –** shall consist of durable crushed rock or durable crushed gravel stone and shall be free from ice and snow, roots, sod, rubbish and other deleterious or organic matter. Crushed Stone shall conform to the following gradation requirements:

| Sieve Size | Percent Passing by Weight |
|---|---|
| 1 inch | 100 |
| ¾ inch | 90-100 |
| ½ inch | 10-50 |
| 3/8 inch | 0 – 20 |
| No. 4 | 0 – 5 |

# APPENDIX A: STATEMENT OF LIMITATIONS

# STATEMENT OF LIMITATIONS

## Explorations

The analysis and recommendations submitted in this report are based in part upon the data obtained from subsurface explorations. The nature and extent of variations between these explorations may not become evident until construction. If variations then appear evident, it will be necessary to re-evaluate the recommendations of this report.

The stratification lines on the logs represent the approximate boundary between soil types and the transition may be gradual.

Water level readings have been made in the explorations at the time and under the conditions stated on the logs. This data has been reviewed and interpretations made in the text of this report. However, it must be noted that fluctuations in the level of the groundwater may occur due to variations in rainfall, temperature, and other factors that are different from the time the measurements were made.

## Review

In the event that any change in the nature, design or location of the proposed structure are planned, the conclusions and recommendations contained in this report shall not be considered valid unless the changes are reviewed and conclusions of this report modified or verified in writing.

It is recommended that this firm be provided the opportunity for a general review of final design and specifications in order that earthwork recommendations may be properly interpreted and implemented in the design and specifications.

## Construction

It is recommended that this firm be retained to provide soil engineering services during the construction phase of the work. This is to observe compliance with design concepts, specifications, and recommendations and to allow design changes in the event that subsurface conditions differ from those anticipated prior to start of construction.

## Use of Report

This report has been prepared for the exclusive use of Kristina & Nicholas Amendolare for specific application to the Proposed Renovation at 8 Bank Street in Nantucket, Massachusetts, in accordance with generally accepted geotechnical engineering practices. No other warranty, expressed or implied, is made.

# APPENDIX B: TEST BORING LOGS

McArdle Gannon Associates, Inc.
Engineers & Consultants

# TEST BORING LOG

# BORING MGA-1 (MW)

**PROJECT:** Proposed Renovation - 8 Bank Street, Nantucket, MA
**CLIENT:** Kristina & Nicholas Amendolare
**CONTRACTOR:** Geosearch

**MGA NO. :** W0903
**SHEET NO. :** 1 of 2
**LOCATION N :** See Plan
**E :**
**ELEVATION :** 18'±
**DATE START :** 04/05/2022
**END :** 04/05/2022
**DRILLER :** Pat McClenahan
**ENGINEER :** Robert Drown

| GROUNDWATER | | DEPTH (ft) OF: | | | EQUIPMENT | CASING | SAMPLER | CORE |
|---|---|---|---|---|---|---|---|---|
| Date | Time | Water | Casing | Hole | Type | HW | Split Spoon | ---- |
| 4/5/22 | 2:00pm | 14.6 | MW | | Size I.D. | 4" | 1-3/8" | ---- |
| | | | | | Hammer Wt. | 140# | 140# | - - - - |
| | | | | | Hammer Fall | 30" | 30" | - - - - |

| Depth in Feet | Strata Change | Case BPF (Drill) (min/ft) | Sampler Blows Per 6" (RQD%) | Sample Number/ Type | Sample Depth Range (ft) | Sample Recov-ery (in) | Elev-ation/ Depth (ft) | FIELD CLASSIFICATION AND REMARKS | Well Schematic |
|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | 18.0 | | |
| 0 | | PUSH | 1 | S-1 | 0.0 | 15 | 0.0 | Top 9": Dark brown, fine to medium SAND, some Silt, trace Roots. | |
| | | PUSH | 1 1 1 | | 2.0 | | 17.3 | -TOPSOIL FILL- | |
| | | PUSH | 1 | S-2 | 2.0 | 16 | 0.8 | Bottom 6": Brown to light brown, fine to medium SAND, trace Silt. | |
| | | PUSH | 1/12" 1 | | 4.0 | | | Very loose, brown to light brown, fine to medium SAND, trace Silt. | |
| 4 | | PUSH | 2 | S-3 | 4.0 | 12 | | Loose, brown, fine to medium SAND, trace Silt, trace (-) fine Gravel. | |
| | | PUSH | 2 3 5 | | 6.0 | | | -FILL- | |
| | | PUSH | 4 | S-4 | 6.0 | 6 | 11.5 | Brown, moist, fine to medium SAND, trace (+) Silt. | |
| | | 10 | 3 | S-4A | 6.5 | 16 | 6.5 | Loose, beige, moist, medium SAND, trace (-) Silt. | |
| 8 | | 10 | 3 2 | | 6.5 | | | | |
| | | 13 | | | 8.0 | | | | |
| | | 10 | 1 | S-5 | 9.0 | 6 | | Very loose, beige, wet, fine to coarse SAND, trace (-) Silt. | |
| | | 14 | 2 1 2 | | 11.0 | | | | |
| 12 | | 20 | | | | | | -SAND- | |
| | | 24 | | | | | | | |
| | | 27 | | | | | | | |
| | | 14 | 4 | S-6 | 14.0 | 14 | | Medium dense, olive-brown, fine to coarse SAND, trace (+) Silt. | |
| | | 18 | 5 6 6 | | 16.0 | | | | |
| 16 | | 29 | | | | | | | |
| | | 33 | | | | | | | |
| | | 32 | | | | | | | |
| | | 13 | 3 | S-7 | 19.0 | 8 | | Very loose to loose, beige, fine to coarse SAND, trace fine Gravel, trace (-) Silt. | |
| 20 | | 18 | 3 1 | | 21.0 | | | | |

| BLOWS/FT. | DENSITY |
|---|---|
| 0 - 4 | Very Loose |
| 4 - 10 | Loose |
| 10 - 30 | Medium Dense |
| 30 - 50 | Dense |
| 50 + | Very Dense |

| BLOWS/FT. | CONSISTENCY |
|---|---|
| 0 - 2 | Very Soft |
| 2 - 4 | Soft |
| 4 - 8 | Medium Stiff |
| 8 - 15 | Stiff |
| 15 - 30 | Very Stiff |
| 30+ | Hard |

**SAMPLE IDENTIFICATION**
- S - Split Spoon
- T - Thin Wall Tube
- U - Undisturbed Piston
- C - Diamond Core
- W - Wash Sample

**SUMMARY**
**Overburden:**
**Rock:**
**Samples:**

**BORING MGA-1 (MW)**

McArdle Gannon Associates, Inc.
Engineers & Consultants

# TEST BORING LOG

## BORING MGA-1 (MW)

**PROJECT:** Proposed Renovation - 8 Bank Street, Nantucket, MA
**CLIENT:** Kristina & Nicholas Amendolare

**MGA NO. :** W0903
**SHEET NO. :** 2 of 2

| Depth in Feet | Strata Change | Case BPF (Drill) (min/ft) | Sampler Blows Per 6" (RQD%) | Sample Number/ Type | Sample Depth Range (ft) | Sample Recov-ery (in) | Elev-ation/ Depth (ft) | FIELD CLASSIFICATION AND REMARKS | Well Schematic |
|---|---|---|---|---|---|---|---|---|---|
| | | | 2 | | | | | | |
| | | 22 | | | | | | | |
| | | 27 | | | | | | | |
| | | 30 | | | | | | | |
| 24 | | 20 | 3 | S-8 | 24.0 | 12 | | Loose, beige, fine to coarse SAND, trace fine Gravel, trace Silt. | |
| | | 18 | 3<br>3<br>2 | | 26.0 | | | | |
| | | 21 | | | | | | | |
| | | 28 | | | | | | -SAND- | |
| 28 | | 35 | | | | | | | |
| | | | 4 | S-9 | 29.0 | 12 | | Loose, beige, fine to coarse SAND, trace fine Gravel, trace Silt. | |
| | | | 3<br>3<br>4 | | 31.0 | | -13.0 | | |
| | | | | | | | 31.0 | BOTTOM OF BORING AT 31 FEET | |
| 32 | | | | | | | | | |
| 36 | | | | | | | | | |
| 40 | | | | | | | | | |
| 44 | | | | | | | | | |
| 48 | | | | | | | | | |

| BLOWS/FT. | DENSITY |
|---|---|
| 0 - 4 | Very Loose |
| 4 - 10 | Loose |
| 10 - 30 | Medium Dense |
| 30 - 50 | Dense |
| 50 + | Very Dense |

| BLOWS/FT. | CONSISTENCY |
|---|---|
| 0 - 2 | Very Soft |
| 2 - 4 | Soft |
| 4 - 8 | Medium Stiff |
| 8 - 15 | Stiff |
| 15 - 30 | Very Stiff |
| 30+ | Hard |

**SAMPLE IDENTIFICATION**

- S - Split Spoon
- T - Thin Wall Tube
- U - Undisturbed Piston
- C - Diamond Core
- W - Wash Sample

**SUMMARY**

**Overburden:**
**Rock:**
**Samples:**

**BORING MGA-1 (MW)**

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McArdle Gannon Associates, Inc.
Engineers & Consultants

# TEST BORING LOG

# BORING MGA-2

**PROJECT:** Proposed Renovation - 8 Bank Street, Nantucket, MA
**CLIENT:** Kristina & Nicholas Amendolare
**CONTRACTOR:** Geosearch

**MGA NO. :** W0903
**SHEET NO. :** 1 of 2
**LOCATION N :** See Plan
**E :**
**ELEVATION :** 18.5'±
**DATE START :** 04/05/2022
**END :** 04/05/2022
**DRILLER :** Pat McClenahan
**ENGINEER :** Robert Drown

| GROUNDWATER | | DEPTH (ft) OF: | | | EQUIPMENT | CASING | SAMPLER | CORE |
|---|---|---|---|---|---|---|---|---|
| Date | Time | Water | Casing | Hole | Type | HW | Split Spoon | ---- |
| | | | | | Size I.D. | 4" | 1-3/8" | ---- |
| | | | | | Hammer Wt. | 140# | 140# | - - - - |
| | | | | | Hammer Fall | 30" | 30" | - - - - |

| Depth in Feet | Strata Change | Case BPF (Drill) (min/ft) | Sampler Blows Per 6" (RQD%) | Sample Number/ Type | Sample Depth Range (ft) | Sample Recov-ery (in) | Elev-ation/ Depth (ft) | FIELD CLASSIFICATION AND REMARKS |
|---|---|---|---|---|---|---|---|---|
| 0 | | PUSH | 1 | S-1 | 0.0 | 12 | | Loose, brown, fine to coarse SAND, little (-) Silt. |
| | | PUSH | 3 3 3 | | 2.0 | | | -FILL- |
| | | PUSH | 1 | S-2 | 2.0 | 9 | | Very loose, brown, fine to coarse SAND, little (-) fine to coarse Gravel, trace Silt. |
| 4 | | PUSH | 2 1 1 | | 4.0 | | 14.5 | |
| | | PUSH | 3 | S-3 | 4.0 | 12 | 4.0 | Loose, beige, fine to coarse SAND, trace fine Gravel, trace (-) Silt. |
| | | PUSH | 2 4 4 | | 6.0 | | | |
| | | 10 | 3 | S-4 | 6.0 | 14 | | Very loose to loose, beige, fine to coarse SAND, trace (-) fine Gravel, trace (-) Silt. |
| 8 | | 14 | 2 2 3 | | 8.0 | | | |
| | | 14 | | | | | | |
| | | 15 | 4 | S-5 | 9.0 | 12 | | Loose to medium dense, beige to olive-brown, fine to medium SAND, trace (+) Silt. |
| | | 23 | 5 5 5 | | 11.0 | | | |
| 12 | | 32 | | | | | | -SAND- |
| | | 36 | | | | | | |
| | | 33 | | | | | | |
| | | 12 | 3 | S-6 | 14.0 | 14 | | Loose, beige, fine to coarse SAND, little fine Gravel, trace (-) Silt. |
| | | 18 | 3 2 3 | | 16.0 | | | |
| 16 | | 31 | | | | | | |
| | | 31 | | | | | | |
| | | 27 | | | | | | |
| | | 16 | 2 | S-7 | 19.0 | 9 | | Very loose to loose, beige, fine to coarse SAND, little (-) fine Gravel, trace Silt. |
| 20 | | 24 | 2 2 2 | | 21.0 | | | |
| | | 33 | | | | | | |
| | | 33 | | | | | | |

| BLOWS/FT. | DENSITY |
|---|---|
| 0 - 4 | Very Loose |
| 4 - 10 | Loose |
| 10 - 30 | Medium Dense |
| 30 - 50 | Dense |
| 50 + | Very Dense |

| BLOWS/FT. | CONSISTENCY |
|---|---|
| 0 - 2 | Very Soft |
| 2 - 4 | Soft |
| 4 - 8 | Medium Stiff |
| 8 - 15 | Stiff |
| 15 - 30 | Very Stiff |
| 30+ | Hard |

**SAMPLE IDENTIFICATION**
- S - Split Spoon
- T - Thin Wall Tube
- U - Undisturbed Piston
- C - Diamond Core
- B - Bulk/Grab Sample

**SUMMARY**
**Station:**
**Rock:**
**Samples:**

**BORING MGA-2**

300 Oak Street, Suite 460 Pembroke, MA 02359 | Telephone 781.826.0040 | Fax 781.735.0418 | mcardlegannon.com

| McArdle Gannon Associates, Inc. Engineers & Consultants | TEST BORING LOG | BORING MGA-2 |
|---|---|---|
| **PROJECT:** Proposed Renovation - 8 Bank Street, Nantucket, MA<br>**CLIENT:** Kristina & Nicholas Amendolare | | **MGA NO. :** W0903<br>**SHEET NO. :** 2 of 2 |

| Depth in Feet | Strata Change | Case BPF (Drill) (min/ft) | Sampler Blows Per 6" (RQD%) | Sample Number/ Type | Sample Depth Range (ft) | Sample Recov-ery (in) | Elev-ation/ Depth (ft) | FIELD CLASSIFICATION AND REMARKS |
|---|---|---|---|---|---|---|---|---|
| | | 39 | | | | | | |
| 24 | | 14 | 3<br>4 | S-8 | 24.0<br>26.0 | 12 | | Loose, beige, fine to coarse SAND, trace (+) fine Gravel, trace (-) Silt. |
| | | 17 | 3<br>3 | | | | | |
| | | 27 | | | | | | -SAND- |
| 28 | | 36 | | | | | | |
| | | 38 | | | | | | |
| | | | 4 | S-9 | 29.0 | 12 | | Medium dense, beige, fine to coarse SAND, trace (+) fine Gravel, trace Silt. |
| | | | 5<br>6<br>6 | | 31.0 | | -12.5<br>31.0 | BOTTOM OF BORING AT 31 FEET |
| 32 | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| 36 | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| 40 | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| 44 | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| 48 | | | | | | | | |
| | | | | | | | | |

| BLOWS/FT. | DENSITY |
|---|---|
| 0 - 4 | Very Loose |
| 4 - 10 | Loose |
| 10 - 30 | Medium Dense |
| 30 - 50 | Dense |
| 50 + | Very Dense |

| BLOWS/FT. | CONSISTENCY |
|---|---|
| 0 - 2 | Very Soft |
| 2 - 4 | Soft |
| 4 - 8 | Medium Stiff |
| 8 - 15 | Stiff |
| 15 - 30 | Very Stiff |
| 30+ | Hard |

**SAMPLE IDENTIFICATION**

- S - Split Spoon
- T - Thin Wall Tube
- U - Undisturbed Piston
- C - Diamond Core
- B - Bulk/Grab Sample

**SUMMARY**

**Station:**
**Rock:**
**Samples:**

**BORING MGA-2**

300 Oak Street, Suite 460 Pembroke, MA 02359 | Telephone 781.826.0040 | Fax 781.735.0418 | mcardlegannon.com

# KEY TO SYMBOLS

| Symbol | Description |
|---|---|
| **Strata symbols** | |
| | Topsoil Fill |
| | Fill |
| | Sand |
| **Soil Samplers** | |
| | Split Spoon |
| **Monitor Well Details** | |
| | pipe riser |
| | assorted cuttings |
| | bentonite pellets |
| | silica sand, blank PVC |
| | slotted pipe w/ sand |
| | end of well installation |

**Notes:**

1. Geosearch of Sterling, Massachusetts performed the test borings on April 5, 2022 using an all-terrain vehicle (ATV) mounted drill rig equipped with a 140-pound automatic trip hammer. Borings were advanced using flush jointed casing and drilling mud.

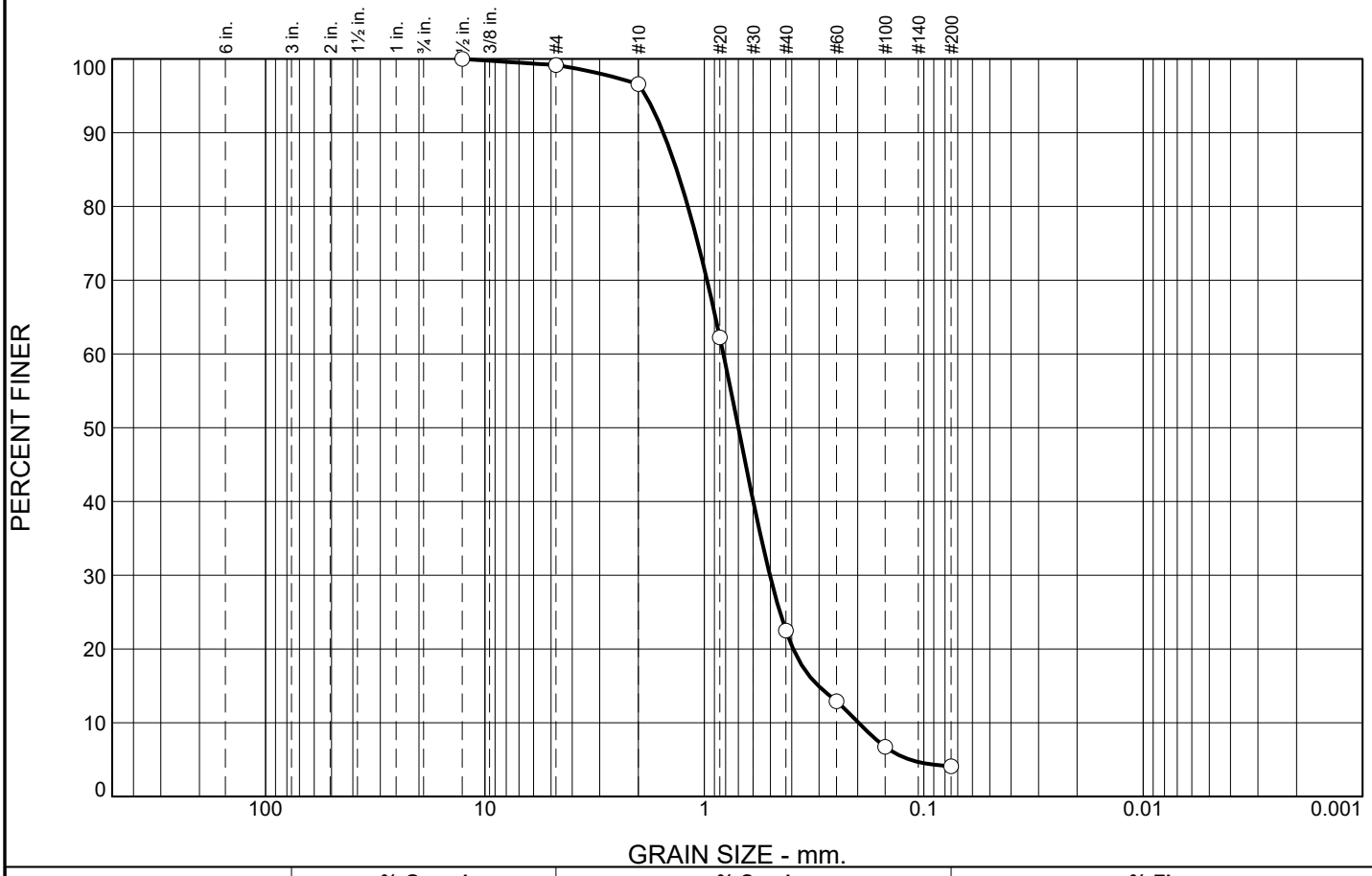
2. Test boring elevations were estimated from spot elevations shown on a plan entitled "Site Plan of Land," by Blackwell & Associates, Inc., dated January 20, 2021. Elevations are approximate.

3. MGA observed and logged the test borings.

4. Groundwater was not measured in boring MGA-2 due to the addition of water and drilling mud during advancement.

# APPENDIX C: GEOTECHNICAL LABORATORY TEST RESULTS

# PARTICLE SIZE DISTRIBUTION REPORT




| % +3" | % Gravel | | % Sand | | | % Fines | |
|---|---|---|---|---|---|---|---|
| | Coarse | Fine | Coarse | Medium | Fine | Silt | Clay |
| 0.0 | 0.0 | 0.8 | 2.6 | 74.1 | 18.4 | 4.1 | |

| SIEVE SIZE | PERCENT FINER | SPEC.* PERCENT | PASS? (X=NO) |
|---|---|---|---|
| 1/2 | 100.0 | | |
| #4 | 99.2 | | |
| #10 | 96.6 | | |
| #20 | 62.3 | | |
| #40 | 22.5 | | |
| #60 | 12.9 | | |
| #100 | 6.7 | | |
| #200 | 4.1 | | |

* (no specification provided)

**Soil Description**

Brown, fine to medium SAND, trace Silt, trace (-) fine Gravel.

**Atterberg Limits**

PL= LL= PI=

**Coefficients**

$D_{90}$= 1.5381 $D_{85}$= 1.3377 $D_{60}$= 0.8193
$D_{50}$= 0.7002 $D_{30}$= 0.5026 $D_{15}$= 0.3022
$D_{10}$= 0.1981 $C_u$= 4.14 $C_c$= 1.56

**Classification**

USCS= SP AASHTO=

**Remarks**

Existing Fill
Water Content: 5.7%

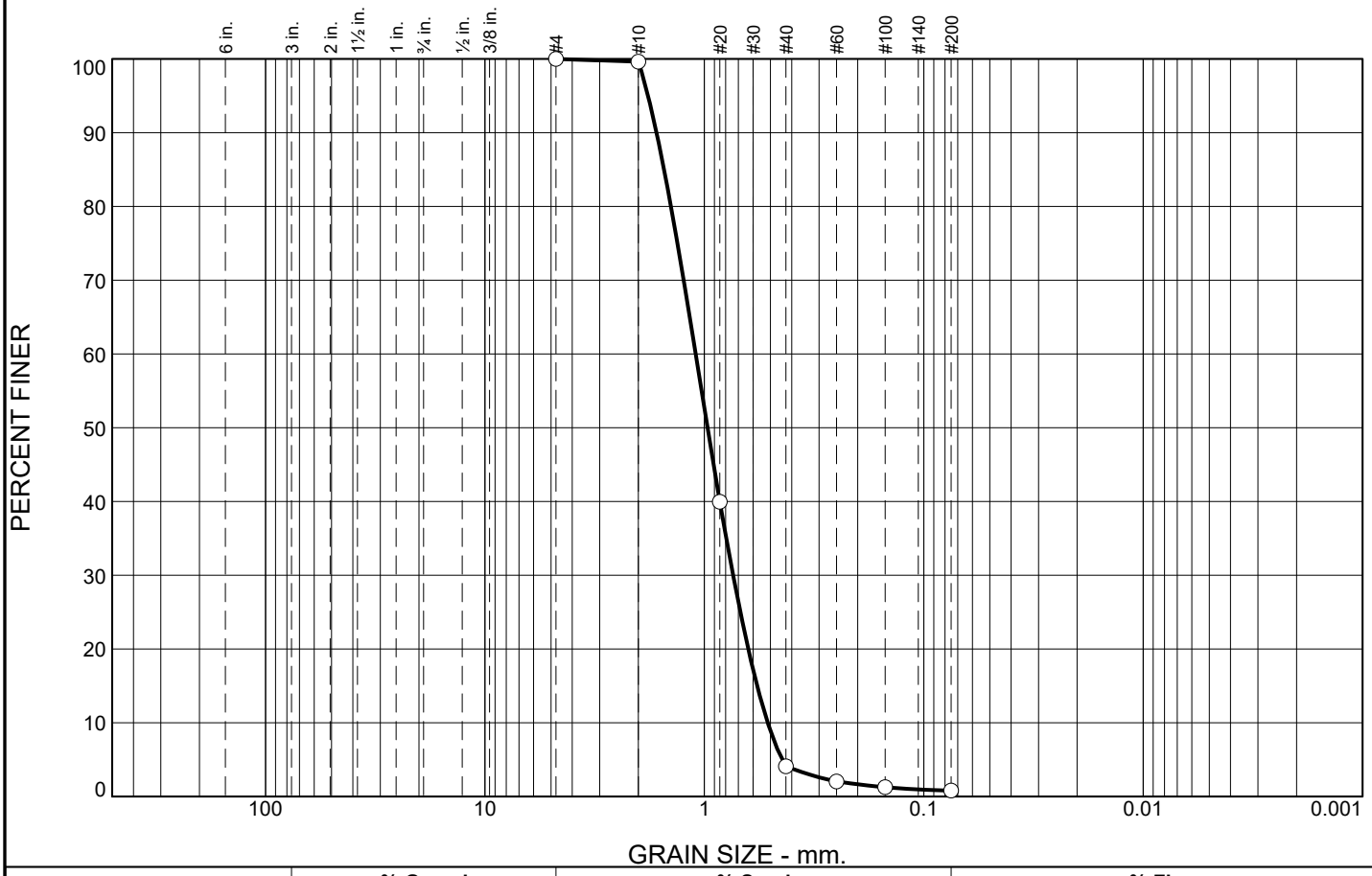
**Source of Sample:** MGA-1 **Depth:** 4-6'
**Sample Number:** S-3

**Date:** 04/09/2022

McArdle Gannon Associates, Inc.
Engineers & Consultants

**Client:** Kristina & Nicholas Amendolare
**Project:** Proposed Renovation
8 Bank Street, Nantucket, Massachusetts
**Project No:** W0903 **Figure**

# PARTICLE SIZE DISTRIBUTION REPORT




| % +3" | % Gravel | | % Sand | | | % Fines | |
|---|---|---|---|---|---|---|---|
| | Coarse | Fine | Coarse | Medium | Fine | Silt | Clay |
| 0.0 | 0.0 | 0.0 | 0.4 | 95.5 | 3.3 | 0.8 | |

| SIEVE SIZE | PERCENT FINER | SPEC.* PERCENT | PASS? (X=NO) |
|---|---|---|---|
| #4 | 100.0 | | |
| #10 | 99.6 | | |
| #20 | 40.0 | | |
| #40 | 4.1 | | |
| #60 | 2.0 | | |
| #100 | 1.3 | | |
| #200 | 0.8 | | |

* (no specification provided)

**Soil Description**

Beige, medium SAND, trace (-) Silt.

**Atterberg Limits**

PL= LL= PI=

**Coefficients**

$D_{90}$= 1.6501 $D_{85}$= 1.5255 $D_{60}$= 1.0958
$D_{50}$= 0.9674 $D_{30}$= 0.7398 $D_{15}$= 0.5744
$D_{10}$= 0.5142 $C_u$= 2.13 $C_c$= 0.97

**Classification**

USCS= SP AASHTO=

**Remarks**

Natural Outwash Soils
Water Content: 4.4%

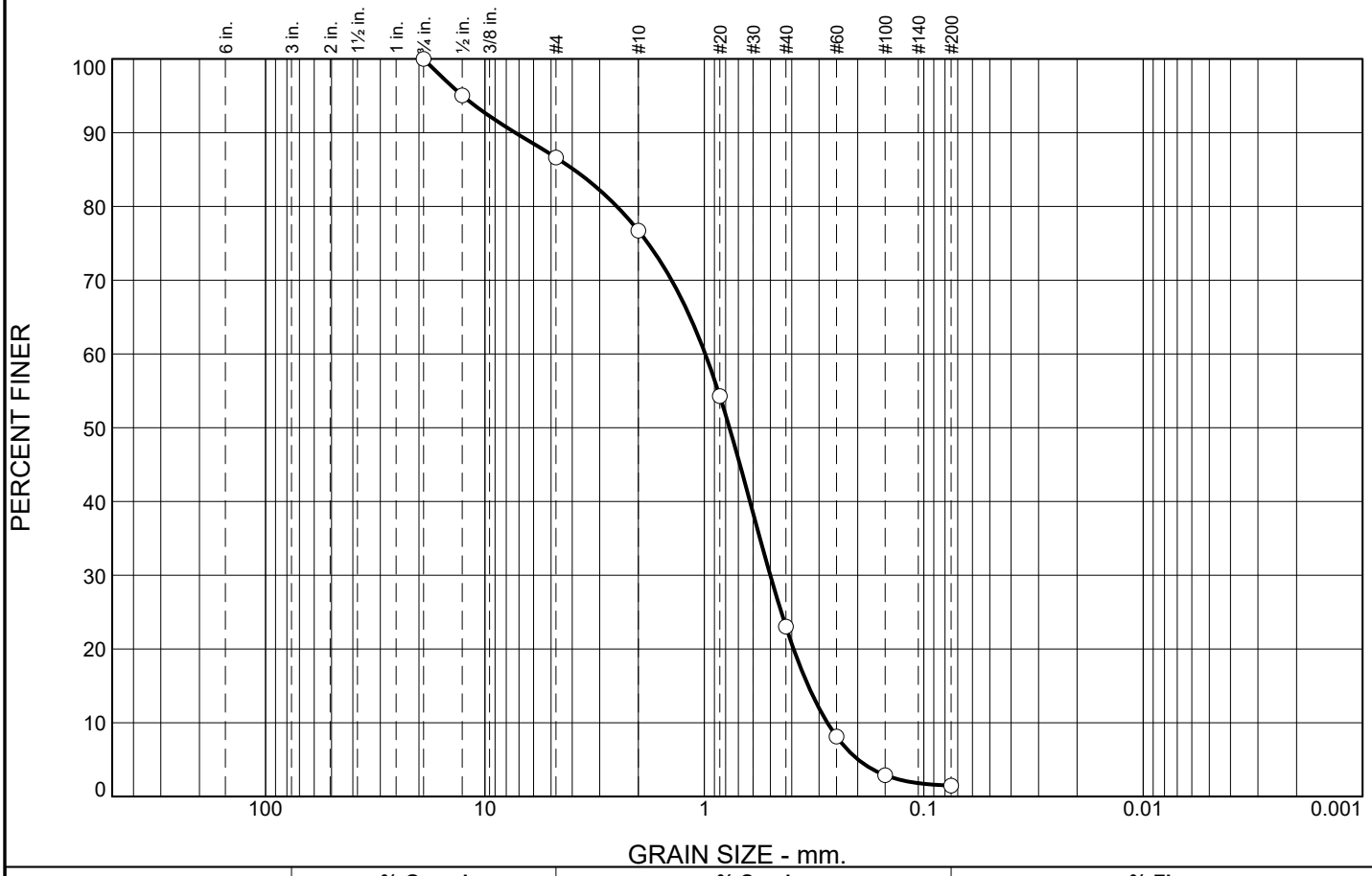
**Source of Sample:** MGA-1 **Depth:** 6.5-8'
**Sample Number:** S-4A

**Date:** 04/09/2022

McArdle Gannon Associates, Inc.
Engineers & Consultants

**Client:** Kristina & Nicholas Amendolare
**Project:** Proposed Renovation
8 Bank Street, Nantucket, Massachusetts
**Project No:** W0903 **Figure**

# PARTICLE SIZE DISTRIBUTION REPORT




| % +3" | % Gravel | | % Sand | | | % Fines | |
|---|---|---|---|---|---|---|---|
| | Coarse | Fine | Coarse | Medium | Fine | Silt | Clay |
| 0.0 | 0.0 | 13.4 | 9.9 | 53.7 | 21.5 | 1.5 | |

| SIEVE SIZE | PERCENT FINER | SPEC.* PERCENT | PASS? (X=NO) |
|---|---|---|---|
| 3/4 | 100.0 | | |
| 1/2 | 95.1 | | |
| #4 | 86.6 | | |
| #10 | 76.7 | | |
| #20 | 54.3 | | |
| #40 | 23.0 | | |
| #60 | 8.1 | | |
| #100 | 2.9 | | |
| #200 | 1.5 | | |

* (no specification provided)

**Soil Description**

Beige, fine to coarse SAND, little fine Gravel, trace (-) Silt.

**Atterberg Limits**

PL= LL= PI=

**Coefficients**

$D_{90}$= 7.2684 $D_{85}$= 3.9389 $D_{60}$= 0.9908
$D_{50}$= 0.7685 $D_{30}$= 0.5005 $D_{15}$= 0.3360
$D_{10}$= 0.2753 $C_u$= 3.60 $C_c$= 0.92

**Classification**

USCS= SP AASHTO=

**Remarks**

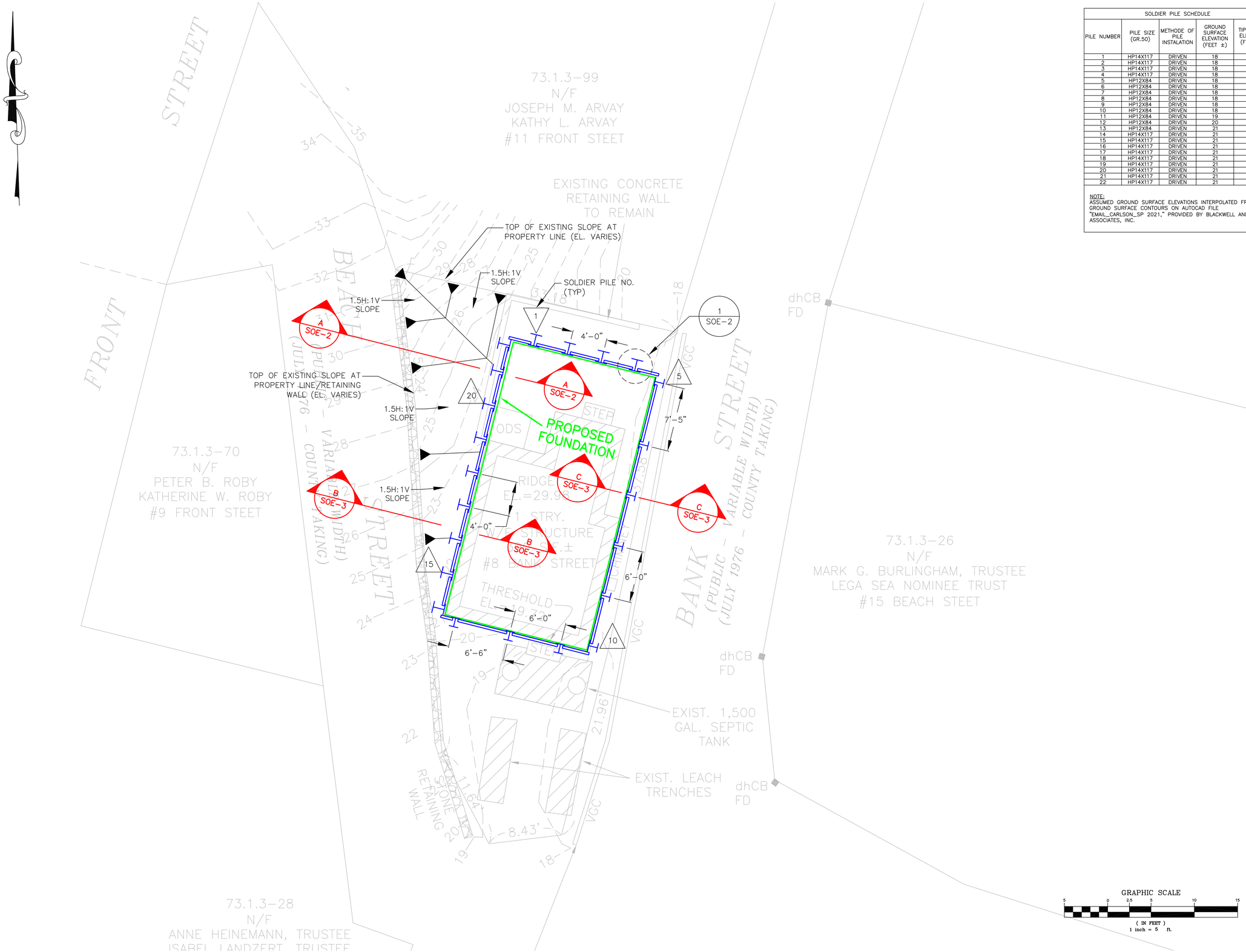
Natural Outwash Soils
Water Content: 14.8%

**Source of Sample:** MGA-2 **Depth:** 14-16'
**Sample Number:** S-6

**Date:** 04/09/2022

McArdle Gannon Associates, Inc.
Engineers & Consultants

**Client:** Kristina & Nicholas Amendolare
**Project:** Proposed Renovation
8 Bank Street, Nantucket, Massachusetts
**Project No:** W0903 **Figure**




| SOLDIER PILE SCHEDULE | | | | |
|---|---|---|---|---|
| PILE NUMBER | PILE SIZE (GR:50) | METHODE OF PILE INSTALATION | GROUND SURFACE ELEVATION (FEET ±) | TIP OF PILE ELEVATION (FEET ±) |
| 1 | HP14X117 | DRIVEN | 18 | -17 |
| 2 | HP14X117 | DRIVEN | 18 | -17 |
| 3 | HP14X117 | DRIVEN | 18 | -17 |
| 4 | HP14X117 | DRIVEN | 18 | -17 |
| 5 | HP12X84 | DRIVEN | 18 | -12 |
| 6 | HP12X84 | DRIVEN | 18 | -12 |
| 7 | HP12X84 | DRIVEN | 18 | -12 |
| 8 | HP12X84 | DRIVEN | 18 | -12 |
| 9 | HP12X84 | DRIVEN | 18 | -12 |
| 10 | HP12X84 | DRIVEN | 18 | -12 |
| 11 | HP12X84 | DRIVEN | 19 | -11 |
| 12 | HP12X84 | DRIVEN | 20 | -10 |
| 13 | HP12X84 | DRIVEN | 21 | -9 |
| 14 | HP14X117 | DRIVEN | 21 | -19 |
| 15 | HP14X117 | DRIVEN | 21 | -19 |
| 16 | HP14X117 | DRIVEN | 21 | -19 |
| 17 | HP14X117 | DRIVEN | 21 | -19 |
| 18 | HP14X117 | DRIVEN | 21 | -19 |
| 19 | HP14X117 | DRIVEN | 21 | -19 |
| 20 | HP14X117 | DRIVEN | 21 | -19 |
| 21 | HP14X117 | DRIVEN | 21 | -19 |
| 22 | HP14X117 | DRIVEN | 21 | -19 |

NOTE:
ASSUMED GROUND SURFACE ELEVATIONS INTERPOLATED FROM GROUND SURFACE CONTOURS ON AUTOCAD FILE "EMAIL_CARLSON_SP 2021," PROVIDED BY BLACKWELL AND ASSOCIATES, INC.

GRAPHIC SCALE
5 0 2.5 5 10 15
( IN FEET )
1 inch = 5 ft.

REVISIONS

| # | DATE | NOTE |
|---|---|---|
| | | |
| | | |
| | | |

COMMONWEALTH OF MASSACHUSETTS
WAYNE A. MCARDLE
CIVIL
NO. 41835
REGISTERED PROFESSIONAL ENGINEER

DRAWN BY: WAM

DESIGNED BY: WAM

CHECKED BY: SLH

McArdle Gannon Associates, Inc.
Engineers & Consultants
300 Oak Street, Suite 460
Pembroke, MA 02359
781.826.0040 phone
781.735.0418 fax

TEMPORARY EXCAVATION SUPPORT
PLAN AND SCHEDULE
PROPOSED RESIDENCE
8 BANK STREET, NANTUCKET, MA

MAY 5, 2022

SCALE: 1" = 5'

JOB No.W0903

DWG No: SOE-1

SHEET 1 OF 3

## GENERAL NOTES:

1. CONFORM TO THE GENERAL NOTES, CONSTRUCTION SEQUENCE & PROCEDURES AND ALL OTHER REQUIREMENTS OF THIS DESIGN UNLESS OTHERWISE APPROVED BY MCARDLE GANNON ASSOCIATES, INC.

2. REPORT FIELD LOCATIONS IN PLAN AND ELEVATION OF UTILITIES, UTILITY STRUCTURES, VAULTS, TANKS, ETC. WHICH MAY CONFLICT WITH OR OBSTRUCT THE DESIGN LOCATION OF THE PILES PRIOR TO WORK SO THAT THE DESIGN CAN BE MODIFIED ACCORDINGLY BY MCARDLE GANNON ASSOCIATES, INC.

3. REPORT CHANGES IN THE CONTRACT DOCUMENTS AND CHANGES IN THE SUBSURFACE CONDITIONS (BASED ON THE EXPLORATIONS) SO THAT THE EFFECTS ON THE TEMPORARY EXCAVATION SUPPORT SYSTEM CAN BE EVALUATED.

4. ALL SOLDIER PILES ARE TO BE INSTALLED BY THE SHORING CONTRACTOR. THE DESIGN OF THE TEMPORARY SHORING SYSTEM IS BASED UPON THE FOLLOWING AVAILABLE INFORMATION:

   4.1. THE GEOTECHNICAL ENGINEERING REPORT, DATED MAY 5, 2022, BY MCARDLE GANNON ASSOCIATES, INC.,

   4.2. AUTOCAD FILE "EMAIL_CARLSON_SP 2021" PROVIDED BY BLACKWELL AND ASSOCIATES, INC.

5. MCARDLE GANNON ASSOCIATES, INC. HAS MADE ASSUMPTIONS CONCERNING THE SOUNDNESS OF THE BUILDINGS ADJACENT TO THE SITE. THESE ASSUMPTIONS ARE THAT THESE BUILDINGS AND STRUCTURES WERE DESIGNED IN CONFORMITY WITH GOOD DESIGN PRACTICES. THE CONTRACTOR SHOULD TAKE EXTRAORDINARY PRECAUTIONS CONCERNING THE PRESERVATION OF THE ADJACENT PROPERTIES.

6. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE AND LIABLE FOR MINOR CRACKING OR SETTLEMENT OF UTILITIES, BUILDING, OR ANY OTHER STRUCTURES THAT MAY OCCUR DURING THE INSTALLATION OF THE WORK, OR THAT ARE CAUSED BY THE VIBRATION OF MACHINERY OR EQUIPMENT.

7. IF ANY HORIZONTAL OR VERTICAL MOVEMENT OF THE PILES REACHES 3 INCHES, MCARDLE GANNON ASSOCIATES, INC. SHALL EVALUATE SUCH MOVEMENT AND RECOMMEND CORRECTIVE MEASURES, IF NECESSARY, BEFORE EXCAVATION IS CONTINUED.

8. TIMBER LAGGING INSTALLED BELOW THE ORIGINAL GROUND SURFACE SHALL BE PLACED FROM THE TOP DOWN AS THE EXCAVATION PROCEEDS. DURING LAGGING INSTALLATION, LIMIT THE MAXIMUM HEIGHT OF UNLAGGED EXCAVATION TO TWO FEET, UNLESS GROUND CONDITIONS PERMIT OTHERWISE. OVER-EXCAVATION REQUIRED TO PLACE THE TIMBER LAGGING BEHIND THE FLANGES OF THE SOLDIER PILES SHALL BE THE MINIMUM NECESSARY TO INSTALL THE LAGGING. PLACE LAGGING BOARDS TIGHT TO EACH OTHER AND BACKFILL ALL VOIDS WITH GRANULAR SOIL.

9. IN ORDER TO MINIMIZE THE EFFECTS OF VIBRATION ON ADJACENT STRUCTURES, IT IS UNDERSTOOD THAT ALL PILING WILL BE INSTALLED USING A RESONANCE FREE VIBRATORY HAMMER.

10. NO HEAVY VEHICULAR TRAFFIC OR STORAGE OF MATERIAL WITHIN 10 FEET OF THE SHORING SYSTEM.

11. PILES ARE TO BE LEFT IN PLACE AND CUT OFF 4 FEET BELOW GRADE WHERE APPROPRIATE OR REMOVED BY THE GENERAL CONTRACTOR AS REQUIRED BY THE CONTRACT DOCUMENTS.

12. THE GENERAL CONTRACTOR TO PROVIDE BARRIERS/RESTRAINTS AS REQUIRED BASED ON LOCATIONS OF VEHICLES/PEDESTRIAN TRAFFIC. SAFETY RAILING AT THE TOP OF THE SHORING SHALL BE CONSTRUCTED AND MAINTAINED BY OTHERS.

## MATERIALS:

1. ALL SOLDIER PILES SHALL BE UNSPLICED HP SECTIONS OF THE SIZES AND LENGTHS INDICATED, OR EQUIVALENT, AND CONFORMING TO ASTM A572, GRADE 50.

2. WELDING (IF ANY) SHALL MEET AWS SPECIFICATION D1.1 LATEST REVISION. E70XX LOW HYDROGEN ELECTRODES OR APPROVED EQUAL SHALL BE USED.

## CONSTRUCTION SEQUENCE:

1. THE CONTRACTOR SHALL VERIFY LOCATIONS OF ALL EXISTING UNDERGROUND TANKS, PIPING, CONDUITS, AND UTILITIES PRIOR TO THE START OF WORK. ANY DISTURBANCE OR DAMAGE TO EXISTING STRUCTURES, UTILITIES, OR OTHER PROPERTY, CAUSED BY THE CONTRACTORS OPERATIONS, SHALL BE REPAIRED BY THE CONTRACTOR IN A MANNER SATISFACTORY TO THE ENGINEER AT NO ADDITIONAL COST TO THE OWNER.

2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING THE APPROPRIATE EQUIPMENT NECESSARY TO DRIVE THE PILING TO THE ELEVATION(S) SPECIFIED ON THE PLANS. THE PILES SHALL BE DRIVEN, AS A MINIMUM, TO ELEVATION(S) SPECIFIED PRIOR TO COMMENCING ANY RELATED EXCAVATION. IF UNABLE TO REACH THE MINIMUM ELEVATIONS, THE ADEQUACY OF THE SOLDIER PILE DESIGN WILL REQUIRE RE-EVALUATION BY THE ENGINEER PRIOR TO ALLOWING EXCAVATION ADJACENT TO THE PILE IN QUESTION. THE CONTRACTOR SHALL NOT EXCAVATE BELOW THE MAXIMUM EXCAVATION LINE SHOWN ON THE PLANS WITHOUT THE PRIOR PERMISSION OF THE ENGINEER.

3. THE CONTRACTOR SHALL EXCAVATE A SAFE TRENCH TO INSTALL THE SOLDIER PILES FIRST.

4. INSTALL THE SOLIDER PILES USING A RESONANCE FREE VIBRATORY HAMMER TO THE APPROXIMATE ELEVATIONS INDICATED.

5. SLOPE GROUND SURFACE FROM PROPERTY LINE TO TOP OF SOLDIER PILES AND EXCAVATE TO SUBGRADE ELEVATION OF BASEMENT. INSTALL WOOD LAGGING AS WORK PROGRESSES.

6. CONSTRUCT BASEMENT FOOTINGS, SLABS, FOUNDATION WALLS, AND WATERPROOF AS NECESSARY.

7. LEAVE SOLIDER PILES IN-PLACE AND CUT OFF AS REQUIRED.

## INSTALLATION:

1. PILES SHALL BE DRIVEN AT THE LOCATIONS AND TO THE ELEVATION SHOWN ON THE PLANS OR AS DESIGNATED BY THE ENGINEER. PILING SHALL BE DRIVEN TO WITHIN 0.5 FEET OF THE FOUNDING ELEVATION SHOWN ON THE PLANS AND SHALL BE DRIVEN WITHIN 3 INCHES OF PLUMB. JETTING IS PROHIBITED. ANY PILING DAMAGED DURING THE COURSE OF CONSTRUCTION SHALL BE REPLACED AT NO ADDITIONAL COST TO THE OWNER.

2. THE CONTRACTOR SHALL PROVIDE A TEMPLATE FOR ALIGNING, SUPPORT, AND MAINTAINING PILES IN CORRECT POSITION DURING SETTING AND DRIVING. A SYSTEM OF STRUCTURAL FRAMING SUFFICIENTLY RIGID TO RESIST LATERAL AND DRIVING FORCES AND SUPPORT THE PILES UNTIL THE INDICATED TIP ELEVATION IS OBTAINED SHALL BE USED.

3. WHEN AN OBSTRUCTION IS ENCOUNTERED, THE CONTRACTOR SHALL NOTIFY THE ENGINEER AND UPON CONCURRENCE OF THE ENGINEER, THE CONTRACTOR SHALL BEGIN WORKING TO BREAK UP, PUSH ASIDE, OR REMOVE THE OBSTRUCTION. AN OBSTRUCTION SHALL BE DEFINED AS ANY OBJECT (SUCH AS, BUT NOT LIMITED TO, BOULDERS, LOGS, OLD FOUNDATIONS, ETC.) WHERE ITS PRESENCE WAS NOT OBVIOUS OR SPECIFICALLY NOTED ON THE PLANS PRIOR TO BIDDING, THAT CANNOT BE DRIVEN THROUGH OR AROUND WITH NORMAL DRIVING PROCEDURES, BUT REQUIRES ADDITIONAL EXCAVATION OR OTHER PROCEDURES TO REMOVE OR MISS THE OBSTRUCTION.

4. PILES SHALL BE CUT OFF AT THE ELEVATIONS INDICATED ON THE PLANS. CUT-OFFS BECOME THE PROPERTY OF THE CONTRACTOR. SPLICING OF PILES WILL NOT BE PERMITTED. PILING SHALL BE ORDERED TO PROVIDE THE REQUIRED LENGTHS AFTER INSTALLATION. SHOULD ANY PILE SECTION BECOME TOO SHORT TO REACH THE REQUIRED TIP ELEVATION(S) BECAUSE OF DRIVING DAMAGE, IT SHALL BE REMOVED AND REPLACED WITH A NEW SECTION AT NO COST TO THE OWNER.

## MONITORING PROGRAM:

1. SURFACE MONITORING POINTS (SMPS) SHALL BE INSTALLED ON THE EXISTING RETAINING WALL OF 9 FRONT STREET AND AT 15 BEACH STREET (IF ACCEPTABLE TO THE OWNERS) AND ON THE TOP OF THE SOLDIER PILES ALONG THE WESTERN AND EASTERN BASEMENT EXCAVATION. THE SMPS SHALL BE LOCATED SUCH THAT DAILY CONSTRUCTION ACTIVITIES WILL NOT INHIBIT THE CONTRACTOR/SURVEYOR FROM OBTAINING READINGS AT ANY TIME DURING CONSTRUCTION.

2. MONITORING POINTS SHALL BE INSTALLED PRIOR TO SIGNIFICANT CONSTRUCTION OPERATIONS AT THE SITE SO THAT PRE-CONSTRUCTION BASELINE DATA CAN BE ESTABLISHED FOR COMPARISON WITH CONSTRUCTION AND POST-CONSTRUCTION DATA. MONITORING POINTS ON THE SOLDIER PILES SHALL BE INSTALLED IMMEDIATELY AFTER THE PILES HAVE BEEN INSTALLED, BUT PRIOR TO BASEMENT EXCAVATION. READINGS SHALL BE ACCURATE TO WITHIN ¼ OF AN INCH (VERTICAL OR HORIZONTAL).

3. MONITORING POINTS SHALL CONSIST OF PK NAILS OR FIXED POINTS ON THE SOLDIER PILES AND SHALL BE ESTABLISHED BY A REGISTERED LAND SURVEYOR. READINGS SHALL BE CUMULATIVE AND ACCURATE TO WITHIN ¼ OF AN INCH (VERTICAL OR HORIZONTAL) AND SHALL BE PROVIDED TO MCARDLE GANNON ASSOCIATES, INC. (IN REAL TIME) FOR REVIEW.

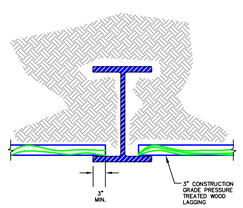
4. SURVEY MEASUREMENTS ON THE SMPS SHALL BE MADE AT THE FOLLOWING INTERVALS:

   4.1. BASELINE – PRIOR TO SIGNIFICANT CONSTRUCTION
   4.2. DURING CONSTRUCTION – UPON COMPLETION OF DEMOLITION ACTIVITIES, COMPLETION OF SOLDIER PILE INSTALLATION THEN ONCE WEEKLY
   4.3. POST CONSTRUCTION – UPON COMPLETION OF CONSTRUCTION

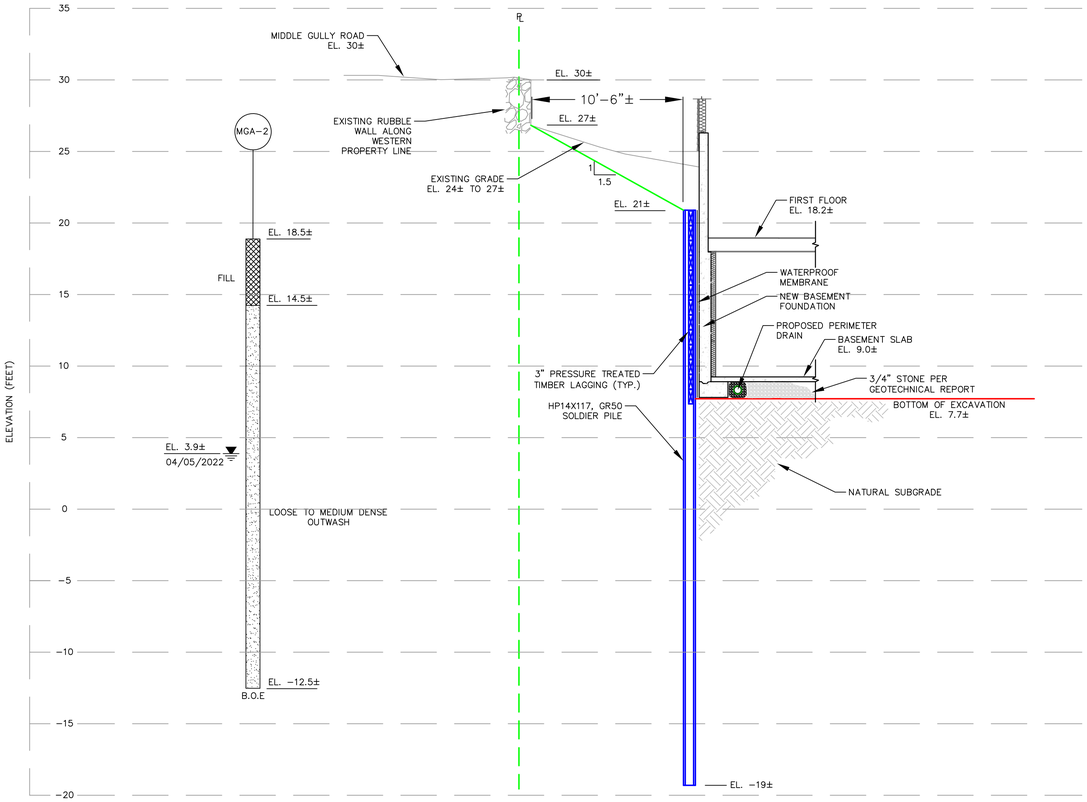
5. DURING SHORING AND NEW CONSTRUCTION, THE GENERAL CONTRACTOR SHALL VISUALLY MONITOR THE SHORING SYSTEM AND NEARBY IMPROVEMENTS ON A DAILY BASIS FOR INDICATIONS OF MOVEMENT. THE GENERAL CONTRACTOR SHALL STOP EXCAVATION OPERATIONS IF DEFLECTION OR DISTRESS IS OBSERVED AND SHALL IMMEDIATELY NOTIFY THE SHORING ENGINEER.

6. VIBRATION MONITORING SHALL BE PERFORMED BY MGA DURING DEMOLITION OF THE EXISTING STRUCTURE AND INSTALLATION OF THE SOLDIER PILES. TO LIMIT IMPACTS TO ADJACENT STRUCTURES, THE FOLLOWING VIBRATION THRESHOLD LIMITS ARE RECOMMENDED:

   6.1. MAXIMUM PEAK PARTICLE VELOCITY OF 2.0 INCHES PER SECOND (IPS) FOR VIBRATIONS WITH A FREQUENCY ABOVE 40 HZ,
   6.2. 1.5 IPS FOR VIBRATIONS WITH A FREQUENCY BETWEEN 30 HZ AND 40 HZ,
   6.3. 1.0 IPS FOR VIBRATIONS WITH A FREQUENCY BETWEEN 20 HZ AND 30 HZ, AND
   6.4. 0.5 IPS FOR VIBRATIONS WITH A FREQUENCY BELLOW 20 HZ.




1 SOE-1 LAGGING TO PILE CONNECTION N.T.S.




SECTION A SOE-1
1"=5'-0"



REVISIONS

| # | DATE | NOTE |
|---|---|---|
| | | |
| | | |
| | | |
| | | |

COMMONWEALTH OF MASSACHUSETTS
WAYNE A. MCARDLE
CIVIL
NO. 41835
REGISTERED PROFESSIONAL ENGINEER

DRAWN BY: WAM

DESIGNED BY: WAM

CHECKED BY: SLH

McArdle Gannon Associates, Inc.
Engineers & Consultants
300 Oak Street, Suite 460
Pembroke, MA 02359
781.826.0040 phone
781.735.0418 fax

TEMPORARY EXCAVATION SUPPORT
NOTES, DETAILS AND SECTIONS
PROPOSED RESIDENCE
8 BANK STREET, NANTUCKET, MA

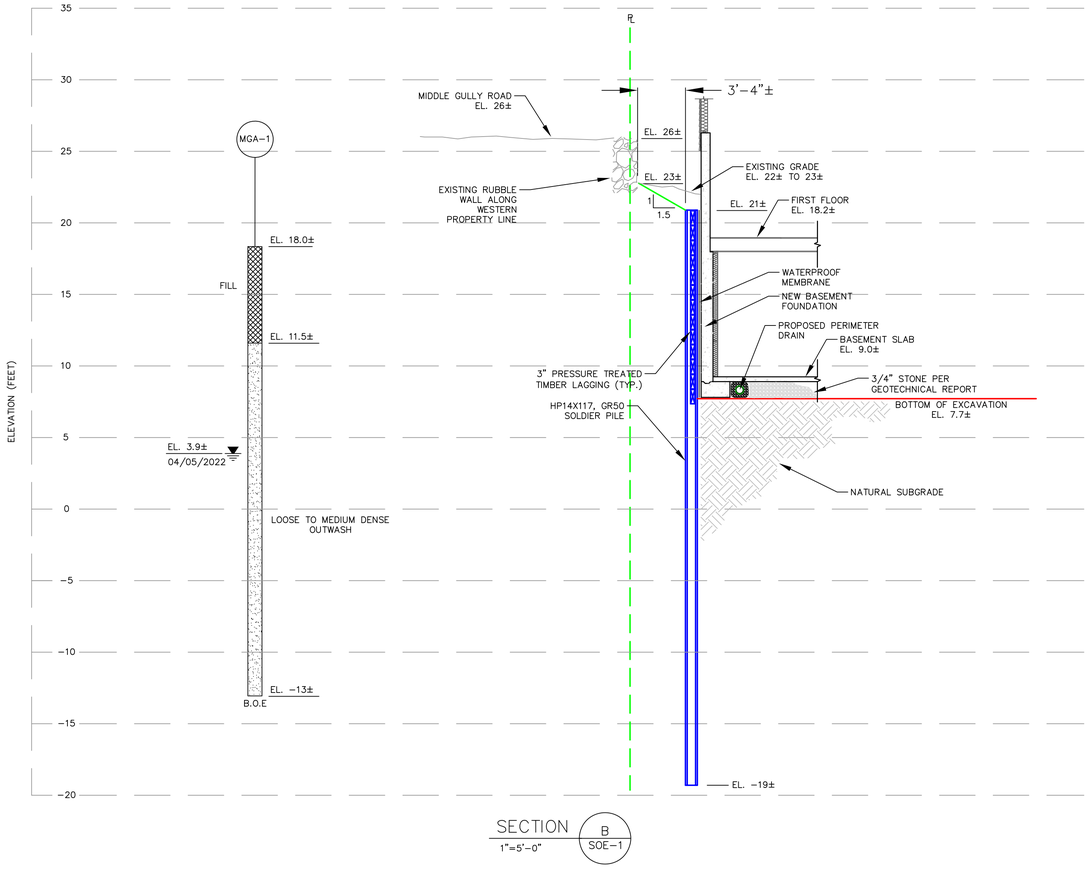
MAY 5, 2022

SCALE: AS NOTED

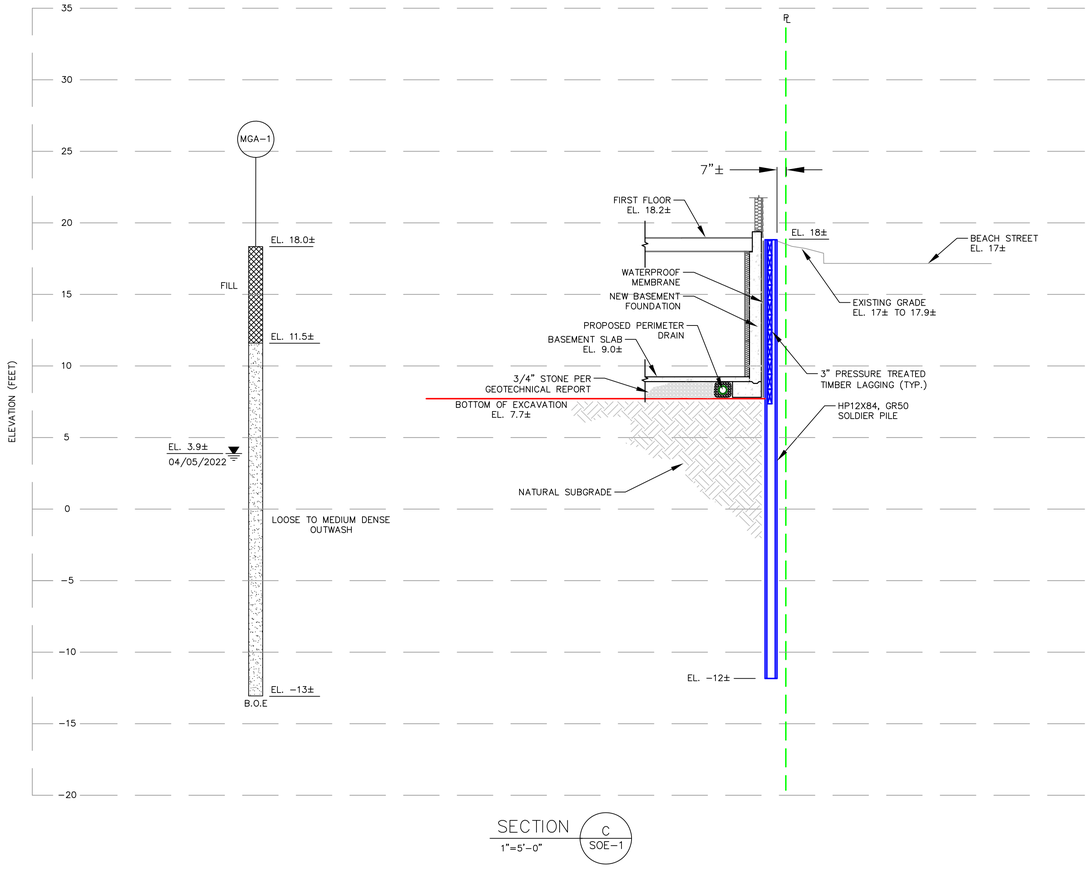
JOB No.W0903

DWG No: SOE-2

SHEET 2 OF 3




SECTION B
1"=5'−0" SOE−1




SECTION C
1"=5'−0" SOE−1

REVISIONS

| # | DATE | NOTE |
|---|---|---|
| | | |
| | | |
| | | |
| | | |

COMMONWEALTH OF MASSACHUSETTS
WAYNE A. MCARDLE
CIVIL
NO. 41835
REGISTERED PROFESSIONAL ENGINEER

DRAWN BY: WAM

DESIGNED BY: WAM

CHECKED BY: SLH


McArdle Gannon Associates, Inc.
Engineers & Consultants
300 Oak Street, Suite 460
Pembroke, MA 02359
781.826.0040 phone
781.735.0418 fax


TEMPORARY EXCAVATION SUPPORT
SECTIONS
PROPOSED RESIDENCE
8 BANK STREET, NANTUCKET, MA

MAY 5, 2022

SCALE: AS NOTED

JOB No.W0903

DWG No: SOE-3

SHEET 3 OF 3

Planning and Land Use Services
2 Fairgrounds Road, Nantucket, Massachusetts 02554
Telephone: 508.325.7587

**THIS CHECKLIST IS TO BE SUMBITTED WITH ALL HDC APPLICATIONS** Rev Jan 2020

***REQUIRED WITH ALL APPLICATIONS:***

1. **Completed Application Form**: Description of ALL work must be indicated on application form.
2. **Property Owner's Signature**: Current owner's signature preferred; if the agent is signing the application written authorization from the owner (letter, fax, email) must be provided.
3. **Application Fee**: See back of application for fee schedule or call the office.
4. **Locus Map (4 copies):** Location Map must include north arrow, parcel boundaries, primary and secondary streets. (Town GIS Map Site) https://www.nantucket-ma.gov/151/GIS-Maps
5. **Site Plan (4 Copies):** must include the following: lot dimensions, north arrow, all existing structures, proposed work (highlighted) with dimension to lot lines, scale, driveway, grade changes, and *placement of HVAC units, electrical boxes, fuel tanks, etc.*.
6. **8-1/2" x 11" Copies of ALL Application Materials**: Must include the following: application form (reduced 64%), locus map, plot plan, all elevations and floor plans, window schedule, photographs, other relevant supporting material. All material MUST BE LEGIBLE (font size no smaller than 12), collated and stapled.
7. **Photographs**: Required of ALL applications for alterations to an existing structure. Photographs must be clear and labeled with application address or contextual address.
8. **Electronic submission:** All documents submitted to the HDC office must be emailed to hdcsubmissions@nantucket-ma.gov.

***REQUIRED WHERE APPLICABLE:***

1. **Supplemental Information for Historic Buildings**: It is the applicant's responsibility to research the historical status of any and ALL buildings. Additional information may be obtained from the Nantucket Historical Association Library. If not historic, denote on application.
2. **Exterior Elevations and Floor Plans (4 copies):** Must be ¼-inch scale and include all affected sides of the building, cardinal points (N, S, E, W), dimensions, heights, floor and ceiling heights, elevations of finished grade, window details and placement of HVAC units, electrical boxes, fuel tanks, etc. *All changes from approved or existing design must be clouded on drawing*. All material MUST BE LEGIBLE, collated and stapled. Reduced sets should maintain a font size of 12.
3. **As-Built Plans (1copy):** of existing elevations
4. N/A **Hardscaping Plans (4 copies):** To legible scale. This includes fences, decks, porches, arbors, retaining walls, tennis courts, swimming pool, driveways, gazebos etc. All material MUST BE LEGIBLE, collated and stapled.
5. N/A **Topographic Map**: Must show existing and proposed grade for any change of more than one foot in height on grade . Retaining walls must be applied for separately (see hardscaping plan).
6. **Door and Window Schedule (4 copies):** Must include window type (true divided, simulated divided), number of lights, dimensions, materials, manufacturers type name and type number.
7. ASM (initial to indicate read and understand) ***I UNDERSTAND THAT A TRUE DIVIDED LIGHT WINDOW/DOOR IS DEFINED AS MULTIPLE INDIVIDUAL SINGLE PANES OF GLASS (i.e., NOT DOUBLE-PANED OR INSULATED) ASSEMBLED IN THE SASH/DOOR USING MUNTINS.***
8. **Abutter Notification Materials** – Abutters list from Assessors Office, certified mail stubs, and a copy of letter are required for all applications for changes of 1000 square feet or more except in the Nantucket Historic Core and 'Sconset Historic Core where the requirement for new construction is 100 square feet.
9. N/A **Approvals from Planning Board, Zoning Board of Appeals, Conservation Commission etc.**

CERTIFICATE NO: _____ DATE ISSUED: _____

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

# CERTIFICATE OF APPROPRIATENESS

for structural work.

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

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

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

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

## PROPERTY DESCRIPTION

TAX MAP N°: 17.3.1 PARCEL N°. 69

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

Owner of record: KRISTINA & NICHOLAS AMENDOLARE

Mailing Address: 538 LYNN FELLS PARKWAY

MELROSE, MA 02176

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

## AGENT INFORMATION (if applicable)

Name: ANGUS MACLEOD

Mailing Address: P.O. BOX 7055

SCONSET, MA 02564

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

FOR OFFICE USE ONLY

Date application received: _____ Fee Paid: $ _____

Must be acted on by: _____

Extended to: _____

Approved: _____ Disapproved: _____

Chairman: _____

Member: _____

Member: _____

Member: _____

Member: _____

Notes - Comments - Restrictions - Conditions

## DESCRIPTION OF WORK TO BE PERFORMED

See reverse for required documentation.

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

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

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

Size of Structure or Addition: Length: 6'-8" TO 17' Sq. Footage 1st floor: 160 SF

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

Sq. footage 3rd floor: _____

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

Size: _____ ☐ 1st floor ☐ 2nd floor

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

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

Additional Remarks

Historic Name: UNKNOWN

Original Date: 1910

Original Builder: UNKNOWN SEE MACKEY SURVEY

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

REVISIONS* (describe)

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

*Cloud on drawings and submit photographs of existing elevations.

## DETAIL OF WORK TO BE PERFORMED

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

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

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

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

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

Fence: Height: _____

Type: _____

Length: _____

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

Manufacturer W/ CEDAR SL. COVER Rough Opening _____ Size _____ Location _____

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

**Leaders (material and size):** 2" COPPER

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

☐ Other _____

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

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

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

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

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

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

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

Garage Door(s): Type _____ Material _____

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

* Note: Complete door and window schedules are required.

## COLORS

Sidewall NATURAL Clapboard (if applicable) _____ Roof NATURAL

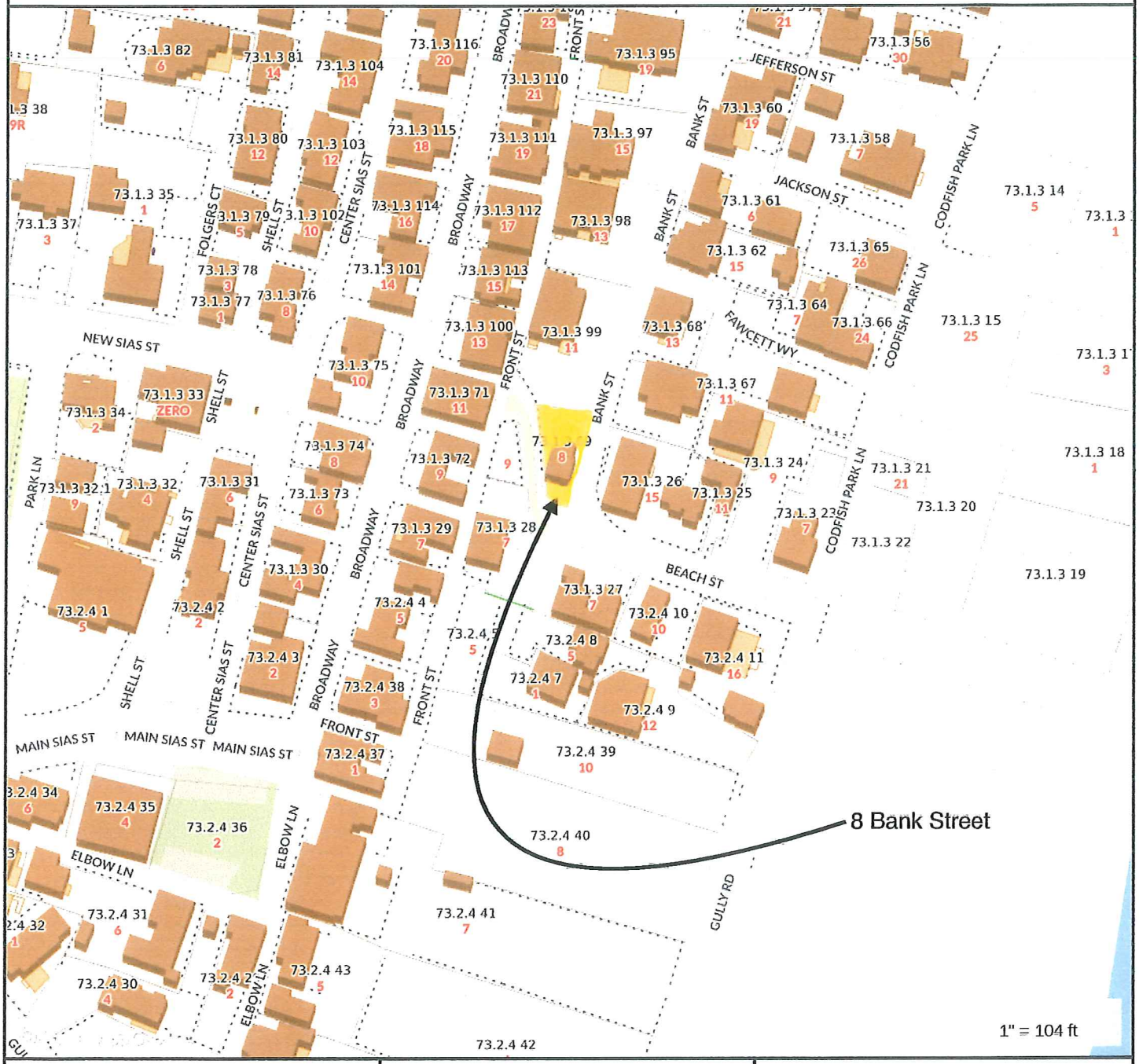
Trim NATURAL Sash ESSEX GREEN Doors ESSEX GREEN

Deck NATURAL Foundation NATURAL Fence _____ Shutters _____

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

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

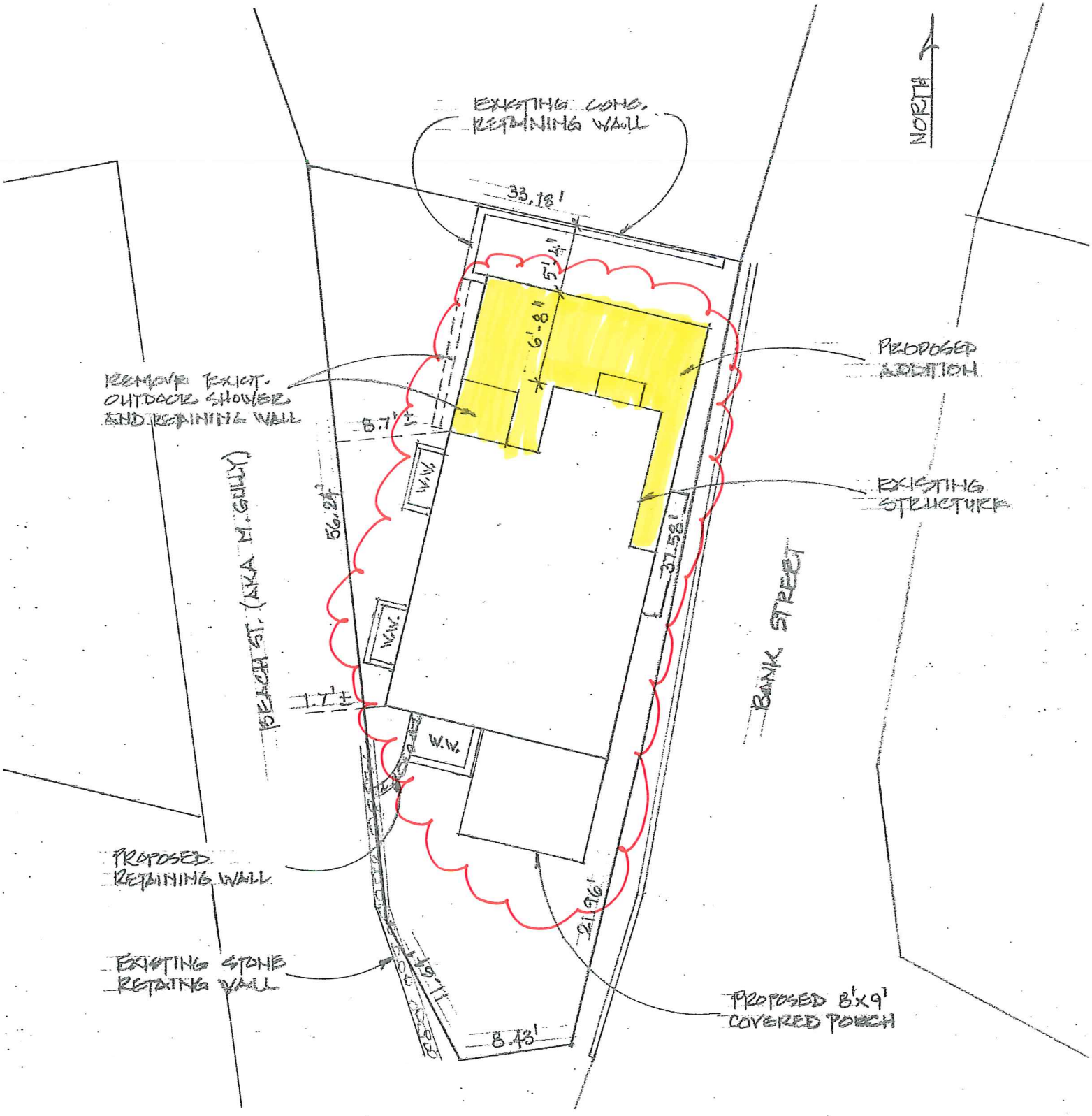
# Amendolare: Locus Plan




MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

Town and County of Nantucket, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated Jan. 2021
Data updated Jan. 2021




SITE PLAN
SCALE: 1" = 10'

AMENDOLARE RESIDENCE
8 BANK STREET
GLOUCESTER, MA

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

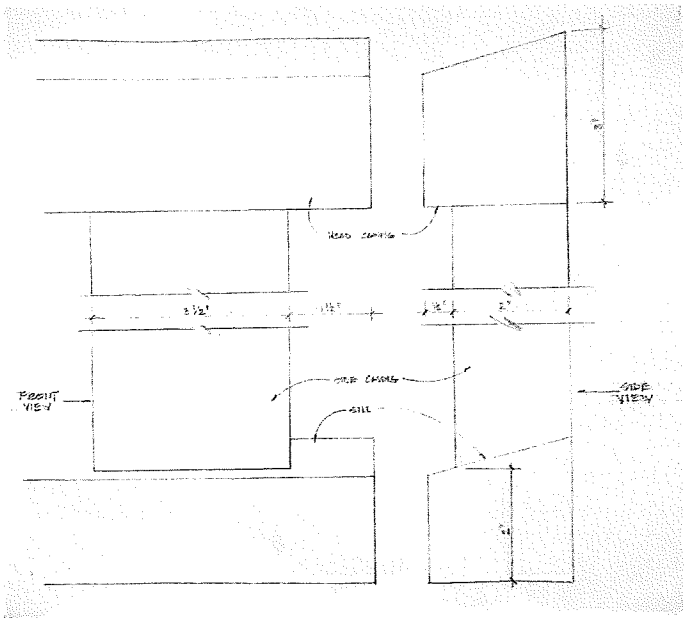
Angus MacLeod Designs
P.O.Box 7055
Sconset, MA
02564

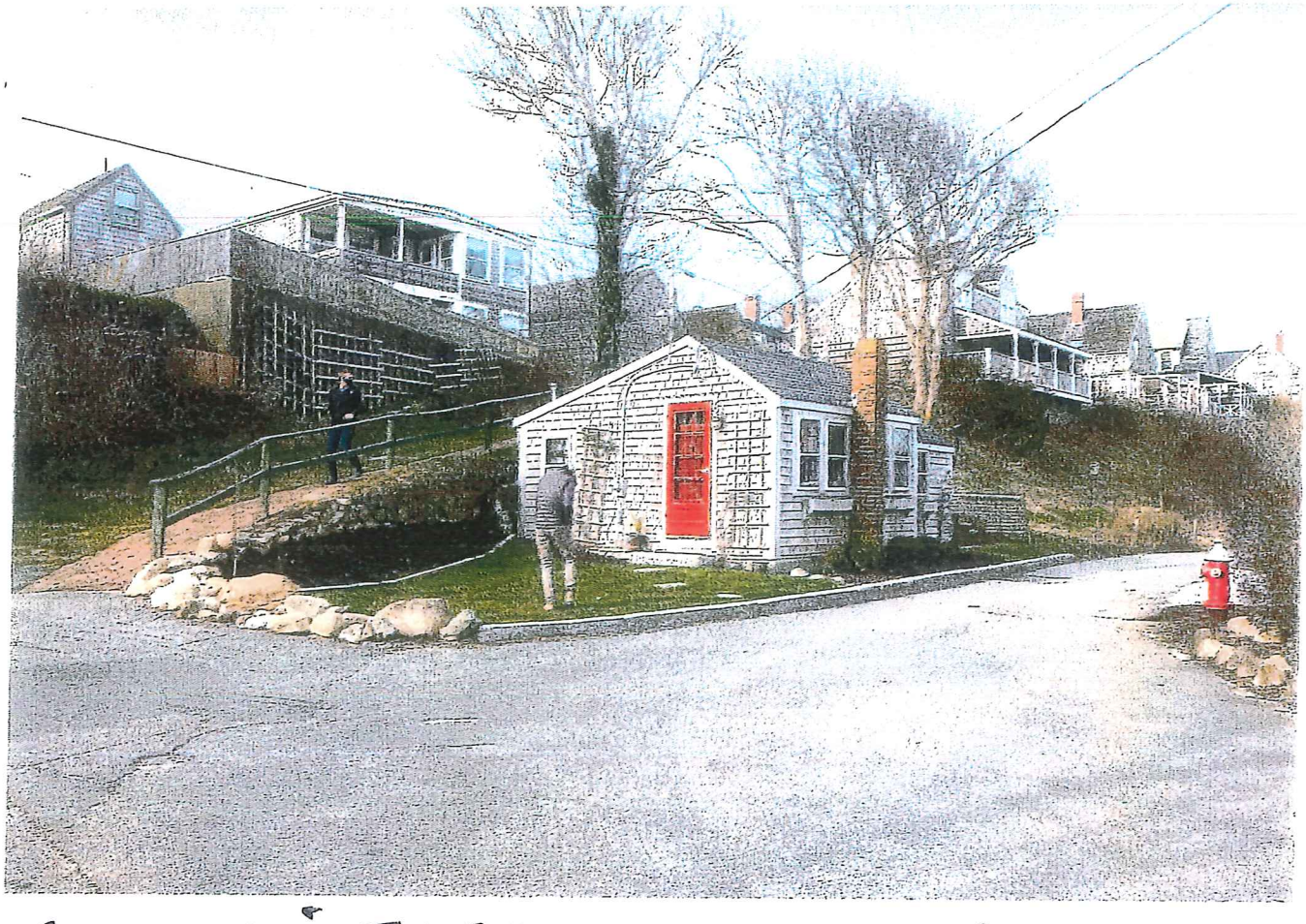
Amendalore: Window Schedule

| No | Unit Size | Manu. | Glass size | Type | Notes | Quant. |
|---|---|---|---|---|---|---|
| 1 | 1' - 8" x 2' - 1" | Boston Sash | 8 x10 | 4 (2H2W) Light Hopper Window | Single | 2 |
| 2 | 2' - 6" x 3' - 1" | Boston Sash | 8 x10 | 9 (3H3W) Light Single-Hung Window | Single | 2 |
| 3 | 2' - 8" x 1'-11" | Boston Sash | 7 x 9 | 8 (2H4W) Light Hopper Window | Single | 2 |
| 4 | 2' - 8" x 2' - 8" | Boston Sash | 7 x 9 | 12 (3H4W) Light Hopper Window | Single | 2 |
| 5 | 2' - 8" x 4'-11" | Boston Sash | 7 x 9 | 12/12 Double-Hung Window | Single | 5 |
| 6 | 3' - 9" x 3' - 1" | Boston Sash | 8 x10 | 15 (3H5W) Light Single-Hung Window | Single | 1 |
| 7 | 2' - 8" x 4'-11" | Boston Sash | 7 x 9 | 12/12 Double-Hung Window | Single | 1 |
| 8 | 2' - 6" x 2' - 6" | Velux | VS-M02 | 3 Light Skylight w/ Cedar Cover | Single | 1 |
| 9 | 3' - 0" x 7' - 0" | Custom | 8 x10 | 4 Light Plank Door | Single | 1 |
| 10 | 3' - 0" x 7' - 0" | Custom | | Plank Door | Single | 1 |
| 9 | 4' - 0" x 8' - 0" | Custom | | Plank Door | Double | 1 |

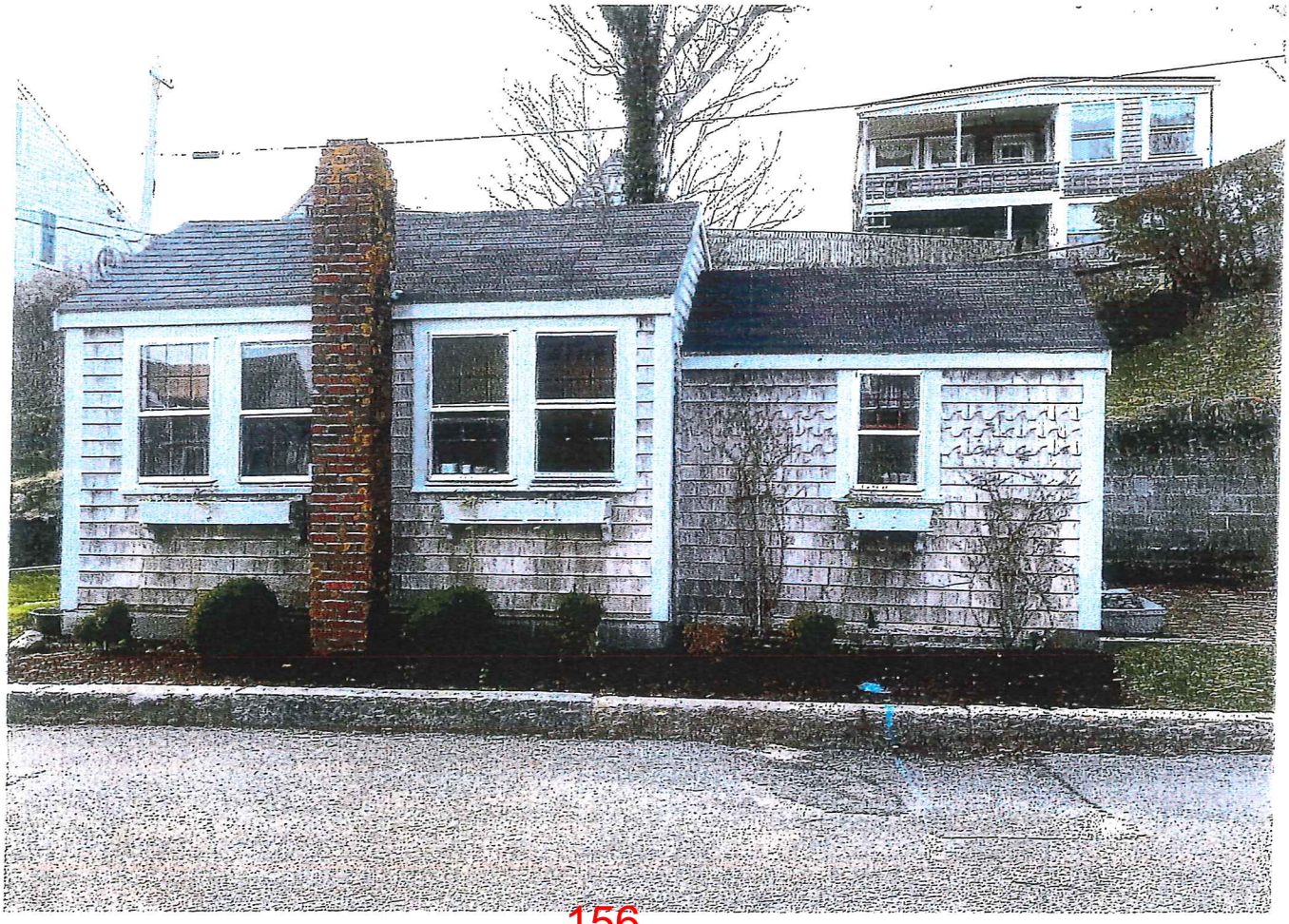
Window Notes:

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



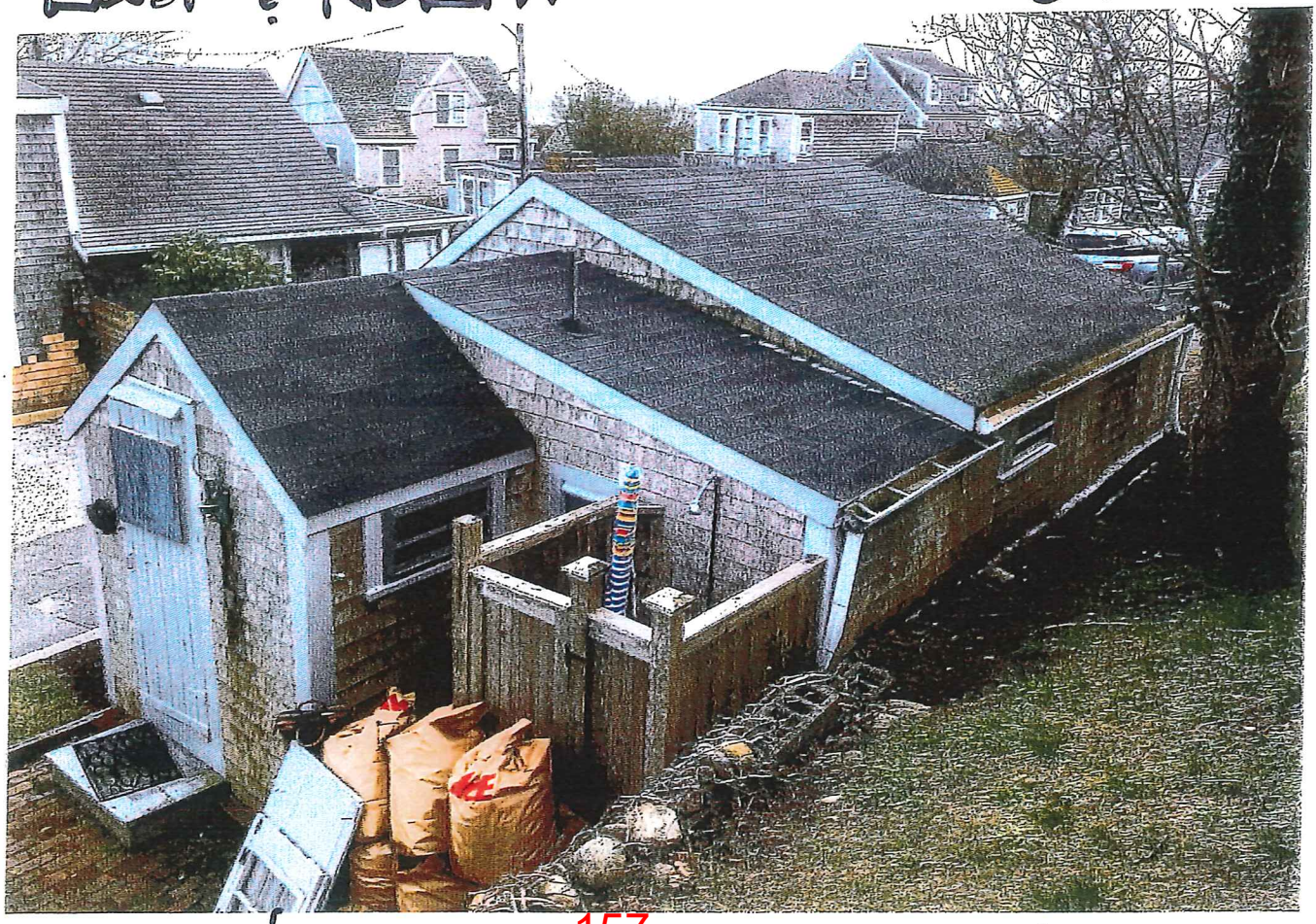


SOUTH & EAST 8 BANK ST.

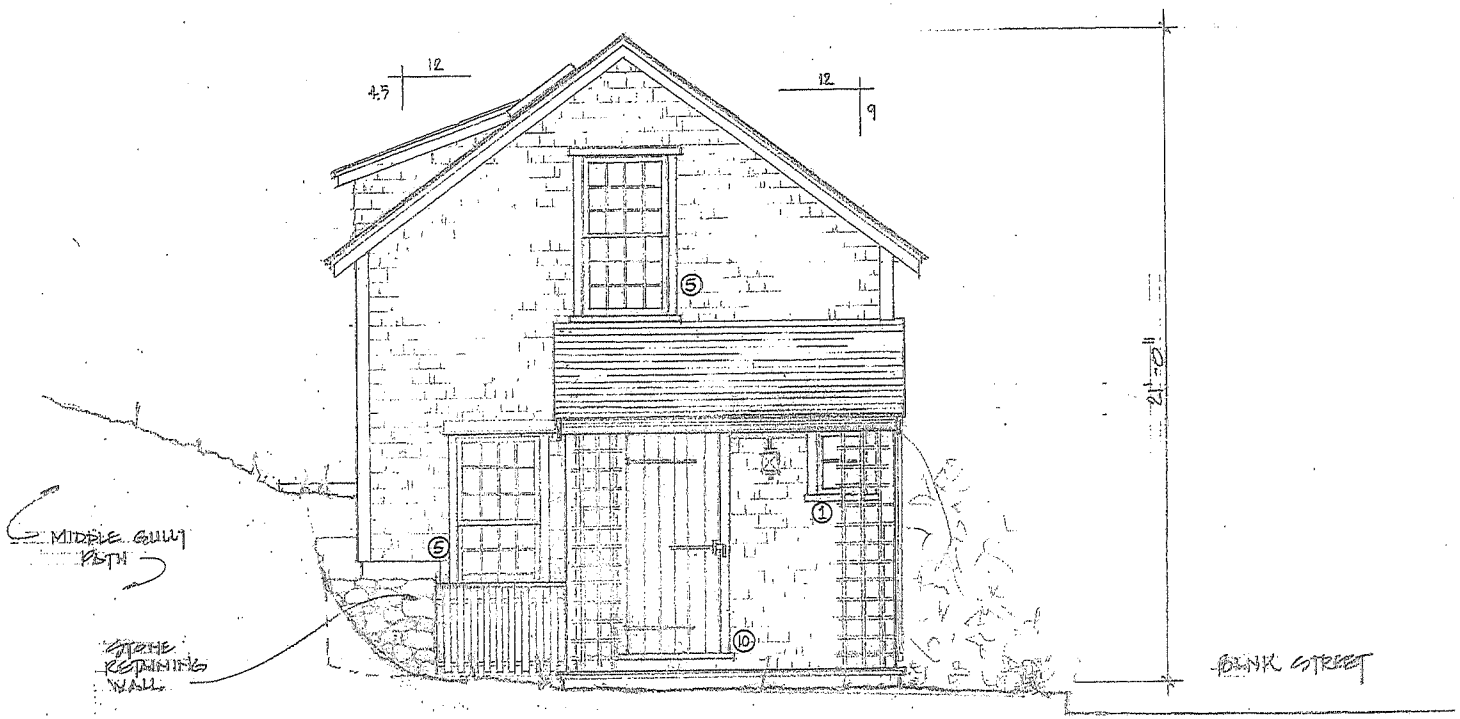


EAST 8 BANK ST.

EAST & NORTH 8 BANK ST.



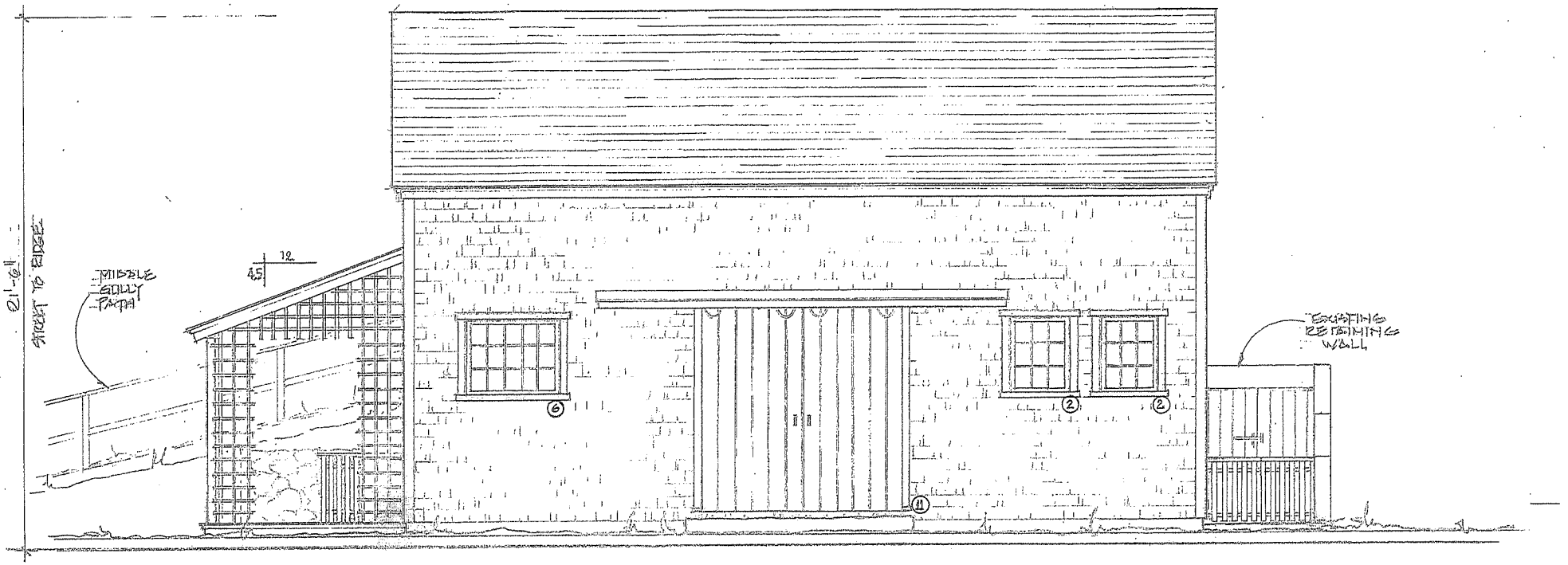
NORTH & WEST 8 BANK ST.




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

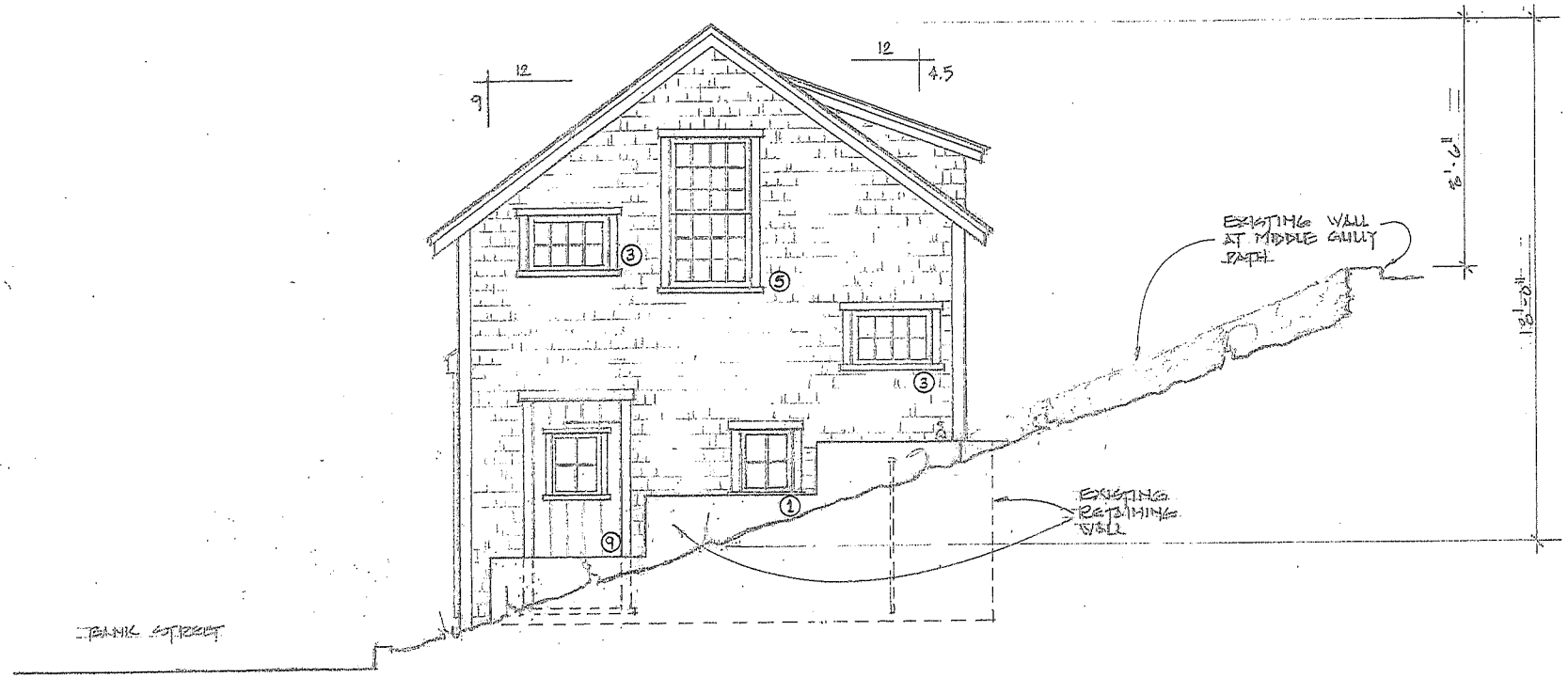
AMENDOLARE RESIDENCE
8 BUNK STREET
GOONSET, MA

ANGUS MACLEOD DESIGN
P.O. BOX 7055
GOONSET, MA
(508) 257-6789




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

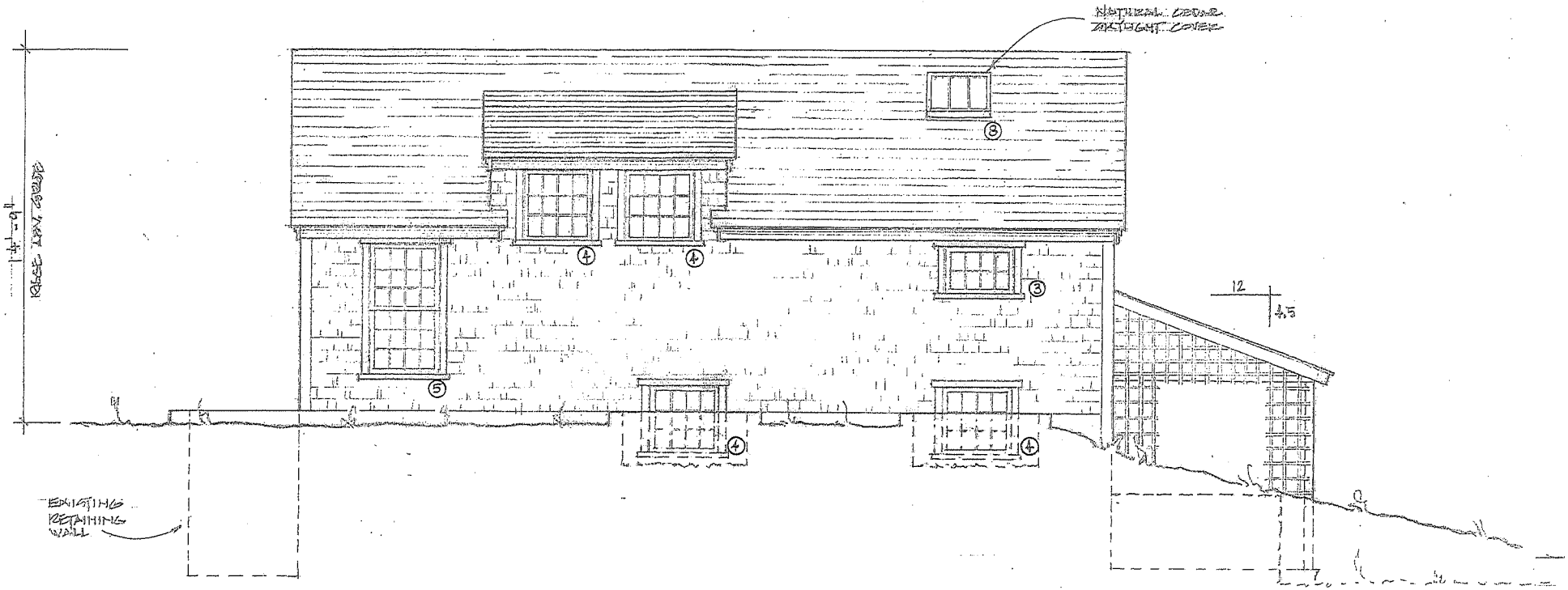
| | |
|---|---|
| AMENDOLARE RESIDENCE<br>8 BANK STREET<br>SUNSET, MA | ANGUS MACLEOD DESIGNS<br>P.O. BOX 7055<br>SUNSET, MA<br>(508) 257-6789 |




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

AMENDOLARE RESIDENCE
8 BANK STREET
BONSET, MA

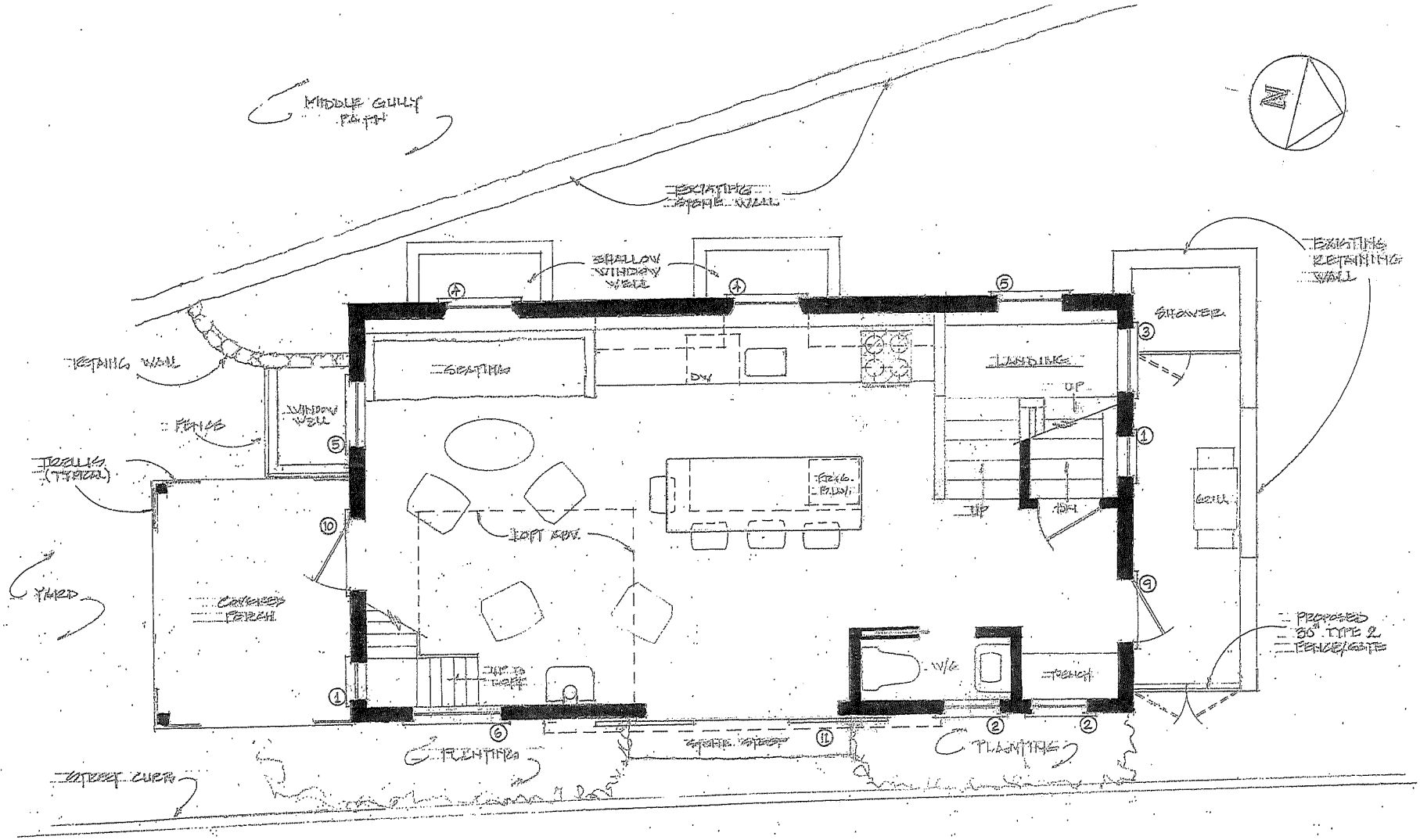
ANGUS MACLEOD DESIGNS
P.O. BOX 7055
BONSET, MA
(508) 257-6789




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

AMENDOLARE RESIDENCE
8 BANK STREET
GLOUCESTER, MA

ANGUS MACLEOD DESIGN
P.O. BOX 1055
GLOUCESTER, MA
(508) 257-6789

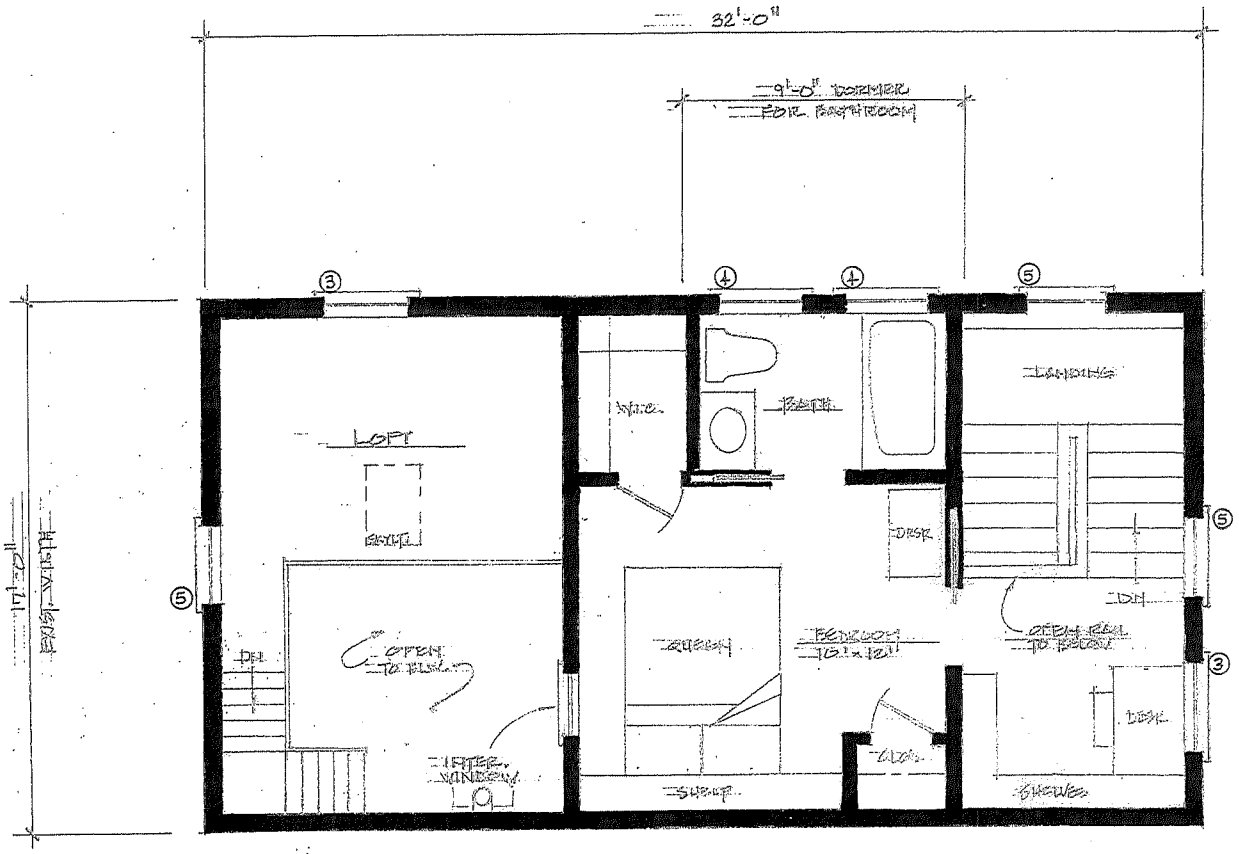



## FIRST FLOOR PLAN

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

AMENDOLARE RESIDENCE
8 HENK STREET
FALMOUTH, MA

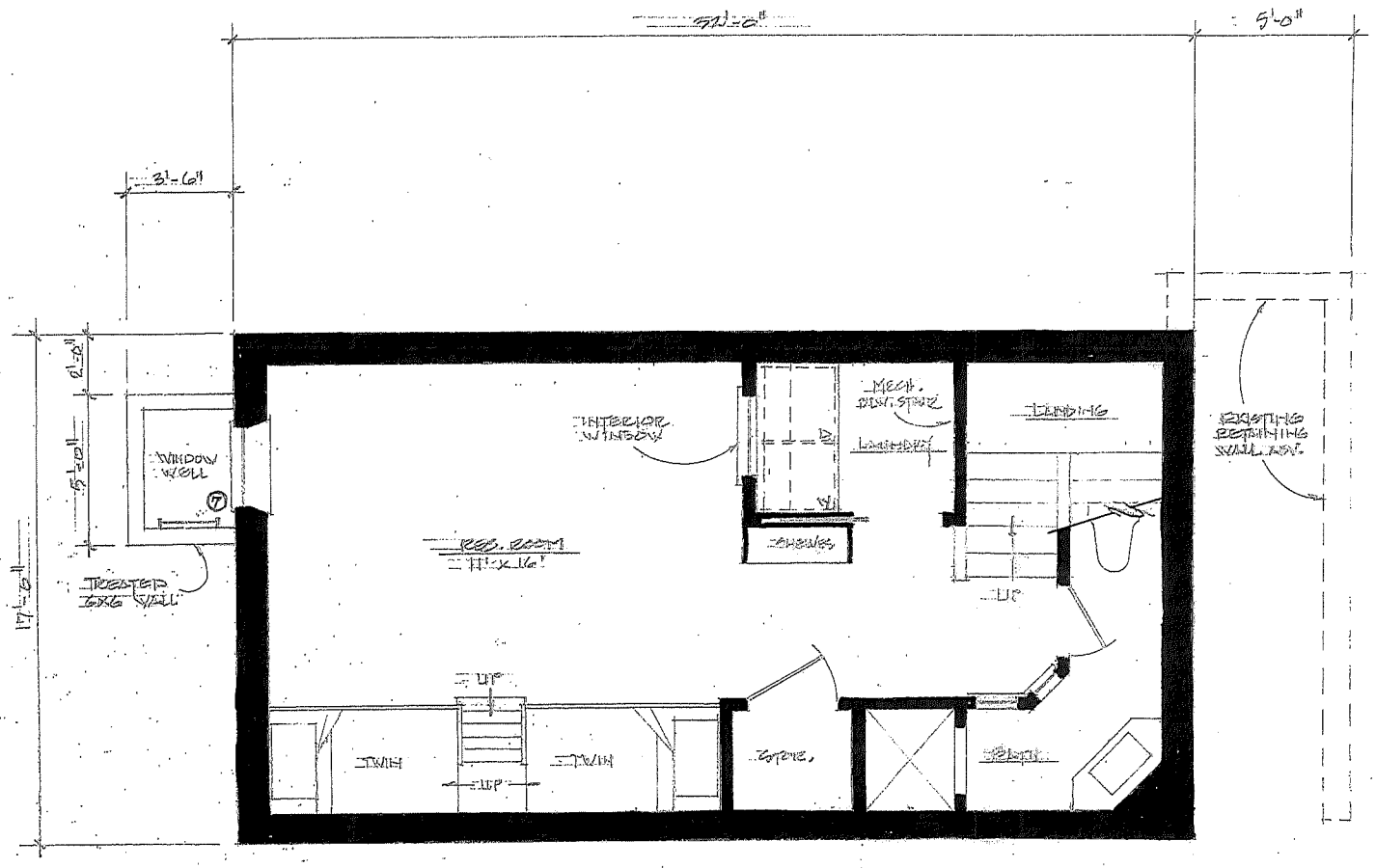
ANGUS MACLEOD DESIGNS
P.O. BOX 7055
FALMOUTH, MA
(508) 257-6789




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

AMENDOLARE RESIDENCE
8 HANK STREET
BOONSET, MA

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

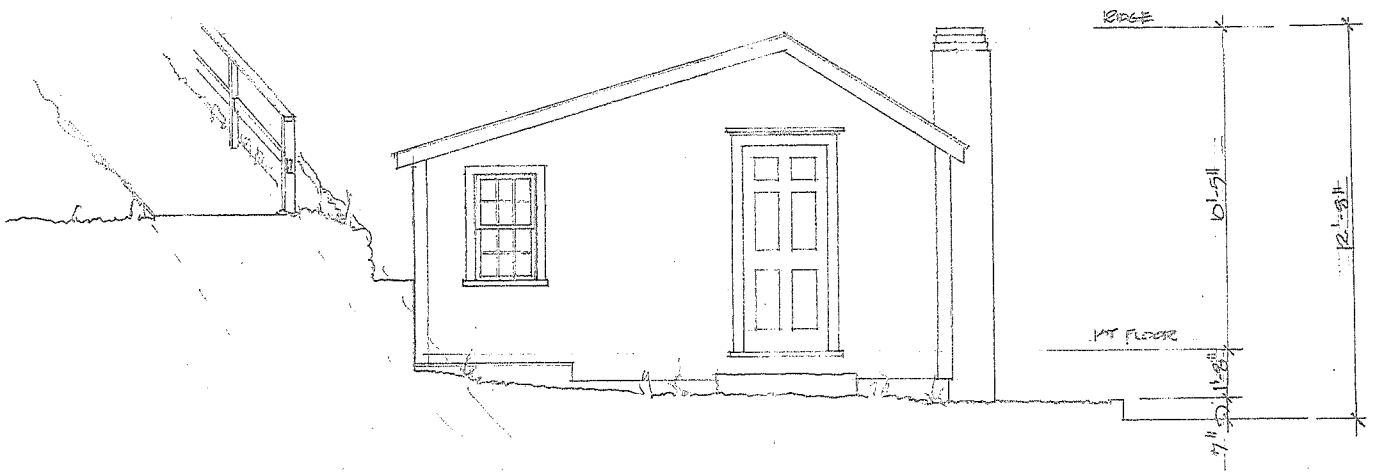



BASEMENT PLAN

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

AMENDOLARE RESIDENCE
8 BANK STREET
BOONSET, MA

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




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

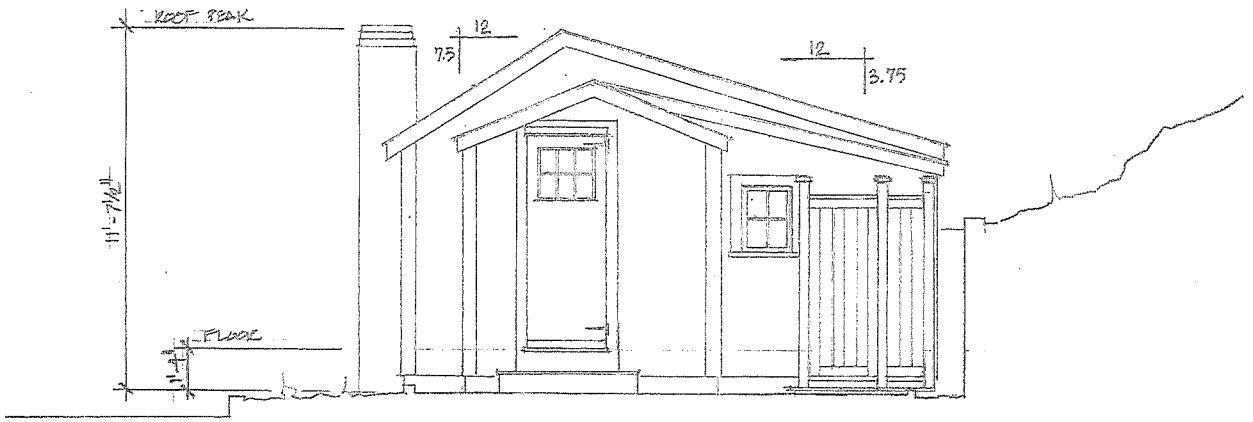
AMENDOLARE RESIDENCE
8 BANK STREET
VINEYARD HAVEN, MA

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

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

AMENDOLARE RESIDENCE
8 BANK STREET
ESSONSET, MA

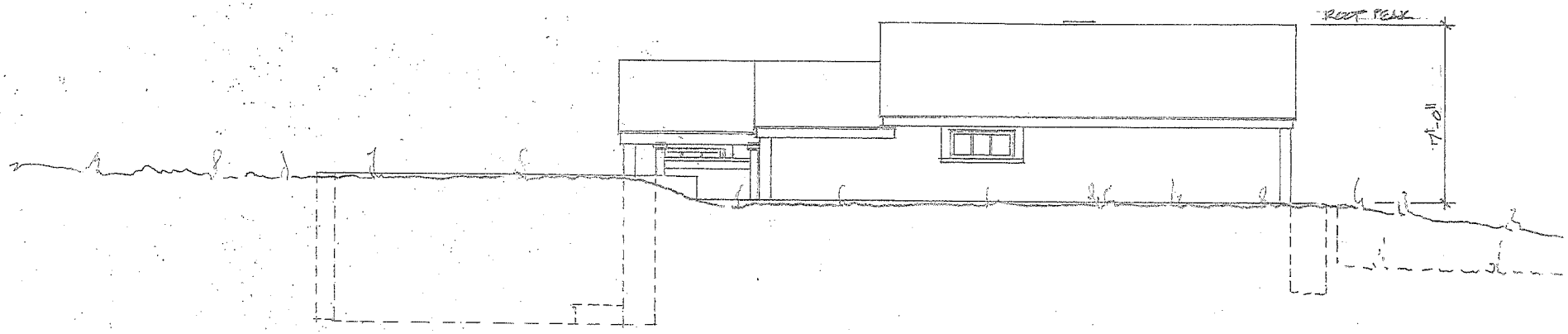
ANGUS MACLEOD DESIGN
P.O. BOX 7055
ESSONSET, MA
(508) 257-6789




NORTH ELEVATION
SCALE: 1/4"=1'-0" AS-BUILT

AMENDOLARE RESIDENCE
8 BANK STREET
NANTUCKET, MA

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




WEST ELEVATION
SCALE: 1/4" = 1'-0" AS-BUILT

AMENDOLARE RESIDENCE
8 BANK STREET
EXETER, RI

ANGUS MACLEOD DESIGNS
P.O. BOX 7055
EXETER, RI
(508) 257-6789

AMENDOLARE RESIDENCE
8 BANK STREET
LEONARD, MA

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

FIRST FLOOR PLAN
SCALE: 1/4"=1'-0" AS NOTED

BANK STREET

8" BLOCK RETAINING WALL
TOP OF WALL @ 51-8 AFG

PLANTING BED

PAVER PATIO

AWNING

SKYLIGHT

SHOWER

KITCHEN

KW @ 51-7"

CLOSET

KW @ 51-10"

KW @ 8'-3"

MIDDLE BUILT IN BOOK SHELF SEPARATING WALL

DROPPED CEILING

FURNITURE

FLAT CEILING @ 8'-10

KW @ 6'-4"

KW @ 6'-6"

LIVING AREA

KW @ 6'-6"

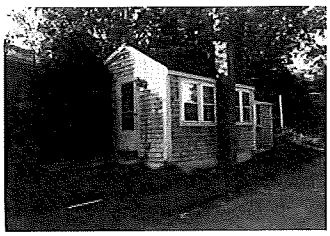
PLANTING

LIVING AREA

PORCH

# Massachusetts Cultural Resource Information System

## Scanned Record Cover Page



| | |
|---|---|
| **Inventory No:** | NAN.2329 |
| **Historic Name:** | |
| **Common Name:** | |
| **Address:** | 8 Bank St |
| **City/Town:** | Nantucket |
| **Village/Neighborhood:** | Sankaty Head; Siasconset |
| **Local No:** | 7313-9, SC9-16 |
| **Year Constructed:** | c 1930 |
| **Architect(s):** | |
| **Architectural Style(s):** | No style |
| **Use(s):** | Secondary Dwelling House; Single Family Dwelling House |
| **Significance:** | Architecture; Recreation |
| **Area(s):** | NAN.C: Nantucket Historic District<br>NAN.D: Nantucket Historic District |
| **Designation(s):** | Nat'l Register District (11/13/1966); Nat'l Historic Landmark (11/13/1966); Local Historic District (06/04/1970) |
| **Building Materials(s):** | Roof: Asphalt Shingle<br>Wall: Wood; Wood Shingle |

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Commonwealth of Massachusetts
Massachusetts Historical Commission
220 Morrissey Boulevard, Boston, Massachusetts 02125
www.sec.state.ma.us/mhc

This file was accessed on: Monday, April 12, 2021 at 8:49: AM

NAN.2329

# BUILDING/STRUCTURE INVENTORY FORM
## NANTUCKET ISLAND ARCHITECTURAL AND CULTURAL RESOURCES SURVEY
NANTUCKET HISTORIC DISTRICT COMMISSION
NANTUCKET, MASSACHUSETTS

SURVEY/ SC9-16
FILM ROLL #: 7313-9
MAP/PARCEL#:

Recorded by: AH Date: 09/22/89 Organization: AGS

IDENTIFICATION

1. Street Name & No.: 8 BANK STREET

2. Building Name: N/A

3. Ownership: Private

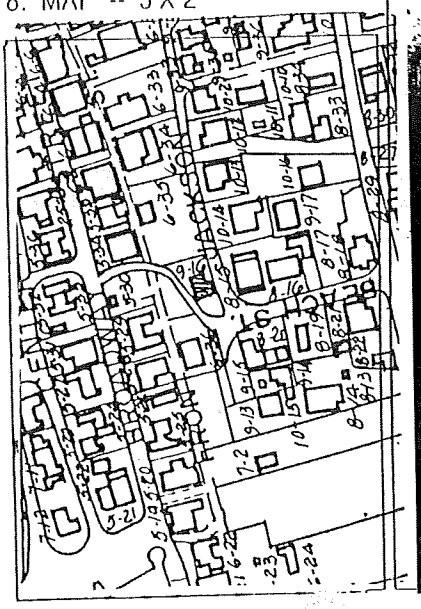
4. Present Owner: NICKERSON, CAROL

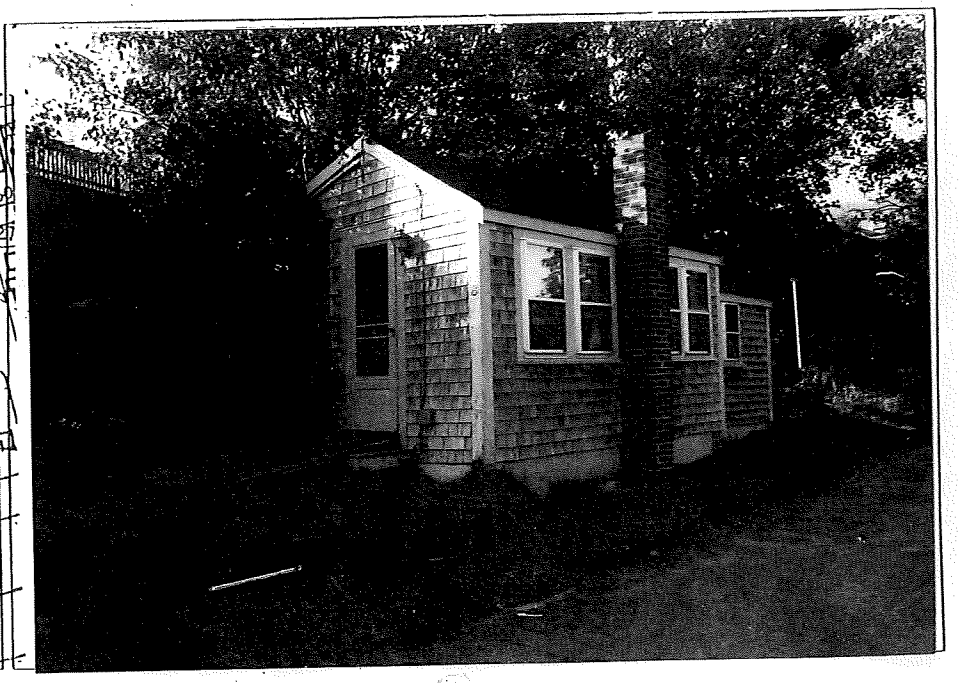
5. Ownership History:
Unknown

6. Use: Original: Dwelling Present: Dwelling
Seasonal/Year-Round: Seasonal

7. Accessibility to Public: Visible from Public Road? Yes
Interior: N/A

8. MAP -- 3 X 2"





NAN.2329



Survey/Film Roll #: SC9-16

GENERAL SETTING AND ORIENTATION OF BUILDING

10. Lot Size:N/A
11. Approximate Frontage (ft.): N/A
12. Setback from Street (ft.): At Sidewalk
13. Orientation to Street Address: Ridge Parallel
14. Surroundings: Densely Built,Residential
15. Related Outbuildings and Property: N/A
16. Other Notable Features:
N/A

DESCRIPTION

17. Foundation: Piers
18. Structural System: Woodframe
19. Exterior Wall Material, Front Facade: Shingles-Weathered
20. Exterior Wall Material, Side Elevations: Shingles-Weathered
21. Exterior Wall Material, Rear Elevation: Shingles-Weathered
22. Number of Stories: 1
23. Roof Shape: Gable
24. Roofing Material: Composition Shingle
25. Roof Features: N/A
26. Dormer Roof(s): N/A
27. Chimney Material: Brick-unpainted
28. Chimney Position: End Wall
29. Number of Chimneys: 1
30. Chimney Features: Corbelling
31. Front/Primary Door Location: Off Center
32. Front/Primary Door Frame Features: Flush Frame
33. Number of Bays: N/A
34. Window Frame Type: Flush
35. Window Sash Type(s) - Front Facade: 6/6

36. Porch: N/A
37. Signage: N/A
38. Details: Corner boards-plain
39. Condition: Good
40. Integrity: N/A
41. Alterations:
N/A

Survey/Film Roll #: SC9-16

NAN.2329

2329

SIGNIFICANCE

42. Role the Building Plays: National Register: Contributing
43. Date of Initial Construction: Circa 1930
  Source: Sanborn Maps,Aerial Photo 1938
  Architect: Unknown  Builder: Unknown
44. Building Type: Additive,Gable Front
45. Architectural Style: N/A
46. Historical and Architectural Importance:
  Unknown

47. Sources: Sanborn Maps 1923, 1923/49,
  Aerial Photo 1938

TOWN OF NANTUCKET

HISTORIC DISTRICT COMMISSION

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

PROPERTY OWNER.....Amendolare Kristina M & Nicholas.....

MAILING ADDRESS....538 Lynn Fells Parkway, Melrose, MA 02176....

PROPERTY LOCATION.....8 Bank Street.....

ASSESSORS MAP/PARCEL.....73.1.3 / 69.....

SUBMITTED BY:.....Angus MacLeod.....

SEE ATTACHED PAGES

I certify that the foregoing is a list of persons who are owners of land directly adjacent to the subject property or directly opposite the subject property on any public or private street or way, all as they appear on the most recent applicable tax list.

Digitally signed by Rob Ranney
DN: cn=Rob Ranney, o=Town of Nantucket, ou=Assessor's Office, email=rranney@nantucket-ma.gov, c=US
Date: 2021.04.05 09:39:08 -04'00'

4-5-2021

DATE

ASSESSOR'S OFFICE
TOWN OF NANTUCKET

# Abutters Listing

| MBLU | Lot | Lot Cut | Owner Full Name | Co-Owner Full Name | Address Line 1 | City | State | Zip | Location |
|---|---|---|---|---|---|---|---|---|---|
| 7313 | 26 | | BURLINGHAM MARK G TRST | LEGA SEA NOM TRUST | P O BOX 1633 | NANTUCKET | MA | 02554 | 15 BEACH ST |
| 7313 | 27 | | TIRAPELLI NICOLE ALEXANDRIA | | 1641 NORTH DAYTON ST UNIT 3 | CHICAGO | IL | 60614 | 7 BANK ST |
| 7313 | 28 | | HEINEMANN ANN & LANDZERT | ISABEL & VANDEUSEN MARGARET TR | 391 ESSEX ST | SALEM | MA | 01970 | 7 FRONT ST |
| 7313 | 67 | | TORABY DARIUS TRST | JUSO REALTY TRUST | 31 STRICKLAND RD | COS COB | CT | 06807 | 11 BANK ST |
| 7313 | 70 | | ROBY PETER B & KATHERINE W | | 2 LITTLE CUB RD | GULFSTREAM | FL | 33483 | 9 FRONT ST |
| 7313 | 71 | | BROADWAY LLC | C/O F PETER CONATY JR | PO BOX 8080 | WILMINGTON | DE | 19803 | 11 BROADWAY |
| 7313 | 99 | | ARVAY JOSEPH M & KATHY L | | 5 BLACHLEY COURT | MENDHAM | NJ | 07945 | 11 FRONT ST |
| 7324 | 5 | | RODTS FORREST A TR | OLD GARDNER HOUSE TRUST | 17 GLOVER SQUARE | MARBLEHEAD | MA | 01945 | 5 FRONT ST |
| 7324 | 7 | | LAMOTT FRED G & SARAH F TRST | | PO BOX 462 | SIASCONSET | MA | 02564 | 1 BANK ST |
| 7324 | 8 | | HEGARTY WILLIAM T & WILLIAM T JR TRS | | 41 TAYLOR ST | SAUGUS | MA | 01906 | 5 BANK ST |
| **Count:** | **10** | | | | | | | | |

# HISTORIC DISTRICT COMMISSION

2 Fairgrounds Road
Nantucket, Massachusetts 02554
Telephone: 508.325.7587 Fax: 508.228.7298


## NOTICE OF HDC APPLICATION

## ABUTTERS AND INTERESTED PARTIES

Please be informed that the Nantucket Historic District Commission will be considering the following proposal:

Address of Proposed Work: 8 Bank Street, 'Sconset

Tax Map Number: 73.1.3 Parcel Number: 69

Owner of Record: Kristina and Nicholas Amendalore

Description of Proposal: Addition and renovation:

Addition to existing footprint to the North, raise eaves 6,'

raise total height 9' (to 21'above existing grade) and add full foudation

Anticipated HDC Submission Date: April 20, 2021

You have been identified either as an abutter or interested party to the above property and are being notified in accordance with the Town Bylaw. Please note that the above submission date is an estimate only; the actual meeting date will be determined once the HDC staff has established that a complete application has been submitted. Please contact the HDC office to verify the date. Please note that notification is only required at the time of initial submission of an application, not for each time an application goes before the Commission. Abutters are responsible for monitoring the status of applications.

If you wish to comment on the above proposal, you are encouraged to submit your comments in writing to the HDC office. If yo[illegible] to testify at a Commission meeting please be aware that your testimony may be limited by the Comi[illegible] in accordance with Commission policies, which are included on the back of this form. Due to the larg[illegible]s of most applications, the HDC office may not be able to send faxed copies of the plans. Off-island abutters wishing more detailed information may enlist an on-island representative to view the plans in the HDC office.

If you have any questions, please contact the HDC office at 508.325.7587.

## CERTIFIED MAIL® RECEIPT
*Domestic Mail Only*

For delivery information, visit our website at *www.usps.com®*.

Siasconset, MA 02564

OFFICIAL USE

| | |
|---|---|
| Certified Mail Fee | $3.60 |
| Extra Services & Fees (check box, add fee as appropriate) | |
| ☐ Return Receipt (hardcopy) | $0.00 |
| ☐ Return Receipt (electronic) | $0.00 |
| ☐ Certified Mail Restricted Delivery | $0.00 |
| ☐ Adult Signature Required | $0.00 |
| ☐ Adult Signature Restricted Delivery | $0.00 |
| Postage | $0.55 |
| Total Postage and Fees | $4.15 |

0055 1

Postmark Here

SIASCONSET MA 02564

04/17/2021

Sent To

LAMOTT FRED G & SARAH F TRST
PO BOX 462
SIASCONSET, MA 02564

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7020 1810 0001 5990 6535

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## CERTIFIED MAIL® RECEIPT
*Domestic Mail Only*

For delivery information, visit our website at *www.usps.com®*.

ROBY PETER B & KATHERINE W
2 LITTLE CUB RD
GULFSTREAM, FL 33483

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

---

## CERTIFIED MAIL® RECEIPT
*Domestic Mail Only*

For delivery information, visit our website at *www.usps.com®*.

RODTS FORREST A TR
OLD GARDNER HOUSE TRUST
17 GLOVER SQUARE
MARBLEHEAD, MA 01945

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

---

## CERTIFIED MAIL® RECEIPT
*Domestic Mail Only*

For delivery information, visit our website at *www.usps.com®*.

HEGARTY WILLIAM T & WILLIAM T JR TRS
41 TAYLOR ST
SAUGUS, MA 01906

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

---

## CERTIFIED MAIL® RECEIPT
*Domestic Mail Only*

For delivery information, visit our website at *www.usps.com®*.

BROADWAY LLC
C/O F PETER CONATY JR
PO BOX 8080
WILMINGTON, DE 19803

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

---

## U.S. Postal Service™ CERTIFIED MAIL® RECEIPT
*Domestic Mail Only*

For delivery information, visit our website at *www.usps.com®*.

Chicago, IL 60614

OFFICIAL USE

| | |
|---|---|
| Certified Mail Fee | $3.60 |
| Extra Services & Fees (check box, add fee as appropriate) | |
| ☐ Return Receipt (hardcopy) | $0.00 |
| ☐ Return Receipt (electronic) | $0.00 |
| ☐ Certified Mail Restricted Delivery | $0.00 |
| ☐ Adult Signature Required | $0.00 |
| ☐ Adult Signature Restricted Delivery | $0.00 |
| Postage | $0.55 |
| Total Postage and Fees | $4.15 |

0055 1

Postmark Here

SIASCONSET MA 02564

04/17/2021

Sent To

TIRAPELLI NICOLE ALEXANDRIA
1641 NORTH DAYTON ST UNIT 3
CHICAGO, IL 60614

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7020 1810 0001 5990 6542

---

ARVAY JOSEPH M & KATHY L
5 BLACHLEY COURT
MENDHAM, NJ 07945

See Reverse for Instructions

---

TORABY DARIUS TRST
JUSO REALTY TRUST
31 STRICKLAND RD
COS COB, CT 06807

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

---

BURLINGHAM MARK G TRST
LEGA SEA NOM TRUST
P O BOX 1633
NANTUCKET, MA 02554

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

---

HEINEMANN ANN & LANDZERT
ISABEL & VANDEUSEN MARGARET TR
391 ESSEX ST
SALEM, MA 01970

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

# HISTORIC DISTRICT COMMISSION

2 Fairgrounds Road
Nantucket, Massachusetts 02554

Telephone: 508.325.7587
Email: hdcsubmissions@nantucket-ma.gov

COMMISSIONERS

Ray Pohl
Chairman

Diane Coombs
Vice-Chairman

Val Oliver

Abigail Camp

John McLaughlin

ASSOCIATE COMMISSIONERS

Stephen Welch

TJ Watterson

Jesse Dutra

STAFF

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

## Waiver of the HDC 10 Day Hearing Requirement

I Angus MacLeod

AS AGENT FOR Kristina and Nicholas Amendalore

STREET ADDRESS 8 Bank Street, 'Sconset

MAP/PARCEL 73.1.3 / 69

UNDERSTAND THAT THE ABOVE REFERENCED APPLICATION SUBMITTED ON

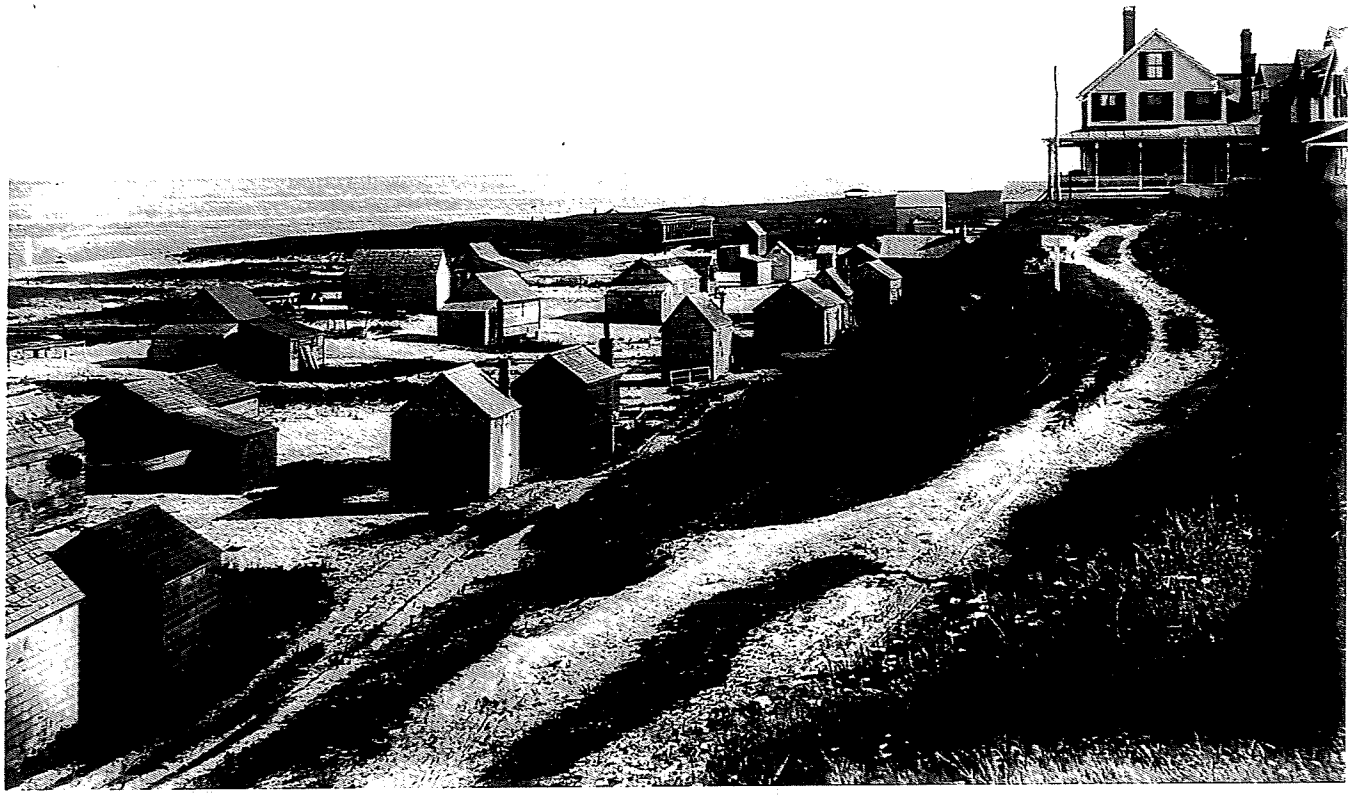
April 17, 2021

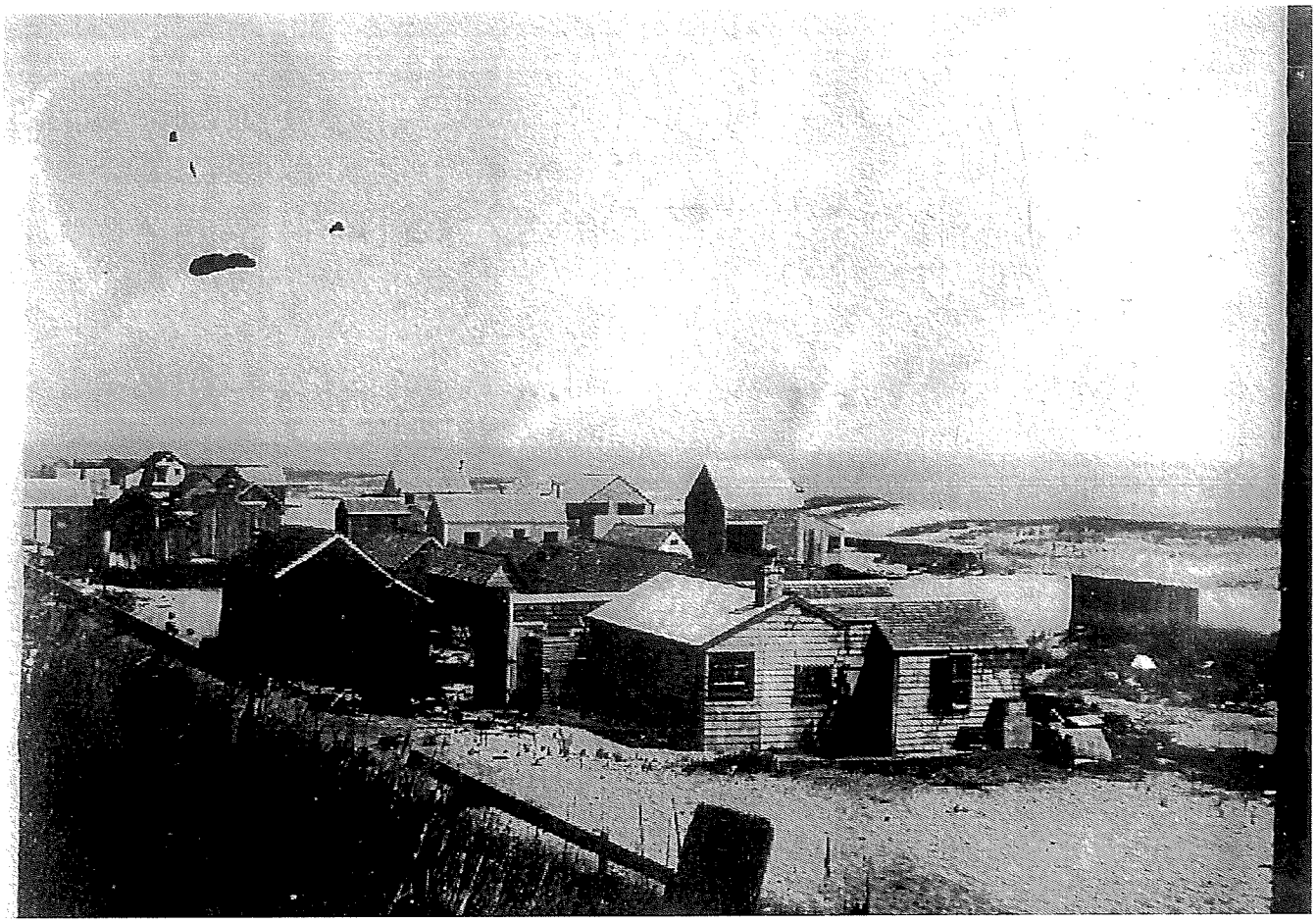
WILL NOT BE REVIEWED BY THE HISTORIC DISTRICT COMMISSION, DUE TO THE COVID-19 PANDEMIC, WITHIN THE 10 DAY PERIOD AS REQUIRED BY:

**SECTION 8 of the HDC enabling legislation: ... The Commission shall meet within ten (10) days of the receipt of an application for a certificate of appropriateness or permit for removal...**

AND I AGREE TO A WAIVER OF THE ABOVE MENTIONED REQUIREMENT.

Signature — Date: April 17, 2021





This is on the way to the edge of the water. You can see the board walk down to the beach. We spend most of our time there. We are having a perfectly delightful time or that is 9 am. The sea air has done wonders for me. Love to Charlie Cameron & yourself E.M.S

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

2021 NOV 15 PM 3:21
NANTUCKET TOWN CLERK

## APPLICATION

**Fee: $450.00** **File No._____**

Owner's name(s): **Kristina & Nicholas Amendolare**

Mailing address: c/o **Michael Wilson, Esq., 1 Hooper Farm Rd, Nantucket, MA 02554**

Phone Number: **508-228-1929** E-Mail:**mjw@mjwilsonlaw.com**

Applicant's name(s): **(Same)**

Mailing Address: _____

Phone Number: **Agent - Linda Williams, 508-221-0432, czarinalinda@comcast.net**

Locus Address: **8 Bank Street, Siasconset**

Assessor's Map/Parcel: **73.1.3/69**

Land Court Plan/Plan Book & Page: **None on record**

Deed Reference & Certificate of Title: **1770/216**

Zoning District **SOH**

Uses on Lot- Commercial: None X Yes (describe) _____

Residential: Number of dwelling: 1 Duplex_____ Apartments _____

Date of Structure(s): all pre-date 7/72: **1935** or _____

Building Permit Numbers: _____

Previous Zoning Board Application Numbers: _____

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

(SEE ATTACHED ADDENDUM)

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:** Linda Williams 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

Applicants are seeking relief by SPECIAL PERMIT pursuant to Nantucket Zoning By-law Section 139-30 (special permit) from the provisions of Section 139-33A(1)(a) (Preexisting, nonconforming uses, structures, lots). Applicants received Historic District Commission ("HDC") approval in Certificate of Appropriateness ("COA") #2021-05-3626 on September 7, 2021, to make renovations to an existing single-family dwelling.

Modifications include adding second floor space to move the one (1) existing bedroom upstairs with a full bath and constructing a one-story addition on the northly side of the structure. Height would increase to 20± feet. Groundcover would be increased from 27.7% ± (390 SF ±) to 40% ± (560 SF ±) . The zoning district was changed from SR-1 to SOH which allows a maximum groundcover of 50%, a zero front yard setback and requires a minimum of a 5-foot side and rear yard setback for this lot. Relief is sought to increase the height of the dwelling within the required 5-foot rear yard setback area without coming any closer to the westerly lot line than the existing structure. The second-floor small addition would be constructed over the existing footprint. Only a southerly portion of the existing dwelling is sited within the rear yard 5-foot setback area, with the structure being sited as close as about 1.7 feet at its closest point on the southwesterly corner. In addition to the rear yard setback intrusion, the Locus is pre-existing nonconforming as to lot size with the lot containing about 1,409 SF of area.

The structure was present on the lot by 1935 and had various uses in it. A later addition was made several years ago and it was converted to a single-family dwelling. The structure, as modified during a period prior to the 1972 enactment of the Nantucket Zoning By-law, has remained unchanged and unaltered.

A finding could be made to grant relief pursuant to Sections 139-30 and 139-33A that the small vertical expansion of the structure, per the above noted HDC approval, would not be substantially more detrimental to the neighborhood than the pre-existing nonconforming structure. The relevant section is noted below:

**139-33A(1)(a) (Preexisting nonconforming uses, structures, lots) (emphasis added)**

The special permit granting authority finds that such extension, alteration, or change shall not be substantially more detrimental than the existing nonconforming structure and/or use to the neighborhood. Where an existing structure violates a front, rear, or side yard setback distance, the special permit granting authority may issue a special permit to allow an extension, alteration, or change to the structure, provided that the nonconforming setback distance is not made more nonconforming and based upon a finding that the extension will not be substantially more detrimental to the neighborhood than the existing nonconformity; ...

**Exhibits attached**

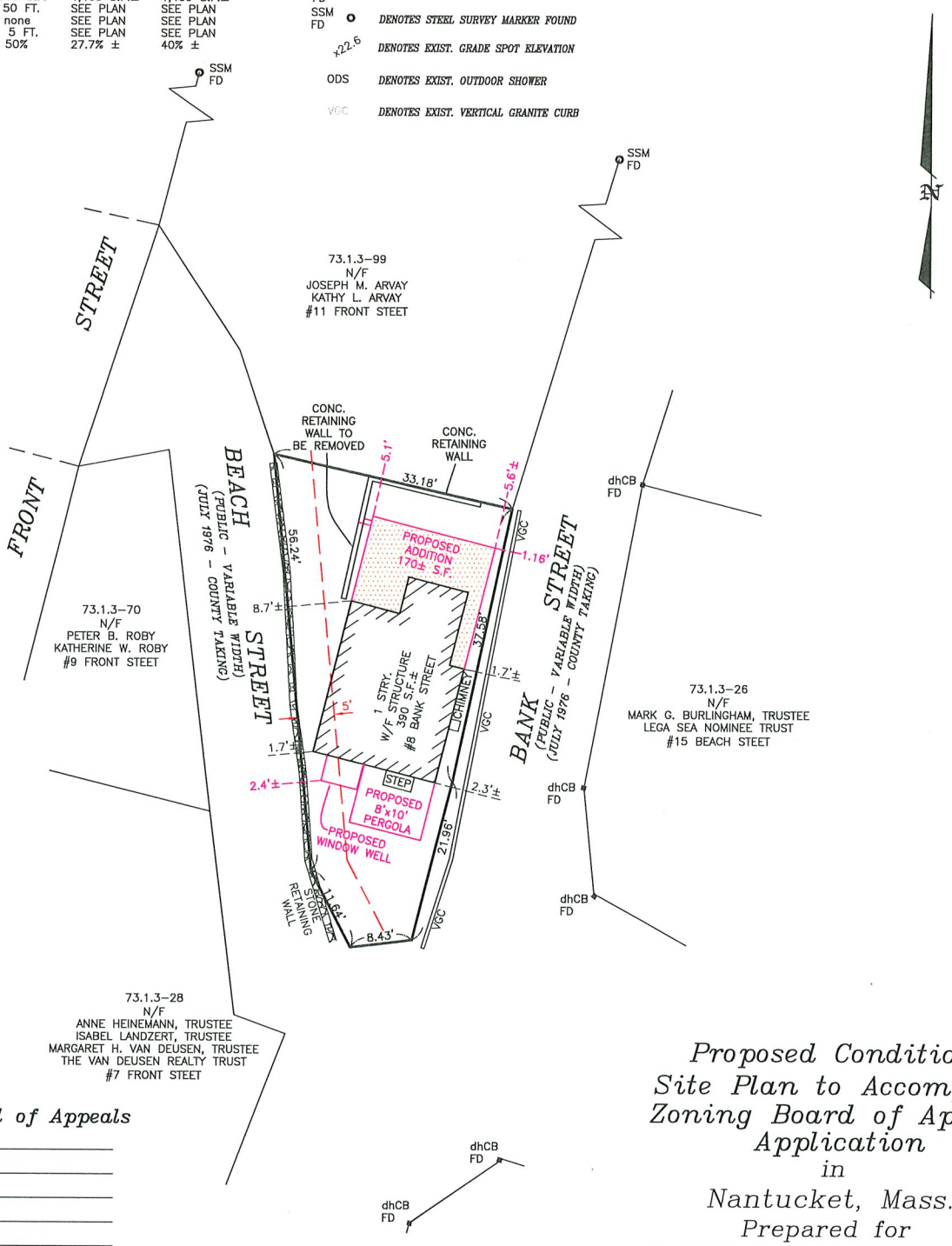
- HDC COA, minutes
- Site plans by Blackwell & Associates, Inc. of existing and proposed
- Town of Nantucket GIS data sheet
- Section showing elevation of existing structure and proposed expansion
- Sconset Advisory Committee notes
- Cod Fish area photographic examples of other dwellings

CURRENT ZONING CLASSIFICATION:
Siasconset Old Historic (SOH)

| | | Existing: | Proposed: |
|---|---|---|---|
| MINIMUM LOT SIZE: | 5000 S.F. | 1,409 S.F.± | 1,409 S.F.± |
| MINIMUM FRONTAGE: | 50 FT. | SEE PLAN | SEE PLAN |
| FRONT YARD SETBACK: | none | SEE PLAN | SEE PLAN |
| REAR/SIDE SETBACK: | 5 FT. | SEE PLAN | SEE PLAN |
| GROUND COVER % : | 50% | 27.7% ± | 40% ± |

**LEGEND**

- dhCB FD ■ — DENOTES CONCRETE BOUND WITH DRILLHOLE FOUND
- SSM FD ○ — DENOTES STEEL SURVEY MARKER FOUND
- x22.6 — DENOTES EXIST. GRADE SPOT ELEVATION
- ODS — DENOTES EXIST. OUTDOOR SHOWER
- VGC — DENOTES EXIST. VERTICAL GRANITE CURB




*Zoning Board of Appeals*

_____
_____
_____
_____
_____

FILE NO._____DATE:_____

ORIGINAL SIGNED AND STAMPED COPIES OF THIS PLAN MAY BE PHOTOCOPIED 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.

T:\LUCAS JOB 50
V:\DRAWFILES\B8867\ZBA.dwg 11/15/2021 10:42:31 AM EST

**OWNER INFORMATION**

KRISTINA M. AMENDOLARE
NICHOLAS AMENDOLARE
DEED. BK. 1770, PG. 216
PLAN: NONE
ASSESSOR'S MAP 73.1.3, PARCEL 69
#8 BANK STREET

# *Proposed Conditions Site Plan to Accompany Zoning Board of Appeals Application in Nantucket, Mass. Prepared for*

## *KRISTINA M. AMENDOLARE*
## *NICHOLAS AMENDOLARE*

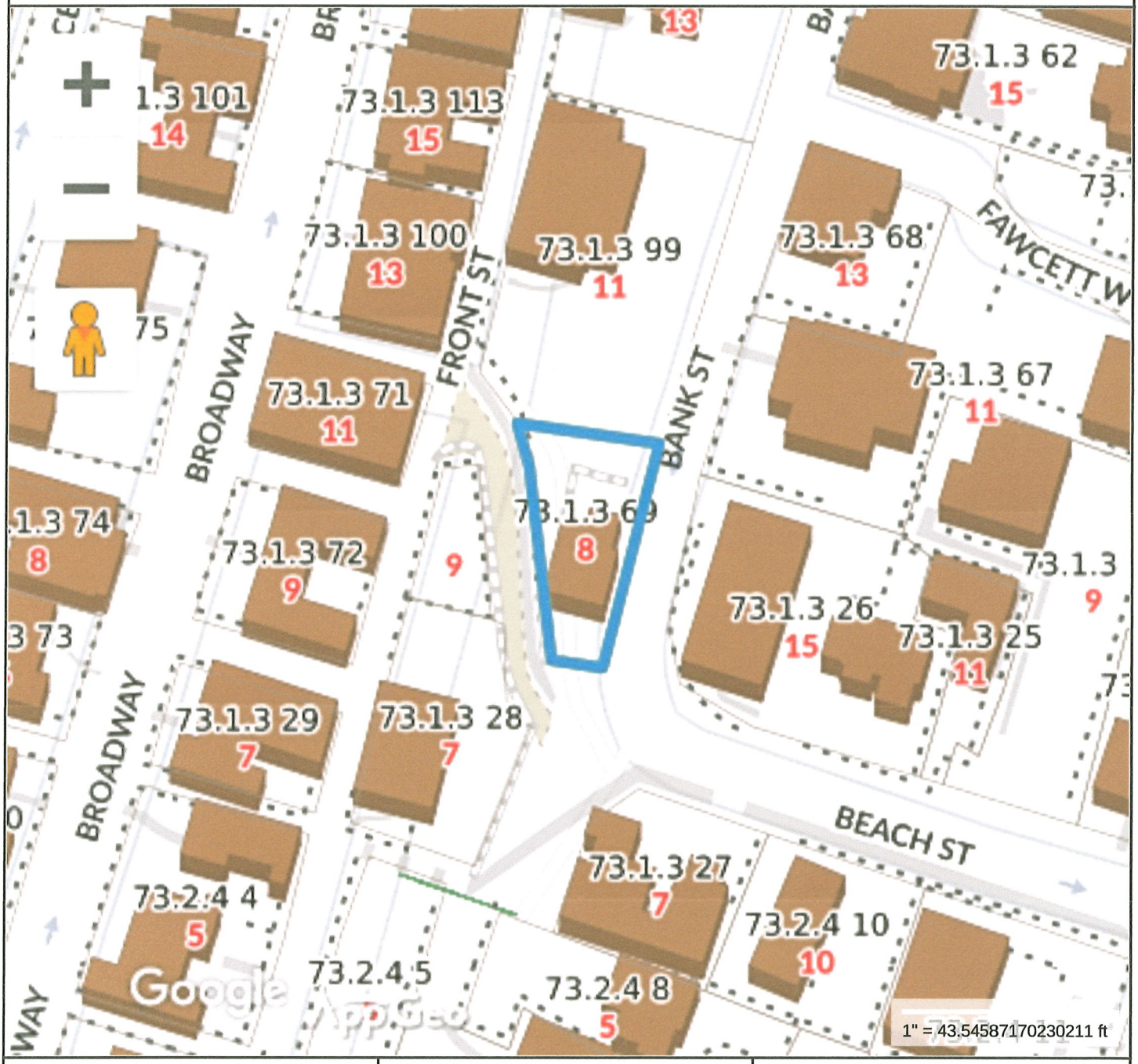
*Scale: 1"= 10' NOVEMBER 15, 2021*

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

GRAPHIC SCALE

10 0 5 10 20 40

( IN FEET )
1 inch = 10 ft.




**Property Information**

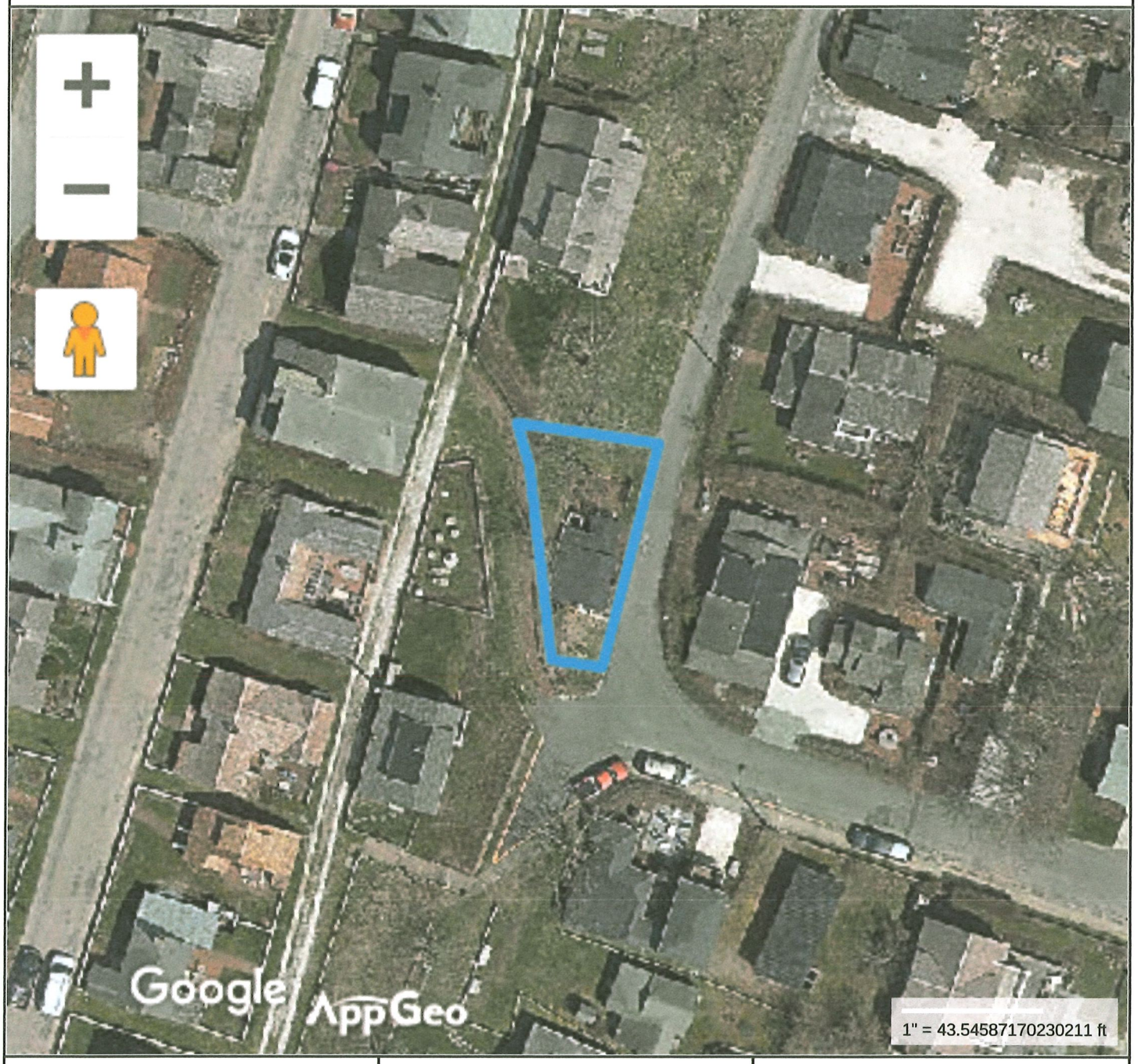
| | |
|---|---|
| **Property ID** | 73.1.3 69 |
| **Location** | 8 BANK ST |
| **Owner** | AMENDOLARE KRISTINA M & NICHOLAS |

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 11/04/2021
Data updated Jan. 2021

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




**Property Information**

| | |
|---|---|
| **Property ID** | 73.1.3 69 |
| **Location** | 8 BANK ST |
| **Owner** | AMENDOLARE KRISTINA M & NICHOLAS |

MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

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Geometry updated 11/04/2021
Data updated Jan. 2021

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

## 8 BANK STREET

## EAST ELEVATION

## SOUTH ELEVATION

LINKNantucket.com

LINKNantucket.com

Google
Image capture: Nov 2016 © 2021 Google United States Terms Privacy

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

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

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

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

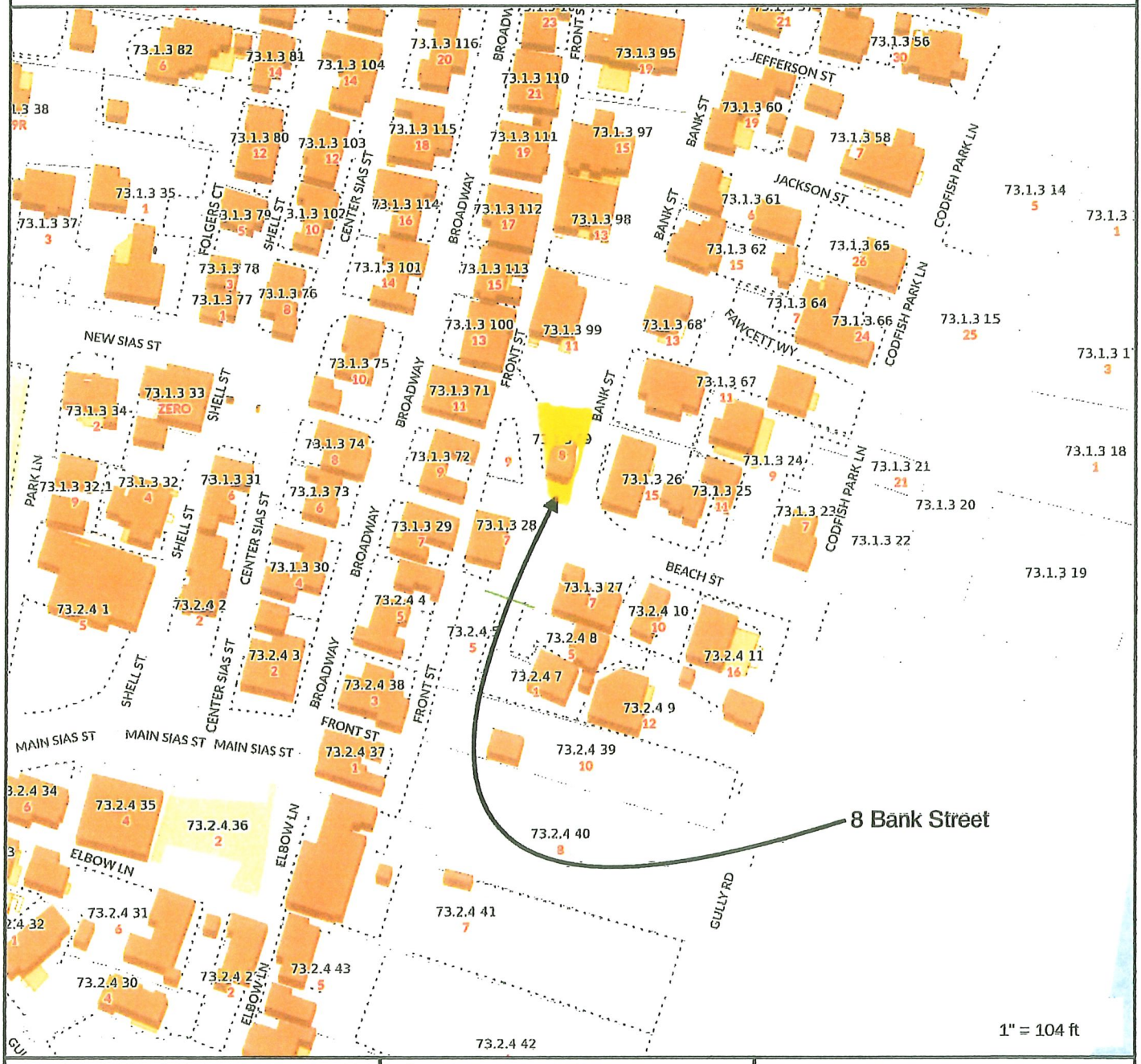
From: Angus Macleod angusonack@gmail.com
Subject: 8 Bank Street ~ Codfish Park House Alterations
Date: Aug 17, 2021 at 4:25:28 PM
To: Angus angusonack@gmail.com

**16 Codfish Park Houses that have been altered with HDC approval**

Copies of Documentation have been filed with PLUS for HDC meeting

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

# Amendolare: Locus Plan




MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

Town and County of Nantucket, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated Jan. 2021
Data updated Jan. 2021

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By

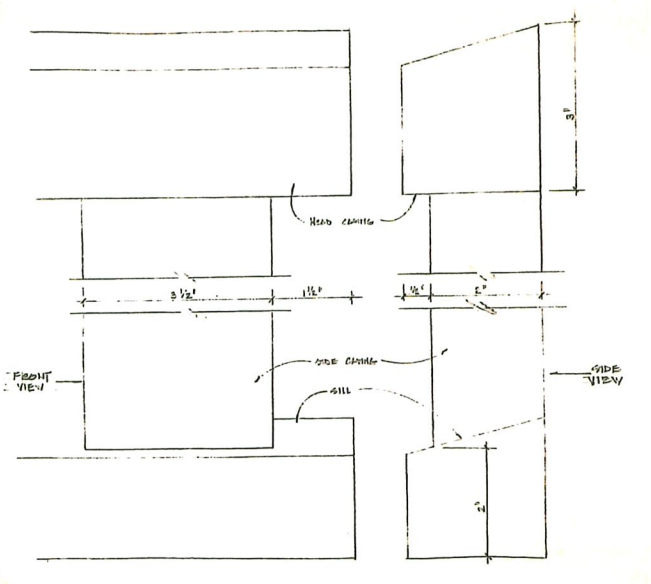
Angus MacLeod Designs
P.O.Box 7055
Sconset, MA
02564

Amendalore: Window Schedule

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

Window Notes:

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



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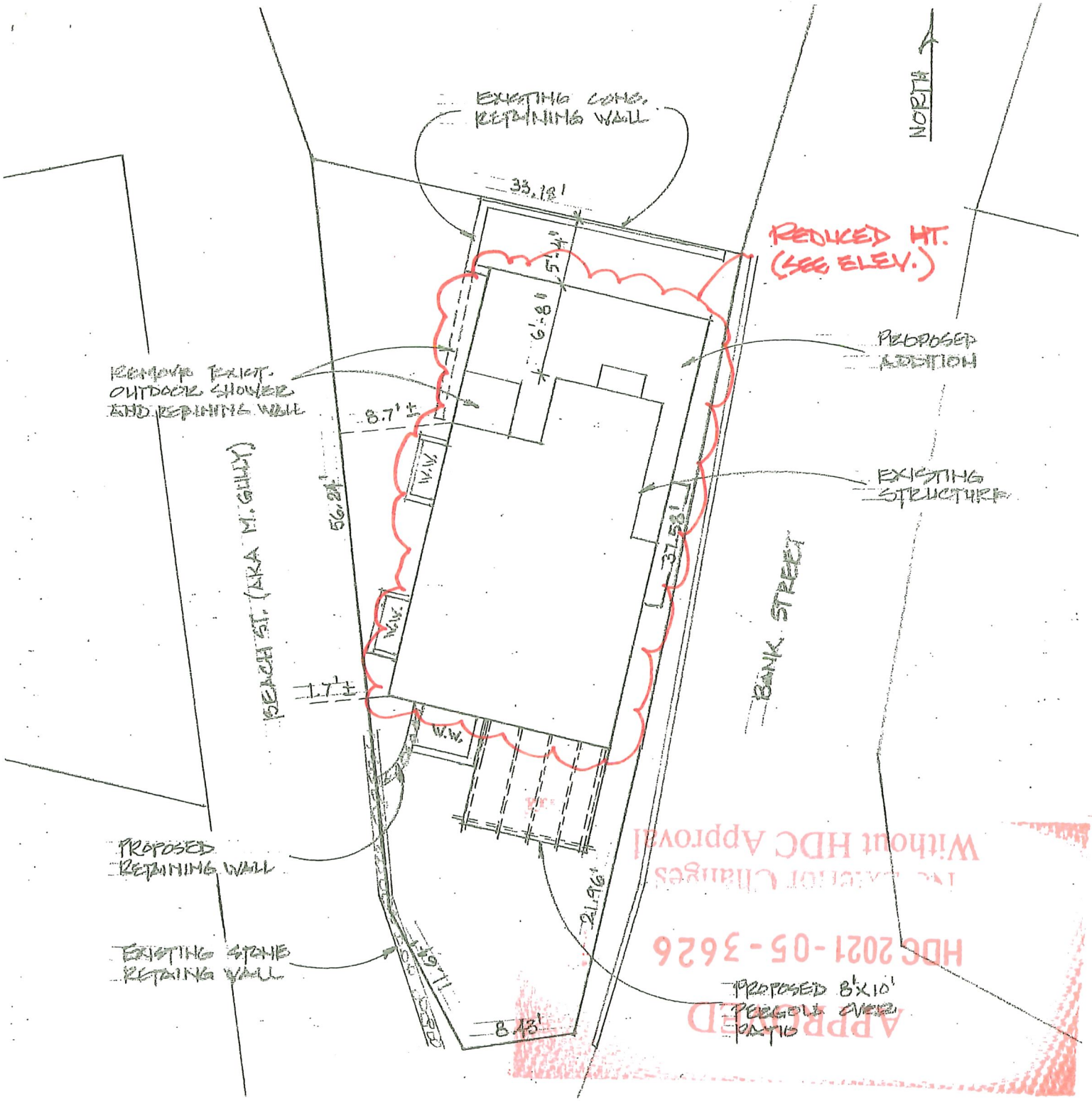
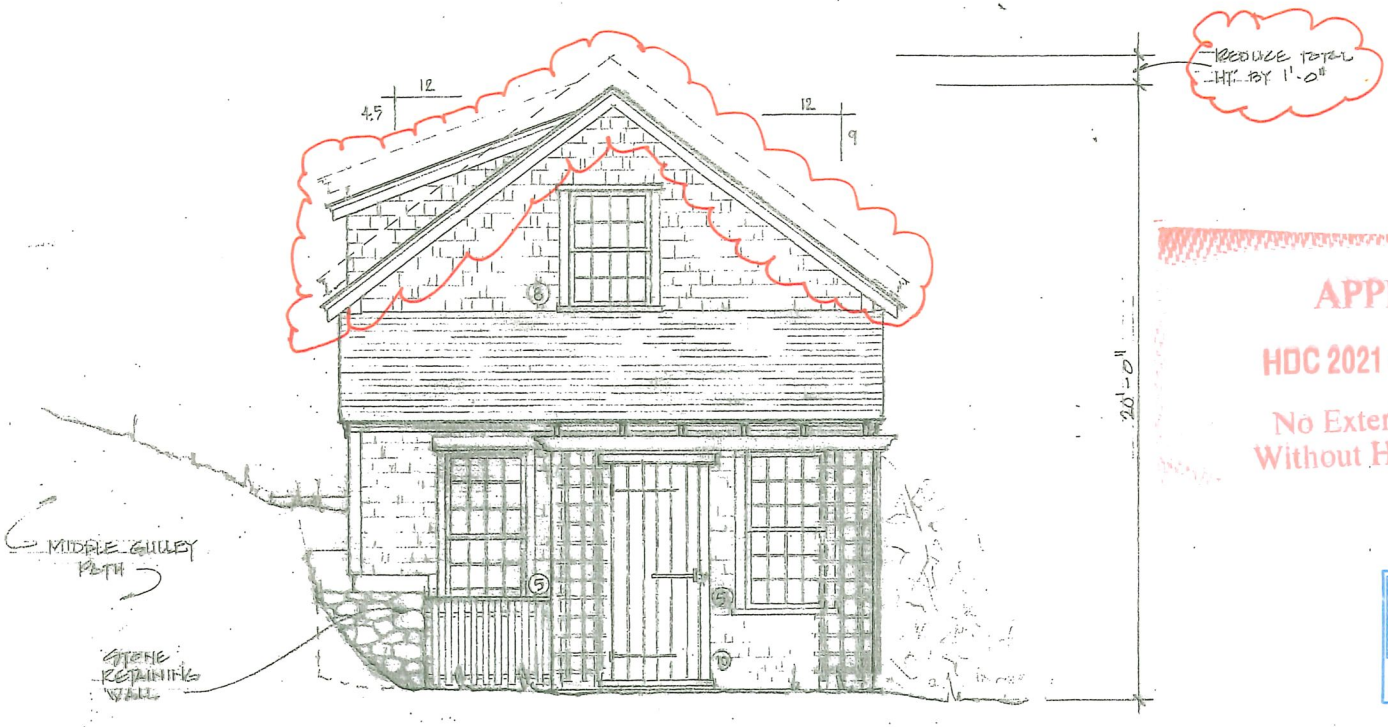



SITE PLAN
SCALE: 1" = 10'

AMENDOLARE RESIDENCE
8 BANK STREET
WESTPORT, MA

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




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

APPROVED
HDC 2021-05-3626
No Exterior Changes
Without HDC Approval

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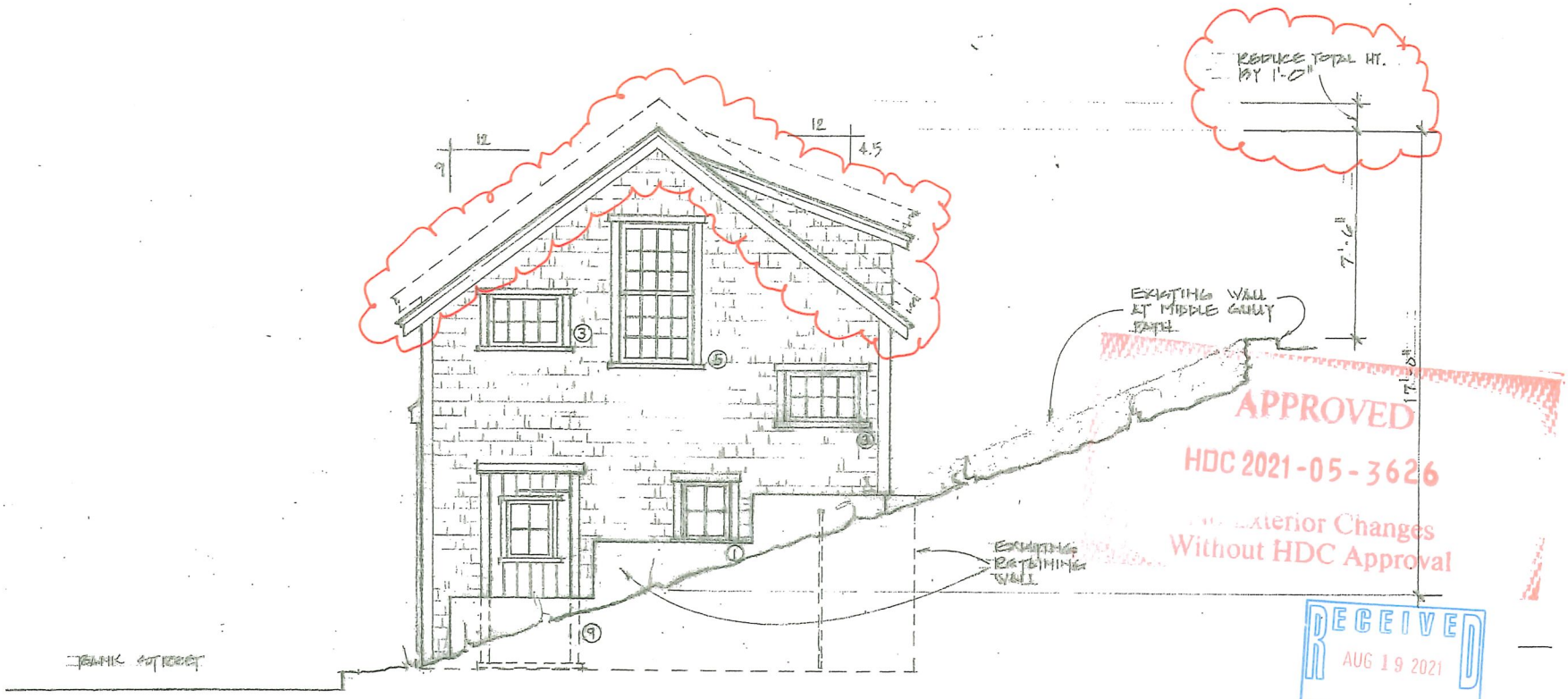
AMENDOLARE RESIDENCE
8 HANK STREET
FALMOUTH, MA.

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

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

AMENDOLARE RESIDENCE
8 BANK STREET
ESSEX, MA

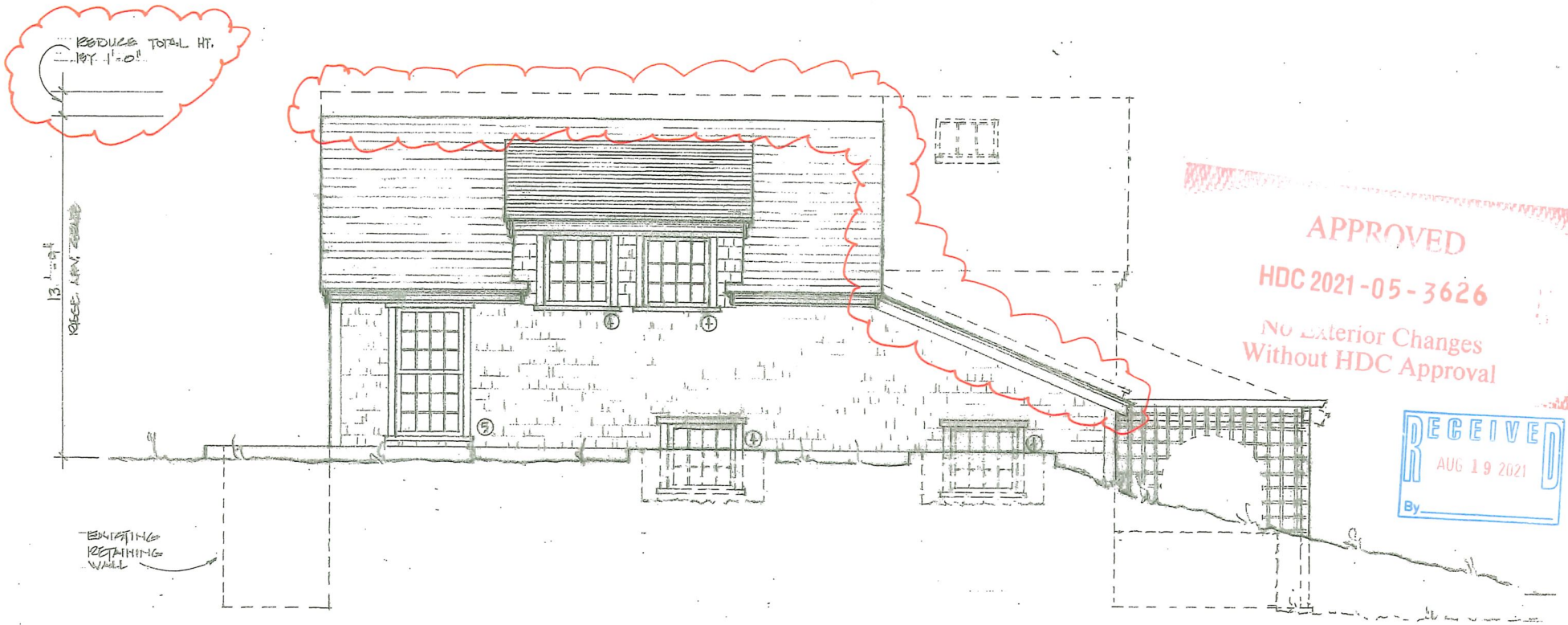
ANGUS MACLEOD DESIGNS
P.O. BOX 71055
ESSEX, MA
(508) 257-6789




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

AMENDOLARA RESIDENCE
8 BANK STREET
FALMOUTH, MA

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



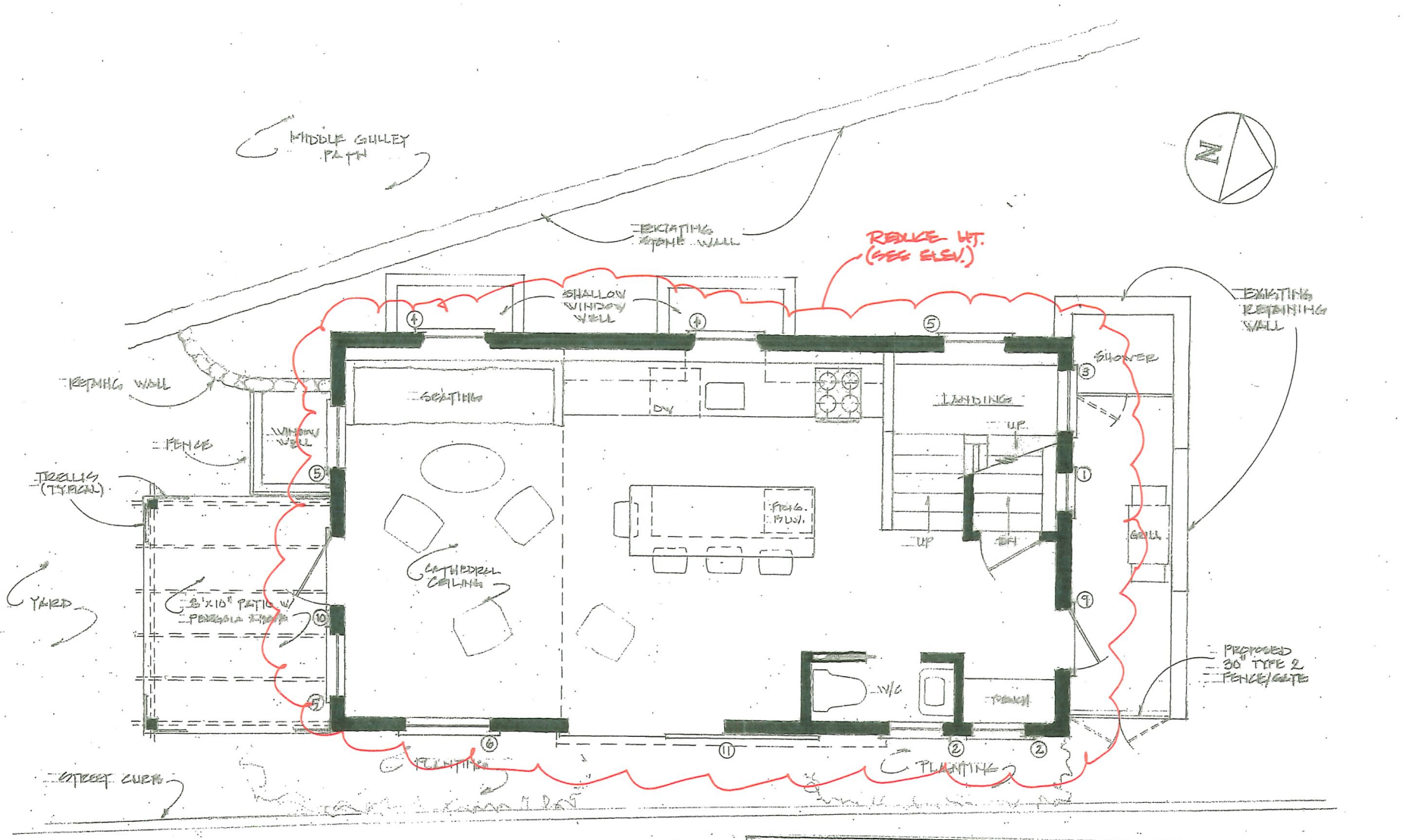

WEST ELEVATION
SCALE: 1/4" = 1'-0"

APPROVED
HDC 2021-05-3626
No Exterior Changes Without HDC Approval

RECEIVED
AUG 19 2021
By

AMENDOLARE RESIDENCE
8 BANK STREET
GLOUCESTER, MA

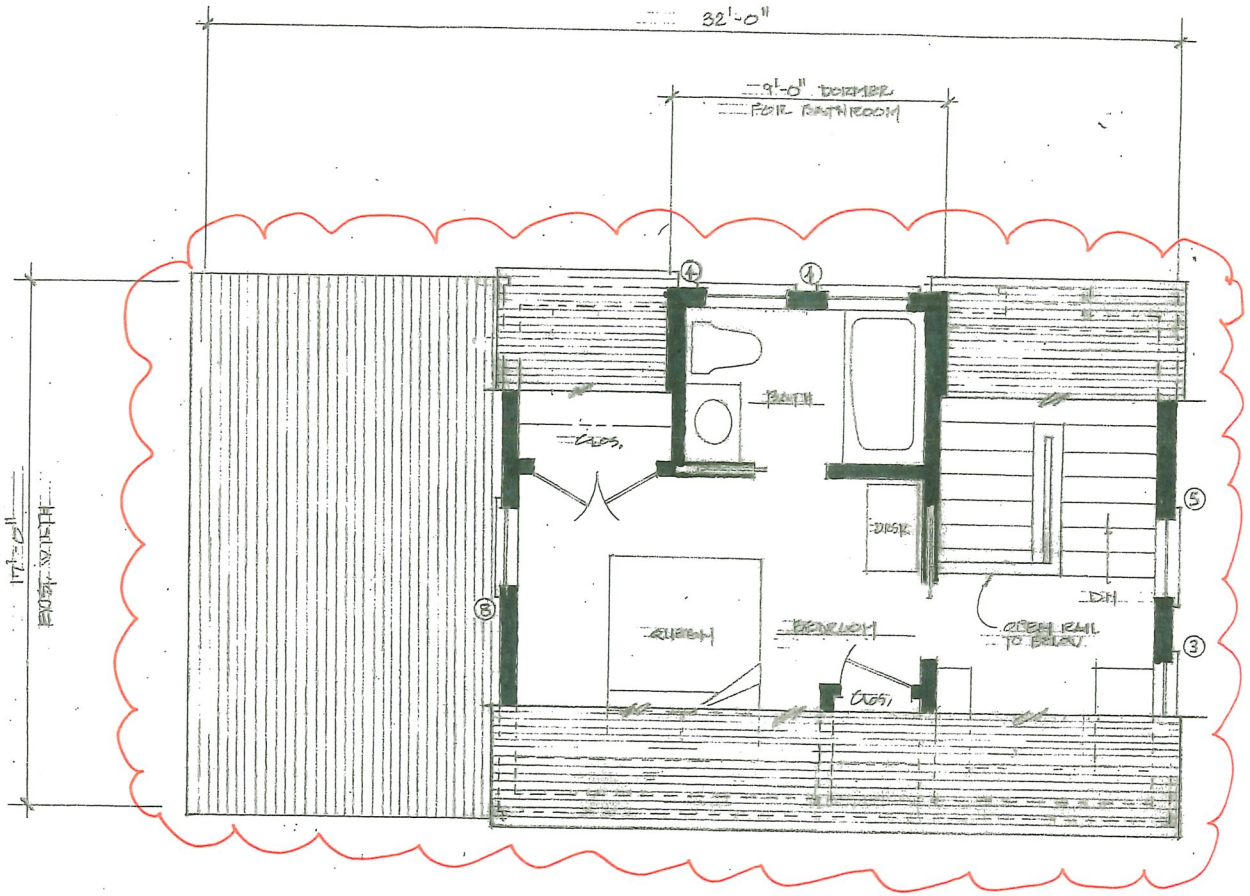
ANGUS MACLEOD DESIGNS
P.O. BOX 7055
GLOUCESTER, MA
(508) 257-6789




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

AMENDOLARE RESIDENCE
8 HANK STREET
FALMOUTH, MA

ANGUS MACLEOD DESIGNS
P.O. BOX 17055
FALMOUTH, MA.
(508) 257-6789




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

AMENDOLARE RESIDENCE
8 BANK STREET
SCONSET, MA

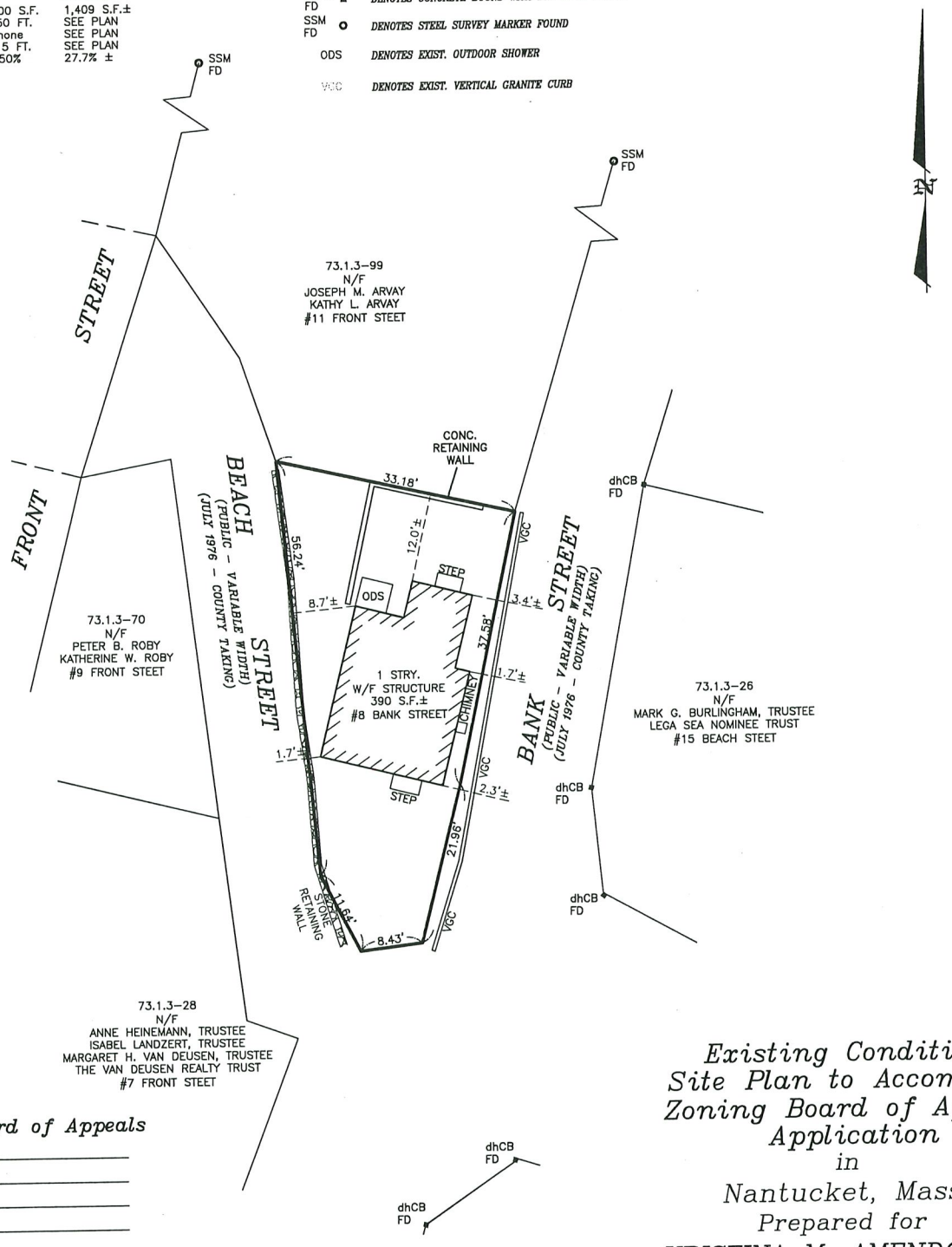
ANGUS MACLEOD DESIGN
P.O. BOX 7055
SCONSET, MA
(508) 257-6789

CURRENT ZONING CLASSIFICATION:
Siasconset Old Historic (SOH)

| | | Existing: |
|---|---|---|
| MINIMUM LOT SIZE: | 5000 S.F. | 1,409 S.F.± |
| MINIMUM FRONTAGE: | 50 FT. | SEE PLAN |
| FRONT YARD SETBACK: | none | SEE PLAN |
| REAR/SIDE SETBACK: | 5 FT. | SEE PLAN |
| GROUND COVER % : | 50% | 27.7% ± |

**LEGEND**

dhCB FD ■ DENOTES CONCRETE BOUND WITH DRILLHOLE FOUND
SSM FD ○ DENOTES STEEL SURVEY MARKER FOUND
ODS DENOTES EXIST. OUTDOOR SHOWER
VGC DENOTES EXIST. VERTICAL GRANITE CURB




*Zoning Board of Appeals*

_____
_____
_____
_____
_____

FILE NO._____DATE:_____

ORIGINAL SIGNED AND STAMPED COPIES OF THIS PLAN MAY BE PHOTOCOPIED 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.

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**OWNER INFORMATION**

KRISTINA M. AMENDOLARE
NICHOLAS AMENDOLARE
DEED. BK. 1770, PG. 216
PLAN: NONE
ASSESSOR'S MAP 73.1.3, PARCEL 69
#8 BANK STREET

# *Existing Conditions Site Plan to Accompany Zoning Board of Appeals Application*

*in*

*Nantucket, Mass.*

*Prepared for*

*KRISTINA M. AMENDOLARE*
*NICHOLAS AMENDOLARE*

*Scale: 1"= 10' NOVEMBER 09, 2021*

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

GRAPHIC SCALE

10 0 5 10 20 40
( IN FEET )
1 inch = 10 ft.

*Sheet 1 of 2*

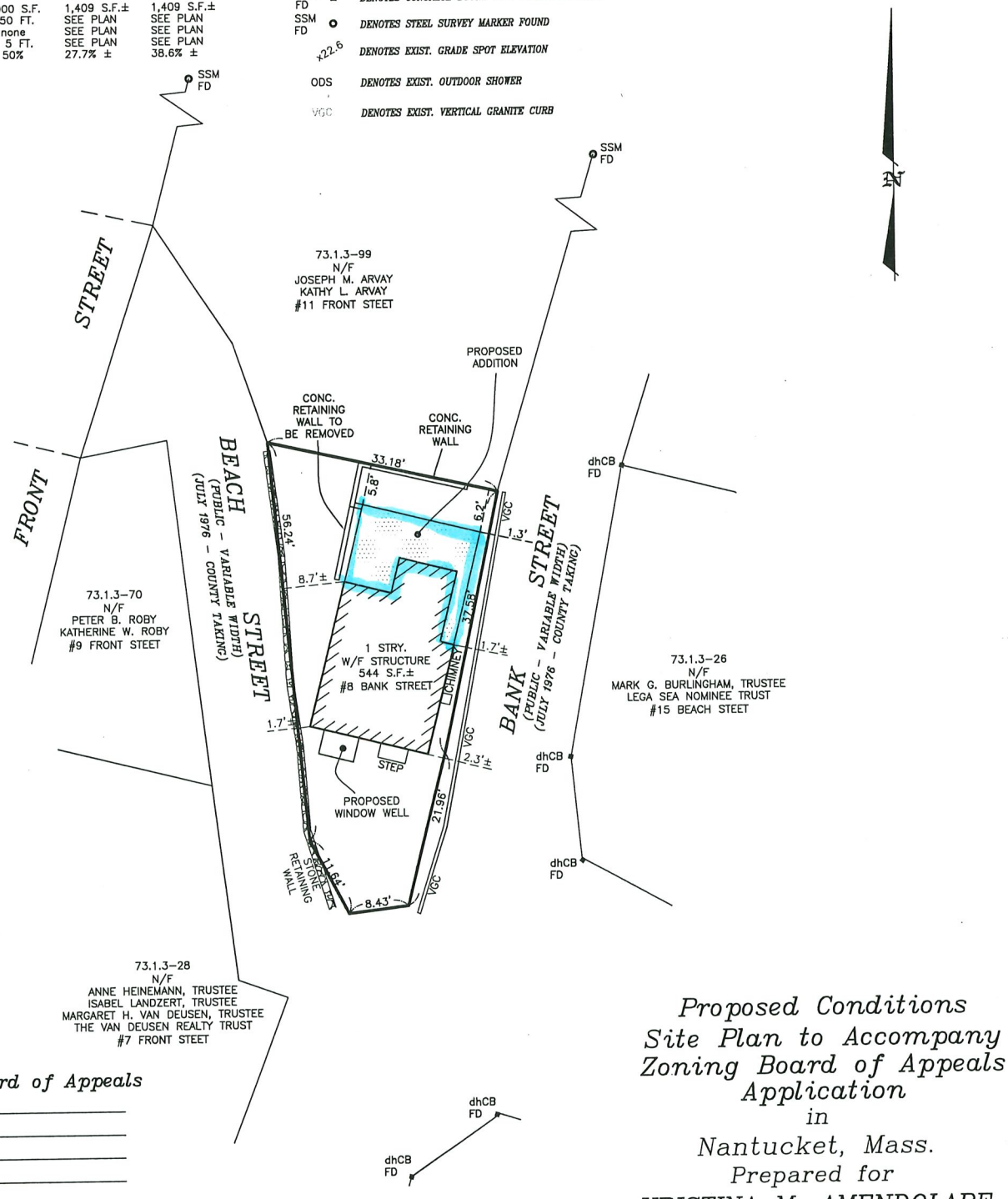
*B8867*

CURRENT ZONING CLASSIFICATION:
Siasconset Old Historic (SOH)

| | | Existing: | Proposed: |
|---|---|---|---|
| MINIMUM LOT SIZE: | 5000 S.F. | 1,409 S.F.± | 1,409 S.F.± |
| MINIMUM FRONTAGE: | 50 FT. | SEE PLAN | SEE PLAN |
| FRONT YARD SETBACK: | none | SEE PLAN | SEE PLAN |
| REAR/SIDE SETBACK: | 5 FT. | SEE PLAN | SEE PLAN |
| GROUND COVER % : | 50% | 27.7% ± | 38.6% ± |

**LEGEND**

- dhCB FD ■ — DENOTES CONCRETE BOUND WITH DRILLHOLE FOUND
- SSM FD ○ — DENOTES STEEL SURVEY MARKER FOUND
- +22.6 — DENOTES EXIST. GRADE SPOT ELEVATION
- ODS — DENOTES EXIST. OUTDOOR SHOWER
- VGC — DENOTES EXIST. VERTICAL GRANITE CURB




*Zoning Board of Appeals*

_____
_____
_____
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FILE NO._____DATE:_____

ORIGINAL SIGNED AND STAMPED COPIES OF THIS PLAN MAY BE PHOTOCOPIED 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.

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

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**OWNER INFORMATION**

KRISTINA M. AMENDOLARE
NICHOLAS AMENDOLARE
DEED. BK. 1770, PG. 216
PLAN: NONE
ASSESSOR'S MAP 73.1.3, PARCEL 69
#8 BANK STREET

# *Proposed Conditions Site Plan to Accompany Zoning Board of Appeals Application*

*in*

*Nantucket, Mass.*

*Prepared for*

*KRISTINA M. AMENDOLARE*
*NICHOLAS AMENDOLARE*

*Scale: 1"= 10' NOVEMBER 09, 2021*

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

GRAPHIC SCALE

10 0 5 10 20 40

( IN FEET )
1 inch = 10 ft.

*Sheet 2 of 2*

*B8867*

# 8 BANK ST

| | | | |
|---|---|---|---|
| **Location** | 8 BANK ST | **Mblu** | 7313/ / 69/ / |
| **Acct#** | 00011862 | **Owner** | AMENDOLARE KRISTINA M & NICHOLAS |
| **Assessment** | $748,000 | **PID** | 11862 |
| **Building Count** | 1 | | |

## Current Value

| Assessment | | | |
|---|---|---|---|
| **Valuation Year** | **Improvements** | **Land** | **Total** |
| 2021 | $123,600 | $624,400 | $748,000 |

## Owner of Record

| | | | |
|---|---|---|---|
| **Owner** | AMENDOLARE KRISTINA M & NICHOLAS | **Sale Price** | $683,000 |
| **Co-Owner** | | **Certificate** | |
| **Address** | 538 LYNN FELLS PRKWY<br>MELROSE , MA 02176 | **Book & Page** | 1770/216 |
| | | **Sale Date** | 10/05/2020 |
| | | **Instrument** | 00 |

## Ownership History

| Ownership History | | | | | |
|---|---|---|---|---|---|
| **Owner** | **Sale Price** | **Certificate** | **Book & Page** | **Instrument** | **Sale Date** |
| AMENDOLARE KRISTINA M & NICHOLAS | $683,000 | | 1770/216 | 00 | 10/05/2020 |
| JOHNSON GAIL N | $0 | | 01723/0069 | 99 | 12/22/2019 |
| NICKERSON CAROL | $0 | | 00132/0470 | | 01/01/1900 |

## Building Information

### Building 1 : Section 1

| | |
|---|---|
| **Year Built:** | 1935 |
| **Living Area:** | 387 |
| **Replacement Cost:** | $143,725 |
| **Building Percent Good:** | 86 |
| **Replacement Cost Less Depreciation:** | $123,600 |

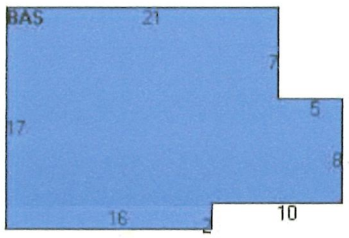
| Building Attributes |
|---|

| Field | Description |
|---|---|
| Style: | Bungalow |
| Model | Residential |
| Grade: | Below Average |
| Stories: | 1 Story |
| Occupancy | 1 |
| Exterior Wall 1 | Wood Shingle |
| Exterior Wall 2 | |
| Roof Structure: | Gable/Hip |
| Roof Cover | Asph/F Gls/Cmp |
| Interior Wall 1 | Drywall/Sheet |
| Interior Wall 2 | |
| Interior Flr 1 | Pine/Soft Wood |
| Interior Flr 2 | |
| Heat Fuel | Coal or Wood |
| Heat Type: | None |
| AC Type: | None |
| Total Bedrooms: | 1 Bedroom |
| Total Bthrms: | 1 |
| Total Half Baths: | 0 |
| Total Xtra Fixtrs: | |
| Total Rooms: | |
| Bath Style: | Average |
| Kitchen Style: | Modern |
| Num Kitchens | 01 |
| Cndtn | |
| Num Park | |
| Fireplaces | |
| Fndtn Cndtn | |
| Basement | |

### Building Photo

(http://images.vgsi.com/photos/NantucketMAPhotos//\00\01\83\80.jpg)

### Building Layout




(http://images.vgsi.com/photos/NantucketMAPhotos//Sketches/11862_1

| Building Sub-Areas (sq ft) | | | Legend |
|---|---|---|---|
| Code | Description | Gross Area | Living Area |
| BAS | First Floor | 387 | 387 |
| | | 387 | 387 |

### Extra Features

| Extra Features | Legend |
|---|---|
| No Data for Extra Features | |

### Land

### Land Use

### Land Line Valuation

| | | | |
|---|---|---|---|
| **Use Code** | 1010 | **Size (Acres)** | 0.03 |
| **Description** | Single Fam M01 | **Frontage** | 0 |
| **Zone** | SR1 | **Depth** | 0 |
| **Neighborhood** | 250 | **Assessed Value** | $624,400 |
| **Alt Land Appr** | No | | |
| **Category** | | | |

## Outbuildings

| Outbuildings | Legend |
|---|---|
| No Data for Outbuildings | |

## Valuation History

| Assessment | | | |
|---|---|---|---|
| **Valuation Year** | **Improvements** | **Land** | **Total** |
| 2021 | $123,600 | $624,400 | $748,000 |
| 2020 | $112,000 | $713,600 | $825,600 |
| 2018 | $104,300 | $535,200 | $639,500 |
| 2017 | $92,700 | $428,200 | $520,900 |
| 2016 | $77,300 | $428,200 | $505,500 |

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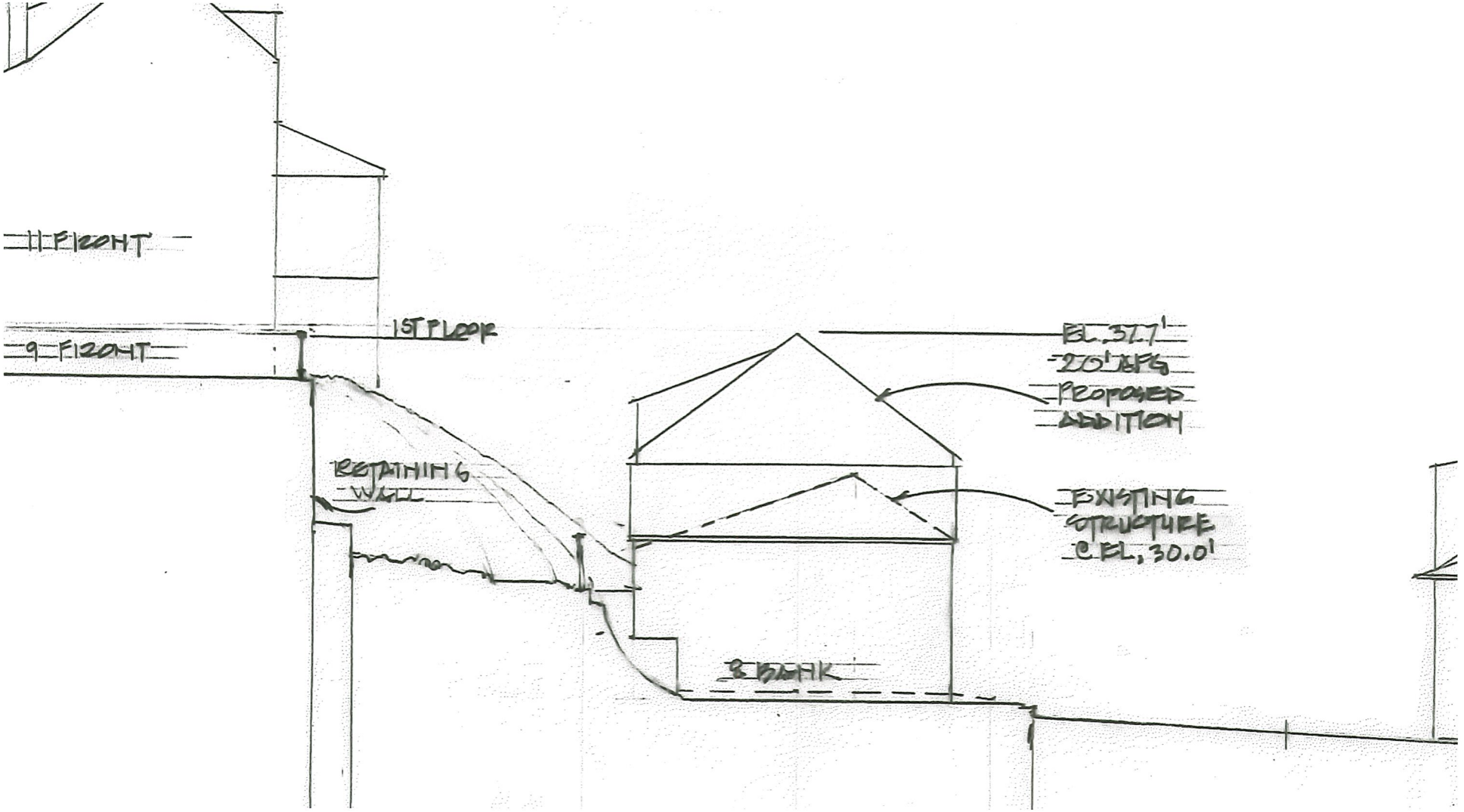
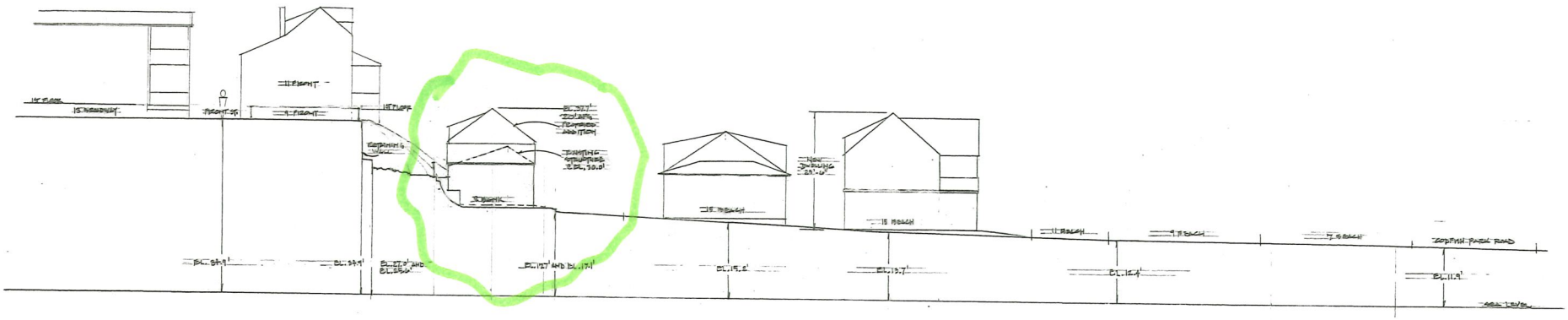
**CHANGE HEIGHT FROM EL 30 TO EL 37.7 – 20 FT HEIGHT AS HDC APPROVED**






GRADE ELEVATIONS PROVIDED BY:
JEFF BLAGDEN & ASSOC. 8/27/21

TOPOGRAPHIC SECTION
SCALES 1" = 10'

AMENDOLARE RESIDENCE
15 HANK STREET
YARMOUTH, MA

ANNE MARIE DESIGNS
P.O. BOX 1099
YARMOUTH, MA
(508) 257-6181

**'Scosnet Advisory Board (SAB) recommendations for HDC**

**7/19/21 via Zoom**

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

***

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

***

1) 6A Morey Lane—Earret LLC

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

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

2) 8 Bank Street-- Kristina Amendalore REVISIONS

**Recused:** Angus MacLeod

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

SAB Comments:

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

Recommendations: None

***

Respectfully submitted: Rob Benchley, SAB Chair

Angus MacLeod, Architect for applicant:

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

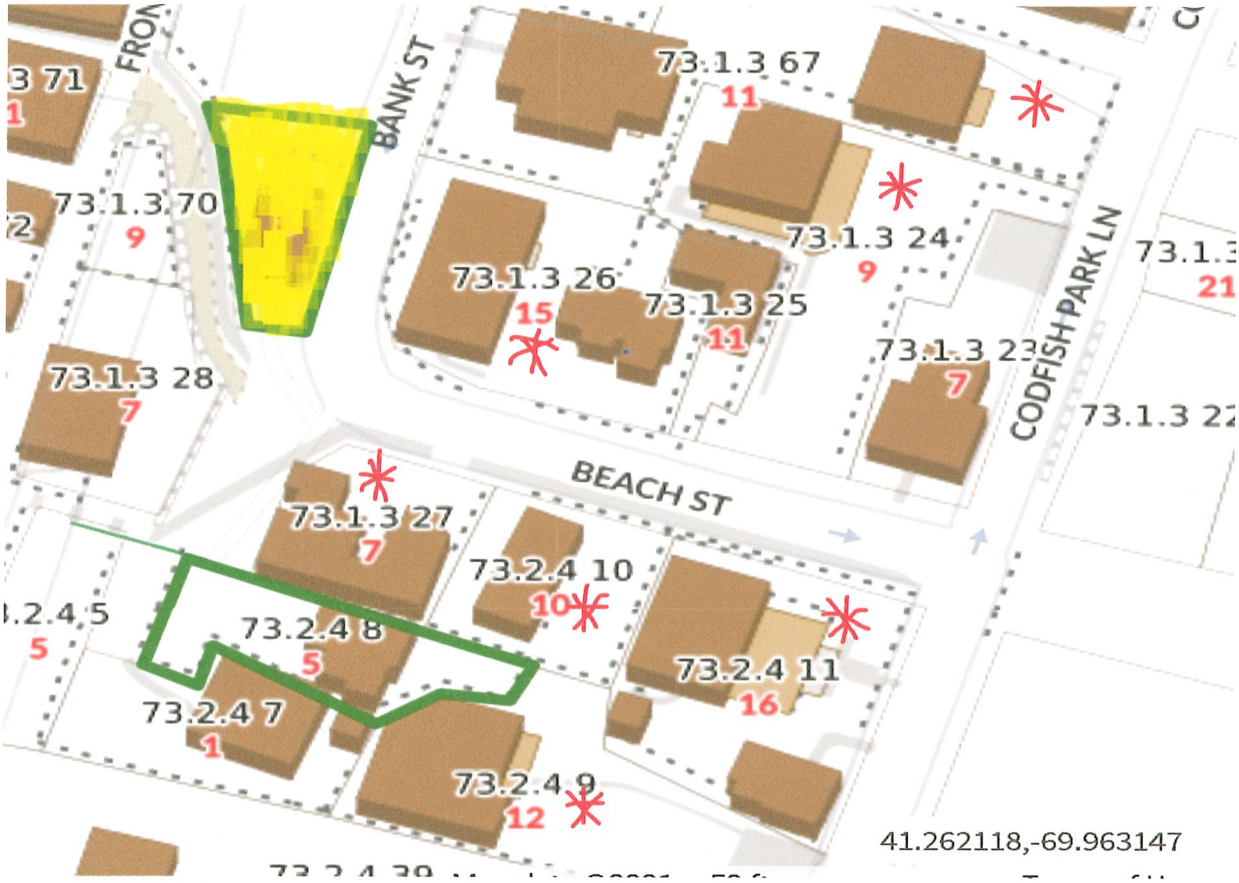
SAB Comments:

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

***

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

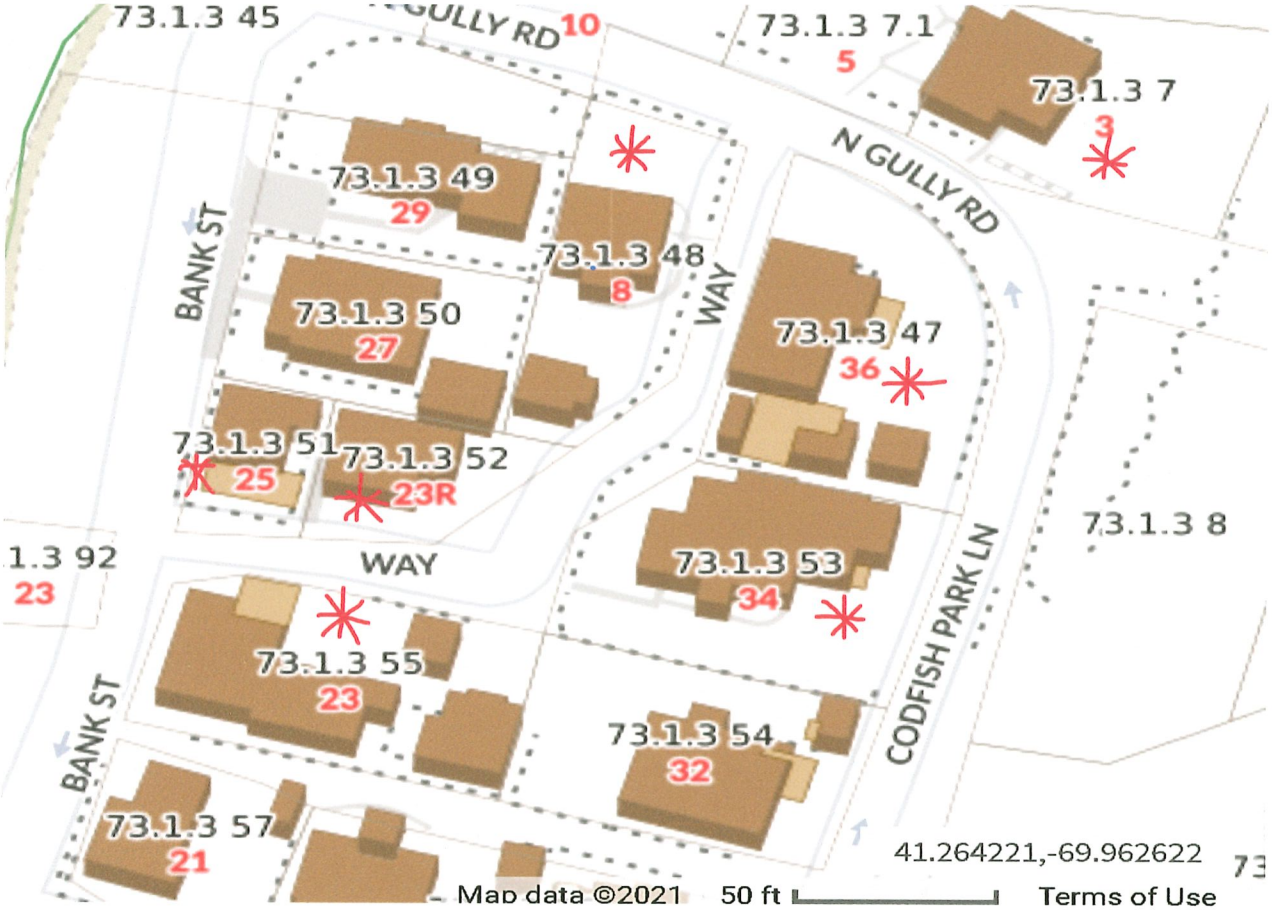
**SOUTH SECTION OF COD FISH PARK – EVERY STRUCTURE HAS BEEN ALTERED – INCLUDING SOME ON THE FIRST FLOOR ONLY**



**MIDDLE SECTION OF COD FISH PARK – A MAJORITY OF STRUCTRURES HAVE BEEN ALTERED – 1-STORY STRUCTURES ALSO ADDED ONTO**

**NORTH SECTION OF COD FISH PARK – EVERY STRUCTURE HAS BEEN ALTERED –**

**1-STORY STRUCTURES ALSO ADDED ONTO**



**12 COD FISH PARK RD – 73.2.4-9 – 2002**

**16 COD FISH PARK RD – 73.2.4-11– 1890 RENO**

**10 BEACH ST – 73.2.4-10 SECOND FL ADDED**

**7 BANK STREET – 73.1.3-27- 1910- ADDITION**

**15 BEACH ST – 73.1.3-26 PRIMARY-1935**

**DEMOLISHED 2004-NEW 1 ½ APPROVED 2020**

**11 BANK ST – 73.1.3-67 – 1987**

**19 BANK ST – 73.1.3-60 – 1885 - ADDITION**

**23 BANK ST-73.1.3-55- 1900- ADDITION**

**SECONDARY - 2003**

**25 BANK ST- 73.1.3-51 – 1920- ADDITION**

**23R BANK ST-73.1.3-52 -2007**

**8 N GULLY RD – 73.1.3-48 – 1976**

**3 N GULLY RD – 73.1.3-7 – 1910 - RENO**

**36 COD FISH PARK-73.1.3-47-ADDITION-1910**

**34 COD FISH PK-73.1.3-53 -2015 REAR ADD.**

**7 FAWCETT WAY-73.1.3-64 – 1960**

**9 BEACH ST-73.1.3-24 - 1986**

TOWN OF NANTUCKET

ZONING BOARD OF APPEALS

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

PROPERTY OWNER AMENDOLARE KRISTINA M & NICHOLAS

MAILING ADDRESS 538 LYNN FELLS PRKWY, MELROSE , MA 02176

PROPERTY LOCATION 8 BANK STREET

ASSESSORS MAP/PARCEL 73.1.3-69

SUBMITTED BY LINDA WILLIAMS

SEE ATTACHED PAGES

I certify that the foregoing is a list of persons who are owners of land directly adjacent to the subject property or directly opposite the subject property on any public or private street or way, all as they appear on the most recent applicable tax list.

DATE:
November 10, 2021

Mary Haley, Senior Clerk, Assessor's Office

Digitally signed by Mary Haley, Senior Clerk, Assessor's Office
Date: 2021.11.10 08:01:56 -05'00'

ASSESSORS OFFICE:

# Abutters Listing

| MBLU | Lot | Lot Cut | Owner Full Name | Co-Owner Full Name | Address Line 1 | City | State | Zip | Location |
|---|---|---|---|---|---|---|---|---|---|
| 7313 | 14 | | KING SARAH P & ANNDRIA E | | 68 WYLISS AVE | EVERETT | MA | 2149 | 5 JACKSON ST |
| 7313 | 15 | | DENIKE BRUCE M & DITMORE VINCE | | 2 FIFTH AVE APT 5T | NEW YORK | NY | 10011 | 25 CODFISH PARK RD |
| 7313 | 17 | | NANTUCKET TOWN OF | | 16 BROAD ST | NANTUCKET | MA | 02554 | 3 FAWCETT WY |
| 7313 | 18 | | SCONSET TRUST INC | | PO BOX 821 | SIASCONSET | MA | 02564 | 1 FAWCETT WY |
| 7313 | 21 | | NANTUCKET TOWN OF | | 16 BROAD ST | NANTUCKET | MA | 02554 | 21 CODFISH PARK RD |
| 7313 | 23 | | CURTIN GEORGE E III & SUSAN L | | PO BOX 951 | SIASCONSET | MA | 02564 | 7 BEACH ST |
| 7313 | 24 | | BROWN ROBERTA | | 1 THOMAS PLACE | ROWAYTON | CT | 06853 | 9 BEACH ST |
| 7313 | 25 | | GILBERT LINDA J D & ADAM | | 5 MEREDITH DRIVE | CRANSTON | RI | 02920 | 11 BEACH ST |
| 7313 | 26 | | BURLINGHAM MARK G TRST | LEGA SEA NOM TRUST | P O BOX 1633 | NANTUCKET | MA | 02554 | 15 BEACH ST |
| 7313 | 27 | | TIRAPELLI NICOLE ALEXANDRIA | | 7 BANK ST #155 | SIASCONSET | MA | 02654 | 7 BANK ST |
| 7313 | 28 | | HEINEMANN ANN & LANDZERT | ISABEL & VANDEUSEN MARGARET TR | 391 ESSEX ST | SALEM | MA | 01970 | 7 FRONT ST |
| 7313 | 29 | | SCONSET CORP INC | C/O MARY WILLIAMS | 164 CHESHIRE WAY | NAPLES | FL | 34110 | 7 BROADWAY |
| 7313 | 30 | | TODD VINCENT E JR & SHEILA M | | PO BOX 232 | SIASCONSET | MA | 02564 | 4 BROADWAY |
| 7313 | 32 | | BOLTON JOHN R & LYNNE M | | 630 OENOKE RIDGE RD | NEW CANAAN | CT | 06840 | 4 SHELL ST |
| 7313 | 32 | 1 | KURZINA PETR S & STEPHANIE | | 79 BEACON ST | BOSTON | MA | 02108 | 9 PARK LN |
| 7313 | 33 | | FERENCE-GRAY DEBORAH S | | 51 CHERRY VALLEY RD | GREENWICH | CT | 06831 | ZERO NEW SIAS ST |
| 7313 | 34 | | DAISY COT LLC | | PO BOX 436 | SAINT JAMES | NY | 11780 | 2 NEW SIAS ST |
| 7313 | 35 | | ONE NEW STREET REALTY TRUST | | 575 GREENWAY DRIVE | LAKE FOREST | IL | 60045 | 1 NEW SIAS ST |
| 7313 | 56 | | MOLLOY MICHAEL FRANCIS TRS | | 116 ENFIELD RD | BALTIMORE | MD | 21212 | 30 CODFISH PARK RD |
| 7313 | 57 | | SPERAU MELISSA | | 16634 YORK RD | MONKTON | MD | 21111 | 21 BANK ST |
| 7313 | 60 | | 2538970 ONTARIO INC | | 765 WESTNEY RD SOUTH | AJAX | ON | L1S6W1 | 19 BANK ST |
| 7313 | 65 | | DAMICO CHRISTINE ETAL | | 15 APPLE LANE | CALIFON | NJ | 07830 | 26 CODFISH PARK RD |
| 7313 | 66 | | DAMICO CHRISTINE & MAZZA JOHN | | 15 APPLE LN | CALIFON | NJ | 07832 | 24 CODFISH PARK RD |
| 7313 | 67 | | TORABY DARIUS TRST | JUSO REALTY TRUST | 31 STRICKLAND RD | COS COB | CT | 06807 | 11 BANK ST |
| 7313 | 68 | | TOMASIELLO ANTHONY JR & JANET | | 24 LEXINGTON CIRCLE | HOLDEN | MA | 01520 | 13 BANK ST |
| 7313 | 70 | | 9 BROADWAY | | 608 WELLINGTON RD | COPPELL | TX | 75019 | 9 FRONT ST |
| 7313 | 71 | | BROADWAY LLC | C/O F PETER CONATY JR | PO BOX 8080 | WILMINGTON | DE | 19803 | 11 BROADWAY |
| 7313 | 72 | | 9 BROADWAY | | 608 WELLINGTON RD | COPPELL | TX | 75019 | 9 BROADWAY |
| 7313 | 73 | | DANIEL SAMUEL V III | | P O BOX 191 | SIASCONSET | MA | 02564 | 6 BROADWAY |
| 7313 | 74 | | PLOVER LLC | C/O YVONNE WEI MOSER | 7 BARSTOW ROAD | NANTUCKET | MA | 02554 | 8 BROADWAY |
| 7313 | 75 | | WILLIAMS HASEOTES KRISTEN | | PO BOX 2544 | NAPLES | FL | 34106 | 10 BROADWAY |
| 7313 | 76 | | ACK SCONSET LLC | | 1 LONGFELLOW PLACE #3807 | BOSTON | MA | 02114 | 8 CENTER SIAS ST |
| 7313 | 78 | | ARVAY KATHY L | | 5 BLACHLEY CIRCLE | MENDHAM | NJ | 07945 | 3 FOLGERS CT |
| 7313 | 79 | | SCONSET HOLDINGS LLC | | 65 COMMERCIAL WHF EAST #2 | BOSTON | MA | 02110 | 5 FOLGERS CT |
| 7313 | 80 | | NORTHBOUND HOLDINGS LLC | | PO BOX 302 | SIASCONSET | MA | 02564 | 12 SHELL ST |
| 7313 | 81 | | HEYDA DONALD W & KATHRYN J TR | HEYDA ENSCONCED NOM | 378 DAVIS RD | BEDFORD | MA | 01730 | 14 SHELL ST |
| 7313 | 82 | | WARD MARY EMMA H | | 10 GEORGE ST | RIVERSIDE | CT | 06878 | 6 FOLGERS CT |
| 7313 | 83 | | GUSTAFSON DALTON TR | | 27 LEDGE ROCK ROAD | CONCORD | MA | 01742 | 16 SHELL ST |

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| 7313 | 94 | | BALLOU FREDERICK D & JANET D | | LINCOLN ROAD | SUDBURY | MA | 01776 | 21 FRONT ST |
| 7313 | 95 | | READE ARTHUR I JR TRST | C/O JOAN BINGHAM | 39 EAST 79TH STREET APT 14B | NEW YORK | NY | 10075 | 19 FRONT ST |
| 7313 | 97 | | GULLS WING LLC | | PO BOX 401 | SIASCONSET | MA | 02564 | 15 FRONT ST |
| 7313 | 98 | | OCONNELL MARY G | | 1 LONGFELLOW PL #3807 | BOSTON | MA | 02114 | 13 FRONT ST |
| 7313 | 99 | | ARVAY JOSEPH M & KATHY L | | 5 BLACHLEY COURT | MENDHAM | NJ | 07945 | 11 FRONT ST |
| 7313 | 100 | | SOEDER LISA P | | PO BOX 878 | SIASCONSET | MA | 02564 | 13 BROADWAY |
| 7313 | 101 | | MAYER LESLIE PLANT | | 46 SOUTH PLEASANT ST | HINGHAM | MA | O2043 | 14 BROADWAY |
| 7313 | 102 | | PETTY DIANE I DE LOES | 15, CH. LOUIS-DEGALLIER | 15, CH. LOUIS-DEGALLIER | 1290 VERSOIX | | | 10 CENTER SIAS ST |
| 7313 | 103 | | ROOFTREE LLC | | PO BOX 302 | SIASCONSET | MA | 02564 | 12 CENTER SIAS ST |
| 7313 | 104 | | KROHN JEFFREY & MICHELE A | | 129 ORCHARD WAY | BERWYN | PA | 19312 | 14 CENTER SIAS ST |
| 7313 | 105 | | TIRAPELLI NICOLE ALEXANDRIA | | PO BOX 155 | SCONSET | MA | O2564 | 18 CENTER SIAS ST |
| 7313 | 109 | | MOYER CAROL | | 23 PILFERSHIRE LN | SIMSBURY | CT | 06092 | 23 BROADWAY |
| 7313 | 110 | | LICHTMAN JEFFREY A & HORN SHARON | | 1600 PARKER AVE | FORT LEE | NJ | 07024 | 21 BROADWAY |
| 7313 | 111 | | BREEN FAITH F & GEORGE E JR | | 4002 TENYSON ST | HOUSTON | TX | 77005 | 19 BROADWAY |
| 7313 | 112 | | KUMPF RICHARD STUART TR | | 3806 STRATFORD AVE | DALLAS | TX | 75205 | 17 BROADWAY |
| 7313 | 113 | | MALETTA ANNE | | PO BOX 82 | SIASCONSET | MA | 02564 | 15 BROADWAY |
| 7313 | 114 | | KROGH PETER F | MARTIN BOX TRUST | PO BOX 351 | SIASCONSET | MA | 02564 | 16 BROADWAY |
| 7313 | 115 | | STRONG HELEN M & CARTER | | 5 CHALFONT CT | BETHESDA | MD | 20816 | 18 BROADWAY |
| 7313 | 116 | | HUBBS GEORGE J TRUSTEE | AFH NANTUCKET QPRT FAMILY TR | 95 SKIDAWAY ISLAND PARK RD APT 407 | SAVANNAH | GA | 31411 | 20 BROADWAY |
| 7313 | 117 | | APGAR ANNE N TRST ETAL | | PO BOX 4 | SIACONSET | MA | 02564 | 22 BROADWAY |
| 7324 | 1 | | FORTUNE COOKIE LLC | C/O RGHG | 6 YOUNGS WAY | NANTUCKET | MA | 02554 | 5 MAIN SIAS ST |
| 7324 | 3 | | CYGNET 2 PROPERTIES LLC | | 117 ST ALBANS WY | BALTIMORE | MD | 21233 | 2 BROADWAY |
| 7324 | 4 | | RODTS FORREST A TR | OLD GARDNER HOUSE TRUST | 17 GLOVER SQUARE | MARBLEHEAD | MA | 01945 | 5 BROADWAY |
| 7324 | 5 | | RODTS FORREST A TR | OLD GARDNER HOUSE TRUST | 17 GLOVER SQUARE | MARBLEHEAD | MA | 01945 | 5 FRONT ST |
| 7324 | 7 | | LAMOTT FRED G & SARAH F TRST | | PO BOX 462 | SIASCONSET | MA | 02564 | 1 BANK ST |
| 7324 | 8 | | HEGARTY WILLIAM T & WILLIAM T JR TRS | | 41 TAYLOR ST | SAUGUS | MA | 01906 | 5 BANK ST |
| 7324 | 9 | | COHEN STEVEN L TR | 12 CODFISH PARK RD TR | PO BOX 786 | NANTUCKET | MA | 2554 | 12 CODFISH PARK RD |
| 7324 | 10 | | WILNER SHELIA & ROBERT TR | | 787 KING STREET | RYE BROOK | NY | 10573 | 10 BEACH ST |
| 7324 | 11 | | WILNER SHEILA TRST ETAL | | EDGAR ROAD | GREENWICH | CT | 06830 | 16 CODFISH PARK RD |
| 7324 | 36 | | NANTUCKET CONSERVATION FOUND I | | PO BOX 13 | NANTUCKET | MA | 02554 | 2 MAIN SIAS ST |
| 7324 | 37 | | MCNAMARA JULIANNE S & | MANN MARY ELIZABETH | 584 N SCHOOL LANE | LANCASTER | PA | 17603 | 1 BROADWAY |
| 7324 | 38 | | REGAN AMY H & GOLDSMITH | | P O BOX 1678 | NEW LONDON | NH | 03257 | 3 BROADWAY |
| 7324 | 39 | | REGAN AMY HARPER & | GOLDSMITH CATHERINE | P O BOX 1678 | NEW LONDON | NH | 03257 | 10 CODFISH PARK RD |
| 7324 | 40 | | WALKER JULIA M ETAL | | C/O JULIANNE MCNAMARA | LANCASTER | PA | 17603 | 8 CODFISH PARK RD |
| 7324 | 41 | | ELBOW LANE GROUP LLC | | 29 MURRAY HILL CIRCLE | BALTIMORE | MD | 21212 | 7 ELBOW LN |
| 7324 | 51 | | NANTUCKET TOWN OF | C/O PARK & REC | 2 BATHING BEACH RD | NANTUCKET | MA | 02554 | 5 CODFISH PARK RD |
| **Count:** | **74** | | | | | | | | |

# Letters

Leslie Snell
Deputy Director of Planning & Zoning Adminis
trator
Nantucket Zoning Board of Appeals
2 Fairgrounds Road
Nantucket, MA 02554
lsnell@nantucket-ma.gov

Thursday, October 6th,2022

Dear Deputy Director Snell and members of the ZBA:

First, I apologize for being tardy in this letter.

Second, I appreciate the time and effort. You are taking in reviewing my appeal.

That said, I would like to applaud the Amendolare's application to attend to a contributing historic structure. The historic fabric of Sconset is quickly eroding like the beach in front of us. However, there is a difference in the action to attend the building and effect a change which impacts which adversely impacts the historic homes abutting the property as well as those affected by the construction process.

The compliance with the "look" of the cottage by the architect, Angus McCleod, are within the parameters of compliance certainly. However, what is not within the realm of acceptable is the height and the disruption of the hydrology- basically sand with a clay sub-strata. I will address each.

The height of the building exceeds the bounds of propriety for the district. It is putting up a high rise in the middle of the village of Sconset. Less visible because it is partially hidden by being at the base of the Middle Gulley road. To address the obvious first, the new house across the street is over-sized on a small lot that accommodating both an old colloquial shack turned lovely home and the new giant. What is the FAR here?!! This is a house that should never have been permitted to be built. Letters from the SAB were never received by neighbors advising of the impending plans to build. This is a similar situation where affected neighbors such as myself at 15 Broadway, House of Lords(Front Street access) or the Sconset Civic Association were never advised of the intention to build. The issue here of one of streetscape and continued usage of Middle Gulley. Construction something higher than the roadway is outrageous. If Sconset is the quintessential picturesque village, why then are the Amendolare's permitted to compromise this idyllic scene without impunity? Does the Nantucket Tourism office with it's plans to make Nantucket a destination venue realize the act of putting in an oversized building, impeding views from Front Street and Middle Gully walkway, will compromise their efforts? People use Middle Gully as a passage way to the beach, the playground, or just walking their dogs. As the permanent population of Sconset grows, the usage is increasingly becoming year-round.

The beauty of the vista is a major reason we take this particular route.

Second, the compelling hydrology of the cliff. I am not an engineer but can tell you that disrutptions caused by the building process around Sconset impact neighbors three street away.
Putting of pilings was stopped in the neighborhood when neighbors were alarmed at the impact to their homes. We are in such close quarters that a neighbor's landscaper leaving on a faucet flooded an adjacent homes basement (which in fact was mine) and caused flooding down Broadway as far as the market. This is to say any invasion of the already fragile cliff will be felt by ALL. Many of us still have no cement foundations. When the sand shift, or the clay is interrupted to be filled by sand, the terrain fluctuates. That impacts MY house. And herein lines my primary concern and I would request that these people be required to do an impact statement based alteration and where the soil may be altered. We need to be advised of what the building of the impending structure means to the integrity of our own homes. And I will most certainly NOT accept an answer based of the "word" of an expert. I deserve and require that your Appeals Board that my needs into consideration and tell me how I will be compensated when my own home, currently stable is listing a little too much and imperiled!

It is time for me to speak up and tell you that more is definitely not better than less in this instance.

Thank you for your consideration in this matter.

Anne Maletta
House of Lords
15 Broadway
Sconset, MA 02564
(508)257-6646
Mal7669@gmail.com

## Nickesha Sheriff

**From:** Peter Krogh <pfkrogh@gmail.com>
**Sent:** Thursday, October 6, 2022 10:28 AM
**To:** Nickesha Sheriff; William Saad
**Subject:** 8 Bank Street

Codfish Park has historically been a cozy neighborhood of low-lying cottages. Currently, 8 Bank Street fits that description perfectly. The proposed structure does not. It seems to us that the case against it is that simple.

Peter and Carol Krogh, 16 Broadway, Siasconset

This email was scanned by Bitdefender

## Nickesha Sheriff

**From:** sherryboo57@aol.com
**Sent:** Thursday, October 6, 2022 7:30 AM
**To:** Nickesha Sheriff
**Subject:** 8 Bank Street 'Sconset

Dear Nicki,

I am writing with a heartfelt plea to save our middle gully. I am a nearby neighbor that has had a house in the family for almost 300 years. Not only am I worried about the damage to surrounding structures, but there is no need for a tall new structure blocking one of the only views left of the ocean on Front Street.

I cannot believe that 8 Bank Street is even being considered in the first place. It's a historic area, and should have a million restrictions upon it. People cannot even change a window or a porch and this whole huge reconstruction is still on the table?

I think most importantly, the actual construction of the structure will have huge consequences to the surrounding buildings. Our house, as well as many nearby, are hundreds of years old - built without solid foundations and patched together with whatever extra windows and pieces of wood that were lying around. I fear greatly for our little cottage surviving the pounding of creating the Bank Street basement.

These people who bought this house clearly don't care about the consequences - they just want to do what they want to do. From what I've heard, they are going to just flip it and not even live there themselves. Once they've ruined the integrity of the bank and surrounding homes, it will be too late - they will be ruined. This is a tiny, antique neighborhood. Precious to us, but to the island's history as well. We cannot give into the greed and self-centered kinds of people that have taken over the island without a care for who or what they hurt to have what they want.

Please really think about this project, and whether it is necessary to jam a 2 story with basement house into a tiny little lot cutting into the bank, amidst a tiny historic village. There will be damage, I can assure you.

Thank you,
Sherry Rodts Kelley
5 and 5 1/2 Broadway 'Sconset

This email was scanned by Bitdefender

RECEIVED
OCT 06 2022
By

FITCH

MALGORZATA A. MRÓZEK
mam@fitchlp.com

October 5, 2022

FITCH LAW PARTNERS LLP
84 STATE STREET
BOSTON, MA 02109

**VIA E-MAIL**

Leslie Snell
Deputy Director of Planning & Zoning Adminitrator
Nantucket Zoning Board of Appeals
2 Fairgrounds Road
Nantucket, MA 02554
lsnell@nantucket-ma.gov

RE: 37-21 Kristina and Nicholas Amendolare Application for Special Permit for 8 Bank Street

Dear Leslie:

As the respresentatives of the owners of 9 Broadway and 9 Front Street ("Owners"), we respectfully request your attention to the information attached, which consists of the Owners' response to the information provided in the Viewpack dated September 8, 2022 for the 8 Bank Street construction.

As the construction contracts are currently structured, there is no recourse for repairing damages after they have occurred to Middle Gulley or the abutters' properties. The 9 Broadway and 9 Front Street Owners request that as a condition of permitting, the ZBA require the 8 Bank Street Owners establish a construction escrow account for the benefit of the Town and the abutters. The funds should be available to rectify any damage caused by the construction of 8 Bank Street, both during construction and for a period of several years after construction completion to allow for the settlement of the soil. The escrow amount should equal the cost to restore Middle Gulley and the abutters' properties.

Would you be so kind as to place color copies of this letter and the attached Response to Report and accompanying exhibits in the ZBA packet for next Thursday, October 13, 2022?

Thank you.

Sincerely yours,

Malgorzata A. Mrózek

MAM:cb

PHONE 617-542-5542
FAX 617-542-1542
FITCHLP.COM

Attachment

cc: Jonathan W. Fitch, Esq.
Arthur Reade, Esq.
Jeff Gardner
Ann Ramsey Gardner
Margaret Van Deusen
Joseph Arvay
Kathy Arvay
Lisa Soeder

# 8 Bank Street
## Construction Risk Management
## Response Report to the 09.08.22 Viewpack

October 5, 2022

**Issues of Concern**

- Depth of excavation is expected to be as low as 17'0" below existing grade on the hill, a deep excavation adjacent to existing slopes and retaining walls supporting Middle Gully Road and 9 Front Street.
- Excavation has potential to impact ground with in a 1:1 (horizontal to vertical) zone of influence where soil could shift or move from the bottom of excavation, which would reach as far as Front Street. The retaining walls supporting Middle Gully Road and 9 Front Street are within the zone of influence of the planned excavation, meaning the excavation has the potential to cause movement of the soils around and below these retaining walls.
- The retaining walls are likely brittle and fragile and susceptible to damage or settlement from vibrations even with the use of a variable moment vibratory hammer. Furthermore, the retaining walls and soil around the retaining walls have not been investigated. Soldier piles in this area should be installed in drilled holes to protect these structures.
- The layout of the conceptual SOE system requires removal of a part of the existing stone rubble retaining wall supporting Middle Gully Road. The design should address how this wall will be removed, how Middle Gully Road will be supported during construction, and how this historic retaining wall will be replaced.
- An existing tree is in line with the proposed SOE system. The SOE drawings do not address how this tree will be removed and the stability of the ground maintained during and after tree removal.
- The support of excavation plans provide insufficient detail.
- Foundation and structural drawings were not provided.
- There is no monitoring plan in place during construction or after for a period of at least a year or plan for contingency measures if excess movements occur and the conceptual monitoring plan is insufficient.
- The Owners request that drawings of the protection measures for the Middle Gulley and 9 Front Street retaining walls during and after construction be provided prior to ZBA approval.
- Excluded from the proposal of Toscana was responsibility for damage to abutters. They maintain general liability insurance only, no professional liability insurance. The Amendolares are to provide all-risk insurance to cover any damage to property that may result in connection with construction.
- Finished Grade on the architectural drawings is shown at street level, not finished grade. The MGA Geotechnical Report indicates that existing grades for the site vary from 18' to 20' yet does not confirm a finish grade of 18'0". The Owners request that a finish grade of 18'0" be added to all drawings to be approved by the Building Department.
- Confirmation was not received from DPW of whether the storm sewer is beneath Middle Gulley, if removal of the tree would cause structural damage, and whether they are responsible for the Middle Gulley retaining wall.
- 8 Bank Street is one of the 5,027 remaining Contributing Buildings for Nantucket Island's National Historical Landmark designation.
- Peter and Katherine Roby were listed as abutters for 9 Front Street, which should be revised to 9 Broadway, LLC.

**Missing Documentation**

- "As-Built Subsurface Sewage Treatment & Disposal System," dated August 14, 2020, by Site Design Engineering;
- Foundation design and structural drawings;
- Detailed SOE Design Plans including means and methods for SOE installation;
- Plan for removal of the existing tree on the slope;
- Plan for removal and replacement or protection-in-place of the old stone rubble retaining wall supporting Middle Gully Road;
- Monitoring and protection plans for adjacent structures, utilities and roadways; including limiting movement criteria and contingency stabilization measures if movement thresholds are exceeded;
- Escrow account documentation with funds adequate to cover the cost of repairs to abutters;
- Surface Water and Groundwater Control Plan;
- Erosion Control Plan;
- Schedule of construction and plans to mitigate impacts due to construction traffic and noise.

## 1. Middle Gulley Support Issues

Utilities provided under Middle Gulley were confirmed to include water and potentially the storm sewer services to Codfish Park, the latter to be confirmed by Nantucket DPW.

Per the Wannacomet Water Company ("WWC"), the water service pipes favor the Westerly side of Middle Gulley. The 8 Bank property already has existing domestic service from Bank Street. WWC is not responsible for maintaining Middle Gulley.

The Owners of 9 Broadway and 9 Front Street ("Owners") requested, but did not receive, a response from the Nantucket DPW to confirm if:

- Storm sewer service runs under Middle Gulley, how close the pipes are to the east side, and whether excavation of Middle Gulley would be necessary to connect the sump pump.
- Nantucket DPW is responsible for maintaining Middle Gulley.
- Removal of the Maple tree in the side of Middle Gulley would cause structural damage.

The Nantucket Fire Department confirmed that Middle Gulley would not be used for emergency vehicle access, however, as one of only three access points to Codfish Park, would be used by residents to evacuate. The SOE design should address this requirement and be designed to support potential emergency evacuation loads.

## 2. Excavation & Site Work

An estimate was provided in the Viewpack by Toscana Corporation, dated June 10, 2022, to the Amendolares. The estimate was based on the McArdle Gannon Associates, Inc. ("MGA") drawings dated May 5, 2022. The scope of work includes excavation, the earth retention system, construction of the foundation, utilities, and subgrade work.

Excluded from their proposal was responsibility for damage to abutters. They maintain liability insurance only, no professional liability insurance, and no bond or escrow account to cover the potential repairs to adjacent structures and properties if damages occur. They did not include measurement of earth movement during or after construction.

## 3. Geotechnical Engineering Report

The Viewpack included a Geotechnical Engineering Report by MGA, dated May 5, 2022 ("Geotechnical Report").

The Owners refer the ZBA to our previous responses, which included two letters from Mueser Rutledge Consulting Engineers PLLC ("MRCE"), the first dated February 23, 2022 (Incorporated as an exhibit to the May 10, 2022 MRCE Letter in "Exhibit "A"), noted risks that included:

- The proposed excavation along Middle Gully Road is too deep for cantilever support of the hillside and will require one to two levels of bracing to restrain lateral movement.
- Installation of soldier piles by driving (even with a variable moment vibratory hammer) can cause vibrations and ground loss with consequent ground settlement and damage to the fragile retaining walls in the upland slope, particularly considering that the soil conditions upslope are not explored and the fragile/brittle rubble retaining walls supporting Middle Gully Road are within feet of the proposed installation.
- Furthermore, beyond vibration induced movement, excavation has the potential to cause lateral or vertical movement of ground with in a 1:1 (horizontal to vertical) zone of influence from the bottom of excavation, which would reach as far as 9 Front Street and would be compounded by any movement or damage to the Middle Gulley and 9 Front Street retaining walls;
- The deep unrestrained excavation risks excess lateral movement of the support of excavation system. Excess lateral movement will destabilize or damage existing retaining walls for Middle Gulley and 9 Front Street due to the adjacent deep cantilevered excavation.
- The layout of the conceptual SOE system requires removal of a part of the existing stone rubble retaining wall supporting Middle Gully Road. The design should address how this wall will be removed, how Middle Gully Road will be supported during construction, and how this historic retaining wall will be replaced.
- The support of excavation plans provide insufficient detail.
- Monitoring and protection plans were missing.

The 2nd MRCE letter, dated May 10, 2022 (Exhibit "A"), reviewed the Geotechnical Report and further responded. In summary, the concerns indicated in the MRCE letter include the following:

- Soil types are fine to medium fine sand above granular fill of very loose to loose coarse gravel, containing little silt or clay binder, so the loose sands are "relatively weak and sensitive to disturbance and ground loss during SOE installation."
- Test pits were not done to investigate the Middle Gulley or 9 Front Street retaining walls, and the current plan only mentions only investigating the rubble retaining walls supporting Middle Gully Road and not also the walls supporting 9 Front Street.
- The vibratory hammer used to install soldier piles introduces the risk of soil settlement and cracking existing fragile and brittle retaining walls to Middle Gulley and supporting 9 Front Street.
- SOE drawings do not describe how the existing stone retaining wall to Middle Gulley will be protected. The Owners request that drawings of the protection measures for the Middle Gulley retaining wall be provided prior to ZBA approval.
- Monitoring plans for the retaining walls and abutters' structures were not provided.
- An existing tree is in line with the proposed SOE system. The SOE drawings do not address how this tree will be removed and the stability of the ground maintained during and after tree removal.

With finished grade on the architectural drawings stated as 18'0", MGA indicates foundation footings to be located at Elevation 7.7 ± feet, which would be approximately 10' 3-1/2 " below finished grade. Depth of excavation is expected to be as low as 17'0" below finished grade, which would temporarily increase the height of the Front Street bank from 16'5" to 33'6".

**4. Survey**

Blackwell & Associates, Inc. provided a revised survey, dated August 15, 2022. The survey indicated the range of ground level elevations within the site boundaries to range from 17.7' to 18.3'. The height of the 9 Front Street retaining wall was confirmed at 34.5' and to the top of its fence was 37.5'.

**5. Nantucket Island Architectural & Cultural Resources Survey**

Per the Cultural Resources Survey record for 8 Bank Street, dated September 22, 1989, 8 Bank Street was built circa 1930 and is one of the 5,027 remaining Contributing Buildings for Nantucket Island's National Historical Landmark designation. (Exhibit "B")

**6. Protection for Abutters: Bond / Escrow / Insurance**

As mentioned previously, the excavation/site contractor agreed only to provide general liability insurance. The Amendolares were to provide all-risk insurance sufficient to cover any damage to property that may result in connection with construction. As a protection for abutters, insurance is the least favorable option to the abutters, given that it solely protects the insured.

Escrow is a preferred option. The 9 Broadway and 9 Front Street Owners request that the ZBA require the 8 Bank Owners to deposit funds into a construction escrow account managed by a third party for the benefit of the Town and abutters, typically through a title company, escrow agency, or attorney. The funds should be available to rectify any damage caused by the construction of 8 Bank Street, both during construction and for a period of several years after to allow for the settlement of the soil.

# Exhibit A

MRCE
built on firm foundations

**PRINCIPALS**
Peter W. Deming
Roderic A. Ellman, Jr.
Francis J. Arland
David R. Good
Walter E. Kaeck
Sitotaw Y. Fantaye
Jan Cermak

**ASSOCIATE PRINCIPALS**
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May 10, 2022

Ann and Jeff Gardner
9 Broadway
Nantucket Island
Siasconset, MA 02554

Re: Review of Plans for Adjacent Construction at 8 Bank St
9 Broadway & 9 Front Street
Nantucket Island, Siasconset, MA
MRCE File No. 14294

Dear Mr. and Mrs. Gardner

As requested, Mueser Rutledge Consulting Engineers (MRCE) reviewed the proposed plans for support of excavation (SOE) during below grade construction at the adjacent 8 Bank Street property. Our review focused on the potential impacts of the proposed construction on your property (9 Broadway and 9 Front Street) and the adjacent public roadway (Middle Gully Road) along the west side of the excavation. We summarize herein the results of our review.

We note that we previously performed an evaluation of the potential impacts of construction at 8 Bank Street based on conceptual plans of the proposed construction. Our prior evaluation is summarized in our February 2022 letter, attached for reference in the Appendix.

## DOCUMENTS REVIEWED

You provided us with the following documents received from the #8 Bank Street property owner:

1. Geotechnical Engineering Report for Proposed Renovation at 8 Bank Street by McGardle Gannon Associates, Inc. dated May 5, 2022 (31 pages).
2. Temporary Support of Excavation Drawings for 8 Bank Street by McGardle Gannon Associates, Inc. dated May 5, 2022 (3 sheets).

## MRCE REVIEW COMMENTS

In general, our review indicates that the proposed SOE design does not sufficiently protect the adjacent properties. The Building Department should require a number of alterations to the proposed construction plans in order to protect the adjacent properties. More specific comments follow.

### Geotechnical Engineering Report

1. The soil borings made as part of the site geotechnical investigation indicate that the natural and manmade soils underlying the 8 Bank Street property and comprising the adjacent hillside consist of very loose to loose sands with little fine grained (silt and clay) binder. These loose sands are relatively weak and sensitive to disturbance and ground loss during SOE installation.

2. The geotechnical investigation did not include any test pits or other exploratory probes to establish the depth, condition, or dimensions of the existing rubble retaining wall supporting Middle Gully Road or the concrete retaining wall supporting 9 Front Street.

Support of Excavation (SOE) Design

3. The proposed SOE system consists of cantilevered soldier pile and timber lagging that does not appear to adequately account for the loose sand beneath and behind the SOE wall and rising slope of the retained ground that significantly increases the lateral earth pressures applied to the SOE system along the west side of the excavation. We estimate that the soldier pile and lagging system may displace 6-inches or more horizontally. This magnitude of movement could damage or destabilize the existing retaining walls supporting Middle Gully Road and 9 Front Street. Lateral bracing such as inclined rakers should be designed and installed to stiffen the SOE system and minimize displacements of the adjacent ground during basement excavation.
4. The planned use of a vibratory hammer to install the soldier piles introduces the risks of settlement and cracking of the surrounding ground and retaining walls supported on the loose sands encountered in borings. Loose soils tend to densify when vibrated. Soldier piles should be installed in drilled, cased holes to minimize disturbance and vibrations of the surrounding ground.
5. The SOE Drawings do not describe the existing retaining walls or detail how the existing retaining walls will be protected during construction. The drawings indicate that "MGA has made assumptions concerning the soundness of the buildings adjacent to the site. These assumptions are that these buildings and structures were designed in conformity with good design practice. The Contractor should take extraordinary precautions concerning the preservation of the adjacent properties."
    a. The existing retaining walls supporting Middle Gully Road and 9 Front Street are old and may not have been constructed to an engineered design. On that basis, the assumption that these retaining walls are constructed in conformity with good design practices is overly optimistic and may not be accurate. As the proposed construction could potentially destabilize these retaining walls, the SOE designer is responsible to investigate the condition and depth of support of these structures and develop adequate protection measures before installing SOE and performing adjacent excavation.
    b. The SOE Drawings should be updated to detail the 'extraordinary precautions' planned to protect the existing retaining walls such that the Contractor (as well as effected parties) is aware of these requirements and so that the Contractor implements these measures prior to excavation.
    c. The proposed regrading of the ground surface behind the SOE, as shown on Design Section A, removes passive support from the existing rubble retaining walls supporting Middle Gully Road without any clear stabilizing measures. The designer should investigate the foundations of these retaining walls and design measures to stabilize the walls as needed.
6. The SOE Drawings should not permit excavation of more than two-feet prior to installing timber lagging as excavation proceeds since the loose sands have limited standup time and are inherently unstable. Unsupported excavation faces will lead to ground loss and increase impacts to the adjacent structures.

Monitoring Plan

7. The monitoring plan does not include installation of monitoring points on the existing rubble retaining walls supporting Middle Gully Road. The plan should be updated to include monitoring points to measure vertical and lateral deformations of this nearby retaining wall.
8. The monitoring plan does not indicate the location or number of monitoring points to be installed on the existing retaining walls. An appropriate plan would include monitoring points every 10 to 20 ft horizontally and at least two levels (vertically) on the 9 Front Street Retaining Wall.
9. The monitoring plan does not set threshold or limiting (stop work) levels for movements of the existing retaining walls supporting Middle Gully Road or 9 Front Street. An appropriate threshold level of 0.25-inches and a limiting movement of 0.5-inches (horizontal or vertical) is appropriate for structures of

these types.

10. The proposed weekly frequency of surveying is not adequate during active excavation and could allow movements to accumulate before being captured in monitoring. Surveys should be every other day (at a minimum) during excavation.
11. The monitoring plan does not indicate if (and how frequently) the results of monitoring will be transmitted to the affected neighboring properties. All monitoring data should be provided to the adjacent property owners. An appropriate transmission cycle would be to provide monitoring data to adjacent property owners within 24-hrs of collecting the data.
12. The SOE Drawings do not provide contingency plans if limiting movement values are exceeded. The drawings should include contingency plans for stabilizing and/or replacing the existing retaining walls if damaged.

Additional Issues

13. An existing tree is in line with the proposed SOE system. The SOE drawings do not address how this tree will be removed and the stability of the ground maintained during and after tree removal.
14. The proposed SOE system is aligned with an existing 4- to 6 -ft tall retaining wall that currently stabilizes the west side of 8 Bank Street and Middle Gully Road. The SOE Drawings need to address how the wall will be demolished to facilitate SOE installation and how stability will be maintained during and after wall demolition.
15. The SOE Drawings indicate that the hillside slope along the west side of the excavation will be stripped and regraded to a steeper slope. The drawings should address how the cut slope will be protected against erosion.
16. The SOE Drawings do not indicate if traffic (pedestrian or vehicular) is permitted along Middle Gully Road during excavation. The plans should be updated to indicate whether pedestrian traffic or vehicular traffic is permitted on Middle Gully Road and the traffic surcharge pressures accounted for in SOE design, if traffic is permitted.

In general, even a well-designed and supported excavation has potential to impact ground within a 1:1 (horizontal to vertical) zone of influence from the bottom of the excavation. All of Middle Gully Road and most of 9 Front Street are within the potential 1:1 zone of influence of the deep excavation required for basement construction at 8 Bank Street. Therefore, we request that the Department of Buildings require the SOE designer to update the SOE design to address the issues outlined above.

Furthermore, the proposed deep excavation at 8 Bank Street results in a potential risk to the Town and County of Nantucket (owners of Middle Gully Road), the general public (users and beneficiaries of access to Middle Gully Road), and the Owners of 9 Front Street. The risk assumed by permitting this construction is that the construction results in damage to Middle Gully Road or the property at 9 Front Street, which are both clearly within the zone of influence of the proposed excavation. If 8 Bank Street is not prepared or is unable to support repairs, there is little recourse for repairing the damages after the fact. Consequently, we recommend that, as a condition of permitting, the reviewing agency require that 8 Bank Street establish a construction escrow account to cover the costs of potential repairs to Middle Gully Road or 9 Front Street in the event that the construction damages occur to these properties. In this way, the Town and County of Nantucket, the general public, and the owners of 9 Front Street are protected from any potential impacts of the construction. The escrow amount should be a portion of the total construction cost and maintain in place for one year after the completion of the basement construction if there are no damages to the surrounding properties.

Please contact the undersigned if you have any questions.

Very truly yours,
**MUESER RUTLEDGE CONSULTING ENGINEERS PLLC**

Jesse L. Richins

Walter E. Kaeck, Principal

# APPENDIX

MRCE
built on firm foundations

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February 23, 2022

Ann and Jeff Gardner
9 Broadway
Nantucket Island
Siasconset, MA 02554

Re: Evaluation of Potential Impacts of Adjacent Construction
9 Broadway & 9 Front Street
Nantucket Island, Siasconset, MA
MRCE File No. 14294

Dear Mr. and Mrs. Gardner

In accordance with our contract dated February 8, 2022, Mueser Rutledge Consulting Engineers (MRCE) has completed a site visit and geotechnical review of potential impacts to your property (9 Broadway and 9 Front Street) and the adjacent public roadway due to the proposed construction at the neighboring 8 Bank Street property. Our evaluation relies on visual observations of existing conditions made during our site visit and information provided to the local Zoning Board describing the proposed construction.

## EXECUTIVE SUMMARY

Key findings and conclusions regarding the potential impacts of the proposed construction on adjacent property are presented below based on our site visit and review of available documents describing the proposed work at 8 Bank Street. Subsequent sections of this report provide the supporting data upon which our findings are based.

1. The proposed construction at 8 Bank Street requires excavation to a depth of more than 17 feet immediately adjacent to retaining walls supporting adjacent roadways and properties.
2. The existing retaining walls are non-engineered structures that are relied on to support the hillside slope and adjacent structures above 8 Bank Street. The retaining walls consist of old stone rubble walls and lightly reinforced concrete walls of unknown dimension, depth and stability (safety factor) that are vulnerable to damage caused by the adjacent deep excavation at 8 Bank Street.
3. As a result, the proposed excavation at 8 Bank Street poses the risk of destabilization or collapse of the retaining walls with consequent impact to Middle Gully Road and adjacent properties such as 9 Front Street.
4. The conceptual plans submitted to the Zoning Board for building construction and support of excavation during basement construction at 8 Bank Street provide insufficient detail to ascertain whether 8 Bank Street and their engineers have adequately considered the risks to adjacent structures due to the proposed construction.
5. In order to protect the public and adjacent property owners, we recommend that the Zoning Board require that 8 Bank Street submit more detailed design

and construction documents (as listed herein) that includes monitoring and protection plans for adjacent structures, utilities and roadways.

6. Furthermore, in order to protect the adjacent roads and properties, we recommend that the reviewing agency require that 8 Bank Street provide a construction escrow account to cover the costs of potential repairs to adjacent structures and properties if damages occur.

## SITE DESCRIPTION

The site is on the east side of Nantucket Island, in the historic town of Siasconset. The town of Siasconset is primarily located on a bluff between Elevation +50 and +30 overlooking the Atlantic Ocean. However, on the westernmost end of Siasconset, the small historic community of Codfish Park exists near the base of the bluff with ground surface sloping downward from Elevation +17 at the base of the bluffs down to +10 near the beach. Elevations in this report are based on data presented on the City and County of Nantucket GIS site, and are assumed to refer to the North American Vertical Datum of 1988 (NAVD 88).

Our engineering review is related to the potential impacts to two properties on the western edge of the bluff (9 Broadway and 9 Front Street) and the roadway connecting the bluff to Codfish Park (Middle Gully Road) due to proposed building construction at the adjacent property near the bottom of the bluff (8 Bank Street). The relative arrangement of the adjacent properties and roadway is shown in Figure 1.

Source: Town and County of Nantucket, MA Online GIS Maps

Figure 1 – Site Location Plan

Residential development along the bluff has resulted in installation of a series of retaining walls to create terraces (level ground) in the slope for construction of roadways and private homes as Illustrated graphically in Figure 2 and further described below. These non-engineered retaining walls consist largely of old stone rubble walls and lightly reinforced concrete walls of unknown dimension, depth and stability (safety factor).

9 Broadway

9 Broadway is occupied by a two-story U-shaped residence with a basement on relatively flat ground. The site is bounded by Broadway to the west, a residence at 11 Broadway to the North, the historic sea shell

covered Front Street to the East and a residence at 7 Broadway to the south. Ground surface is at about Elevation +35.

9 Front Street
9 Front Street is a roughly triangular-shaped landscaped garden lot across Front Street from the structure at 9 Broadway. The site is bounded to the west by Front Street, to the south by a yard for 7 Front Street, and to the east by Middle Gully Road. The site is ringed by a wooden fence. An existing concrete retaining wall forms the east property line and retains the garden elevated above Middle Gully Road. The retaining wall is 10-inches thick at the top and ranges from 1- to 8-feet in height. Review of historic photos indicates that the retaining wall was constructed at some point after 1940. The garden is approximately flat at around Elevation +34.

Middle Gully Road
Middle Gully Road is a public roadway connecting Bank Street and Beach Street in the lower Codfish Park area to Front Street at a higher elevation. Middle Gully Road traverses the bluff in a narrow corridor between 9 Front Street to the west and 8 Bank Street to the east. The roadway is brick, cobble, and grass lined and slopes downward from about Elevation +34 at Front Street to Elevation +17 at the intersection with Bank Street. The west side of Middle Gully Road includes a low mortared stone rubble retaining wall that steps out from the toe of the larger concrete retaining wall supporting 9 Front Street. The east side of Middle Gully Road includes a wooden hand rail and a 2- to 3-ft tall rubble and boulder retaining wall supporting the roadway above 8 Bank Street. We understand that a water main runs beneath Middle Gully Road and that Middle Gully Road provides emergency egress for the Codifsh Park area (as the only other roadway in and out of Codfish park is Gully Road).

8 Bank Street
8 Bank Street is bounded to the south and west by Middle Gully Road, to the North by 11 Front Street, to the east by Bank Street. The site is sloped down from the west. The site is currently occupied by a single story residence. Review of historic photos indicates that the structure served as a hot dog stand in the 1930's. Ground surface at the structure is at about Elev. +17.

## DOCUMENTS REVIEWED

You provided us with a document package that #8 Bank Street submitted for review to the zoning board authority and historical district commission. The documents include:

- Conceptual Floor Plans and Section for 8 Bank Street by Angus Macleod Designs (4 sheets).
- A Conceptual Excavation Support Plan drawing prepared by McArdle Gannon Associates (MGA) and dated January 28, 2022 (SOE-1) (1 sheet).
- A statement of work scope dated January 28, 2022 for geotechnical engineering services to be performed by MGA. Proposed services include design of temporary support of excavation, performance of geotechnical investigations and pre-construction surveys, and construction observation (2 pages).
- Historic District Commission Submission dated August 19, 2021 including architectural elevations and plans by Angus Macleod Designs (20 pages).

## PROPOSED CONSTRUCTION

Based on our review of the zoning board submittal documents, we understand that the Owner of 8 Bank Street is currently requesting zoning board approval to permit construction of a 2 level building addition with a single level basement below the addition and the footprint of the existing structure. Basement construction will require excavation to a depth of about 10.5 feet along Bank Street and more than 17 feet below Middle Gully Road. The conceptual support of excavation (SOE) plan included in the submission indicates that a

soldier pile and timber lagging system will provide temporary shoring of the excavation sidewalls during basement construction. The SOE is shown setback 3 to 4 feet from the new building footprint. The conceptual SOE plans do not provide details on the size of the soldier piles, methods of installation, or lateral bracing.

## SITE OBSERVATIONS

MRCE Engineer and Senior Associate Mr. Jesse Richins visited the site on February 10, 2022 to observe site features and the condition of existing structures in the area of proposed construction.

9 Front Street Retaining Wall

An existing concrete retaining wall wraps around the south, east, and north sides of 9 Front Street. The retaining wall ranges from about 8-ft tall at the south end of the property to about 1-ft tall at the north end. The wall is 10-inches thick at the top of the wall. The front face of the wall includes vertical slots spaced 3- to 5-feet apart and approximately the size of 2x4 lumber. Remnant timber is present in some of the slots. Within the slots, welded wire fabric was observed at 18-inch spacing. The geometry of the concrete wall (thickness of stem below the top of the wall, base dimensions, depth to footing, etc.) are not known. A horizontal step exists at the toe (base) of the wall that extends 2- to 3-ft horizontally out from the wall into Middle Gully Road (from the front face of the concrete retaining wall) and 1- to 2-feet vertically downward. The step is retained by a mortared stone rubble wall.

The front face of the wall is approximately vertical. Several shallow horizontal cracks and minor spalling are evident. The cracks appear to indicate separation of aggregate when the concrete for the wall was poured. Horizontal crack depth is generally less than 1-inch. Several full depth vertical cracks are present in the south return wall and along the vertical slots in the wall. The concrete wall appears generally stable and in fair condition. At several locations, the mortared stone rubble retaining wall has loose stones and missing mortar.

Photographs illustrating the existing condition of the retaining wall are presented in the Appendix.

8 Bank Street Slope and Retaining Walls

Middle Gully Road is separated from 8 Bank Street by a mortared stone rubble wall. The wall is approximately 2- to 3.5-ft tall. At one location, roughly 1/3 of the way up the road, a tree has grown on the downslope side of the wall with tree roots penetrating into the wall. On the north end of 8 Bank Street, the slope down from the retaining wall is vegetated with grass. A 6-ft tall CMU retaining wall separates the slope from a small patio courtyard on the north end of 8 Bank Street.

Photographs of the slope and retaining wall are presented in the Appendix.

## POTENTIAL IMPACTS OF PROPOSED CONSTRUCTION

The proposed construction requires a deep excavation to a depth of more than 17 feet immediately below Middle Gully Road and the nearby retaining wall supporting 9 Front Street. Furthermore, the retained ground slopes up to a higher elevation, resulting in increased lateral earth pressures on the SOE system as shown in cross-sections A-A' and B-B' in Figure 2.

In general, even a well-designed and supported excavation has potential to impact ground within a 1:1 (horizontal to vertical) zone of influence from the bottom of the excavation. As illustrated in plan and section on Figure 2, all of Middle Gully Road and most of 9 Front Street are within the potential 1:1 zone of influence of the deep excavation required for basement construction at 8 Bank Street. The structure at 9 Broadway is generally beyond the potential zone of direct influence. As a result, the proposed deep excavation could cause ground loss and instability of the retained ground in a number of ways including but not limited to:

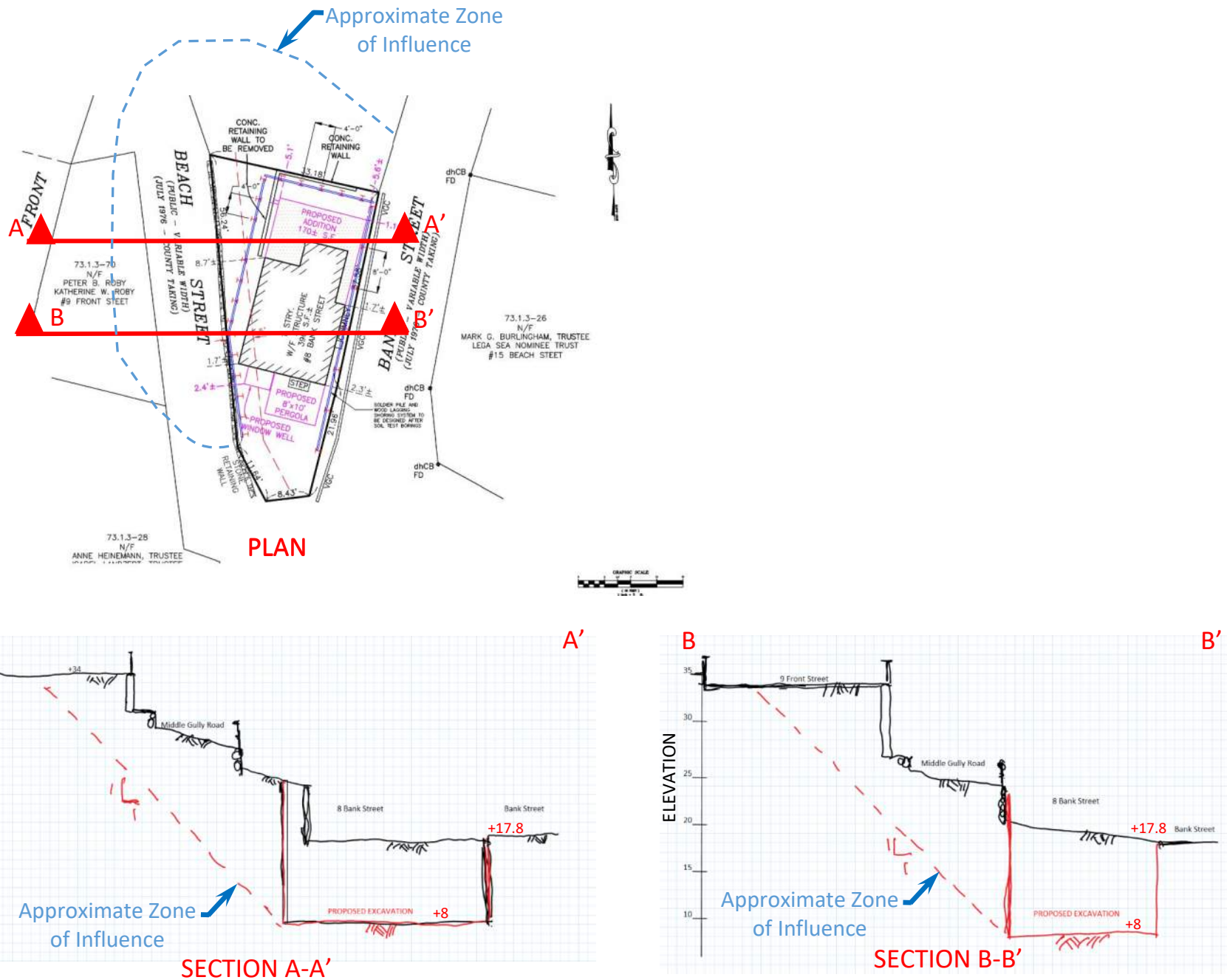



FIGURE 2 – PROPOSED CONSTRUCTION

1. Insufficient lateral bracing of the SOE system, resulting in horizontal movement of the retained ground and possible collapse of the adjacent retaining walls
2. Installation of soldier piles by driving or other methods could cause vibrations and ground loss with consequent ground settlement and damage to the fragile retaining walls in the upland slope.
3. Improper removal of the existing tree that is embedded in the existing retaining wall resulting in collapse of the existing retaining wall or future settlement as the remnant tree decomposes,
4. Insufficient control of groundwater and surface water resulting in softening of the excavation bottom and horizontal movement of the SOE and the retained ground,
5. Improperly installed and filtered timber shoring boards resulting in loss of retained soil and settlement of the adjacent ground,
6. Insufficient erosion protection resulting in erosion of the slope.
7. Not accounting for potential traffic loads on Middle Gully Road, resulting in excessive movement in an emergency situation requiring vehicular access.

If the proposed excavation destabilizes the retained ground, the potential hazards include:

1. Loss of access for vehicles or pedestrians on Middle Gully Road, an emergency egress path for Codfish Park.
2. Damage to utilities buried below Middle Gully Road providing services to the area.
3. Damage to the historic roadway down to Codfish Park.
4. Damage to the retaining walls and retained property of 9 Front Street.

## DESIGN CONSIDERATIONS

Our evaluation indicates that the proposed deep excavation at 8 Bank Street poses significant risk of damage to the adjacent roadway, utilities, and properties if not carefully designed and constructed due to the proximity of adjacent structures and old and fragile retaining walls supporting the slope. Among the complications that the Designer needs to consider:

1. The retained ground on the west side of the site is sloped and includes old, non-engineered retaining walls of fragile construction that are vulnerable to damage due to vibration or ground settlement. The terraced and upward sloping ground will impose greater horizontal loads on the SOE (compared with level ground) that will need to be accounted for in design.
2. We understand that Middle Gully Road provides emergency access and egress to Codfish Park. Therefore, the road may support traffic live loads in an emergency, potentially even emergency vehicle traffic, such as fire trucks. This requirement should be considered in design and reviewed by the municipality and reviewing board.
3. The proposed excavation along Middle Gully Road is too deep for cantilever support of the hillside and will require one to two levels of bracing to restrain lateral movement.
4. The clean natural sands will tend to ravel and require tight installation of lagging boards and filtering to avoid mining retained soils.
5. The foundations of the retaining walls at 9 Front Street and the eastern edge of Middle Gully Road are not known and should be investigated to understand the potential impacts of the SOE.
6. The slope above 8 Bank Street includes a large tree that is partially grown into the existing retaining wall. Removal of the tree could impact the stability of the existing slope. Removal should be performed in a manner that does not destabilize the slope and maintains long-term stability.
7. The conceptual SOE system is shown with three- to four-feet offset from the proposed structure (in plan). The need for this larger excavation is not clear. The size of the excavation should be limited to necessity for the permanent structure in order to limit the area impacted by the excavation.
8. The layout of the conceptual SOE system requires removal of a part of the existing stone rubble retaining wall supporting Middle Gully Road. The design should address how this wall will be removed, how Middle Gully Road will be supported during construction, and how this historic

retaining wall will be replaced.

9. Pre- and post-construction condition surveys of adjacent structures should be performed to establish baseline conditions prior to construction and determine if construction is impacting surrounding grounds and structures,
10. Construction documents should include provisions for monitoring adjacent retaining walls, utilities and structures for vertical and lateral movement during construction. Instrumentation should include installation of crack gauges and optical movement monitoring so that any impacts are realized in real time and mitigation measures to avoid damage are quickly implemented.

## RECOMMENDATIONS FOR THE REVIEWING AGENCY

The conceptual plans for building construction and support of excavation during basement construction at 8 Bank Street provide insufficient detail to ascertain whether the Developers and Designers have adequately considered the risks to adjacent structures due to the proposed construction. We recommend that the Board and reviewing agency reviewing the proposed application require the Applicant to provide a full and detailed package before approval of the proposed deep excavation, such that all parties have confidence that the proposed construction will sufficiently protect the public. Before granting approval, we recommend requiring the applicant provide:

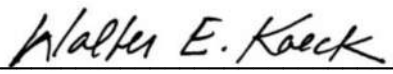
1. Geotechnical report and results of the geotechnical investigation at 8 Bank Street,
2. Detailed SOE Design Plans including means and methods for SOE installation
3. Surface Water and Groundwater Control Plan,
4. Monitoring and Protection Plan, including limiting movement criteria and contingency stabilization measures if movement thresholds are exceeded,
5. Erosion Control Plan,
6. Plan for removal of the existing tree on the slope,
7. Plan for removal and replacement or protection-in-place of the old stone rubble retaining wall supporting Middle Gully Road,
8. Schedule of construction and plans to mitigate impacts due to construction traffic and noise.

Furthermore, the proposed deep excavation at 8 Bank Street results in a potential risk to the Town and County of Nantucket (owners of Middle Gully Road), the general public (users and beneficiaries of access to Middle Gully Road), and the Owners of 9 Front Street. The risk assumed by permitting this construction is that the construction results in damage to Middle Gully Road or the property at 9 Front Street, which are both clearly within the zone of influence of the proposed excavation. If 8 Bank Street is not prepared or is unable to support repairs, there is little recourse for repairing the damages after the fact. Therefore, we recommend that, as a condition of permitting, the reviewing agency require that 8 Bank Street establish a construction escrow account to cover the costs of potential repairs to Middle Gully Road or 9 Front Street in the event that the construction damages these properties. In this way, the Town and County of Nantucket, the general public, and the owners of 9 Front Street are protected from any potential impacts of the construction. The escrow amount should be a portion of the total construction cost and maintain in place for one year after the completion of the basement construction if there are no damages to the surrounding properties.

Please contact the undersigned if you have any questions.

Very truly yours,
**MUESER RUTLEDGE CONSULTING ENGINEERS PLLC**

Jesse L. Richins, PE



Walter E. Kaeck, Principal

JLR:WEK
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# APPENDIX

Retaining Wall – South End – Facing West

South Return Retaining Wall – Facing North

| | | |
|---|---|---|
| **PROPOSED CONSTRUCTION IMPACTS ON 9 BROADWAY, 9 FRONT STREET, & MIDDLE GULLY RD** | | |
| NANTUCKET | | MA |
| **MUESER RUTLEDGE CONSULTING ENGINEERS** | | |
| 14 PENN PLAZA – 225 W 34TH STREET, NEW YORK NY 10122 | | |
| SCALE N/A | MADE BY: JR DATE: 02-15-2022 | FILE No. 14294 |
| 9 FRONT STREET RETAINING WALL | | PLATE 1 |

Retaining Wall – Midway Along Retaining Wall – Facing West

**PROPOSED CONSTRUCTION IMPACTS ON**
**9 BROADWAY, 9 FRONT STREET, & MIDDLE GULLY RD**

NANTUCKET MA

**MUESER RUTLEDGE CONSULTING ENGINEERS**

14 PENN PLAZA – 225 W 34TH STREET, NEW YORK NY 10122

| SCALE | MADE BY: JR | DATE: 02-15-2022 | FILE No. |
|---|---|---|---|
| N/A | | | 14294 |
| 9 FRONT STREET RETAINING WALL | | | PLATE 2 |

Retaining Wall – North End – Facing West

| | | |
|---|---|---|
| **PROPOSED CONSTRUCTION IMPACTS ON 9 BROADWAY, 9 FRONT STREET, & MIDDLE GULLY RD** | | |
| NANTUCKET | | MA |
| **MUESER RUTLEDGE CONSULTING ENGINEERS** | | |
| 14 PENN PLAZA – 225 W 34TH STREET, NEW YORK NY 10122 | | |
| SCALE N/A | MADE BY: JR DATE: 02-15-2022 | FILE No. 14294 |
| 9 FRONT STREET RETAINING WALL | | PLATE 3 |

Loose Portions of Toe Retaining Wall on Middle Gully Road

Loose Portions of Toe Retaining Wall on Middle Gully Road

**PROPOSED CONSTRUCTION IMPACTS ON**
**9 BROADWAY, 9 FRONT STREET, & MIDDLE GULLY RD**

NANTUCKET MA

**MUESER RUTLEDGE CONSULTING ENGINEERS**

14 PENN PLAZA – 225 W 34TH STREET, NEW YORK NY 10122

| SCALE | MADE BY: JR | DATE: 02-15-2022 | FILE No. |
|---|---|---|---|
| N/A | | | 14294 |
| 9 FRONT STREET RETAINING WALL | | | PLATE 4 |

Middle Gully Road, looking North
9 Front Street to Left, 8 Bank Street to Right

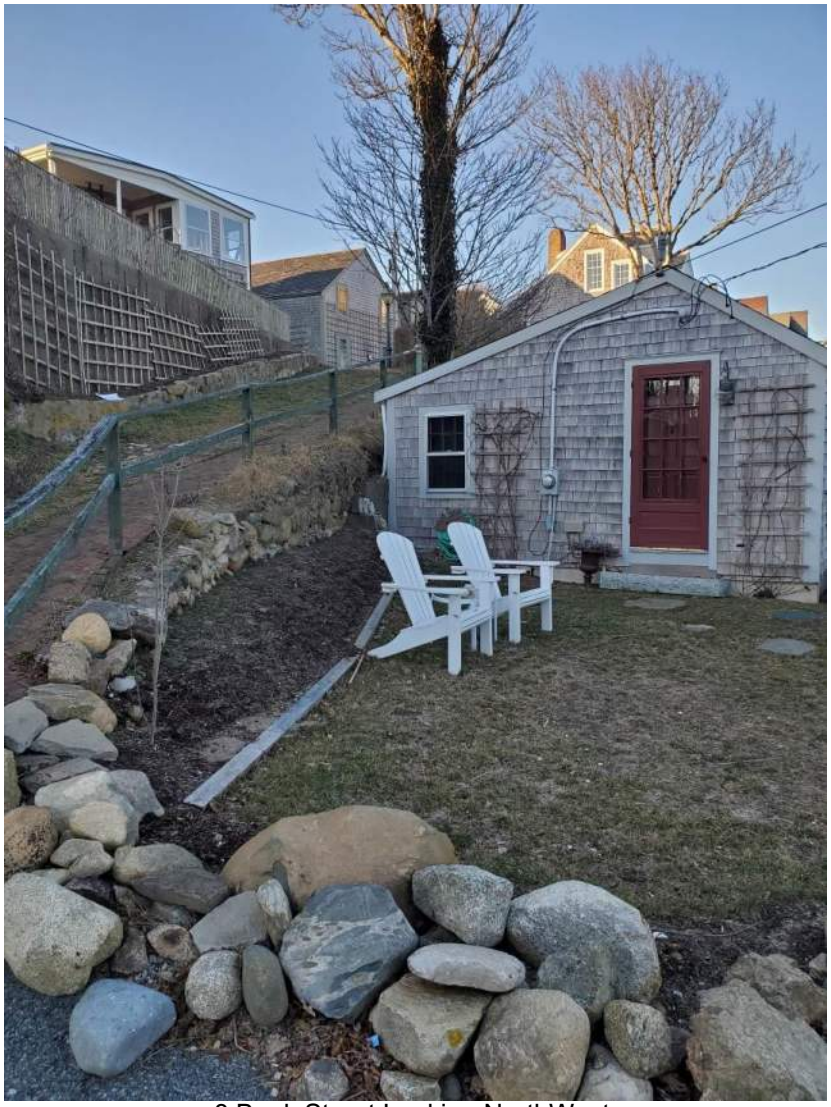
**PROPOSED CONSTRUCTION IMPACTS ON**
**9 BROADWAY, 9 FRONT STREET, & MIDDLE GULLY RD**

NANTUCKET MA

**MUESER RUTLEDGE CONSULTING ENGINEERS**

14 PENN PLAZA – 225 W 34TH STREET, NEW YORK NY 10122

| SCALE | MADE BY: JR | DATE: 02-15-2022 | FILE No. |
|---|---|---|---|
| N/A | | | 14294 |
| MIDDLE GULLY ROAD | | | PLATE 5 |



8 Bank Street Looking NorthWest

8 Bank Street – Looking North along Bank Street

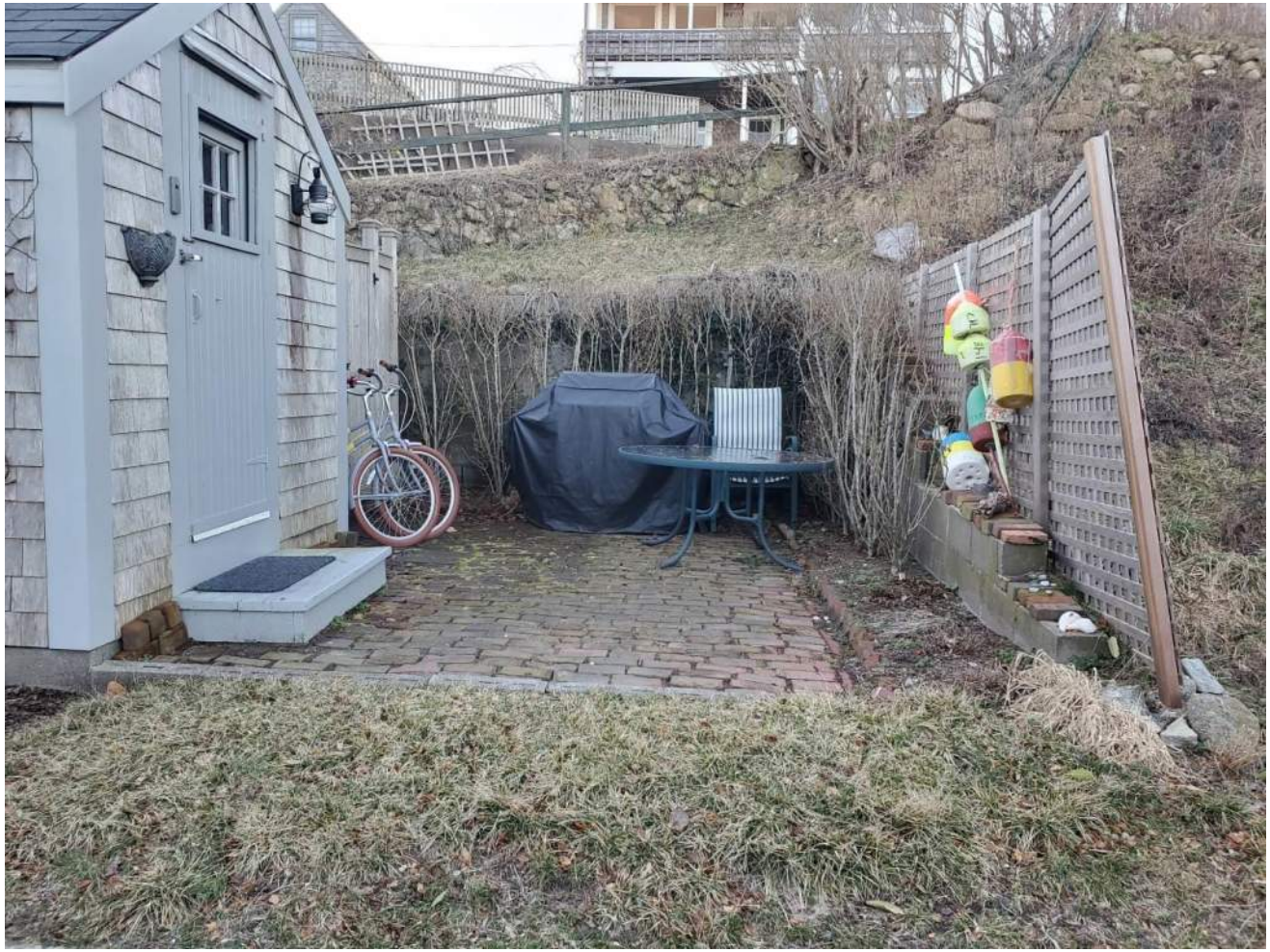
**PROPOSED CONSTRUCTION IMPACTS ON**
**9 BROADWAY, 9 FRONT STREET, & MIDDLE GULLY RD**

NANTUCKET MA

**MUESER RUTLEDGE CONSULTING ENGINEERS**

14 PENN PLAZA – 225 W 34TH STREET, NEW YORK NY 10122

| SCALE | MADE BY: JR | DATE: 02-15-2022 | FILE No. |
|---|---|---|---|
| N/A | | | 14294 |
| 8 BANK STREET | | | PLATE 6 |



8 Bank Street – Existing Courtyard Looking West

**PROPOSED CONSTRUCTION IMPACTS ON**
**9 BROADWAY, 9 FRONT STREET, & MIDDLE GULLY RD**

NANTUCKET MA

**MUESER RUTLEDGE CONSULTING ENGINEERS**

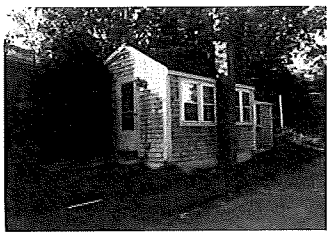
14 PENN PLAZA – 225 W 34TH STREET, NEW YORK NY 10122

| SCALE | MADE BY: JR | DATE: 02-15-2022 | FILE No. |
|---|---|---|---|
| N/A | | | 14294 |
| | 8 BANK STREET | | PLATE 7 |

# Exhibit B

# Massachusetts Cultural Resource Information System

## Scanned Record Cover Page



| | |
|---|---|
| **Inventory No:** | NAN.2329 |
| **Historic Name:** | |
| **Common Name:** | |
| **Address:** | 8 Bank St |
| **City/Town:** | Nantucket |
| **Village/Neighborhood:** | Sankaty Head; Siasconset |
| **Local No:** | 7313-9, SC9-16 |
| **Year Constructed:** | c 1930 |
| **Architect(s):** | |
| **Architectural Style(s):** | No style |
| **Use(s):** | Secondary Dwelling House; Single Family Dwelling House |
| **Significance:** | Architecture; Recreation |
| **Area(s):** | NAN.C: Nantucket Historic District<br>NAN.D: Nantucket Historic District |
| **Designation(s):** | Nat'l Register District (11/13/1966); Nat'l Historic Landmark (11/13/1966); Local Historic District (06/04/1970) |
| **Building Materials(s):** | Roof: Asphalt Shingle<br>Wall: Wood; Wood Shingle |

The Massachusetts Historical Commission (MHC) has converted this paper record to digital format as part of ongoing projects to scan records of the Inventory of Historic Assets of the Commonwealth and National Register of Historic Places nominations for Massachusetts. Efforts are ongoing and not all inventory or National Register records related to this resource may be available in digital format at this time.

The MACRIS database and scanned files are highly dynamic; new information is added daily and both database records and related scanned files may be updated as new information is incorporated into MHC files. Users should note that there may be a considerable lag time between the receipt of new or updated records by MHC and the appearance of related information in MACRIS. Users should also note that not all source materials for the MACRIS database are made available as scanned images. Users may consult the records, files and maps available in MHC's public research area at its offices at the State Archives Building, 220 Morrissey Boulevard, Boston, open M-F, 9-5.

Users of this digital material acknowledge that they have read and understood the MACRIS Information and Disclaimer (http://mhc-macris.net/macrisdisclaimer.htm)

Data available via the MACRIS web interface, and associated scanned files are for information purposes only. THE ACT OF CHECKING THIS DATABASE AND ASSOCIATED SCANNED FILES DOES NOT SUBSTITUTE FOR COMPLIANCE WITH APPLICABLE LOCAL, STATE OR FEDERAL LAWS AND REGULATIONS. IF YOU ARE REPRESENTING A DEVELOPER AND/OR A PROPOSED PROJECT THAT WILL REQUIRE A PERMIT, LICENSE OR FUNDING FROM ANY STATE OR FEDERAL AGENCY YOU MUST SUBMIT A PROJECT NOTIFICATION FORM TO MHC FOR MHC'S REVIEW AND COMMENT. You can obtain a copy of a PNF through the MHC web site (www.sec.state.ma.us/mhc) under the subject heading "MHC Forms."

Commonwealth of Massachusetts
Massachusetts Historical Commission
220 Morrissey Boulevard, Boston, Massachusetts 02125
www.sec.state.ma.us/mhc

This file was accessed on: Monday, April 12, 2021 at 8:49: AM

NAN.2329

# BUILDING/STRUCTURE INVENTORY FORM
## NANTUCKET ISLAND ARCHITECTURAL AND CULTURAL RESOURCES SURVEY
NANTUCKET HISTORIC DISTRICT COMMISSION
NANTUCKET, MASSACHUSETTS

SURVEY/ SC9-16
FILM ROLL #: 7313-9
MAP/PARCEL#:

Recorded by: AH Date: 09/22/89 Organization: AGS

IDENTIFICATION

1. Street Name & No.: 8 BANK STREET

2. Building Name: N/A

3. Ownership: Private

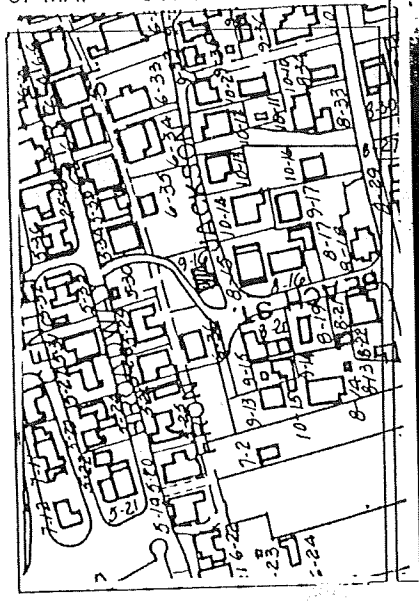
4. Present Owner: NICKERSON, CAROL

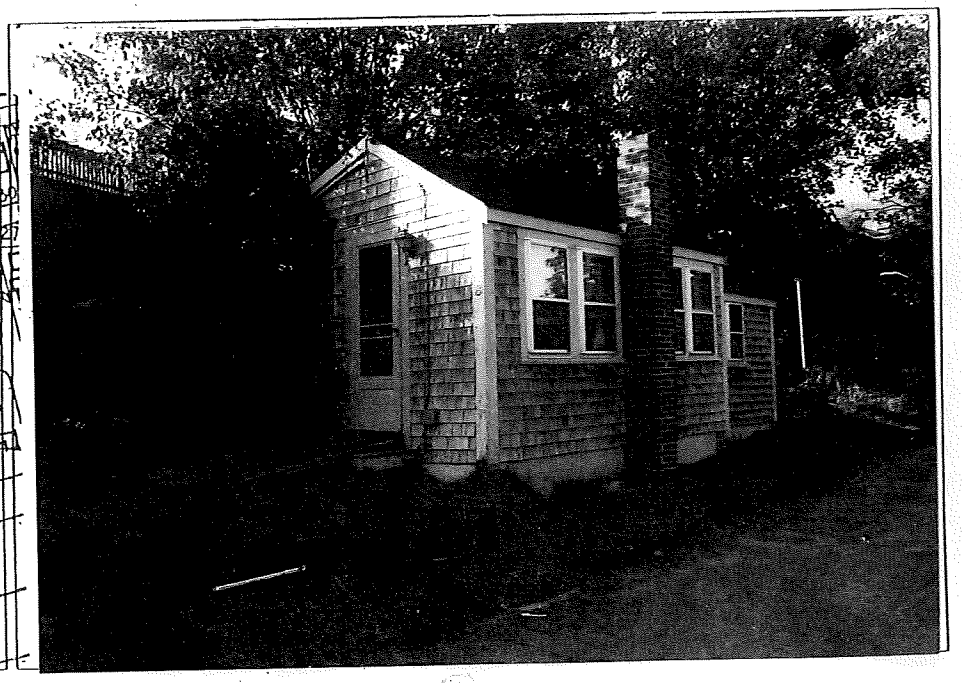
5. Ownership History:
Unknown

6. Use: Original: Dwelling Present: Dwelling
Seasonal/Year-Round: Seasonal

7. Accessibility to Public: Visible from Public Road? Yes
Interior: N/A

8. MAP -- 3 X 2"





NAN.2329



Survey/Film Roll #: SC9-16

GENERAL SETTING AND ORIENTATION OF BUILDING

10. Lot Size:N/A
11. Approximate Frontage (ft.): N/A
12. Setback from Street (ft.): At Sidewalk
13. Orientation to Street Address: Ridge Parallel
14. Surroundings: Densely Built,Residential
15. Related Outbuildings and Property: N/A
16. Other Notable Features:
N/A

DESCRIPTION

17. Foundation: Piers
18. Structural System: Woodframe
19. Exterior Wall Material, Front Facade: Shingles-Weathered
20. Exterior Wall Material, Side Elevations: Shingles-Weathered
21. Exterior Wall Material, Rear Elevation: Shingles-Weathered
22. Number of Stories: 1
23. Roof Shape: Gable
24. Roofing Material: Composition Shingle
25. Roof Features: N/A
26. Dormer Roof(s): N/A
27. Chimney Material: Brick-unpainted
28. Chimney Position: End Wall
29. Number of Chimneys: 1
30. Chimney Features: Corbelling
31. Front/Primary Door Location: Off Center
32. Front/Primary Door Frame Features: Flush Frame
33. Number of Bays: N/A
34. Window Frame Type: Flush
35. Window Sash Type(s) - Front Facade: 6/6

36. Porch: N/A
37. Signage: N/A
38. Details: Corner boards-plain
39. Condition: Good
40. Integrity: N/A
41. Alterations:
N/A

NAN.2329

2329

SIGNIFICANCE

42. Role the Building Plays: National Register: Contributing
43. Date of Initial Construction: Circa 1930
  Source: Sanborn Maps,Aerial Photo 1938
  Architect: Unknown  Builder: Unknown
44. Building Type: Additive,Gable Front
45. Architectural Style: N/A
46. Historical and Architectural Importance:
  Unknown

47. Sources: Sanborn Maps 1923, 1923/49,
  Aerial Photo 1938

## Nickesha Sheriff

**From:** janet ballou <janetcdballou@gmail.com>
**Sent:** Wednesday, October 5, 2022 11:40 AM
**To:** Nickesha Sheriff
**Subject:** 8 bank street

ms. sheriff

my husband and i are are deeply concerned

about the damage the proposed construction

at 8 bank st will affect on the bank as well as to middle gully road.

it is a project of outsized proportions for that space and is inappropriate-

not only aesthetically but environmentally.

please do not allow this construction to weaken an already fragile

location

please vote to reject this arrogant, risky project.

thankyou

janet and fred ballou

21 front street

This email was scanned by Bitdefender

## William Saad

**From:** Michele Krohn <mkrohn227@gmail.com>
**Sent:** Wednesday, October 5, 2022 9:18 AM
**To:** Nickesha Sheriff; William Saad
**Subject:** 8 Bank Street

Dear Ms. Sheriff & Mr. Saad -

As a resident in the historic village of 'Sconset (14 Center Street), I wish to voice my concerns over the proposed project at 8 Bank Street.

I am not an engineer, but I have read the engineering report and it is concerning that the engineers have pointed out several areas that must be monitored during construction but offered absolutely no solutions or opinions as to the possible efficacy of any proposed solution. I am truly horrified that ANYONE would even consider digging to such depths at the edge of a precarious bluff, with homes perched just above, to say nothing of the potential water and flooding issues described in the engineering report. I urge you to be extremely careful and mindful in reviewing the potential environmental impacts as the consequences could be truly devastating.

While the possible environmental impacts alone should stop this project in its tracks, I am equally dismayed that anyone would consider turning such a sweet cottage, with historic significance to the community, into a looming "highrise" in Codfish Park. It just seems so unnecessary and excessive during a time when excess seems to reign supreme -- I urge you to consider the appropriateness of such a structure in the fabric of the village and Codfish Park. And while there may be precedent for structures of this height in Codfish Park, some of which I question having been allowed in the first place, precedent should not always dictate new projects moving forward. Again, I urge you to be extremely mindful of the new precedent for allowing such a structure to be built in 'Sconset.

Thank you for your thoughtful consideration.

Warm regards,
Michele Krohn

This email was scanned by Bitdefender

RECEIVED
OCT 04 2022
By

13 Broadway
Siasconset, Massachusetts
(860) 685-0678
lsoeder@soeder-associates.com

October 4, 2022

Zoning Board of Appeals
Nantucket, Massachusetts

Re: 8 Bank Street

Dear Members of the Zoning Board of Appeals,

I have owned Mizzentop, the 270 year old whaling cottage structure sited at the very top of Middle Gully Road, between Front Street and Broadway, for the past 30 years and am a year-round resident of Sconset. During that time, my neighbors and I have reveled in the pristine and timeless beauty of our village with the same awe and gratitude expressed by artists, brides and other visitors. And during that time, I have been impressed by the ways in which the HDC, the ZBA, the Siasconset Civic Association and the 'Sconset Trust have protected the architectural and visual authenticity and charm of historic Sconset, including the constantly photographed Front Street and its view scape. It is my sincerest hope that you will continue to preserve and protect our treasured historic village.

Please see my comments from May 8, 2022 regarding my opposition to the proposed demolition and reconstruction at 8 Bank Street (the "Bank Street Project"). And as you consider now whether the proposed Bank Street Project will be "substantially more detrimental to the interests of the neighborhood and to the inhabitants of the village than the existing nonconforming structure" is, I urge you to revisit the Codfish Park site and also to review:

- the Geotechnical Engineering report prepared by McArdle Gannon Associates Inc., dated May 5, 2022 (the "Engineering Report"), which fails to address potential environmental and infrastructure damage posed by the Bank Street Project, including the undermining of the stability of the coastal bank and Middle Gully Road and the water main to Codfish Park and the disposal of groundwater from the site,
- the concerns of abutters regarding the impact of the intense drilling required by the Bank Street Project on the structural integrity of their homes,
- the concerns of abutters, artists, photographers, visitors and advisory boards alike that the Bank Street Project will forever change the streetscapes and character of Codfish Park, Bank Street, Front Street and the widely treasured public viewsheds,
- the Architectural Plans and the Engineering Report[1] that depict the 8 Bank Street Project as a demolition (but provide for no notice of or permit for demolition),
- the beginning ground elevation of 8 Bank Street itself (compared to the lower beginning ground elevations of other recent construction sites between 8 Bank Street and the ocean) when considering the request to more than double the height of the existing structure based on approved heights of other structures,

[1] See page 2 of Engineering Report: "We understand that the existing residence will be razed and a new foundation with a full basement will be constructed in its place."

- the reality that the Bank Street Project proposes to convert an historic 9 foot tall structure commensurate with the scale of historic Codfish Park structures into a three level structure at the base of and towering over an endangered coastal bank and in the process also to encroach into existing setbacks,
- and finally, the fact that Middle Gully Road is legally an emergency access road[2] *that needs to be safeguarded to protect all of the other residents of Codfish Park and historic Sconset* in the event of a washout of Codfish Park Road (especially given the recent challenges facing Nantucket's emergency services) and that any expansion of footprint or compromise of the stability of the embankment resulting from the Bank Street Project would jeopardize this already tenuous emergency access route.

Clearly, the 8 Bank Street Project would be more detrimental to the neighborhood than the existing structure is, and we respectfully ask you to deny the special permit.

Lastly, I reiterate the requests of my neighbors that the Oct. 13 meeting be made available on Zoom, as is the case with other town meetings in this time of COVID, to allow wider participation of neighbors and other interested parties for whom it is a hardship to be physically present at an October meeting.

Sincerely,

Lisa P Soeder

[2] On June 5, 1996 the Nantucket County Commissioners decreed an Order of Layout and Taking to make a public way connecting Broadway to Beach Street, a/k/a Middle Gully Road (the "Taking Order"). The Taking Order was recorded in the Nantucket Registry of Deeds on June 6, 1996 and was intended to provide emergency access to Codfish Park (from Broadway via a passage between 11 and 13 Broadway, across Front Street, through a gully and down a cliff to a sharp left onto Beach Street) in the event of a washout of Codfish Park Road. The corner of 8 Bank Street and Beach Street is where the sharp left would occur.

## Nickesha Sheriff

**From:** William Saad
**Sent:** Tuesday, October 4, 2022 8:41 AM
**To:** Nickesha Sheriff
**Subject:** FW: 8 Bank Street

-----Original Message-----
From: Mary Williams <maryvwilliams@me.com>
Sent: Monday, October 3, 2022 4:40 PM
To: William Saad <wsaad@nantucket-ma.gov>
Cc: maryvwilliams@icloud.com
Subject: 8 Bank Street

Please do not permit this ridiculous over use of this tiny piece of land.

It is quite obvious to me that this whole issue is a contest of wills and persistence vs common sense.

It is also obvious to me and others that this has turned into a legalistic dance of the owners wishes against the reasonable requests by abutters to deny this request. If allowed it will be be not only an eye sore but I feel a detriment to the stable land that now exists in that area. The tree itself is probably holding that piece of dirt together.

Let's not let their legal soldiers overrun the common folk who already honor the surrounding properties by respecting the peaceful balance of our village. We are trying very hard to maintain this sweet piece of our island for all, from near and far to see. And for we the owners in which to find peace.

This is obviously a very selfish and unworthy request. Please deny it.

MaryV Williams
Dexioma
7 Broadway.

This email was scanned by Bitdefender

## Nickesha Sheriff

**From:** Leslie Snell
**Sent:** Tuesday, August 30, 2022 10:02 AM
**To:** Nickesha Sheriff
**Subject:** Fwd: Comments on 8 Bank St.
**Attachments:** ZBA 8 Bank St..docx

Sent from my iPad

Begin forwarded message:

**From:** Helen Strong <helenmstrong1@gmail.com>
**Date:** August 29, 2022 at 1:29:05 PM EDT
**To:** Leslie Snell <LSnell@nantucket-ma.gov>
**Subject: Comments on 8 Bank St.**

Dear Ms. Snell,

Please forward the attached comments on the proposed construction at 8 Bank St. to members of the Zoning Board of Appeals in advance of the hearing on Sept. 8, 2022.

thank you,

Helen Strong
18 Broadway
'Sconset

This email was scanned by Bitdefender

RECEIVED
AUG 30 2022
By

August 29, 2022

Dear Members of the Zoning Board of Appeals,

In considering whether the proposed construction at 8 Bank St. would be more detrimental to the neighborhood than the existing structure, the answer is a resounding YES for multiple reasons.

The engineering report submitted by the owners of 8 Bank St. in Codfish Park is alarming for the impact the proposed construction would have on the integrity of the adjacent, bank, nearby homes, and the environmental quality of the surrounding area. The proposal to dig 10 to 12 feet below grade to establish a basement, accompanied by reverberations from drilling, would threaten the foundations of homes located above the bank on Front St. and beyond in the 'Sconset Old Historic District. Another area of concern is the disposal of groundwater from the site as there is no mechanism provided for this function other than that it should be transported to a vague "reliable source," without specifying where or how this will occur other than to suggest that it be graded toward the street. During rainstorms the area at the intersection of Codfish Park Rd. and Beach St., down the street from 8 Bank St., floods on a regular basis.

When I listened to the December ZBA meeting at which 8 Bank St. was first considered, I was perplexed that the neighbors were being asked to approve construction on a small non-conforming southern corner of the new house, which in this case, is somewhat like the tip of the iceberg; it is the extreme height and volume of this building on a very small lot smack up against the 'Sconset bank and Middle Gully that is the real issue. This too tall building would loom over historic Middle Gully, an entrance point to Codfish Park, in a very ungainly way and overtop the adjacent bank where Front St. is located by some six feet. In doing this, it would eliminate public viewsheds that are greatly valued by 'Sconset villagers and visitors alike and should be considered by the town as treasured historic and scenic assets.

From a zoning perspective, it is puzzling to me that, since Codfish Park is now zoned as part of the 'Sconset Old Historic District, construction is being considered and allowed in Codfish Park that would not be permitted above the bank. The 'Sconset Advisory Board of the HDC noted this discrepancy at a recent meeting.

Last summer, the Siasconset Civic Association, and more recently the 'Sconset Trust, along with numerous neighbors in the village, abutters and non-abutters alike, have declared their opposition to this project. *I hope that ZBA members will have visited the 8 Bank St. site prior to making a judgement to envision the impact of this proposed construction on the neighborhood.*

Additionally, I saw in the ZBA meeting packet that 8 Bank St. is still being referred to as an "addition" and "renovations," but this is misleading as nothing of the original historic cottage will remain. This is a tear-down and completely new construction.

I wish that the Sept. 8 meeting would also be a hybrid meeting, available on Zoom, as is the case with other town meetings in this time of Covid, to allow wider participation for interested parties.

I urge the members of the Zoning Board of Appeals to deny this special permit.

Sincerely,

Helen Strong,
fourth generation owner of 18 Broadway, 'Sconset

## Nickesha Sheriff

**From:** Leslie Snell
**Sent:** Friday, May 13, 2022 8:39 AM
**To:** Nickesha Sheriff
**Subject:** FW: 8 BANK STREET, SIASCONSET

For June packet.

---

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

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

Telephone: 508-325-5385

**From:** Sam Daniel <svdiii@comcast.net>
**Sent:** Friday, May 13, 2022 8:31 AM
**To:** Leslie Snell <LSnell@nantucket-ma.gov>
**Subject:** Fwd: 8 BANK STREET, SIASCONSET

Please, forward to Chair Susan McCarthy and other ZBA Members.
Sam Daniel
6 Broadway

Begin forwarded message:

**From:** Holly Backus <hbackus@nantucket-ma.gov>
**Subject: RE: 8 BANK STREET, SIASCONSET**
**Date:** May 13, 2022 at 8:21:40 AM EDT
**To:** Sam Daniel <svdiii@comcast.net>
**Cc:** Nickesha Sheriff <nsheriff@nantucket-ma.gov>

Good Morning,

I am not ZBA staff.... As you know, I'm with the HDC.
Please provide your comments to ZBA staff for forwarding.

Thank you for your understanding.
Take care,

Holly E. Backus
Preservation Planner**
Local CLG Coordinator
Local Hazard Mitigation Plan Coordinator
Town of Nantucket
hbackus@nantucket-ma.gov

HDC Advisory Board meetings can be accessed here:
SCONSET ADVISORY (SAB)
HISTORIC STRUCTURES (HSAB)
**Staff liaison to the Nantucket Historic District Commission (HDC) & Nantucket Historical Commission (NHC)**

**From:** Sam Daniel <svdiii@comcast.net>
**Sent:** Friday, May 13, 2022 8:06 AM
**To:** Holly Backus <hbackus@nantucket-ma.gov>
**Subject:** Re: 8 BANK STREET, SIASCONSET

And, Holly, if I heard/saw correctly, watching the May 12 hearing, the ZBA Chair had not even read Margaret Van Deusen's most-important comments (enclosed, below), which were in her packet. This is not good. Please forward this to Ms. McCarthy. Sam
From: **Margaret Van Deusen** <margaretvandeusen@gmail.com>
Date: Sun, May 8, 2022 at 7:39 PM
Subject: 8 BankStreet
To: <lsnell@nantucket-ma.gov>
Cc: annyvan <annyvan@aol.com>, Isabel Landzert <blandzert@aol.com>

Kindly forward the comments below to members of the Zoning Board of Appeals in advance of the hearing on May 12. 2022.

Dear Members of the Zoning Board of Appeals,

Please consider these comments as my sisters and I, trustees of the Van Deusen Realty Trust, 7 Front Street, Siasconset, are unable to attend the ZBA's in person May 12, 2022 hearing on this matter. In view of the widespread community opposition to this project, we ask that you make this meeting accessible on zoom so interested persons can participate.

Our house, Eastward Look, is a small house that is perched on Front Street between the steps leading to Codfish Park and Middle Gully. It was built in the mid 1920s -–around the same time as 8 Bank Street. Our property is directly across Middle Gully from 8 Bank Street. Our simple house, now almost 100 years old, does not have a foundation and the eastern side of the house

is supported on the bank by concrete pilings of indeterminate age covered with a thin veneer of material that we do not believe provides support for the building. The bank in this area is fragile and eroding.

After reviewing the Geotechnical Engineering report prepared by McArdle Gannon Associates Inc., dated May 5, 2022 (the Report), we are concerned with potential damage to our house and to the surrounding historic houses on Front Street, Broadway and Codfish Park (CFP), to Middle Gully, which is the emergency access road to CFP and under which the water main for CFP is located, the coastal bank, and the intersection of Bank Street and CFP Road, which already floods during rain events.

While 8 Bank is characterized as an "addition" and "renovation," the engineering report makes clear that this is a demolition. According to the report: "We understand that the existing residence will be razed and a new foundation with a full basement will be constructed in its place." Engineering Report at p. 2. Thus, the report confirms what neighbors have opined from the beginning of the permitting process—that this is a tear down. Despite this, no demolition permit has been sought by the owners.

**The Engineering Report**

The Report makes it clear that this is a very challenging site on which to build a house with a basement. The Report also fails to address potential environmental and infrastructure damage, including undermining of the coastal bank and the integrity of Middle Gully and the water main. It seems obvious that during construction, emergency access to CFP would be cut off. As people said at the last ZBA meeting if this project is allowed to go forward, construction should not be allowed during the fall (before November) and halted in early May.

Groundwater was encountered at 14 feet below ground at MGA-1; no groundwater reading was capable of being made at MGA-2. According to the report at p. 4, groundwater levels will fluctuate due to temperature, tides, precipitation and other factors. Excavation will be necessary 10 to 15 feet below the proposed surface grade for the nine-foot tall basement. (An unanswered question is what the proposed site grade would be). An underdrain will be necessary to carry water away from the foundation. Report at 7. Exterior footings would need to extend three feet below basement finish grade. The bottom of the basement would need to be compacted with a vibratory plate compactor using at least 6000 lbs. of force. Report at p. 5. Additionally, driven piles will generate ground vibrations that are "distinctly perceptible to adjacent properties." Report at 9. **We think this is likely a gross understatement. Pounding of piles is likely to jeopardize the structural integrity of our house given its close proximity to the site and position right on the bank.** Of course, the engineer punts responsibility for vibration damage to the contractor in his report.

Due to groundwater below the structure at the basement foundation, groundwater will need to be transported away from the site. The engineer proposes no method for this except that it should drain to manholes to transport groundwater to a "reliable source." Report at p. 7. However, to the best of our knowledge, there is little stormwater infrastructure in CFP, and even the storm drain at the low lying intersection of Beach Street and CFP Road cannot handle the current stormwater runoff. Increasingly, even in minor storms, this area floods and the flooding is worsening over time.

Generally, stormwater should be kept on site and infiltrated to the greatest extent. The south facing small lawn contains the subsurface septic system and the owners also plan to build a patio there. Most of the rest of the site is impermeable. Significantly, the engineer recommends grading the entire site toward the street to carry water off the site. We note that the flooding at the CFP intersection is already causing the pavement to deteriorate. Additionally, pumping groundwater from the site to the surrounding area is the very opposite of efforts to create resiliency to climate change.

**Detriment to the Interests of the Neighborhood**

The impacts from this project on the neighborhood would be significant. If allowed, this very tall vertical building right up against the Sconset Bank and Middle Gully will forever change the streetscapes and character of Codfish Park, Bank Street, and Front Street and the public viewsheds admired and enjoyed by all. These are treasured public resources.

We do wonder how it is possible that owners who buy a one-story house that is a contributing element in the Sconset Old Historic District at the entrance to CFP can be permitted to tear it down (without a permit) and to build a structure that would be as much as 6 feet above the bank with a 9-foot wide bathroom dormer looming over iconic Front Street and historic cobblestoned Middle Gully. This profoundly vertical house in this location will be substantially more detrimental to the interests of the neighborhood and to the inhabitants of the village than the existing nonconforming structure.

While the owners maintain that the ZBA should only concern itself with a small southwest corner of the building, we believe this is erroneous. The ZBA is not required to wear blinders and to segregate this small section from the rest of the building.

We submitted comments to the ZBA on December 6, 2021, accompanied by photos showing the height poles at 8 Bank in relation to Front Street and Middle Gully. Both we and the Siasconset Civic Association (SCA) submitted the SCA's two comment letters to the HDC opposing this project b/c of its detrimental impacts on the interests of the neighborhood. It bears repeating here what the SCA wrote: "The preservation of the scale of the houses and streetscape are essential to keeping the character of Codfish Park intact. . . a higher structure in this specific location would disturb the balance and rhythm of architecture in this historic neighborhood."

Lastly, we note that no on-site parking is proposed despite the fact that there is almost no on-street parking allowed in CFP. Currently, cars park illegally on the Beach Street sidewalk so that pedestrians are forced to walk in the street.

We respectfully ask you to deny the special permit.

Sincerely,
Margaret Van Deusen, Anne Reilly and Isabel Landzert
7 Front Street

On May 12, 2022, at 2:47 PM, Sam Daniel <svdiii@comcast.net> wrote:

Holly, can anyone verify that the ZBA members actually got and read this drill-and-not-drive e-mail of mine? I listened to today's 8 Bank St. hearing, and after an hour and ten minutes, FINALLY, the suggestion to drill rather than drive was mentioned and briefly discussed. Please, forward this to Susan McCarthy. Sam

On May 9, 2022, at 9:10 AM, Holly Backus <hbackus@nantucket-ma.gov> wrote:

Your welcome!

Holly E. Backus
Preservation Planner**
Local CLG Coordinator
Local Hazard Mitigation Plan Coordinator
Town of Nantucket
hbackus@nantucket-ma.gov

HDC Advisory Board meetings can be accessed here:
SCONSET ADVISORY (SAB)
HISTORIC STRUCTURES (HSAB)
**Staff liaison to the Nantucket Historic District Commission (HDC) & Nantucket Historical Commission (NHC)**

-----Original Message-----
From: Sam Daniel <svdiii@comcast.net>
Sent: Monday, May 9, 2022 9:05 AM
To: Holly Backus <hbackus@nantucket-ma.gov>
Subject: Re: 8 BANK STREET, SIASCONSET

As always, thanks for your help, Holly. Sam

On May 9, 2022, at 8:34 AM, Holly Backus <hbackus@nantucket-ma.gov> wrote:

Good Morning Sam,

I have forwarded your email onto the Deputy Director of Planning, Leslie Snell.

Thanks,

Holly E. Backus
Preservation Planner**
Local CLG Coordinator
Local Hazard Mitigation Plan Coordinator Town of Nantucket
hbackus@nantucket-ma.gov

HDC Advisory Board meetings can be accessed here:
SCONSET ADVISORY (SAB)
HISTORIC STRUCTURES (HSAB)
**Staff liaison to the Nantucket Historic District Commission (HDC) &
Nantucket Historical Commission (NHC)**

-----Original Message-----
From: Sam Daniel <svdiii@comcast.net>
Sent: Saturday, May 7, 2022 2:55 PM
To: Marcus Silverstein <MSilverstein@nantucket-ma.gov>
Cc: Holly Backus <hbackus@nantucket-ma.gov>
Subject: 8 BANK STREET, SIASCONSET

Marcus,

I'm hoping that you are the correct contact for my concerns about 8 Bank's rebuild with basement. Please, forward this to all of the ZBA members.

My primary concern is 8 Bank's basement installation. If approved, the piles MUST be PRE-DRILLED, and NOT DRIVEN, so as to avoid vibrations doing harm and damage to neighboring properties, structures, houses, and house-contents. For 20 years, I have lived year-round in "Auld Lang Syne" at 6 Broadway, and when piles have been driven, often far away, there have been major, threatening vibrations. When pre-drilled, no such problems have occurred with the piles. It's my opinion that ONLY pre-drilling should EVER be allowed in 'Sconset's historic district.

Thank you,
Sam Daniel

This email was scanned by Bitdefender

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David R. Good
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**MARKETING DIRECTOR**
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May 10, 2022

Ann and Jeff Gardner
9 Broadway
Nantucket Island
Siasconset, MA 02554

Re: Review of Plans for Adjacent Construction at 8 Bank St
9 Broadway & 9 Front Street
Nantucket Island, Siasconset, MA
MRCE File No. 14294

Dear Mr. and Mrs. Gardner

As requested, Mueser Rutledge Consulting Engineers (MRCE) reviewed the proposed plans for support of excavation (SOE) during below grade construction at the adjacent 8 Bank Street property. Our review focused on the potential impacts of the proposed construction on your property (9 Broadway and 9 Front Street) and the adjacent public roadway (Middle Gully Road) along the west side of the excavation. We summarize herein the results of our review.

We note that we previously performed an evaluation of the potential impacts of construction at 8 Bank Street based on conceptual plans of the proposed construction. Our prior evaluation is summarized in our February 2022 letter, attached for reference in the Appendix.

## DOCUMENTS REVIEWED

You provided us with the following documents received from the #8 Bank Street property owner:

1. Geotechnical Engineering Report for Proposed Renovation at 8 Bank Street by McGardle Gannon Associates, Inc. dated May 5, 2022 (31 pages).
2. Temporary Support of Excavation Drawings for 8 Bank Street by McGardle Gannon Associates, Inc. dated May 5, 2022 (3 sheets).

## MRCE REVIEW COMMENTS

In general, our review indicates that the proposed SOE design does not sufficiently protect the adjacent properties. The Building Department should require a number of alterations to the proposed construction plans in order to protect the adjacent properties. More specific comments follow.

### Geotechnical Engineering Report

1. The soil borings made as part of the site geotechnical investigation indicate that the natural and manmade soils underlying the 8 Bank Street property and comprising the adjacent hillside consist of very loose to loose sands with little fine grained (silt and clay) binder. These loose sands are relatively weak and sensitive to disturbance and ground loss during SOE installation.

2. The geotechnical investigation did not include any test pits or other exploratory probes to establish the depth, condition, or dimensions of the existing rubble retaining wall supporting Middle Gully Road or the concrete retaining wall supporting 9 Front Street.

Support of Excavation (SOE) Design

3. The proposed SOE system consists of cantilevered soldier pile and timber lagging that does not appear to adequately account for the loose sand beneath and behind the SOE wall and rising slope of the retained ground that significantly increases the lateral earth pressures applied to the SOE system along the west side of the excavation. We estimate that the soldier pile and lagging system may displace 6-inches or more horizontally. This magnitude of movement could damage or destabilize the existing retaining walls supporting Middle Gully Road and 9 Front Street. Lateral bracing such as inclined rakers should be designed and installed to stiffen the SOE system and minimize displacements of the adjacent ground during basement excavation.
4. The planned use of a vibratory hammer to install the soldier piles introduces the risks of settlement and cracking of the surrounding ground and retaining walls supported on the loose sands encountered in borings. Loose soils tend to densify when vibrated. Soldier piles should be installed in drilled, cased holes to minimize disturbance and vibrations of the surrounding ground.
5. The SOE Drawings do not describe the existing retaining walls or detail how the existing retaining walls will be protected during construction. The drawings indicate that "MGA has made assumptions concerning the soundness of the buildings adjacent to the site. These assumptions are that these buildings and structures were designed in conformity with good design practice. The Contractor should take extraordinary precautions concerning the preservation of the adjacent properties."
    a. The existing retaining walls supporting Middle Gully Road and 9 Front Street are old and may not have been constructed to an engineered design. On that basis, the assumption that these retaining walls are constructed in conformity with good design practices is overly optimistic and may not be accurate. As the proposed construction could potentially destabilize these retaining walls, the SOE designer is responsible to investigate the condition and depth of support of these structures and develop adequate protection measures before installing SOE and performing adjacent excavation.
    b. The SOE Drawings should be updated to detail the 'extraordinary precautions' planned to protect the existing retaining walls such that the Contractor (as well as effected parties) is aware of these requirements and so that the Contractor implements these measures prior to excavation.
    c. The proposed regrading of the ground surface behind the SOE, as shown on Design Section A, removes passive support from the existing rubble retaining walls supporting Middle Gully Road without any clear stabilizing measures. The designer should investigate the foundations of these retaining walls and design measures to stabilize the walls as needed.
6. The SOE Drawings should not permit excavation of more than two-feet prior to installing timber lagging as excavation proceeds since the loose sands have limited standup time and are inherently unstable. Unsupported excavation faces will lead to ground loss and increase impacts to the adjacent structures.

Monitoring Plan

7. The monitoring plan does not include installation of monitoring points on the existing rubble retaining walls supporting Middle Gully Road. The plan should be updated to include monitoring points to measure vertical and lateral deformations of this nearby retaining wall.
8. The monitoring plan does not indicate the location or number of monitoring points to be installed on the existing retaining walls. An appropriate plan would include monitoring points every 10 to 20 ft horizontally and at least two levels (vertically) on the 9 Front Street Retaining Wall.
9. The monitoring plan does not set threshold or limiting (stop work) levels for movements of the existing retaining walls supporting Middle Gully Road or 9 Front Street. An appropriate threshold level of 0.25-inches and a limiting movement of 0.5-inches (horizontal or vertical) is appropriate for structures of

these types.

10. The proposed weekly frequency of surveying is not adequate during active excavation and could allow movements to accumulate before being captured in monitoring. Surveys should be every other day (at a minimum) during excavation.
11. The monitoring plan does not indicate if (and how frequently) the results of monitoring will be transmitted to the affected neighboring properties. All monitoring data should be provided to the adjacent property owners. An appropriate transmission cycle would be to provide monitoring data to adjacent property owners within 24-hrs of collecting the data.
12. The SOE Drawings do not provide contingency plans if limiting movement values are exceeded. The drawings should include contingency plans for stabilizing and/or replacing the existing retaining walls if damaged.

Additional Issues

13. An existing tree is in line with the proposed SOE system. The SOE drawings do not address how this tree will be removed and the stability of the ground maintained during and after tree removal.
14. The proposed SOE system is aligned with an existing 4- to 6 -ft tall retaining wall that currently stabilizes the west side of 8 Bank Street and Middle Gully Road. The SOE Drawings need to address how the wall will be demolished to facilitate SOE installation and how stability will be maintained during and after wall demolition.
15. The SOE Drawings indicate that the hillside slope along the west side of the excavation will be stripped and regraded to a steeper slope. The drawings should address how the cut slope will be protected against erosion.
16. The SOE Drawings do not indicate if traffic (pedestrian or vehicular) is permitted along Middle Gully Road during excavation. The plans should be updated to indicate whether pedestrian traffic or vehicular traffic is permitted on Middle Gully Road and the traffic surcharge pressures accounted for in SOE design, if traffic is permitted.

In general, even a well-designed and supported excavation has potential to impact ground within a 1:1 (horizontal to vertical) zone of influence from the bottom of the excavation. All of Middle Gully Road and most of 9 Front Street are within the potential 1:1 zone of influence of the deep excavation required for basement construction at 8 Bank Street. Therefore, we request that the Department of Buildings require the SOE designer to update the SOE design to address the issues outlined above.

Furthermore, the proposed deep excavation at 8 Bank Street results in a potential risk to the Town and County of Nantucket (owners of Middle Gully Road), the general public (users and beneficiaries of access to Middle Gully Road), and the Owners of 9 Front Street. The risk assumed by permitting this construction is that the construction results in damage to Middle Gully Road or the property at 9 Front Street, which are both clearly within the zone of influence of the proposed excavation. If 8 Bank Street is not prepared or is unable to support repairs, there is little recourse for repairing the damages after the fact. Consequently, we recommend that, as a condition of permitting, the reviewing agency require that 8 Bank Street establish a construction escrow account to cover the costs of potential repairs to Middle Gully Road or 9 Front Street in the event that the construction damages occur to these properties. In this way, the Town and County of Nantucket, the general public, and the owners of 9 Front Street are protected from any potential impacts of the construction. The escrow amount should be a portion of the total construction cost and maintain in place for one year after the completion of the basement construction if there are no damages to the surrounding properties.

Please contact the undersigned if you have any questions.

Very truly yours,
**MUESER RUTLEDGE CONSULTING ENGINEERS PLLC**

Jesse L. Richins

Walter E. Kaeck, Principal

# APPENDIX

MRCE
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**PRINCIPALS**
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Eric A. Hoffman

**MARKETING DIRECTOR**
Martha J. Huguet

February 23, 2022

Ann and Jeff Gardner
9 Broadway
Nantucket Island
Siasconset, MA 02554

Re: Evaluation of Potential Impacts of Adjacent Construction
9 Broadway & 9 Front Street
Nantucket Island, Siasconset, MA
MRCE File No. 14294

Dear Mr. and Mrs. Gardner

In accordance with our contract dated February 8, 2022, Mueser Rutledge Consulting Engineers (MRCE) has completed a site visit and geotechnical review of potential impacts to your property (9 Broadway and 9 Front Street) and the adjacent public roadway due to the proposed construction at the neighboring 8 Bank Street property. Our evaluation relies on visual observations of existing conditions made during our site visit and information provided to the local Zoning Board describing the proposed construction.

## EXECUTIVE SUMMARY

Key findings and conclusions regarding the potential impacts of the proposed construction on adjacent property are presented below based on our site visit and review of available documents describing the proposed work at 8 Bank Street. Subsequent sections of this report provide the supporting data upon which our findings are based.

1. The proposed construction at 8 Bank Street requires excavation to a depth of more than 17 feet immediately adjacent to retaining walls supporting adjacent roadways and properties.
2. The existing retaining walls are non-engineered structures that are relied on to support the hillside slope and adjacent structures above 8 Bank Street. The retaining walls consist of old stone rubble walls and lightly reinforced concrete walls of unknown dimension, depth and stability (safety factor) that are vulnerable to damage caused by the adjacent deep excavation at 8 Bank Street.
3. As a result, the proposed excavation at 8 Bank Street poses the risk of destabilization or collapse of the retaining walls with consequent impact to Middle Gully Road and adjacent properties such as 9 Front Street.
4. The conceptual plans submitted to the Zoning Board for building construction and support of excavation during basement construction at 8 Bank Street provide insufficient detail to ascertain whether 8 Bank Street and their engineers have adequately considered the risks to adjacent structures due to the proposed construction.
5. In order to protect the public and adjacent property owners, we recommend that the Zoning Board require that 8 Bank Street submit more detailed design

and construction documents (as listed herein) that includes monitoring and protection plans for adjacent structures, utilities and roadways.

6. Furthermore, in order to protect the adjacent roads and properties, we recommend that the reviewing agency require that 8 Bank Street provide a construction escrow account to cover the costs of potential repairs to adjacent structures and properties if damages occur.

## SITE DESCRIPTION

The site is on the east side of Nantucket Island, in the historic town of Siasconset. The town of Siasconset is primarily located on a bluff between Elevation +50 and +30 overlooking the Atlantic Ocean. However, on the westernmost end of Siasconset, the small historic community of Codfish Park exists near the base of the bluff with ground surface sloping downward from Elevation +17 at the base of the bluffs down to +10 near the beach. Elevations in this report are based on data presented on the City and County of Nantucket GIS site, and are assumed to refer to the North American Vertical Datum of 1988 (NAVD 88).

Our engineering review is related to the potential impacts to two properties on the western edge of the bluff (9 Broadway and 9 Front Street) and the roadway connecting the bluff to Codfish Park (Middle Gully Road) due to proposed building construction at the adjacent property near the bottom of the bluff (8 Bank Street). The relative arrangement of the adjacent properties and roadway is shown in Figure 1.

Source: Town and County of Nantucket, MA Online GIS Maps

Figure 1 – Site Location Plan

Residential development along the bluff has resulted in installation of a series of retaining walls to create terraces (level ground) in the slope for construction of roadways and private homes as Illustrated graphically in Figure 2 and further described below. These non-engineered retaining walls consist largely of old stone rubble walls and lightly reinforced concrete walls of unknown dimension, depth and stability (safety factor).

9 Broadway

9 Broadway is occupied by a two-story U-shaped residence with a basement on relatively flat ground. The site is bounded by Broadway to the west, a residence at 11 Broadway to the North, the historic sea shell

covered Front Street to the East and a residence at 7 Broadway to the south. Ground surface is at about Elevation +35.

9 Front Street
9 Front Street is a roughly triangular-shaped landscaped garden lot across Front Street from the structure at 9 Broadway. The site is bounded to the west by Front Street, to the south by a yard for 7 Front Street, and to the east by Middle Gully Road. The site is ringed by a wooden fence. An existing concrete retaining wall forms the east property line and retains the garden elevated above Middle Gully Road. The retaining wall is 10-inches thick at the top and ranges from 1- to 8-feet in height. Review of historic photos indicates that the retaining wall was constructed at some point after 1940. The garden is approximately flat at around Elevation +34.

Middle Gully Road
Middle Gully Road is a public roadway connecting Bank Street and Beach Street in the lower Codfish Park area to Front Street at a higher elevation. Middle Gully Road traverses the bluff in a narrow corridor between 9 Front Street to the west and 8 Bank Street to the east. The roadway is brick, cobble, and grass lined and slopes downward from about Elevation +34 at Front Street to Elevation +17 at the intersection with Bank Street. The west side of Middle Gully Road includes a low mortared stone rubble retaining wall that steps out from the toe of the larger concrete retaining wall supporting 9 Front Street. The east side of Middle Gully Road includes a wooden hand rail and a 2- to 3-ft tall rubble and boulder retaining wall supporting the roadway above 8 Bank Street. We understand that a water main runs beneath Middle Gully Road and that Middle Gully Road provides emergency egress for the Codifsh Park area (as the only other roadway in and out of Codfish park is Gully Road).

8 Bank Street
8 Bank Street is bounded to the south and west by Middle Gully Road, to the North by 11 Front Street, to the east by Bank Street. The site is sloped down from the west. The site is currently occupied by a single story residence. Review of historic photos indicates that the structure served as a hot dog stand in the 1930's. Ground surface at the structure is at about Elev. +17.

## DOCUMENTS REVIEWED

You provided us with a document package that #8 Bank Street submitted for review to the zoning board authority and historical district commission. The documents include:

- Conceptual Floor Plans and Section for 8 Bank Street by Angus Macleod Designs (4 sheets).
- A Conceptual Excavation Support Plan drawing prepared by McArdle Gannon Associates (MGA) and dated January 28, 2022 (SOE-1) (1 sheet).
- A statement of work scope dated January 28, 2022 for geotechnical engineering services to be performed by MGA. Proposed services include design of temporary support of excavation, performance of geotechnical investigations and pre-construction surveys, and construction observation (2 pages).
- Historic District Commission Submission dated August 19, 2021 including architectural elevations and plans by Angus Macleod Designs (20 pages).

## PROPOSED CONSTRUCTION

Based on our review of the zoning board submittal documents, we understand that the Owner of 8 Bank Street is currently requesting zoning board approval to permit construction of a 2 level building addition with a single level basement below the addition and the footprint of the existing structure. Basement construction will require excavation to a depth of about 10.5 feet along Bank Street and more than 17 feet below Middle Gully Road. The conceptual support of excavation (SOE) plan included in the submission indicates that a

soldier pile and timber lagging system will provide temporary shoring of the excavation sidewalls during basement construction. The SOE is shown setback 3 to 4 feet from the new building footprint. The conceptual SOE plans do not provide details on the size of the soldier piles, methods of installation, or lateral bracing.

## SITE OBSERVATIONS

MRCE Engineer and Senior Associate Mr. Jesse Richins visited the site on February 10, 2022 to observe site features and the condition of existing structures in the area of proposed construction.

9 Front Street Retaining Wall

An existing concrete retaining wall wraps around the south, east, and north sides of 9 Front Street. The retaining wall ranges from about 8-ft tall at the south end of the property to about 1-ft tall at the north end. The wall is 10-inches thick at the top of the wall. The front face of the wall includes vertical slots spaced 3- to 5-feet apart and approximately the size of 2x4 lumber. Remnant timber is present in some of the slots. Within the slots, welded wire fabric was observed at 18-inch spacing. The geometry of the concrete wall (thickness of stem below the top of the wall, base dimensions, depth to footing, etc.) are not known. A horizontal step exists at the toe (base) of the wall that extends 2- to 3-ft horizontally out from the wall into Middle Gully Road (from the front face of the concrete retaining wall) and 1- to 2-feet vertically downward. The step is retained by a mortared stone rubble wall.

The front face of the wall is approximately vertical. Several shallow horizontal cracks and minor spalling are evident. The cracks appear to indicate separation of aggregate when the concrete for the wall was poured. Horizontal crack depth is generally less than 1-inch. Several full depth vertical cracks are present in the south return wall and along the vertical slots in the wall. The concrete wall appears generally stable and in fair condition. At several locations, the mortared stone rubble retaining wall has loose stones and missing mortar.

Photographs illustrating the existing condition of the retaining wall are presented in the Appendix.

8 Bank Street Slope and Retaining Walls

Middle Gully Road is separated from 8 Bank Street by a mortared stone rubble wall. The wall is approximately 2- to 3.5-ft tall. At one location, roughly 1/3 of the way up the road, a tree has grown on the downslope side of the wall with tree roots penetrating into the wall. On the north end of 8 Bank Street, the slope down from the retaining wall is vegetated with grass. A 6-ft tall CMU retaining wall separates the slope from a small patio courtyard on the north end of 8 Bank Street.

Photographs of the slope and retaining wall are presented in the Appendix.

## POTENTIAL IMPACTS OF PROPOSED CONSTRUCTION

The proposed construction requires a deep excavation to a depth of more than 17 feet immediately below Middle Gully Road and the nearby retaining wall supporting 9 Front Street. Furthermore, the retained ground slopes up to a higher elevation, resulting in increased lateral earth pressures on the SOE system as shown in cross-sections A-A' and B-B' in Figure 2.

In general, even a well-designed and supported excavation has potential to impact ground within a 1:1 (horizontal to vertical) zone of influence from the bottom of the excavation. As illustrated in plan and section on Figure 2, all of Middle Gully Road and most of 9 Front Street are within the potential 1:1 zone of influence of the deep excavation required for basement construction at 8 Bank Street. The structure at 9 Broadway is generally beyond the potential zone of direct influence. As a result, the proposed deep excavation could cause ground loss and instability of the retained ground in a number of ways including but not limited to:

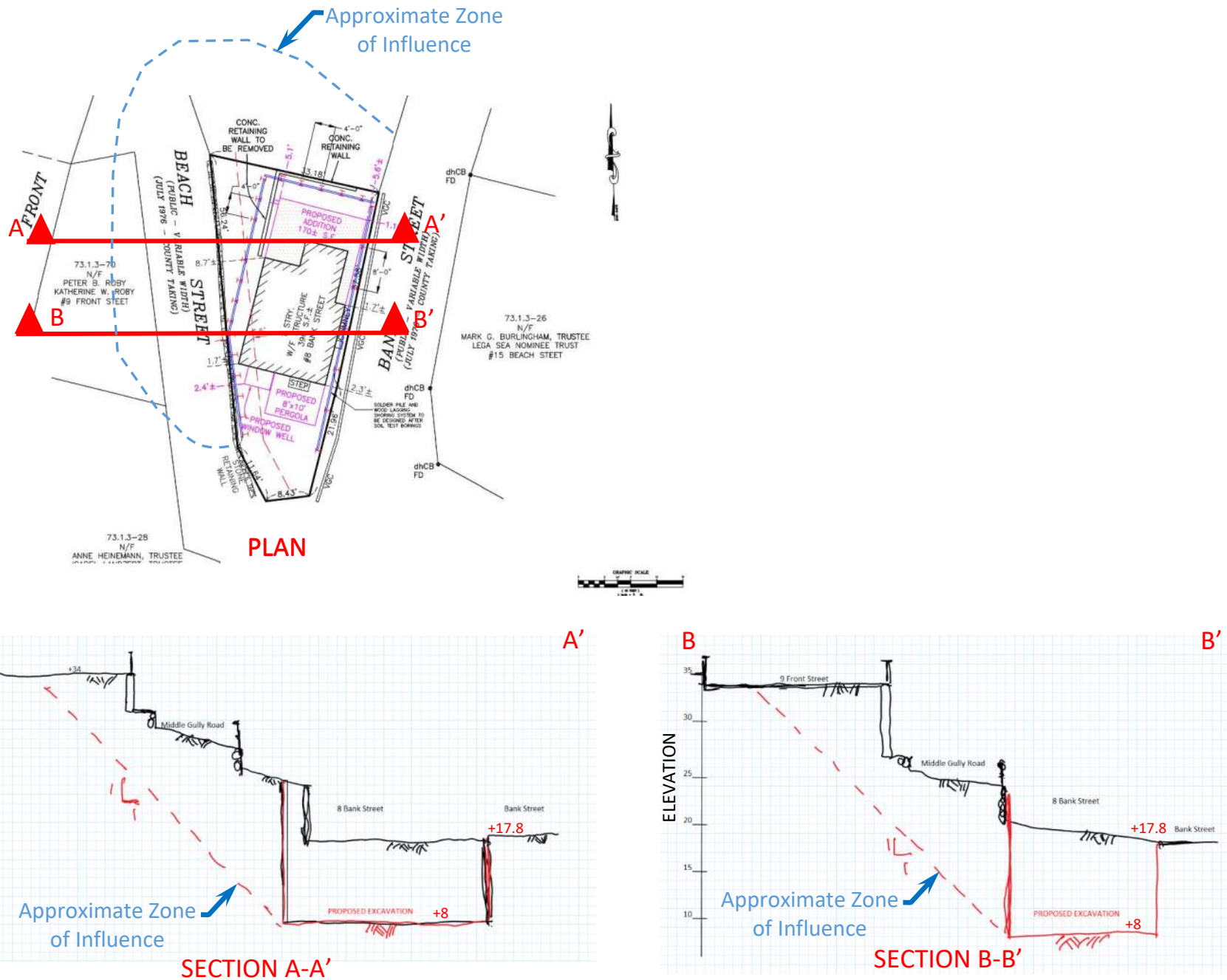



FIGURE 2 – PROPOSED CONSTRUCTION

FIGURE 2 – PROPOSED CONSTRUCTION

1. Insufficient lateral bracing of the SOE system, resulting in horizontal movement of the retained ground and possible collapse of the adjacent retaining walls
2. Installation of soldier piles by driving or other methods could cause vibrations and ground loss with consequent ground settlement and damage to the fragile retaining walls in the upland slope.
3. Improper removal of the existing tree that is embedded in the existing retaining wall resulting in collapse of the existing retaining wall or future settlement as the remnant tree decomposes,
4. Insufficient control of groundwater and surface water resulting in softening of the excavation bottom and horizontal movement of the SOE and the retained ground,
5. Improperly installed and filtered timber shoring boards resulting in loss of retained soil and settlement of the adjacent ground,
6. Insufficient erosion protection resulting in erosion of the slope.
7. Not accounting for potential traffic loads on Middle Gully Road, resulting in excessive movement in an emergency situation requiring vehicular access.

If the proposed excavation destabilizes the retained ground, the potential hazards include:

1. Loss of access for vehicles or pedestrians on Middle Gully Road, an emergency egress path for Codfish Park.
2. Damage to utilities buried below Middle Gully Road providing services to the area.
3. Damage to the historic roadway down to Codfish Park.
4. Damage to the retaining walls and retained property of 9 Front Street.

## DESIGN CONSIDERATIONS

Our evaluation indicates that the proposed deep excavation at 8 Bank Street poses significant risk of damage to the adjacent roadway, utilities, and properties if not carefully designed and constructed due to the proximity of adjacent structures and old and fragile retaining walls supporting the slope. Among the complications that the Designer needs to consider:

1. The retained ground on the west side of the site is sloped and includes old, non-engineered retaining walls of fragile construction that are vulnerable to damage due to vibration or ground settlement. The terraced and upward sloping ground will impose greater horizontal loads on the SOE (compared with level ground) that will need to be accounted for in design.
2. We understand that Middle Gully Road provides emergency access and egress to Codfish Park. Therefore, the road may support traffic live loads in an emergency, potentially even emergency vehicle traffic, such as fire trucks. This requirement should be considered in design and reviewed by the municipality and reviewing board.
3. The proposed excavation along Middle Gully Road is too deep for cantilever support of the hillside and will require one to two levels of bracing to restrain lateral movement.
4. The clean natural sands will tend to ravel and require tight installation of lagging boards and filtering to avoid mining retained soils.
5. The foundations of the retaining walls at 9 Front Street and the eastern edge of Middle Gully Road are not known and should be investigated to understand the potential impacts of the SOE.
6. The slope above 8 Bank Street includes a large tree that is partially grown into the existing retaining wall. Removal of the tree could impact the stability of the existing slope. Removal should be performed in a manner that does not destabilize the slope and maintains long-term stability.
7. The conceptual SOE system is shown with three- to four-feet offset from the proposed structure (in plan). The need for this larger excavation is not clear. The size of the excavation should be limited to necessity for the permanent structure in order to limit the area impacted by the excavation.
8. The layout of the conceptual SOE system requires removal of a part of the existing stone rubble retaining wall supporting Middle Gully Road. The design should address how this wall will be removed, how Middle Gully Road will be supported during construction, and how this historic

retaining wall will be replaced.

9. Pre- and post-construction condition surveys of adjacent structures should be performed to establish baseline conditions prior to construction and determine if construction is impacting surrounding grounds and structures,
10. Construction documents should include provisions for monitoring adjacent retaining walls, utilities and structures for vertical and lateral movement during construction. Instrumentation should include installation of crack gauges and optical movement monitoring so that any impacts are realized in real time and mitigation measures to avoid damage are quickly implemented.

**RECOMMENDATIONS FOR THE REVIEWING AGENCY**

The conceptual plans for building construction and support of excavation during basement construction at 8 Bank Street provide insufficient detail to ascertain whether the Developers and Designers have adequately considered the risks to adjacent structures due to the proposed construction. We recommend that the Board and reviewing agency reviewing the proposed application require the Applicant to provide a full and detailed package before approval of the proposed deep excavation, such that all parties have confidence that the proposed construction will sufficiently protect the public. Before granting approval, we recommend requiring the applicant provide:

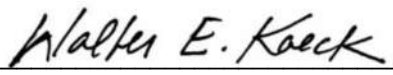
1. Geotechnical report and results of the geotechnical investigation at 8 Bank Street,
2. Detailed SOE Design Plans including means and methods for SOE installation
3. Surface Water and Groundwater Control Plan,
4. Monitoring and Protection Plan, including limiting movement criteria and contingency stabilization measures if movement thresholds are exceeded,
5. Erosion Control Plan,
6. Plan for removal of the existing tree on the slope,
7. Plan for removal and replacement or protection-in-place of the old stone rubble retaining wall supporting Middle Gully Road,
8. Schedule of construction and plans to mitigate impacts due to construction traffic and noise.

Furthermore, the proposed deep excavation at 8 Bank Street results in a potential risk to the Town and County of Nantucket (owners of Middle Gully Road), the general public (users and beneficiaries of access to Middle Gully Road), and the Owners of 9 Front Street. The risk assumed by permitting this construction is that the construction results in damage to Middle Gully Road or the property at 9 Front Street, which are both clearly within the zone of influence of the proposed excavation. If 8 Bank Street is not prepared or is unable to support repairs, there is little recourse for repairing the damages after the fact. Therefore, we recommend that, as a condition of permitting, the reviewing agency require that 8 Bank Street establish a construction escrow account to cover the costs of potential repairs to Middle Gully Road or 9 Front Street in the event that the construction damages these properties. In this way, the Town and County of Nantucket, the general public, and the owners of 9 Front Street are protected from any potential impacts of the construction. The escrow amount should be a portion of the total construction cost and maintain in place for one year after the completion of the basement construction if there are no damages to the surrounding properties.

Please contact the undersigned if you have any questions.

Very truly yours,
**MUESER RUTLEDGE CONSULTING ENGINEERS PLLC**

Jesse L. Richins, PE



Walter E. Kaeck, Principal

JLR:WEK
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# APPENDIX

Retaining Wall – South End – Facing West

South Return Retaining Wall – Facing North

| | | |
|---|---|---|
| **PROPOSED CONSTRUCTION IMPACTS ON 9 BROADWAY, 9 FRONT STREET, & MIDDLE GULLY RD** | | |
| NANTUCKET | | MA |
| **MUESER RUTLEDGE CONSULTING ENGINEERS** | | |
| 14 PENN PLAZA – 225 W 34TH STREET, NEW YORK NY 10122 | | |
| SCALE N/A | MADE BY: JR DATE: 02-15-2022 | FILE No. 14294 |
| 9 FRONT STREET RETAINING WALL | | PLATE 1 |

Retaining Wall – Midway Along Retaining Wall – Facing West

**PROPOSED CONSTRUCTION IMPACTS ON**
**9 BROADWAY, 9 FRONT STREET, & MIDDLE GULLY RD**

NANTUCKET MA

**MUESER RUTLEDGE CONSULTING ENGINEERS**

14 PENN PLAZA – 225 W 34TH STREET, NEW YORK NY 10122

| SCALE | MADE BY: JR | DATE: 02-15-2022 | FILE No. |
|---|---|---|---|
| N/A | | | 14294 |
| 9 FRONT STREET RETAINING WALL | | | PLATE 2 |

Retaining Wall – North End – Facing West

| | | |
|---|---|---|
| **PROPOSED CONSTRUCTION IMPACTS ON 9 BROADWAY, 9 FRONT STREET, & MIDDLE GULLY RD** | | |
| NANTUCKET | | MA |
| **MUESER RUTLEDGE CONSULTING ENGINEERS** | | |
| 14 PENN PLAZA – 225 W 34TH STREET, NEW YORK NY 10122 | | |
| SCALE N/A | MADE BY: JR DATE: 02-15-2022 | FILE No. 14294 |
| 9 FRONT STREET RETAINING WALL | | PLATE 3 |

Loose Portions of Toe Retaining Wall on Middle Gully Road

Loose Portions of Toe Retaining Wall on Middle Gully Road

**PROPOSED CONSTRUCTION IMPACTS ON**
**9 BROADWAY, 9 FRONT STREET, & MIDDLE GULLY RD**

NANTUCKET MA

**MUESER RUTLEDGE CONSULTING ENGINEERS**

14 PENN PLAZA – 225 W 34TH STREET, NEW YORK NY 10122

| SCALE | MADE BY: JR | DATE: 02-15-2022 | FILE No. |
|---|---|---|---|
| N/A | | | 14294 |
| 9 FRONT STREET RETAINING WALL | | | PLATE 4 |

Middle Gully Road, looking North
9 Front Street to Left, 8 Bank Street to Right

**PROPOSED CONSTRUCTION IMPACTS ON**
**9 BROADWAY, 9 FRONT STREET, & MIDDLE GULLY RD**

NANTUCKET MA

**MUESER RUTLEDGE CONSULTING ENGINEERS**

14 PENN PLAZA – 225 W 34TH STREET, NEW YORK NY 10122

| SCALE | MADE BY: JR | DATE: 02-15-2022 | FILE No. |
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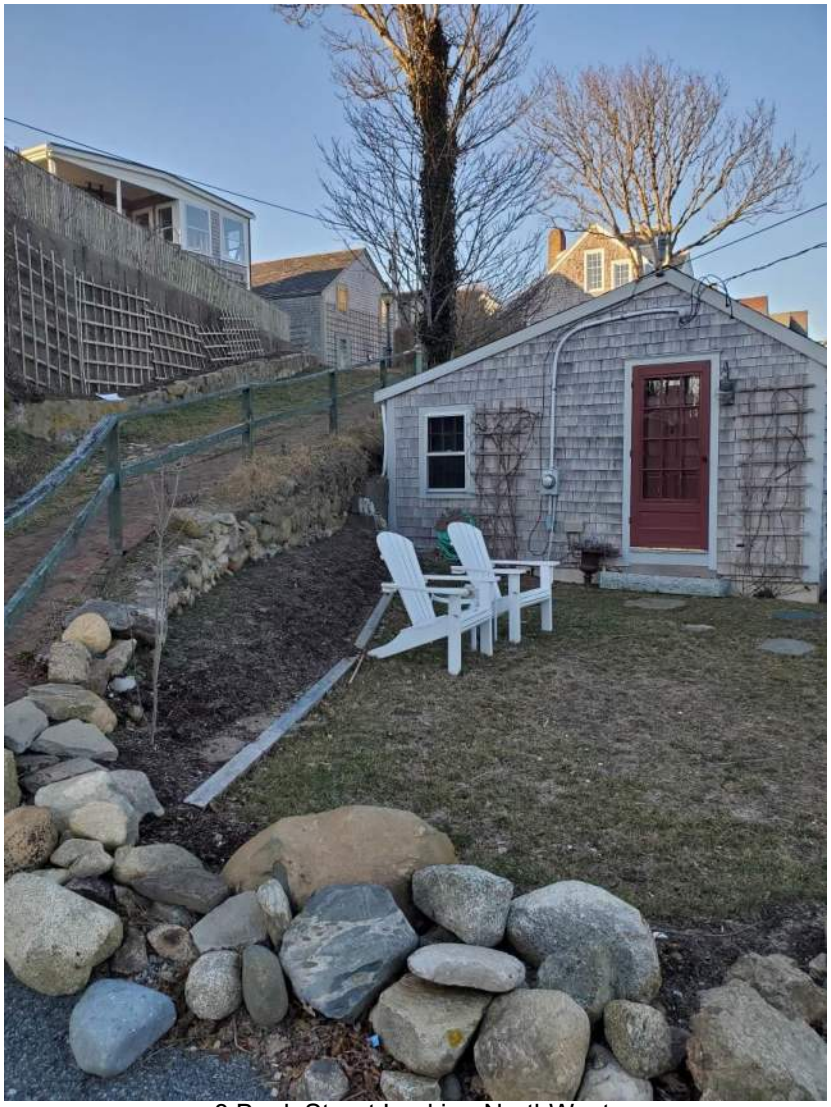
| N/A | | | 14294 |
| MIDDLE GULLY ROAD | | | PLATE 5 |



8 Bank Street Looking NorthWest

8 Bank Street – Looking North along Bank Street

**PROPOSED CONSTRUCTION IMPACTS ON**
**9 BROADWAY, 9 FRONT STREET, & MIDDLE GULLY RD**

NANTUCKET MA

**MUESER RUTLEDGE CONSULTING ENGINEERS**

14 PENN PLAZA – 225 W 34TH STREET, NEW YORK NY 10122

| SCALE | MADE BY: JR | DATE: 02-15-2022 | FILE No. |
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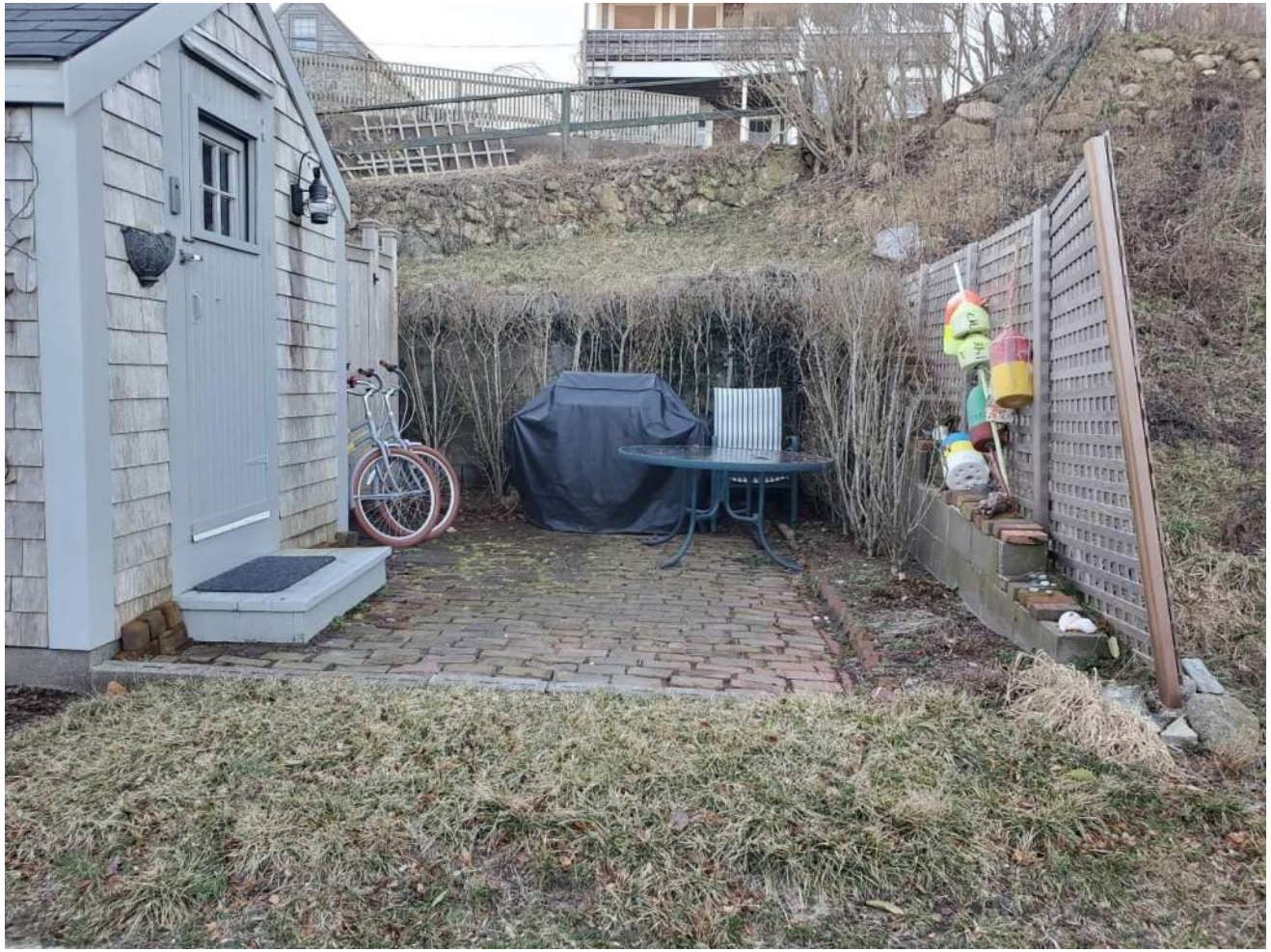
| N/A | | | 14294 |
| | 8 BANK STREET | | PLATE 6 |



8 Bank Street – Existing Courtyard Looking West

**PROPOSED CONSTRUCTION IMPACTS ON**
**9 BROADWAY, 9 FRONT STREET, & MIDDLE GULLY RD**

NANTUCKET MA

**MUESER RUTLEDGE CONSULTING ENGINEERS**

14 PENN PLAZA – 225 W 34TH STREET, NEW YORK NY 10122

| SCALE | MADE BY: JR | DATE: 02-15-2022 | FILE No. |
|---|---|---|---|
| N/A | | | 14294 |
| | 8 BANK STREET | | PLATE 7 |

FITCH

MALGORZATA A. MRÓZEK
mam@fitchlp.com

FITCH LAW PARTNERS LLP
84 STATE STREET
BOSTON, MA 02109

March 4, 2022

**VIA E-MAIL**

Nicky Sheriff
(nsheriff@nantucket-ma.gov)

Leslie Snell
(lsnell@nantucket-ma.gov)

RE: 37-21 Kristina and Nicholas Amendolare Application for Special Permit for 8 Bank Street

Dear Nicky and Leslie:

Attached regarding the above matter is a copy of Jesse Richins and Walter Kaeck's engineering report of their site visit and geotechnical review of potential impacts due to the proposed construction at the 8 Bank Street property.

Would you be so kind as to place color copies of the report in the ZBA packet for next Thursday, March 17th, 2022?

Thank you.

Sincerely yours,

Malgorzata A. Mrózek

MAM:cb
Attachment
cc: Jonathan W. Fitch, Esq.
Arthur Reade, Esq.
Jeff Gardner
Ann Ramsey Gardner
Margaret Van Deusen
Joseph Arvay
Kathy Arvay
Lisa Soeder

PHONE 617-542-5542
FAX 617-542-1542
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**MARKETING DIRECTOR**
Martha J. Huguet

February 23, 2022

Ann and Jeff Gardner
9 Broadway
Nantucket Island
Siasconset, MA 02554

Re: Evaluation of Potential Impacts of Adjacent Construction
9 Broadway & 9 Front Street
Nantucket Island, Siasconset, MA
MRCE File No. 14294

Dear Mr. and Mrs. Gardner

In accordance with our contract dated February 8, 2022, Mueser Rutledge Consulting Engineers (MRCE) has completed a site visit and geotechnical review of potential impacts to your property (9 Broadway and 9 Front Street) and the adjacent public roadway due to the proposed construction at the neighboring 8 Bank Street property. Our evaluation relies on visual observations of existing conditions made during our site visit and information provided to the local Zoning Board describing the proposed construction.

## EXECUTIVE SUMMARY

Key findings and conclusions regarding the potential impacts of the proposed construction on adjacent property are presented below based on our site visit and review of available documents describing the proposed work at 8 Bank Street. Subsequent sections of this report provide the supporting data upon which our findings are based.

1. The proposed construction at 8 Bank Street requires excavation to a depth of more than 17 feet immediately adjacent to retaining walls supporting adjacent roadways and properties.
2. The existing retaining walls are non-engineered structures that are relied on to support the hillside slope and adjacent structures above 8 Bank Street. The retaining walls consist of old stone rubble walls and lightly reinforced concrete walls of unknown dimension, depth and stability (safety factor) that are vulnerable to damage caused by the adjacent deep excavation at 8 Bank Street.
3. As a result, the proposed excavation at 8 Bank Street poses the risk of destabilization or collapse of the retaining walls with consequent impact to Middle Gully Road and adjacent properties such as 9 Front Street.
4. The conceptual plans submitted to the Zoning Board for building construction and support of excavation during basement construction at 8 Bank Street provide insufficient detail to ascertain whether 8 Bank Street and their engineers have adequately considered the risks to adjacent structures due to the proposed construction.
5. In order to protect the public and adjacent property owners, we recommend that the Zoning Board require that 8 Bank Street submit more detailed design

and construction documents (as listed herein) that includes monitoring and protection plans for adjacent structures, utilities and roadways.

6. Furthermore, in order to protect the adjacent roads and properties, we recommend that the reviewing agency require that 8 Bank Street provide a construction escrow account to cover the costs of potential repairs to adjacent structures and properties if damages occur.

## SITE DESCRIPTION

The site is on the east side of Nantucket Island, in the historic village of Siasconset. The village of Siasconset is primarily located on a bluff between Elevation +50 and +30 overlooking the Atlantic Ocean. However, on the westernmost end of Siasconset, the small historic community of Codfish Park exists near the base of the bluff with ground surface sloping downward from Elevation +17 at the base of the bluffs down to +10 near the beach. Elevations in this report are based on data presented on the Town and County of Nantucket GIS site, and are assumed to refer to the North American Vertical Datum of 1988 (NAVD 88).

Our engineering review is related to the potential impacts to two properties on the western edge of the bluff (9 Broadway and 9 Front Street) and the roadway connecting the bluff to Codfish Park (Middle Gully Road) due to proposed building construction at the adjacent property near the bottom of the bluff (8 Bank Street). The relative arrangement of the adjacent properties and roadway is shown in Figure 1.

Source: Town and County of Nantucket, MA Online GIS Maps

Figure 1 – Site Location Plan

Residential development along the bluff has resulted in installation of a series of retaining walls to create terraces (level ground) in the slope for construction of roadways and private homes as Illustrated graphically in Figure 2 and further described below. These non-engineered retaining walls consist largely of old stone rubble walls and lightly reinforced concrete walls of unknown dimension, depth and stability (safety factor).

9 Broadway

9 Broadway is occupied by a two-story U-shaped residence with a basement on relatively flat ground. The site is bounded by Broadway to the west, a residence at 11 Broadway to the North, the historic sea shell

covered Front Street to the East and a residence at 7 Broadway to the south. Ground surface is at about Elevation +35.

9 Front Street
9 Front Street is a roughly triangular-shaped landscaped garden lot across Front Street from the structure at 9 Broadway. The site is bounded to the west by Front Street, to the south by a yard for 7 Front Street, and to the east by Middle Gully Road. The site is ringed by a wooden fence. An existing concrete retaining wall forms the east property line and retains the garden elevated above Middle Gully Road. The retaining wall is 10-inches thick at the top and ranges from 1- to 8-feet in height. Review of historic photos indicates that the retaining wall was constructed at some point after 1940. The garden is approximately flat at around Elevation +34.

Middle Gully Road
Middle Gully Road is a public roadway connecting Bank Street and Beach Street in the lower Codfish Park area to Front Street at a higher elevation. Middle Gully Road traverses the bluff in a narrow corridor between 9 Front Street to the west and 8 Bank Street to the east. The roadway is brick, cobble, and grass lined and slopes downward from about Elevation +34 at Front Street to Elevation +17 at the intersection with Bank Street. The west side of Middle Gully Road includes a low mortared stone rubble retaining wall that steps out from the toe of the larger concrete retaining wall supporting 9 Front Street. The east side of Middle Gully Road includes a wooden hand rail and a 2- to 3-ft tall rubble and boulder retaining wall supporting the roadway above 8 Bank Street. We understand that a water main runs beneath Middle Gully Road and that Middle Gully Road provides emergency egress for the Codifsh Park area (as the only other roadway in and out of Codfish park is Gully Road).

8 Bank Street
8 Bank Street is bounded to the south and west by Middle Gully Road, to the North by 11 Front Street, to the east by Bank Street. The site is sloped down from the west. The site is currently occupied by a single story residence. Review of historic photos indicates that the structure served as a hot dog stand in the 1930's. Ground surface at the structure is at about Elev. +17.

## DOCUMENTS REVIEWED

You provided us with a document package that #8 Bank Street submitted for review to the zoning board authority and historical district commission. The documents include:

- Conceptual Floor Plans and Section for 8 Bank Street by Angus Macleod Designs (4 sheets).
- A Conceptual Excavation Support Plan drawing prepared by McArdle Gannon Associates (MGA) and dated January 28, 2022 (SOE-1) (1 sheet).
- A statement of work scope dated January 28, 2022 for geotechnical engineering services to be performed by MGA. Proposed services include design of temporary support of excavation, performance of geotechnical investigations and pre-construction surveys, and construction observation (2 pages).
- Historic District Commission Submission dated August 19, 2021 including architectural elevations and plans by Angus Macleod Designs (20 pages).

## PROPOSED CONSTRUCTION

Based on our review of the zoning board submittal documents, we understand that the Owner of 8 Bank Street is currently requesting zoning board approval to permit construction of a 2 level building addition with a single level basement below the addition and the footprint of the existing structure. Basement construction will require excavation to a depth of about 10.5 feet along Bank Street and more than 17 feet below Middle Gully Road. The conceptual support of excavation (SOE) plan included in the submission indicates that a

soldier pile and timber lagging system will provide temporary shoring of the excavation sidewalls during basement construction. The SOE is shown setback 3 to 4 feet from the new building footprint. The conceptual SOE plans do not provide details on the size of the soldier piles, methods of installation, or lateral bracing.

## SITE OBSERVATIONS

MRCE Engineer and Senior Associate Mr. Jesse Richins visited the site on February 10, 2022 to observe site features and the condition of existing structures in the area of proposed construction.

9 Front Street Retaining Wall

An existing concrete retaining wall wraps around the south, east, and north sides of 9 Front Street. The retaining wall ranges from about 8-ft tall at the south end of the property to about 1-ft tall at the north end. The wall is 10-inches thick at the top of the wall. The front face of the wall includes vertical slots spaced 3- to 5-feet apart and approximately the size of 2x4 lumber. Remnant timber is present in some of the slots. Within the slots, welded wire fabric was observed at 18-inch spacing. The geometry of the concrete wall (thickness of stem below the top of the wall, base dimensions, depth to footing, etc.) are not known. A horizontal step exists at the toe (base) of the wall that extends 2- to 3-ft horizontally out from the wall into Middle Gully Road (from the front face of the concrete retaining wall) and 1- to 2-feet vertically downward. The step is retained by a mortared stone rubble wall.

The front face of the wall is approximately vertical. Several shallow horizontal cracks and minor spalling are evident. The cracks appear to indicate separation of aggregate when the concrete for the wall was poured. Horizontal crack depth is generally less than 1-inch. Several full depth vertical cracks are present in the south return wall and along the vertical slots in the wall. The concrete wall appears generally stable and in fair condition. At several locations, the mortared stone rubble retaining wall has loose stones and missing mortar.

Photographs illustrating the existing condition of the retaining wall are presented in the Appendix.

8 Bank Street Slope and Retaining Walls

Middle Gully Road is separated from 8 Bank Street by a mortared stone rubble wall. The wall is approximately 2- to 3.5-ft tall. At one location, roughly 1/3 of the way up the road, a tree has grown on the downslope side of the wall with tree roots penetrating into the wall. On the north end of 8 Bank Street, the slope down from the retaining wall is vegetated with grass. A 6-ft tall CMU retaining wall separates the slope from a small patio courtyard on the north end of 8 Bank Street.

Photographs of the slope and retaining wall are presented in the Appendix.

## POTENTIAL IMPACTS OF PROPOSED CONSTRUCTION

The proposed construction requires a deep excavation to a depth of more than 17 feet immediately below Middle Gully Road and the nearby retaining wall supporting 9 Front Street. Furthermore, the retained ground slopes up to a higher elevation, resulting in increased lateral earth pressures on the SOE system as shown in cross-sections A-A' and B-B' in Figure 2.

In general, even a well-designed and supported excavation has potential to impact ground within a 1:1 (horizontal to vertical) zone of influence from the bottom of the excavation. As illustrated in plan and section on Figure 2, all of Middle Gully Road and most of 9 Front Street are within the potential 1:1 zone of influence of the deep excavation required for basement construction at 8 Bank Street. The structure at 9 Broadway is generally beyond the potential zone of direct influence. As a result, the proposed deep excavation could cause ground loss and instability of the retained ground in a number of ways including but not limited to:

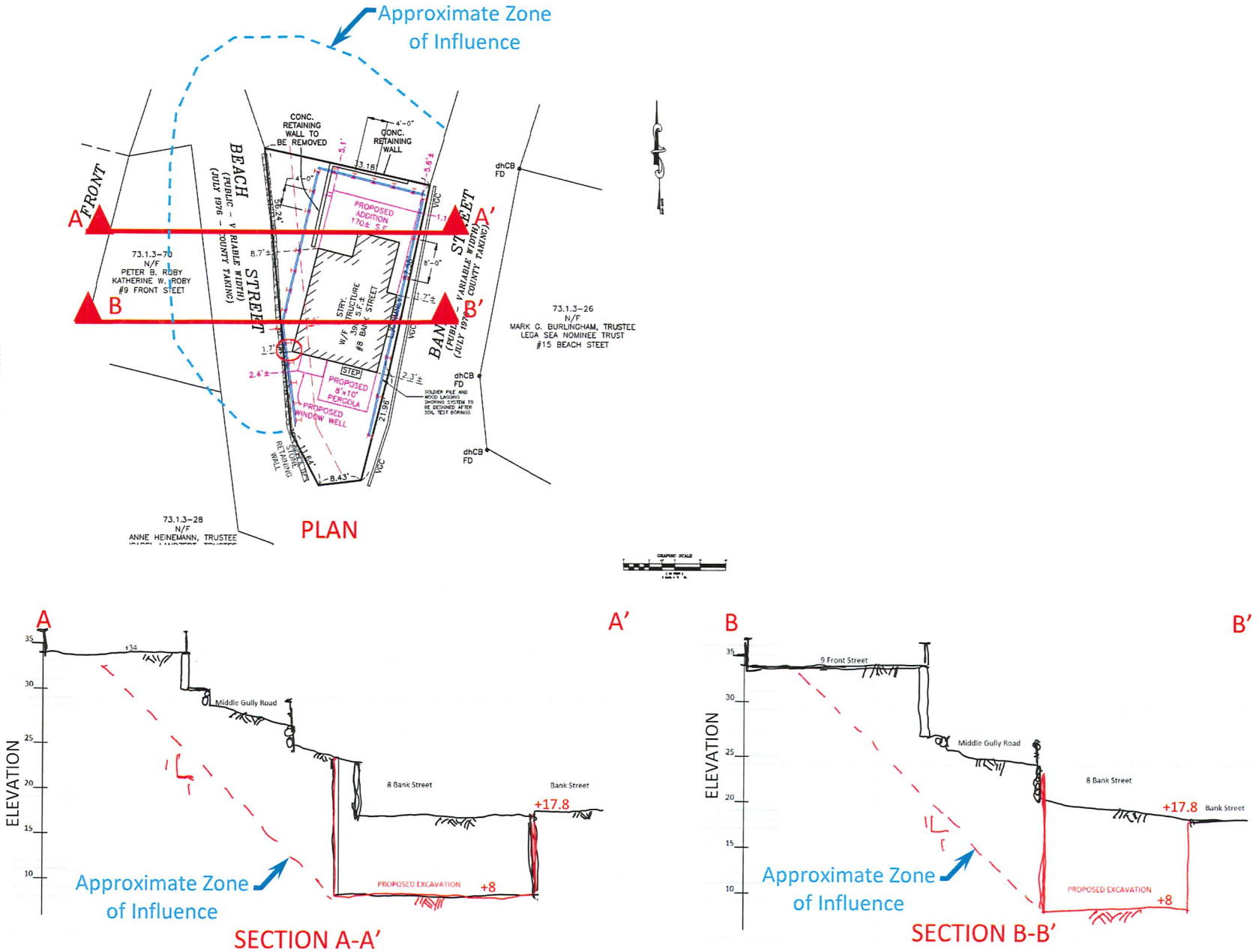



FIGURE 2 – PROPOSED CONSTRUCTION

1. Insufficient lateral bracing of the SOE system, resulting in horizontal movement of the retained ground and possible collapse of the adjacent retaining walls
2. Installation of soldier piles by driving or other methods could cause vibrations and ground loss with consequent ground settlement and damage to the fragile retaining walls in the upland slope.
3. Improper removal of the existing tree that is embedded in the existing retaining wall resulting in collapse of the existing retaining wall or future settlement as the remnant tree decomposes,
4. Insufficient control of groundwater and surface water resulting in softening of the excavation bottom and horizontal movement of the SOE and the retained ground,
5. Improperly installed and filtered timber shoring boards resulting in loss of retained soil and settlement of the adjacent ground,
6. Insufficient erosion protection resulting in erosion of the slope.
7. Not accounting for potential traffic loads on Middle Gully Road, resulting in excessive movement in an emergency situation requiring vehicular access.

If the proposed excavation destabilizes the retained ground, the potential hazards include:

1. Loss of access for vehicles or pedestrians on Middle Gully Road, an emergency egress path for Codfish Park.
2. Damage to utilities buried below Middle Gully Road providing services to the area.
3. Damage to the historic roadway down to Codfish Park.
4. Damage to the retaining walls and retained property of 9 Front Street.

## DESIGN CONSIDERATIONS

Our evaluation indicates that the proposed deep excavation at 8 Bank Street poses significant risk of damage to the adjacent roadway, utilities, and properties if not carefully designed and constructed due to the proximity of adjacent structures and old and fragile retaining walls supporting the slope. Among the complications that the Designer needs to consider:

1. The retained ground on the west side of the site is sloped and includes old, non-engineered retaining walls of fragile construction that are vulnerable to damage due to vibration or ground settlement. The terraced and upward sloping ground will impose greater horizontal loads on the SOE (compared with level ground) that will need to be accounted for in design.
2. We understand that Middle Gully Road provides emergency access and egress to Codfish Park. Therefore, the road may support traffic live loads in an emergency, potentially even emergency vehicle traffic, such as fire trucks. This requirement should be considered in design and reviewed by the municipality and reviewing board.
3. The proposed excavation along Middle Gully Road is too deep for cantilever support of the hillside and will require one to two levels of bracing to restrain lateral movement.
4. The clean natural sands will tend to ravel and require tight installation of lagging boards and filtering to avoid mining retained soils.
5. The foundations of the retaining walls at 9 Front Street and the eastern edge of Middle Gully Road are not known and should be investigated to understand the potential impacts of the SOE.
6. The slope above 8 Bank Street includes a large tree that is partially grown into the existing retaining wall. Removal of the tree could impact the stability of the existing slope. Removal should be performed in a manner that does not destabilize the slope and maintains long-term stability.
7. The conceptual SOE system is shown with three- to four-feet offset from the proposed structure (in plan). The need for this larger excavation is not clear. The size of the excavation should be limited to necessity for the permanent structure in order to limit the area impacted by the excavation.
8. The layout of the conceptual SOE system requires removal of a part of the existing stone rubble retaining wall supporting Middle Gully Road. The design should address how this wall will be removed, how Middle Gully Road will be supported during construction, and how this historic

retaining wall will be replaced.

9. Pre- and post-construction condition surveys of adjacent structures should be performed to establish baseline conditions prior to construction and determine if construction is impacting surrounding grounds and structures,
10. Construction documents should include provisions for monitoring adjacent retaining walls, utilities and structures for vertical and lateral movement during construction. Instrumentation should include installation of crack gauges and optical movement monitoring so that any impacts are realized in real time and mitigation measures to avoid damage are quickly implemented.

## RECOMMENDATIONS FOR THE REVIEWING AGENCY

The conceptual plans for building construction and support of excavation during basement construction at 8 Bank Street provide insufficient detail to ascertain whether the Developers and Designers have adequately considered the risks to adjacent structures due to the proposed construction. We recommend that the Board and reviewing agency reviewing the proposed application require the Applicant to provide a full and detailed package before approval of the proposed deep excavation, such that all parties have confidence that the proposed construction will sufficiently protect the public. Before granting approval, we recommend requiring the applicant provide:

1. Geotechnical report and results of the geotechnical investigation at 8 Bank Street,
2. Detailed SOE Design Plans including means and methods for SOE installation
3. Surface Water and Groundwater Control Plan,
4. Monitoring and Protection Plan, including limiting movement criteria and contingency stabilization measures if movement thresholds are exceeded,
5. Erosion Control Plan,
6. Plan for removal of the existing tree on the slope,
7. Plan for removal and replacement or protection-in-place of the old stone rubble retaining wall supporting Middle Gully Road,
8. Schedule of construction and plans to mitigate impacts due to construction traffic and noise.

Furthermore, the proposed deep excavation at 8 Bank Street results in a potential risk to the Town and County of Nantucket (owners of Middle Gully Road), the general public (users and beneficiaries of access to Middle Gully Road), and the Owners of 9 Front Street. The risk assumed by permitting this construction is that the construction results in damage to Middle Gully Road or the property at 9 Front Street, which are both clearly within the zone of influence of the proposed excavation. If 8 Bank Street is not prepared or is unable to support repairs, there is little recourse for repairing the damages after the fact. Therefore, we recommend that, as a condition of permitting, the reviewing agency require that 8 Bank Street establish a construction escrow account to cover the costs of potential repairs to Middle Gully Road or 9 Front Street in the event that the construction damages these properties. In this way, the Town and County of Nantucket, the general public, and the owners of 9 Front Street are protected from any potential impacts of the construction. The escrow amount should be a portion of the total construction cost and maintain in place for one year after the completion of the basement construction if there are no damages to the surrounding properties.

Please contact the undersigned if you have any questions.

Very truly yours,
**MUESER RUTLEDGE CONSULTING ENGINEERS PLLC**

Jesse L. Richins, PE

Walter E. Kaeck, Principal

JLR:WEK
F:\142\14294\Letter - 2022-02-16.docx

Clarification:  As for the 19' ridge height, it can certainly be lower, but not higher.  Sam

Begin forwarded message:

**From:** Sam Daniel <svdiii@comcast.net>
**Subject: 8 BANK STREET, 'SCONSET**
**Date:** November 27, 2021 at 11:06:54 AM EST
**To:** nsheriff@nantucket-ma.gov
**Cc:** kmccarthy@nantucket-ma.gov, Holly Backus <hbackus@nantucket-ma.gov>, Daniel Sam <svdiii@comcast.net>

ZBA Board Members,

I approve of the latest design that was presented to the HDC for 8 Bank Street's structure.

I have concerns about the proposed basement, but do not oppose it, as long as it passes all of the necessary inspections.

The tree is old, compromised, and not attractive.  If left standing, when and if it falls, it and its roots will damage the Middle Gully road, the bank, and 8 Bank Street.

As for the structure's much debated ridge-height, I firmly support 19'.  My old mouse-house's ridge-height is 14'.  While its old loft is accommodating, a 19' ridge-height would make it so totally accommodating and livable.  Sadly, structures that are too high and inappropriate have been allowed in Codfish Park, setting very bad precedents.  It's a perfect example of the old saying, once you let the camel's nose under the tent, you get the whole camel.

Sam Daniel
6 Broadway

Good Afternoon,
Please distribute the below to the Zoning Board of Appeals.

Dear Members of the Board of Appeals,

We are writing to express our concern about what may be a clerical error but is otherwise a serious violation of the Open Meeting Law (G.L. c. 30A, §§ 18 through 25), by the Historic District Commission (HDC) in the above-referenced matter. In either case, the Board of Appeals should refuse to hear the applicants' request for a special permit and require them to withdraw it until this matter is resolved in an open process, or alternatively it should deny the special permit request.

As you will see from the HDC minutes attached to the applicant's ZBA submission, a copy of which are attached hereto, contrary to the applicants' assertion in their filing with the ZBA, a motion to approve this project did *not* carry at the HDC's September 7, 2021, meeting.

At that meeting, the HDC members declined to approve the project, and voted to hold it for further revisions. No further proceedings were noticed or held on this application before the HDC to the best of our knowledge. We were therefore quite surprised to learn for the first time when reviewing the ZBA application that the plans are stamped approved by the HDC in contradiction of its last public vote.

Since an application for a building permit must be accompanied by a certificate of appropriateness issued by the HDC, under the circumstances here, the Board should remove this matter from its December 9, 2021 agenda and until such time as the Attorney General's Office has reviewed this pursuant to the Open Meeting Law.
Sincerely,
Margaret Van Deusen, Isabel Landzert and Anne Reilly
7 Front Street

# HISTORIC DISTRICT COMMISSION
## REGULAR MEETING

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

**Commissioners:** Raymond Pohl (Chair), Abigail Camp (Vice-chair), John McLaughlin, Diane Coombs, Vallorie Oliver,
**Associate Commissioners**: Stephen Welch, Jessie Dutra, Carrie Thornewill

## ~~ MINUTES ~~
## Tuesday, September 7, 2021

*This meeting was held via remote participation using ZOOM and YouTube, Pursuant to Governor Baker's March 12, 2020 Order Regarding Open Meeting Law*

Called to order at 5:01 pm. and announcements by Mr. Pohl

| | |
|---|---|
| Staff in attendance: | Kadeem McCarthy, Interim HDC Compliance Coordinator; Holly Backus, Preservation Planner |
| Attending Members: | Pohl, Camp, McLaughlin, Coombs, Oliver, Welch, Thornewill |
| Absent Members: | Dutra |
| Late Arrivals: | McLaughlin, 5:06 pm; Welch, 5:09 pm. |
| Early Departures: | Pohl, 7:15 pm; Welch, 8:59 pm |

Adoption of Agenda.
Motion **Motion to Approve as drafted. (Coombs)**
Roll-call vote Carried 5-0//Oliver, Camp, McLaughlin, Coombs, and Pohl-aye

## I. PUBLIC COMMENT

None

## II. CONSENT

| Property owner name | Street Address | Scope of work | Map/Parcel | Agent |
|---|---|---|---|---|
| 1. Thomas Nelson **08-4468** | 129 Polpis Road | 2nd-floor addition | 44/195 | Norton Preservation |
| 2. George Cosby | 9 Darling Street | Roof change | 42.3.2/117.1 | James Lydon |

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

## III. CONSENT WITH CONDITIONS

| | Property owner name | Street Address | Scope of work | Map/Parcel | Agent |
|---|---|---|---|---|---|
| 1. | Lisa Moison | 22 Ahab Drive | Pool and Hardscape | 65/52 | Phil Dobson |
| | • Not to be visible at time of inspection and thereafter. | | | | |
| 2. | Kristina Shadek | 134C Main Street | Shed | 41/37 | Structures Unlimited |
| | • Site plan, showing shed, to be submitted. Shed dimensions from two points of the nearest structure to be shown on plan. | | | | |
| 3. | Housing Nantucket | 17 Irving Street | Rooftop solar | 79/120 | ACK Smart |
| | • Not to be visible at time of inspection and thereafter. | | | | |

| | |
|---|---|
| Voting | Pohl, Camp, Coombs, Oliver, Welch |
| Alternates | Thornewill |
| Recused | (lost McLaughlin at 5:12) |
| Documentation | Architectural elevation plans, site plan, and photos. |
| Representing | None |
| Public | None |
| Concerns | **Coombs** – Asked to look at 17 Irving Street; that street doesn't have much vegetation.<br>**Welch** – The recommendation is based upon review of the application and a site view; there is no location this would be visible. |
| Motion | **Motion to Approve through staff per noted conditions. (Coombs)** |
| Roll-call Vote | Carried 5-0//Oliver, Camp, Welch, Coombs, and Pohl-aye |
| Certificate # | **HDC2021-09-(as noted)** |

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

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

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

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

## Nickesha Sheriff

**From:** Helen Strong <helenmstrong1@gmail.com>
**Sent:** Thursday, December 2, 2021 10:08 PM
**To:** Nickesha Sheriff
**Cc:** Holly Backus
**Subject:** Re: Kristina and Nicholas Amendolare, File No. 37-21

Dear Members of the Zoning Board of Appeals,

I am writing to dispute the claim that the HDC approved the application for construction at 8 Bank Street in Codfish Park, 'Sconset at its Sept. 7 meeting. I attended that meeting via Zoom and the vote was 2 in favor and 2 abstentions, as the Minutes of the meeting show. The application was then put on hold for revisions and has not been re-addressed, at least in a public forum. At that meeting, the designer of the proposed construction, Angus MacLeod, attempted to browbeat the commissioners who abstained into approving his plans for the house, but was not successful. Earlier in the summer, Mr. MacLeod had declined to meet conditions that the HDC stipulated for possible approval: to lower the roofline by several feet. On the subject of height, it has been noted that the land under 8 Bank St. is a higher grade than land further down on Beach St. so the building, if allowed, would be taller than existing buildings in Codfish Park.
It is incorrect to state that the proposed construction would be an addition. It would instead be a demolition. Mr. MacLeod's design shows an entirely different structure from what is now there. The current building dates from the 1920s and '30s, according to the town's Preservation Planner, Holly Backus.
A large group of neighbors in Siasconset strenuously object to the proposed construction at 8 Bank St. Numerous letters from homeowners residing throughout the village have been sent to the HDC regarding this project. The Siasconset Civic Association, which represents the village at large, is opposed to this ill-considered and incongruous construction. The proposed "addition" would loom like a mini-skyscraper over the cobblestoned Middle Gully pathway in one of the most historic and storied parts of the village – and in fact of the island. The building would look absurd, surmounting the height of the adjacent tall bank on the other side of the Middle Gully and creating a tunnel for pedestrians walking down the Gully to the beach. It would obstruct treasured public viewscapes from Front Street that are valued by villagers, visitors, and artists – and really belong to all. As filmmaker and actor John Shea, who set a scene from one of his films on Middle Gully, stated, "if allowed, this will change the history of 'Sconset forever."

Sincerely,
Helen Strong
18 Broadway
'Sconset

This email was scanned by Bitdefender

Please distribute this letter to the Zoning Board of Appeals.

Dear Members of the Board of Appeals,

We are writing to the referenced application submitted by the Amendoles, File No 37-21. At the HDC meeting on September 7, 2021, the Amendole's application for HDC approval did not carry and the board voted to hold it for further review. This application has not been on the HDC agenda again. We were shocked when we received the ZBA notice in the mail showing a HDC stamped approval.

How can an application get approved behind closed doors without the public being aware? We ask that the ZBA application be removed from the December 9, 2021 agenda until the matter can be reviewed by the Attorney General's Office pursuant to the Open Meeting Law.

Thank you for your attention to this matter.

Sincerely,
Joseph and Kathy Arvay
11 Front St
Siasconset

Sent from my iPhone

_____
This email was scanned by Bitdefender

**Re: Kristina and Nicholas Amendolare, File No. 37-21**

Dear Members of the Board

For the past 34 summers, my family and I have spent time in the summer months in 'Sconset, renting and then, since 1999, owning a house on Front Street in the village. It is a very special place

The proposed construction at 8 Bank St / Middle Gully Rd- is altogether unsuitable to the space- rising as a veritable 'Sconset skyscraper to block the Front St vista and compromise the scale in that part - indeed most areas- of the village. Additionally, It will pose a threat to the stability of the bank there.

I have written a letter (email dated August 3, 2021 )and attended in person two hearings of the HDC this past summer to add my voice to the significant number of villagers who strongly object to this construction.

Please do not approve this project.

Sincerely,

Janet Ballou

21 Front St.

Kindly distribute the comments below with attachments to the Board of Appeals.

Dear Members of the Board of Appeals,
Please accept these comments concerning the application for a special permit by Kristina & Nicholas Amendolare, File No. 37-21. The current structure at 8 Bank Street is a preexisting nonconforming structure. According to the applicant's Addendum to their filing, relief is sought to increase the height of the dwelling within the 5-foot rear yard setback. While the applicants characterize this as "a one-story addition" on the northerly side of the building and state that the second floor addition would be constructed over the existing footprint, this contradicts the north side plans that show this as a two-story addition. The project appears to be a demolition of this historic structure rather than an addition. Applicants are also planning to increase the groundcover ratio from 28% to 40% on this tiny lot.

We sent an email to the ZBA last week expressing our concerns about the applicants' assertion that a certificate of appropriateness was issued by the HDC on September 7, 2021. This did not comport with the actions of the HDC at that meeting and as reflected in the minutes of the meeting. Contrary to the applicants' statement, a motion to approve was not carried at the HDC meeting and there was a unanimous vote to hold for further revisions.

We attended the September 7th meeting and were quite surprised to learn for the first time when reviewing the ZBA application of the HDC stamp on the plans. Either this stamp was simply a clerical error, or it represents a serious violation of the Open Meeting Law. In either case, the validity of the certificate is in question. Under these irregular circumstances we believe the application should be withdrawn unless and until there is a proper certificate of appropriateness issued by the HDC.

8 Bank Street is a tiny lot at the base of Middle Gully, the cobblestoned path that connects Front Street with Codfish Park (CFP). It sits at the entrance to CFP at the bottom of and directly against the coastal bank. The project seeks to more than *double* the height of the house to 20 feet and to build a full basement with an 8 to 9 foot ceiling for living space.

This proposed structure is widely opposed by Front Street and Broadway owners and by the community, including by the Siasconset Civic Association. The Civic Association, which we understand rarely takes a position on house construction, felt compelled to do so here because of the unique location and the impacts the height would have on Middle Gully, CFP, and Front Street. The Civic Association's August l and September 2, 2021, letters to the HDC are attached to this email.

Due to its position against the bank much of the structure will be above the top of the bank and Front Street. It will be visible from three directions on iconic Front Street, block views there, and its impacts will completely change the look of CFP, Middle Gully and Front Street. It is appropriate for the Board in considering the "neighborhood" impact to include Front Street, Broadway and Middle Gully, as well as CFP. The structure's windows and large dormer on the west side immediately against Middle Gully will dominate the gully, closing it in and creating a

tunnel effect, and eliminating views from Front Street over CFP rooftops to the Atlantic admired by so many. This profoundly vertical house given its location will be substantially detrimental to the interests of the neighborhood and to the inhabitants of the village.

We agree with Jeff Gardner, the owner of 9 Broadway/9 Front Street, that the Blackwell & Associates diagram submitted to the HDC and the ZBA do not paint the true picture of these impacts—and even those depicted in the Blackwell diagrams are quite significant. The land at 11 Front Street selected for comparison in the Blackwell HDC and ZBA diagrams is higher than the land at 7 and 9 Front street and the finished ground elevation at 8 Bank used by Blackwell (17 feet 7 inches) is for the lowest part of that lot. According to the topographical map submitted by Angus MacLeod to the HDC, parts of the lot are several feet higher than this.

We saw the height poles that were ordered by the HDC last spring and we and our neighbors were shocked by the structure's proposed height above the bank. We visually estimated then that the roof line would overtop the bank by six feet, or about three feet over the existing fence at 9 Front Street. Two photographs showing the height poles are attached to this email as the 3rd and 4th attachments (in the 4th attachment the pole is to the right of our house). The height was subsequently dropped by only one foot, from 21 to 20 feet, despite the requests of many inhabitants and abutters for a lower structure. The Gardners' analysis of the Blackwell diagram submitted to the HDC several days after the September 7th meeting, puts the structure's height overtopping the bank by between 5 feet and 7.5 feet. We think a site visit would be beneficial to the Board.

While the applicants provided the heights of other houses in CFP, these are not really relevant since *none* of those houses is right up against the bank. The proposed structure's doubled height's impact is compounded by the elevated site grade at the base of the coastal bank and its near perspective in relation to the bank. If permitted, this will set a terrible precedent for building houses up against the bank and taller than it. There are no such houses today.

Because the structure is located directly against the coastal bank and Middle Gully this is an environmentally sensitive and difficult site on which to build. Increasing the ground cover ratio and eliminating most of the front yard with an 8x10 patio (built over the septic system in the front yard) will increase stormwater runoff from the site. Site runoff will discharge down Beach Street to the intersection with Codfish Park Road, where flooding during rain events is already routine and worsening. Codfish Park Road is the only car access to CFP and this flooding, which will increase further with climate change and its more intense precipitation, is a hazard causing both damage to the roadway and public safety concerns.

One challenge the community now faces is how town departments, boards and commissions will work together to create and maintain resiliency to climate change. Here, in the rezoning of CFP to Siasconset Old Historic (SOH), an unintended consequence is that houses in CFP are apparently able to increase their ground cover ratio and to decrease setbacks (*i.e.*, zero front yard setback) in the SOH. The resulting increase in impervious surfaces prevents infiltration and the deep basements now trending in CFP compound this. This is the very opposite of creating environmental resilience to climate change.

In sum, this structure's proposed height this close to the bank is inappropriate and will be substantially more detrimental than the existing nonconforming structure to the neighborhood. As the Civic Association said in its September 2nd letter to the HDC: "The preservation of the scale of the houses and streetscape are essential to keeping the character of Codfish Park intact. . . . a higher structure in this specific location would disturb the balance and rhythm of architecture in this historic neighborhood."

We ask that you deny the special permit. Thank you in advance for consideration of our comments.

Sincerely,
Margaret Van Deusen, Anne Reilly, and Isabel Landzert
7 Front Street

313

EASTWARD LOOK
7

# Siasconset Civic Association

P.O. Box 360
Siasconset, MA 02564

August 1, 2021

Via E-Mail
Nantucket Historic District Commission
2 Fairgrounds Road
Nantucket, MA 02554

Re: 8 Bank Street, Siasconset

Dear Commissioners,

On behalf of the Board of the Siasconset Civic Association, I am writing to express our concerns about the plans that have been submitted for **8 Bank Street** in 'Sconset, as revised July 22, 2021.

With all due respect to the property owner and the architect, we believe the proposed renovation -- even with the recent revision (lowering of the roofline by one foot) – is inappropriate given the unique location of this home and its historical importance. In short, we believe allowing the current structure to be altered to a 20 ft height, while digging a new basement with a 9 foot ceiling height, would be wholly inconsistent with the HDC's mission to preserve and protect historic buildings and places of historic interest.

We ask the HDC to "consider the appropriateness of the size and shape of the building or structures both in relation to the land area upon which the building or structure is situated and buildings and structures in the vicinity" as authorized in Chapter A301-4, Section 9(b), Code of Nantucket.

***Historical Importance of 8 Bank Street***

The house at 8 Bank Street is an historic building in 'Sconset worth of preserving as it is the only remaining structure in Codfish that used to be a fisherman's shack (built in the 1800s) and then later became a shop serving the community. Indeed, it is one of the few houses in that area of 'Sconset that is consistently featured in publications about its history and uniqueness (see the attached appendix). This historic cottage—appropriately described as "iconic" in a 2019 Cape Cod Times article—should not be allowed to be renovated as extensively as the current owners propose or we will lose yet another important part of 'Sconset's history.

***Importance of Middle Gully Road***

In addition to considering the historical importance of 8 Bank Street, we urge the HDC to consider the importance of preserving Middle Gully Road as is. Having a house looming over this road—which runs behind and beside this house—would change the character of this historic road, used by many pedestrians to get to Codfish Park and the beach. Moreover, Middle Gully Road is an emergency access route for Codfish Park. An engineer's report on how construction would affect the stability of the bank and the road is essential.

***The Iconic View from Front Street***

Residents and visitors alike pause on Front Street at the top of Middle Gully Road, or when approaching it, to take in the view of Codfish Park and the ocean. Allowing yet another house to block that view, even partially, would be a real loss. No other house in Codfish Park is located so close to the bank, making the added proposed height more visually impactful. The unique location of the cottage should be enough to warrant preserving its existing height and the iconic view from Front Street.

***Preservation of Trees in Codfish Park***

We are concerned that the large, unique tree that stands just behind the existing structure on 8 Bank Street would be damaged. If a second story is allowed to be added to this house, as proposed, it would endanger the health of the tree and possibly necessitate extensive pruning. There are very few trees in Codfish Park, making the preservation of this one particularly important. This tree may very well be helping to hold up the bank.

For all these reasons, the Board of the Seasoned Civic Association urges the HDC to deny the pending application for the proposed renovation at 8 Bank Street. While the historic structure at this location has obviously been renovated over time, we think the renovation being currently proposed is simply excessive and inappropriate.

Respectfully,

Lynn Filipski
President, Siasconset Civic Association

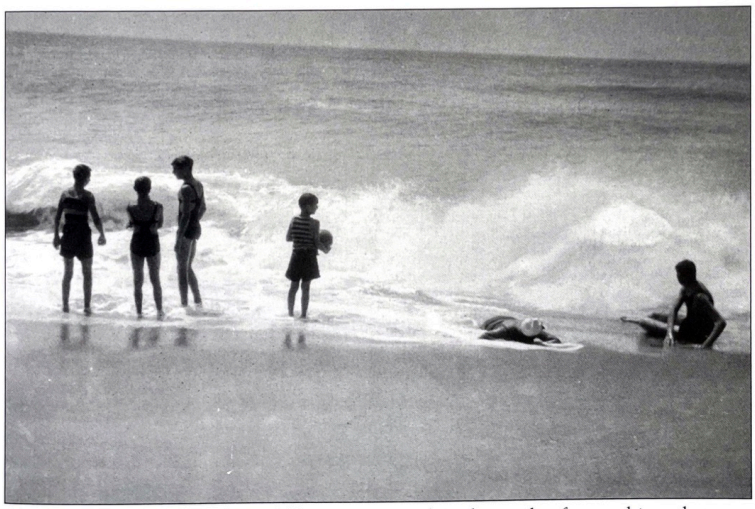
cc. Sconset Advisory Board (via e-mail)

# APPENDIX

Letter to the Historic District Commission dated July 31, 2021

The book *Images of America: 'Sconset*, by Rob Benchley and Richard Trust (published in 2020 by Arcadia Publishing), features 8 Bank Street on p. 61 (top):

Many shacks built in the 1800s and before were repurposed in later years. These unidentified men appear to be offering something from this converted shack. Possibly fried "chitterlings, tongues, and breeches," which were savored fare in those days, being the leftover parts of the codfish that were not shipped off-island. This shack became an ice-cream and hot dog stand in the 1920s and is a private home today.



On the beach at Codfish Park, would-be swimmers took in the sought-after soothings that were promoted by advertisers of 'Sconset and its charms. There is no sandbar to speak of at 'Sconset Beach, as strong tidal currents wash the shore hourly in potentially dangerous regularity. Early accounts of swimming here mention safety ropes that were strung at right angles to the shore. (Photograph by Gertrude Darling Benchley, courtesy of Rob Benchley.)

61

The **Nantucket Preservation Trust** similarly thought 8 Bank Street was important enough to include a photo of it in a July 2020 article about Codfish Park, https://www.nantucketpreservation.org/codfish-park-and-10-beach-street-7976. The photo included (below, c.1920) shows the sign when it was one of the few shops in Codfish Park.

*8 Bank Street, today "Tour's End," started out as a hot dog stand. c. 1920 (NHA image.)*

On the **Nantucket Historical Association's** webpage about Codfish Park (https://www.nha.org/digitalexhibits/sconset02564/timeline/codfishpark.html), a photo of this home is the only one featuring a specific house (bottom photo) and its particular history is highlighted (last paragraph):

# Codfish Park



One of the most interesting facts about Codfish Park is that it did not physically exist until the late nineteenth century. Prior to that time, the beach below the village was narrow; in fact, a devastating storm in 1841 undercut the bank and caused several houses to fall and others to be moved because of their precarious position. Over the succeeding decades the beach accreted naturally, becoming a site for fishing shacks and boat storage for the cod fishermen.

The land below the bank belonged to Henry Coffin, who deeded it to the Proprietors of Nantucket in 1886, when it was just a narrow strip. Coffin intended for the beach to be used by the inhabitants of the island; one of the stipulations of his deed was that "no building or other obstruction of any kind be erected or maintained on the premises, except bath houses, to be used as such." In less than three decades, however, the beach tripled in width and became the site of numerous buildings. It was during this period that the fisherman left their mark on Codfish Park, erecting ramshackle clusters of cottages and shacks often surrounded by fishing drays, drying racks, and whale-oil barrels to catch rainwater.

Toward the turn of the century, Codfish Park formed a picturesque backdrop for visiting tourists, and for the photographers and artists who captured images of its antiquated structures in their works. A report in the *Inquirer and Mirror* in 1921 described the evolution of the neighborhood from this "derelict" period of shacks and shanties into homes:

*Gradually they have taken up locations, and all during the past thirty years, the widening of the beach having created building sites, 'which have been pre-empted,fish-house giving place to shanty, and shanty to more pretentious dwelling and bathing house, until the fish-house is almost a memory only.*

In the early twentieth century, Codfish Park acquired a unique character as home to many of the working families of 'Sconset, who frequency served as domestic staff for families in the large houses "up bank," or offered other services such as laundry and baby-sitting help. Others operated businesses of their own in the village. This fascinating and exceptional community was racially and ethnically mixed, with families of African-American, Cape Verdean, Irish, and many other backgrounds living side-by-side. Some had stores in Codfish Park itself—many people, for example, fondly remember Mrs. Amos (Linda) Arey, who sold freshly baked pies, sweets, hot dogs, and candy from her small store by the gulley. Other businesses included John Thomas's fish market, John Salvas's barber shop, Lily (Mauldin) Mackie's beauty parlor, and Venture-Inn selling bathing suits and other beach gear. Living Codfish Park residents recall a cordial, sometimes friendly, sometimes complex, relationship with the children from above bank. Codfish Park was a community unto itself, but one with strong ties to 'Sconset village, whether through the relationship of work; through gatherings, movies, and shows at the Casino; or through the regular bustle and interchange of village life.

*Codfish Park,1880s*
*F3259*

*Small shop in Codfish Park. Sign on front: Mrs. Amos Arey Prop. Home Cooking Hot Dogs Soft Drinks & Candy*
*c. 1920s*
*Scan gift of Grace Yates.*
*SC665-39*

# Siasconset Civic Association

P.O. Box 360
Siasconset, MA 02564

September 2, 2021

Via E-Mail
Nantucket Historic District Commission
2 Fairgrounds Road
Nantucket, MA 02554

Re: 8 Bank Street, Siasconset

Dear Commissioners

On behalf of the Board of the Siasconset Civic Association, I am writing again to express our concerns about the revised plans for 8 Bank Street.

Despite recommendations for a lower roofline at the HDC meeting on August 17, the proposed structure is still 20 ft high. This is roughly 2-3 feet higher than 15 Beach Street, the new house being built nearby that is much taller than the houses around it. Additionally, the structure would be five feet higher than Front Street – the first and only structure in Codfish Park that would be higher than that iconic street -- and loom over Middle Gully Road.

Historically, the structure at 8 Bank Street has always been one story. That scale is in keeping with the original fishing shacks that once predominated Codfish Park. Because of the property's location on a higher point of land than other houses in Codfish Park, the proposed two-story structure would be the highest roofline in the entire neighborhood.

The most outstanding feature of this part of 'Sconset is the continuity of architectural elements where no building diminishes another. The preservation of the scale of the houses and streetscape are essential to keeping the character of Codfish Park intact. We do not consider the proposed height in keeping with the physical location nor the neighborhood.

The Board of the Siasconset Civic Association continues to urge the HDC to deny the pending application for the proposed renovation at 8 Bank Street on the ground that a higher structure in this specific location would disturb the balance and rhythm of architecture in this historic neighborhood.

Respectfully,

Lynn Filipski
President, Siasconset Civic Association

cc. Sconset Advisory Board (via e-mail)

Dear Members of the Nantucket Zoning Board of Appeals,

Please see the attached comments and exhibits regarding the Special Permit request submitted by Kristina and Nicholas Amendolare (File No. 37-21) for making additions and renovations to the structure located at 8 Bank Street, 'Sconset. We respectfully request this application be withdrawn from the December 9, 2021 agenda and held for consideration until a detailed legal review of the circumstances related to the submission is completed.

At the 9/7/2021 Regular Meeting of the HDC, a motion to approve the plans as submitted did not carry; the vote resulted in a tie and failed. Another motion to hold for revisions of the plans followed; this vote passed unanimously. However, it doesn't appear that any further action was taken on the item. Apparently, revisions were not submitted after the 9/7 meeting and were not subsequently approved to move forward. This is contrary to what was submitted by the Amendolare's in their ZBA application. Is this intentional or an error?

The complete video recording of the 9/7/2021 HDC meeting can be viewed on YouTube.com at https://www.youtube.com/watch?v=JcrD0j8PXdY. Discussion on this item is featured at approximately 2:51:00. A digest transcription of the discussion related to a vote on this item appears below:

**Abby Camp:** I'm going to abstain.
**Dian Coombs:** O.K. And, Carrie?
**Carrie Thornewill:** Aye.
**Diane Coombs:** ...and Johnny is an 'Aye," and, uh, I am an abstention, also. So, at the moment, it... it fails...

***At approx. 2:51:55***

**Holly Backus:** Madame Chair, it dies for it being a tie. You'd have to make another motion.
**Diane Coombs:** O.K. I'll make another motion. Uh, who would like to make another motion?
**Carrie Thornewill:** Motion to hold for revisions, I suppose.
**Diane Coombs:** Alright…

***At approx. 2:55:08***

**Diane Coombs:** ...we have a motion for revisions.
**Holly Backus:** Madame Chair, you have a motion on the Floor for revisions...
**Diane Coombs:** Carrie made the motion. Abby?
**Abby Camp:** Aye.
**Diane Coombs:** John?
**John McLaughlin:** Yes.
**Diane Coombs:** And, I'm a 'yes', too. So, you have four votes for revision. And that's it. Thank you.

The structure proposed for the site has resulted in a groundswell of negative response from owners of abutting properties and the surrounding neighborhood, including the Siasconset Civic Association. Numerous letters and emails, some of which are attached, have been sent to the HDC commissioners in opposition to the plans submitted by the project's architect, Angus MacLeod.

While Mr. MacLeod's design is visually pleasing from street level, it is the height (addition of a second floor) and depth (dugout basement) that is causing such outcry from 'Sconseters. I direct your attention to the attached document highlighting the inconsistencies and inaccuracies contained in the topographic section drawing submitted by Jeff Blackwell & Associates and Angus MacLeod. Additionally, please see the other attached comments and photos for a better explanation of our concerns.

Again, we respectfully request this application be withdrawn from the December 9, 2021 agenda and held for consideration until a detailed legal review of the circumstances related to the submission is completed.

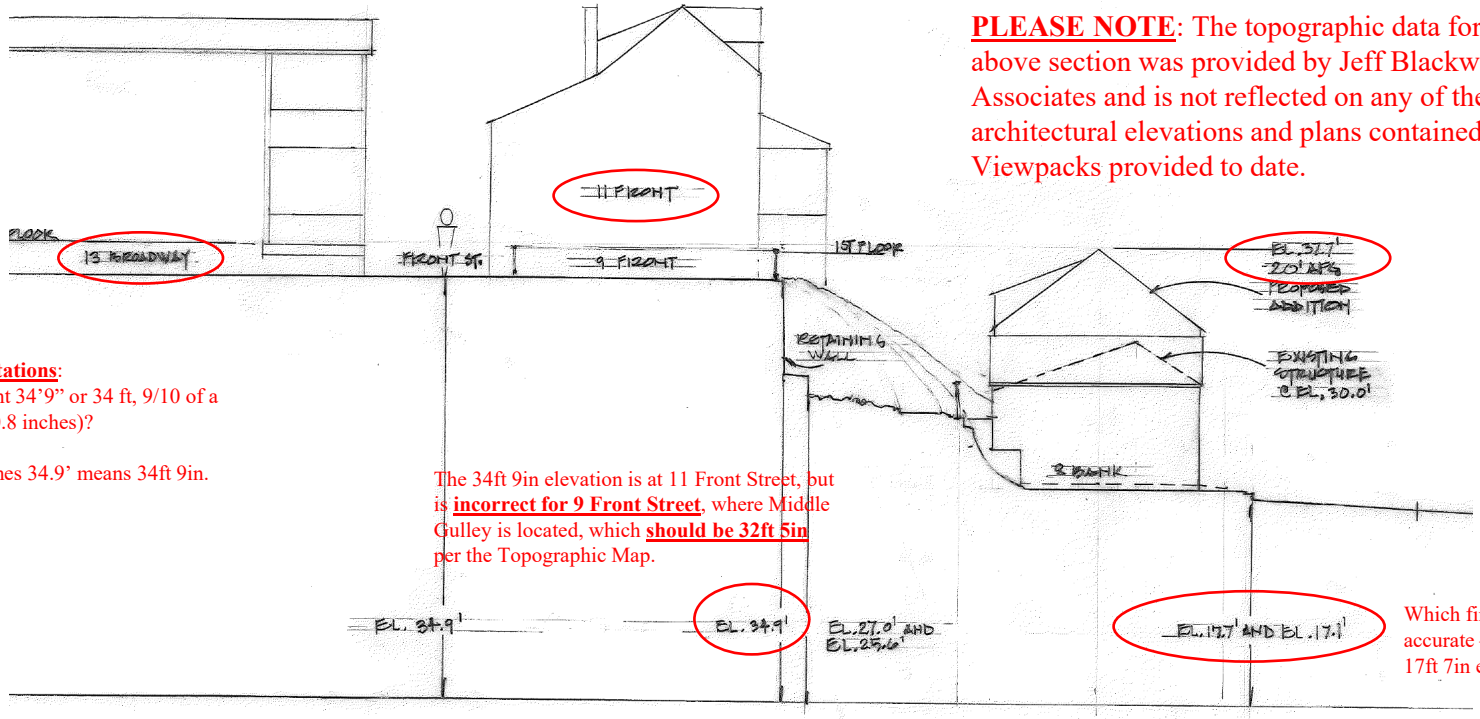
Respectfully,

Jeff and Ann Gardner
9 Broadway/9 Front Street, 'Sconset.

# Key Takeaways From the 9/7/21 HDC Meeting

- The Topographic Section provided by Jeff Blackwell & Associates as subcontractor for Angus MacLeod Designs uses the bank height at 11 Front Street & 13 Broadway, which is 2-3 ft higher than the bank at 9 Front Street and the Middle Gully.
- Jeff Blackwell & Associates shows the finished grade (i.e. the topographic elevation of 8 Bank Street after construction completion) of 8 Bank Street at 17 ft 7in, however, the Topographic Map provided by Angus MacLeod Designs in the 8/30/21 Viewpack shows a range of elevations shown within the footprint of 8 Bank Street, from 17-20 ft.
- **Best case roof height**: 5.2 ft above the bank at 9 Front Street/Middle Gulley.
- **Worst case roof height**: 7.5 ft above the bank at 9 Front Street/Middle Gulley.

# Topographic Section – 9/7/21 Viewpack




**PLEASE NOTE**: The topographic data for the above section was provided by Jeff Blackwell & Associates and is not reflected on any of the architectural elevations and plans contained in the Viewpacks provided to date.

**Please confirm notations**:
Does 34.9' represent 34'9" or 34 ft, 9/10 of a foot (or 34 ft i.e. 10.8 inches)?

This analysis assumes 34.9' means 34ft 9in.

The 34ft 9in elevation is at 11 Front Street, but is **incorrect for 9 Front Street**, where Middle Gulley is located, which **should be 32ft 5in** per the Topographic Map.

Which finished grade is accurate – the 17ft 1in or 17ft 7in elevation?

**Elevations do not align with Topographic Map provided in the 8/30/21 Viewpack shown in the following slide.**

- What sources are used in each?
- Is 8 Bank at the 17ft 1in or 17ft 7in finished grade elevation? Finished grade: the topographic elevation after construction completion.
- Front Street elevation is 9in higher on the Topographic Section than the Topographic Map.
- The Topographic Section uses the bank height at 11 Front Street & 13 Broadway, which is 2 ft higher than the bank at 9 Front Street and the Middle Gully.

# Topographic Map – 8/30/21 Viewpack

Circles reflect the different elevations contained within the footprint of 8 Bank Street and the bank edge at 9 Front Street

Topographic Section should be cut as shown above, instead of through 13 Broadway/11 Front Street:

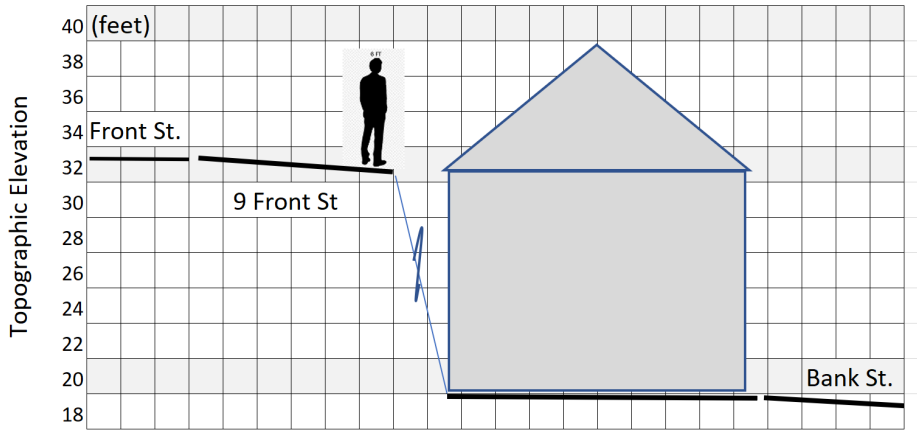
- Bank elevation at 11 Front Street: 35 ft
- Bank elevation at 9 Front Street: 32.5 ft

# Variances:

# Topographic Section v. Topographic Map

The **Topographic Section** on Slide 2 shows the 8 Bank Street finished grade elevation as either 17.1ft or 17.7ft. If 17.7ft is correct, then the roof height will be 37.7 ft, or 5.2 ft above the bank edge.

The **Topographic Map** on Slide 3 shows finished grade elevation as between 17ft - 20ft within the footprint of 8 Bank Street. If the 20ft roof height is used, then the roof height will be 40ft above finished grade, and thus 7.5ft above the bank edge height.




**Comparison: Topographic Section v Map**

| Heights per Topographic Section (ft) | | Heights per Topographic Map (ft) | |
|---|---|---|---|
| 8 Bank finished grade elev. | 17.7 | 8 Bank finished grade elev. | 20.0 |
| 8 Bank roof height | 20.0 | 8 Bank roof height | 20.0 |
| Total roof height/elevation | 37.7 | Total roof height/elevation | 40.0 |
| Cliff edge elevation @ Mid-Gully | 32.5 | Cliff edge elevation @ Mid-Gully | 32.5 |
| Roof height above cliff edge | 5.2 | Roof height above cliff edge | 7.5 |

9/1/2021

Dear Members of the Historic District Commission,

I submit the attached comments as follow-up to my previous submissions regarding the proposed demolition and new construction of a building located at 8 Bank Street, Sconset.

A review of the drawings submitted by the architect in response to the HDC's requests for a reduction in height indicates that he did not fully understand the request, or he is ignoring it altogether. This issue has been discussed by the commission several times now; the height is little changed.

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

I repeat my previous request that the basement dig and removal of the large Maple tree be reviewed by a structural engineer, and the costs quantified by a general contractor with relevant experience BEFORE approval from the HDC is granted. The structural and financial risks impact the preservation of historic Front Street and Middle Gully. Shoring up a hillside involves setting anchors to a retaining wall deep into the hillside. There is additional risk in that. We request a guaranty from the owner before starting construction that if the bank is compromised, they will pay for ALL costs to stabilize it and rebuild the retaining wall(s) if necessary. Funds should be set aside for this purpose in a reserve account controlled by the Town of Nantucket, to be returned if unused.

Please see the diagram below for an explanation of how the height of the structure will impact the neighborhood along Front Street. The numbers along the y-axis represent the approximate height above sea-level as labeled on the GIS map included in the Viewpack. Additionally, I have included 'before and after' photographs illustrating the mass of the proposed structure when viewed from a standing position on Front Street.

The renderings included in the Viewpack provide us with images of how the structure will appear from street level below, on Bank Street. For some reason, the architect has not included a rendering of how the building will appear when viewed from ABOVE, on Front Street – a view of the structure that will certainly be seen by hundreds, if not thousands more visitors to the neighborhood. The architect should provide the Commission with a rendering of this view, as well.

I ask the HDC to require revisions of the previously submitted plans/design; revisions to include 1) a reduction in height, lowering the roofline of the proposed structure to no higher than street level at Front Street - 33 feet according to the GIS topographic map; 2) structural engineering design of the temporary and permanent retaining walls necessary for the basement addition and corresponding budget estimate; and 3) any other changes that would contribute to the protection and preservation of this historic district.

Sincerely,

Jeff & Ann Gardner
9 Broadway/9 Front Street, Sconset

September 9, 2021

Dear Members of the Historic District Commission,

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

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

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

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

Jeff & Ann Gardner
9 Broadway/9 Front Street

==========

## Comments in Opposition

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

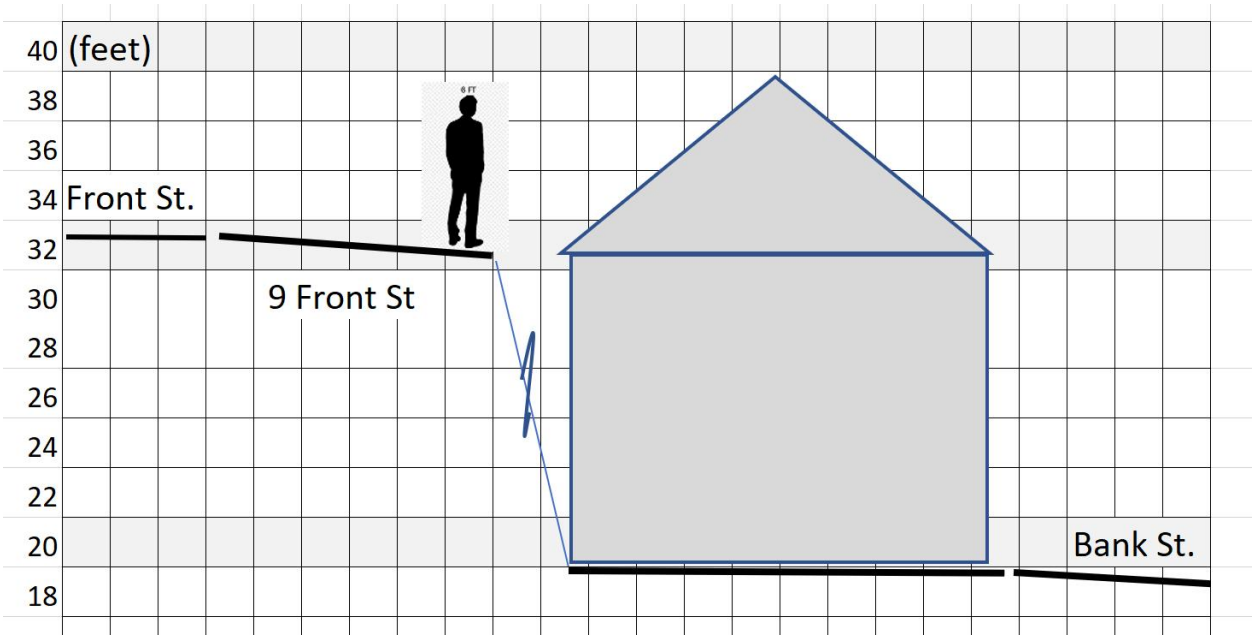
George and Ann Hubbs - 20 Broadway
*"We are opposed to the approval of this project because... plan is not in keeping with the historic size and massing of the buildings which have been on this lot... this application should be rejected and sent back for more considered thought..."*

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

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

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

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


40 (feet)
38
36
34 Front St.
32
30
9 Front St
28
26
24
22
20
Bank St.
18

**Re: Kristina and Nicholas Amendolare, File No. 37-21**

Dear Members of the Board

For the past 34 summers, my family and I have spent time in the summer months in 'Sconset, renting and then, since 1999, owning a house on Front Street in the village. It is a very special place

The proposed construction at 8 Bank St / Middle Gully Rd- is altogether unsuitable to the space- rising as a veritable 'Sconset skyscraper to block the Front St vista and compromise the scale in that part - indeed most areas- of the village. Additionally, It will pose a threat to the stability of the bank there.

I have written a letter (email dated August 3, 2021 )and attended in person two hearings of the HDC this past summer to add my voice to the significant number of villagers who strongly object to this construction.

Please do not approve this project.

Sincerely,

Janet Ballou

21 Front St.

37-21 Kristina and Nicholas Amendolare

Application for Special Permit for 8 Bank Street

May 12, 2022 Hearing

## Jeff and Ann Gardner, et al. Submissions

1. Mueser Rutledge Consulting Engineers PLLC report dated 5-10-22.
2. Rob West, Wannacomet Water Company email dated 5-10-22; and
3. Margaret Van Deusen, Anne Reilly and Isabel Landzert email dated 5-8-2022;
4. Mueser Rutledge Consulting Engineers PLLC report dated 2-23-22;

# TAB 1

MRCE
built on firm foundations

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**MARKETING DIRECTOR**
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May 10, 2022

Ann and Jeff Gardner
9 Broadway
Nantucket Island
Siasconset, MA 02554

Re: Review of Plans for Adjacent Construction at 8 Bank St
9 Broadway & 9 Front Street
Nantucket Island, Siasconset, MA
MRCE File No. 14294

Dear Mr. and Mrs. Gardner

As requested, Mueser Rutledge Consulting Engineers (MRCE) reviewed the proposed plans for support of excavation (SOE) during below grade construction at the adjacent 8 Bank Street property. Our review focused on the potential impacts of the proposed construction on your property (9 Broadway and 9 Front Street) and the adjacent public roadway (Middle Gully Road) along the west side of the excavation. We summarize herein the results of our review.

We note that we previously performed an evaluation of the potential impacts of construction at 8 Bank Street based on conceptual plans of the proposed construction. Our prior evaluation is summarized in our February 2022 letter, attached for reference in the Appendix.

## DOCUMENTS REVIEWED

You provided us with the following documents received from the #8 Bank Street property owner:

1. Geotechnical Engineering Report for Proposed Renovation at 8 Bank Street by McGardle Gannon Associates, Inc. dated May 5, 2022 (31 pages).
2. Temporary Support of Excavation Drawings for 8 Bank Street by McGardle Gannon Associates, Inc. dated May 5, 2022 (3 sheets).

## MRCE REVIEW COMMENTS

In general, our review indicates that the proposed SOE design does not sufficiently protect the adjacent properties. The Building Department should require a number of alterations to the proposed construction plans in order to protect the adjacent properties. More specific comments follow.

### Geotechnical Engineering Report

1. The soil borings made as part of the site geotechnical investigation indicate that the natural and manmade soils underlying the 8 Bank Street property and comprising the adjacent hillside consist of very loose to loose sands with little fine grained (silt and clay) binder. These loose sands are relatively weak and sensitive to disturbance and ground loss during SOE installation.

2. The geotechnical investigation did not include any test pits or other exploratory probes to establish the depth, condition, or dimensions of the existing rubble retaining wall supporting Middle Gully Road or the concrete retaining wall supporting 9 Front Street.

Support of Excavation (SOE) Design

3. The proposed SOE system consists of cantilevered soldier pile and timber lagging that does not appear to adequately account for the loose sand beneath and behind the SOE wall and rising slope of the retained ground that significantly increases the lateral earth pressures applied to the SOE system along the west side of the excavation. We estimate that the soldier pile and lagging system may displace 6-inches or more horizontally. This magnitude of movement could damage or destabilize the existing retaining walls supporting Middle Gully Road and 9 Front Street. Lateral bracing such as inclined rakers should be designed and installed to stiffen the SOE system and minimize displacements of the adjacent ground during basement excavation.
4. The planned use of a vibratory hammer to install the soldier piles introduces the risks of settlement and cracking of the surrounding ground and retaining walls supported on the loose sands encountered in borings. Loose soils tend to densify when vibrated. Soldier piles should be installed in drilled, cased holes to minimize disturbance and vibrations of the surrounding ground.
5. The SOE Drawings do not describe the existing retaining walls or detail how the existing retaining walls will be protected during construction. The drawings indicate that "MGA has made assumptions concerning the soundness of the buildings adjacent to the site. These assumptions are that these buildings and structures were designed in conformity with good design practice. The Contractor should take extraordinary precautions concerning the preservation of the adjacent properties."
    a. The existing retaining walls supporting Middle Gully Road and 9 Front Street are old and may not have been constructed to an engineered design. On that basis, the assumption that these retaining walls are constructed in conformity with good design practices is overly optimistic and may not be accurate. As the proposed construction could potentially destabilize these retaining walls, the SOE designer is responsible to investigate the condition and depth of support of these structures and develop adequate protection measures before installing SOE and performing adjacent excavation.
    b. The SOE Drawings should be updated to detail the 'extraordinary precautions' planned to protect the existing retaining walls such that the Contractor (as well as effected parties) is aware of these requirements and so that the Contractor implements these measures prior to excavation.
    c. The proposed regrading of the ground surface behind the SOE, as shown on Design Section A, removes passive support from the existing rubble retaining walls supporting Middle Gully Road without any clear stabilizing measures. The designer should investigate the foundations of these retaining walls and design measures to stabilize the walls as needed.
6. The SOE Drawings should not permit excavation of more than two-feet prior to installing timber lagging as excavation proceeds since the loose sands have limited standup time and are inherently unstable. Unsupported excavation faces will lead to ground loss and increase impacts to the adjacent structures.

Monitoring Plan

7. The monitoring plan does not include installation of monitoring points on the existing rubble retaining walls supporting Middle Gully Road. The plan should be updated to include monitoring points to measure vertical and lateral deformations of this nearby retaining wall.
8. The monitoring plan does not indicate the location or number of monitoring points to be installed on the existing retaining walls. An appropriate plan would include monitoring points every 10 to 20 ft horizontally and at least two levels (vertically) on the 9 Front Street Retaining Wall.
9. The monitoring plan does not set threshold or limiting (stop work) levels for movements of the existing retaining walls supporting Middle Gully Road or 9 Front Street. An appropriate threshold level of 0.25-inches and a limiting movement of 0.5-inches (horizontal or vertical) is appropriate for structures of

these types.

10. The proposed weekly frequency of surveying is not adequate during active excavation and could allow movements to accumulate before being captured in monitoring. Surveys should be every other day (at a minimum) during excavation.
11. The monitoring plan does not indicate if (and how frequently) the results of monitoring will be transmitted to the affected neighboring properties. All monitoring data should be provided to the adjacent property owners. An appropriate transmission cycle would be to provide monitoring data to adjacent property owners within 24-hrs of collecting the data.
12. The SOE Drawings do not provide contingency plans if limiting movement values are exceeded. The drawings should include contingency plans for stabilizing and/or replacing the existing retaining walls if damaged.

Additional Issues

13. An existing tree is in line with the proposed SOE system. The SOE drawings do not address how this tree will be removed and the stability of the ground maintained during and after tree removal.
14. The proposed SOE system is aligned with an existing 4- to 6 -ft tall retaining wall that currently stabilizes the west side of 8 Bank Street and Middle Gully Road. The SOE Drawings need to address how the wall will be demolished to facilitate SOE installation and how stability will be maintained during and after wall demolition.
15. The SOE Drawings indicate that the hillside slope along the west side of the excavation will be stripped and regraded to a steeper slope. The drawings should address how the cut slope will be protected against erosion.
16. The SOE Drawings do not indicate if traffic (pedestrian or vehicular) is permitted along Middle Gully Road during excavation. The plans should be updated to indicate whether pedestrian traffic or vehicular traffic is permitted on Middle Gully Road and the traffic surcharge pressures accounted for in SOE design, if traffic is permitted.

In general, even a well-designed and supported excavation has potential to impact ground within a 1:1 (horizontal to vertical) zone of influence from the bottom of the excavation. All of Middle Gully Road and most of 9 Front Street are within the potential 1:1 zone of influence of the deep excavation required for basement construction at 8 Bank Street. Therefore, we request that the Department of Buildings require the SOE designer to update the SOE design to address the issues outlined above.

Furthermore, the proposed deep excavation at 8 Bank Street results in a potential risk to the Town and County of Nantucket (owners of Middle Gully Road), the general public (users and beneficiaries of access to Middle Gully Road), and the Owners of 9 Front Street. The risk assumed by permitting this construction is that the construction results in damage to Middle Gully Road or the property at 9 Front Street, which are both clearly within the zone of influence of the proposed excavation. If 8 Bank Street is not prepared or is unable to support repairs, there is little recourse for repairing the damages after the fact. Consequently, we recommend that, as a condition of permitting, the reviewing agency require that 8 Bank Street establish a construction escrow account to cover the costs of potential repairs to Middle Gully Road or 9 Front Street in the event that the construction damages occur to these properties. In this way, the Town and County of Nantucket, the general public, and the owners of 9 Front Street are protected from any potential impacts of the construction. The escrow amount should be a portion of the total construction cost and maintain in place for one year after the completion of the basement construction if there are no damages to the surrounding properties.

Please contact the undersigned if you have any questions.

Very truly yours,
**MUESER RUTLEDGE CONSULTING ENGINEERS PLLC**

Jesse L. Richins

Walter E. Kaeck, Principal

# APPENDIX

MRCE
built on firm foundations

**PRINCIPALS**
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**MARKETING DIRECTOR**
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February 23, 2022

Ann and Jeff Gardner
9 Broadway
Nantucket Island
Siasconset, MA 02554

Re: Evaluation of Potential Impacts of Adjacent Construction
9 Broadway & 9 Front Street
Nantucket Island, Siasconset, MA
MRCE File No. 14294

Dear Mr. and Mrs. Gardner

In accordance with our contract dated February 8, 2022, Mueser Rutledge Consulting Engineers (MRCE) has completed a site visit and geotechnical review of potential impacts to your property (9 Broadway and 9 Front Street) and the adjacent public roadway due to the proposed construction at the neighboring 8 Bank Street property. Our evaluation relies on visual observations of existing conditions made during our site visit and information provided to the local Zoning Board describing the proposed construction.

## EXECUTIVE SUMMARY

Key findings and conclusions regarding the potential impacts of the proposed construction on adjacent property are presented below based on our site visit and review of available documents describing the proposed work at 8 Bank Street. Subsequent sections of this report provide the supporting data upon which our findings are based.

1. The proposed construction at 8 Bank Street requires excavation to a depth of more than 17 feet immediately adjacent to retaining walls supporting adjacent roadways and properties.
2. The existing retaining walls are non-engineered structures that are relied on to support the hillside slope and adjacent structures above 8 Bank Street. The retaining walls consist of old stone rubble walls and lightly reinforced concrete walls of unknown dimension, depth and stability (safety factor) that are vulnerable to damage caused by the adjacent deep excavation at 8 Bank Street.
3. As a result, the proposed excavation at 8 Bank Street poses the risk of destabilization or collapse of the retaining walls with consequent impact to Middle Gully Road and adjacent properties such as 9 Front Street.
4. The conceptual plans submitted to the Zoning Board for building construction and support of excavation during basement construction at 8 Bank Street provide insufficient detail to ascertain whether 8 Bank Street and their engineers have adequately considered the risks to adjacent structures due to the proposed construction.
5. In order to protect the public and adjacent property owners, we recommend that the Zoning Board require that 8 Bank Street submit more detailed design

and construction documents (as listed herein) that includes monitoring and protection plans for adjacent structures, utilities and roadways.

6. Furthermore, in order to protect the adjacent roads and properties, we recommend that the reviewing agency require that 8 Bank Street provide a construction escrow account to cover the costs of potential repairs to adjacent structures and properties if damages occur.

## SITE DESCRIPTION

The site is on the east side of Nantucket Island, in the historic town of Siasconset. The town of Siasconset is primarily located on a bluff between Elevation +50 and +30 overlooking the Atlantic Ocean. However, on the westernmost end of Siasconset, the small historic community of Codfish Park exists near the base of the bluff with ground surface sloping downward from Elevation +17 at the base of the bluffs down to +10 near the beach. Elevations in this report are based on data presented on the City and County of Nantucket GIS site, and are assumed to refer to the North American Vertical Datum of 1988 (NAVD 88).

Our engineering review is related to the potential impacts to two properties on the western edge of the bluff (9 Broadway and 9 Front Street) and the roadway connecting the bluff to Codfish Park (Middle Gully Road) due to proposed building construction at the adjacent property near the bottom of the bluff (8 Bank Street). The relative arrangement of the adjacent properties and roadway is shown in Figure 1.

Source: Town and County of Nantucket, MA Online GIS Maps

Figure 1 – Site Location Plan

Residential development along the bluff has resulted in installation of a series of retaining walls to create terraces (level ground) in the slope for construction of roadways and private homes as Illustrated graphically in Figure 2 and further described below. These non-engineered retaining walls consist largely of old stone rubble walls and lightly reinforced concrete walls of unknown dimension, depth and stability (safety factor).

9 Broadway

9 Broadway is occupied by a two-story U-shaped residence with a basement on relatively flat ground. The site is bounded by Broadway to the west, a residence at 11 Broadway to the North, the historic sea shell

covered Front Street to the East and a residence at 7 Broadway to the south. Ground surface is at about Elevation +35.

9 Front Street
9 Front Street is a roughly triangular-shaped landscaped garden lot across Front Street from the structure at 9 Broadway. The site is bounded to the west by Front Street, to the south by a yard for 7 Front Street, and to the east by Middle Gully Road. The site is ringed by a wooden fence. An existing concrete retaining wall forms the east property line and retains the garden elevated above Middle Gully Road. The retaining wall is 10-inches thick at the top and ranges from 1- to 8-feet in height. Review of historic photos indicates that the retaining wall was constructed at some point after 1940. The garden is approximately flat at around Elevation +34.

Middle Gully Road
Middle Gully Road is a public roadway connecting Bank Street and Beach Street in the lower Codfish Park area to Front Street at a higher elevation. Middle Gully Road traverses the bluff in a narrow corridor between 9 Front Street to the west and 8 Bank Street to the east. The roadway is brick, cobble, and grass lined and slopes downward from about Elevation +34 at Front Street to Elevation +17 at the intersection with Bank Street. The west side of Middle Gully Road includes a low mortared stone rubble retaining wall that steps out from the toe of the larger concrete retaining wall supporting 9 Front Street. The east side of Middle Gully Road includes a wooden hand rail and a 2- to 3-ft tall rubble and boulder retaining wall supporting the roadway above 8 Bank Street. We understand that a water main runs beneath Middle Gully Road and that Middle Gully Road provides emergency egress for the Codifsh Park area (as the only other roadway in and out of Codfish park is Gully Road).

8 Bank Street
8 Bank Street is bounded to the south and west by Middle Gully Road, to the North by 11 Front Street, to the east by Bank Street. The site is sloped down from the west. The site is currently occupied by a single story residence. Review of historic photos indicates that the structure served as a hot dog stand in the 1930's. Ground surface at the structure is at about Elev. +17.

## DOCUMENTS REVIEWED

You provided us with a document package that #8 Bank Street submitted for review to the zoning board authority and historical district commission. The documents include:

- Conceptual Floor Plans and Section for 8 Bank Street by Angus Macleod Designs (4 sheets).
- A Conceptual Excavation Support Plan drawing prepared by McArdle Gannon Associates (MGA) and dated January 28, 2022 (SOE-1) (1 sheet).
- A statement of work scope dated January 28, 2022 for geotechnical engineering services to be performed by MGA. Proposed services include design of temporary support of excavation, performance of geotechnical investigations and pre-construction surveys, and construction observation (2 pages).
- Historic District Commission Submission dated August 19, 2021 including architectural elevations and plans by Angus Macleod Designs (20 pages).

## PROPOSED CONSTRUCTION

Based on our review of the zoning board submittal documents, we understand that the Owner of 8 Bank Street is currently requesting zoning board approval to permit construction of a 2 level building addition with a single level basement below the addition and the footprint of the existing structure. Basement construction will require excavation to a depth of about 10.5 feet along Bank Street and more than 17 feet below Middle Gully Road. The conceptual support of excavation (SOE) plan included in the submission indicates that a

soldier pile and timber lagging system will provide temporary shoring of the excavation sidewalls during basement construction. The SOE is shown setback 3 to 4 feet from the new building footprint. The conceptual SOE plans do not provide details on the size of the soldier piles, methods of installation, or lateral bracing.

## SITE OBSERVATIONS

MRCE Engineer and Senior Associate Mr. Jesse Richins visited the site on February 10, 2022 to observe site features and the condition of existing structures in the area of proposed construction.

9 Front Street Retaining Wall

An existing concrete retaining wall wraps around the south, east, and north sides of 9 Front Street. The retaining wall ranges from about 8-ft tall at the south end of the property to about 1-ft tall at the north end. The wall is 10-inches thick at the top of the wall. The front face of the wall includes vertical slots spaced 3- to 5-feet apart and approximately the size of 2x4 lumber. Remnant timber is present in some of the slots. Within the slots, welded wire fabric was observed at 18-inch spacing. The geometry of the concrete wall (thickness of stem below the top of the wall, base dimensions, depth to footing, etc.) are not known. A horizontal step exists at the toe (base) of the wall that extends 2- to 3-ft horizontally out from the wall into Middle Gully Road (from the front face of the concrete retaining wall) and 1- to 2-feet vertically downward. The step is retained by a mortared stone rubble wall.

The front face of the wall is approximately vertical. Several shallow horizontal cracks and minor spalling are evident. The cracks appear to indicate separation of aggregate when the concrete for the wall was poured. Horizontal crack depth is generally less than 1-inch. Several full depth vertical cracks are present in the south return wall and along the vertical slots in the wall. The concrete wall appears generally stable and in fair condition. At several locations, the mortared stone rubble retaining wall has loose stones and missing mortar.

Photographs illustrating the existing condition of the retaining wall are presented in the Appendix.

8 Bank Street Slope and Retaining Walls

Middle Gully Road is separated from 8 Bank Street by a mortared stone rubble wall. The wall is approximately 2- to 3.5-ft tall. At one location, roughly 1/3 of the way up the road, a tree has grown on the downslope side of the wall with tree roots penetrating into the wall. On the north end of 8 Bank Street, the slope down from the retaining wall is vegetated with grass. A 6-ft tall CMU retaining wall separates the slope from a small patio courtyard on the north end of 8 Bank Street.

Photographs of the slope and retaining wall are presented in the Appendix.

## POTENTIAL IMPACTS OF PROPOSED CONSTRUCTION

The proposed construction requires a deep excavation to a depth of more than 17 feet immediately below Middle Gully Road and the nearby retaining wall supporting 9 Front Street. Furthermore, the retained ground slopes up to a higher elevation, resulting in increased lateral earth pressures on the SOE system as shown in cross-sections A-A' and B-B' in Figure 2.

In general, even a well-designed and supported excavation has potential to impact ground within a 1:1 (horizontal to vertical) zone of influence from the bottom of the excavation. As illustrated in plan and section on Figure 2, all of Middle Gully Road and most of 9 Front Street are within the potential 1:1 zone of influence of the deep excavation required for basement construction at 8 Bank Street. The structure at 9 Broadway is generally beyond the potential zone of direct influence. As a result, the proposed deep excavation could cause ground loss and instability of the retained ground in a number of ways including but not limited to:

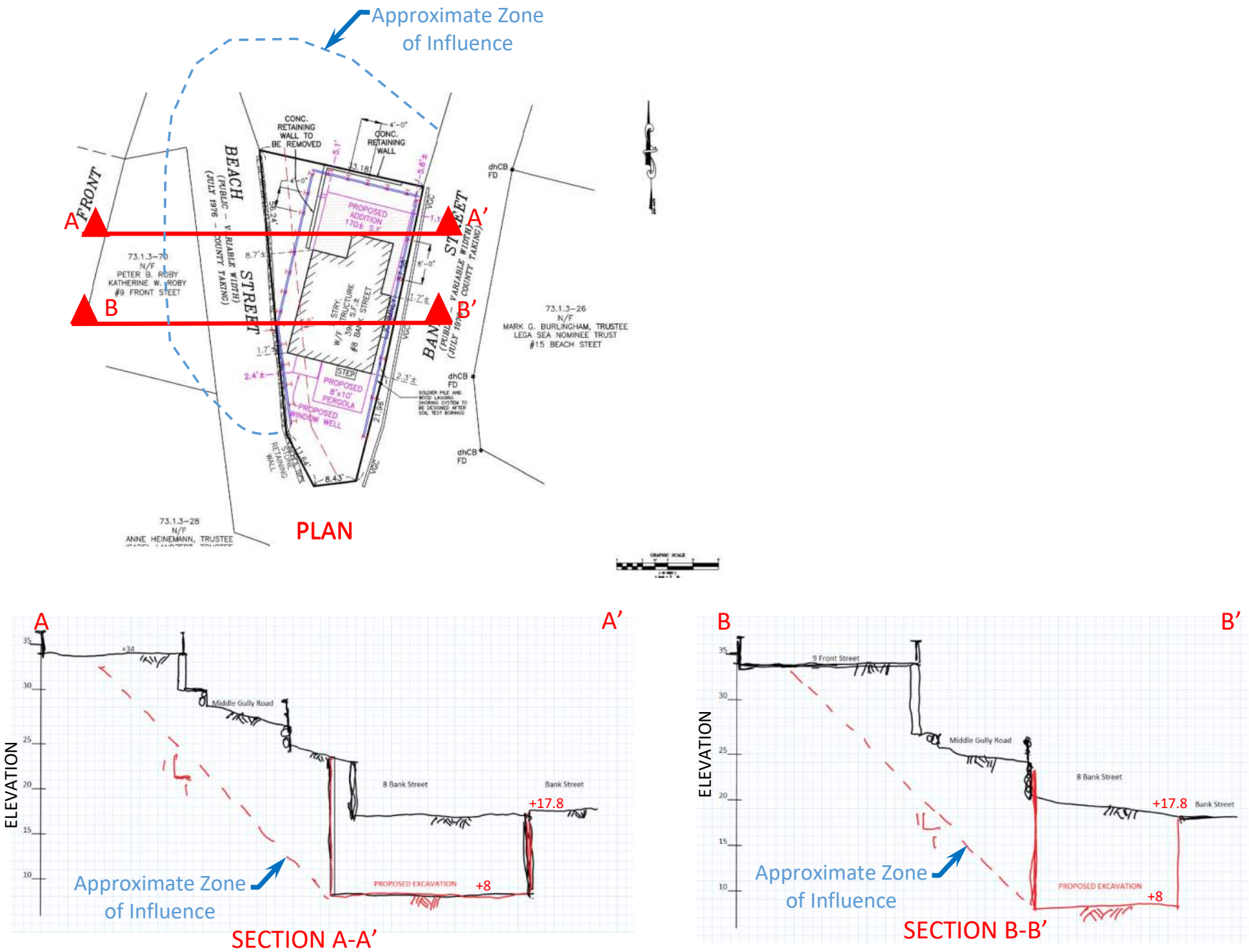



FIGURE 2 – PROPOSED CONSTRUCTION

1. Insufficient lateral bracing of the SOE system, resulting in horizontal movement of the retained ground and possible collapse of the adjacent retaining walls
2. Installation of soldier piles by driving or other methods could cause vibrations and ground loss with consequent ground settlement and damage to the fragile retaining walls in the upland slope.
3. Improper removal of the existing tree that is embedded in the existing retaining wall resulting in collapse of the existing retaining wall or future settlement as the remnant tree decomposes,
4. Insufficient control of groundwater and surface water resulting in softening of the excavation bottom and horizontal movement of the SOE and the retained ground,
5. Improperly installed and filtered timber shoring boards resulting in loss of retained soil and settlement of the adjacent ground,
6. Insufficient erosion protection resulting in erosion of the slope.
7. Not accounting for potential traffic loads on Middle Gully Road, resulting in excessive movement in an emergency situation requiring vehicular access.

If the proposed excavation destabilizes the retained ground, the potential hazards include:

1. Loss of access for vehicles or pedestrians on Middle Gully Road, an emergency egress path for Codfish Park.
2. Damage to utilities buried below Middle Gully Road providing services to the area.
3. Damage to the historic roadway down to Codfish Park.
4. Damage to the retaining walls and retained property of 9 Front Street.

## DESIGN CONSIDERATIONS

Our evaluation indicates that the proposed deep excavation at 8 Bank Street poses significant risk of damage to the adjacent roadway, utilities, and properties if not carefully designed and constructed due to the proximity of adjacent structures and old and fragile retaining walls supporting the slope. Among the complications that the Designer needs to consider:

1. The retained ground on the west side of the site is sloped and includes old, non-engineered retaining walls of fragile construction that are vulnerable to damage due to vibration or ground settlement. The terraced and upward sloping ground will impose greater horizontal loads on the SOE (compared with level ground) that will need to be accounted for in design.
2. We understand that Middle Gully Road provides emergency access and egress to Codfish Park. Therefore, the road may support traffic live loads in an emergency, potentially even emergency vehicle traffic, such as fire trucks. This requirement should be considered in design and reviewed by the municipality and reviewing board.
3. The proposed excavation along Middle Gully Road is too deep for cantilever support of the hillside and will require one to two levels of bracing to restrain lateral movement.
4. The clean natural sands will tend to ravel and require tight installation of lagging boards and filtering to avoid mining retained soils.
5. The foundations of the retaining walls at 9 Front Street and the eastern edge of Middle Gully Road are not known and should be investigated to understand the potential impacts of the SOE.
6. The slope above 8 Bank Street includes a large tree that is partially grown into the existing retaining wall. Removal of the tree could impact the stability of the existing slope. Removal should be performed in a manner that does not destabilize the slope and maintains long-term stability.
7. The conceptual SOE system is shown with three- to four-feet offset from the proposed structure (in plan). The need for this larger excavation is not clear. The size of the excavation should be limited to necessity for the permanent structure in order to limit the area impacted by the excavation.
8. The layout of the conceptual SOE system requires removal of a part of the existing stone rubble retaining wall supporting Middle Gully Road. The design should address how this wall will be removed, how Middle Gully Road will be supported during construction, and how this historic

retaining wall will be replaced.

9. Pre- and post-construction condition surveys of adjacent structures should be performed to establish baseline conditions prior to construction and determine if construction is impacting surrounding grounds and structures,
10. Construction documents should include provisions for monitoring adjacent retaining walls, utilities and structures for vertical and lateral movement during construction. Instrumentation should include installation of crack gauges and optical movement monitoring so that any impacts are realized in real time and mitigation measures to avoid damage are quickly implemented.

## RECOMMENDATIONS FOR THE REVIEWING AGENCY

The conceptual plans for building construction and support of excavation during basement construction at 8 Bank Street provide insufficient detail to ascertain whether the Developers and Designers have adequately considered the risks to adjacent structures due to the proposed construction. We recommend that the Board and reviewing agency reviewing the proposed application require the Applicant to provide a full and detailed package before approval of the proposed deep excavation, such that all parties have confidence that the proposed construction will sufficiently protect the public. Before granting approval, we recommend requiring the applicant provide:

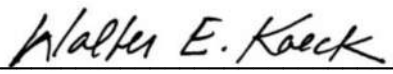
1. Geotechnical report and results of the geotechnical investigation at 8 Bank Street,
2. Detailed SOE Design Plans including means and methods for SOE installation
3. Surface Water and Groundwater Control Plan,
4. Monitoring and Protection Plan, including limiting movement criteria and contingency stabilization measures if movement thresholds are exceeded,
5. Erosion Control Plan,
6. Plan for removal of the existing tree on the slope,
7. Plan for removal and replacement or protection-in-place of the old stone rubble retaining wall supporting Middle Gully Road,
8. Schedule of construction and plans to mitigate impacts due to construction traffic and noise.

Furthermore, the proposed deep excavation at 8 Bank Street results in a potential risk to the Town and County of Nantucket (owners of Middle Gully Road), the general public (users and beneficiaries of access to Middle Gully Road), and the Owners of 9 Front Street. The risk assumed by permitting this construction is that the construction results in damage to Middle Gully Road or the property at 9 Front Street, which are both clearly within the zone of influence of the proposed excavation. If 8 Bank Street is not prepared or is unable to support repairs, there is little recourse for repairing the damages after the fact. Therefore, we recommend that, as a condition of permitting, the reviewing agency require that 8 Bank Street establish a construction escrow account to cover the costs of potential repairs to Middle Gully Road or 9 Front Street in the event that the construction damages these properties. In this way, the Town and County of Nantucket, the general public, and the owners of 9 Front Street are protected from any potential impacts of the construction. The escrow amount should be a portion of the total construction cost and maintain in place for one year after the completion of the basement construction if there are no damages to the surrounding properties.

Please contact the undersigned if you have any questions.

Very truly yours,
**MUESER RUTLEDGE CONSULTING ENGINEERS PLLC**

Jesse L. Richins, PE



Walter E. Kaeck, Principal

JLR:WEK
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# APPENDIX

Retaining Wall – South End – Facing West

South Return Retaining Wall – Facing North

| | | |
|---|---|---|
| **PROPOSED CONSTRUCTION IMPACTS ON 9 BROADWAY, 9 FRONT STREET, & MIDDLE GULLY RD** | | |
| NANTUCKET | | MA |
| **MUESER RUTLEDGE CONSULTING ENGINEERS** | | |
| 14 PENN PLAZA – 225 W 34TH STREET, NEW YORK NY 10122 | | |
| SCALE N/A | MADE BY: JR DATE: 02-15-2022 | FILE No. 14294 |
| 9 FRONT STREET RETAINING WALL | | PLATE 1 |

Retaining Wall – Midway Along Retaining Wall – Facing West

**PROPOSED CONSTRUCTION IMPACTS ON**
**9 BROADWAY, 9 FRONT STREET, & MIDDLE GULLY RD**

NANTUCKET MA

**MUESER RUTLEDGE CONSULTING ENGINEERS**

14 PENN PLAZA – 225 W 34TH STREET, NEW YORK NY 10122

| SCALE | MADE BY: JR | DATE: 02-15-2022 | FILE No. |
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| N/A | | | 14294 |
| 9 FRONT STREET RETAINING WALL | | | PLATE 2 |

Retaining Wall – North End – Facing West

| | | |
|---|---|---|
| **PROPOSED CONSTRUCTION IMPACTS ON 9 BROADWAY, 9 FRONT STREET, & MIDDLE GULLY RD** | | |
| NANTUCKET | | MA |
| **MUESER RUTLEDGE CONSULTING ENGINEERS** | | |
| 14 PENN PLAZA – 225 W 34TH STREET, NEW YORK NY 10122 | | |
| SCALE N/A | MADE BY: JR DATE: 02-15-2022 | FILE No. 14294 |
| 9 FRONT STREET RETAINING WALL | | PLATE 3 |

Loose Portions of Toe Retaining Wall on Middle Gully Road

Loose Portions of Toe Retaining Wall on Middle Gully Road

**PROPOSED CONSTRUCTION IMPACTS ON**
**9 BROADWAY, 9 FRONT STREET, & MIDDLE GULLY RD**

NANTUCKET MA

**MUESER RUTLEDGE CONSULTING ENGINEERS**

14 PENN PLAZA – 225 W 34TH STREET, NEW YORK NY 10122

| SCALE | MADE BY: JR | DATE: 02-15-2022 | FILE No. |
|---|---|---|---|
| N/A | | | 14294 |
| 9 FRONT STREET RETAINING WALL | | | PLATE 4 |

Middle Gully Road, looking North
9 Front Street to Left, 8 Bank Street to Right

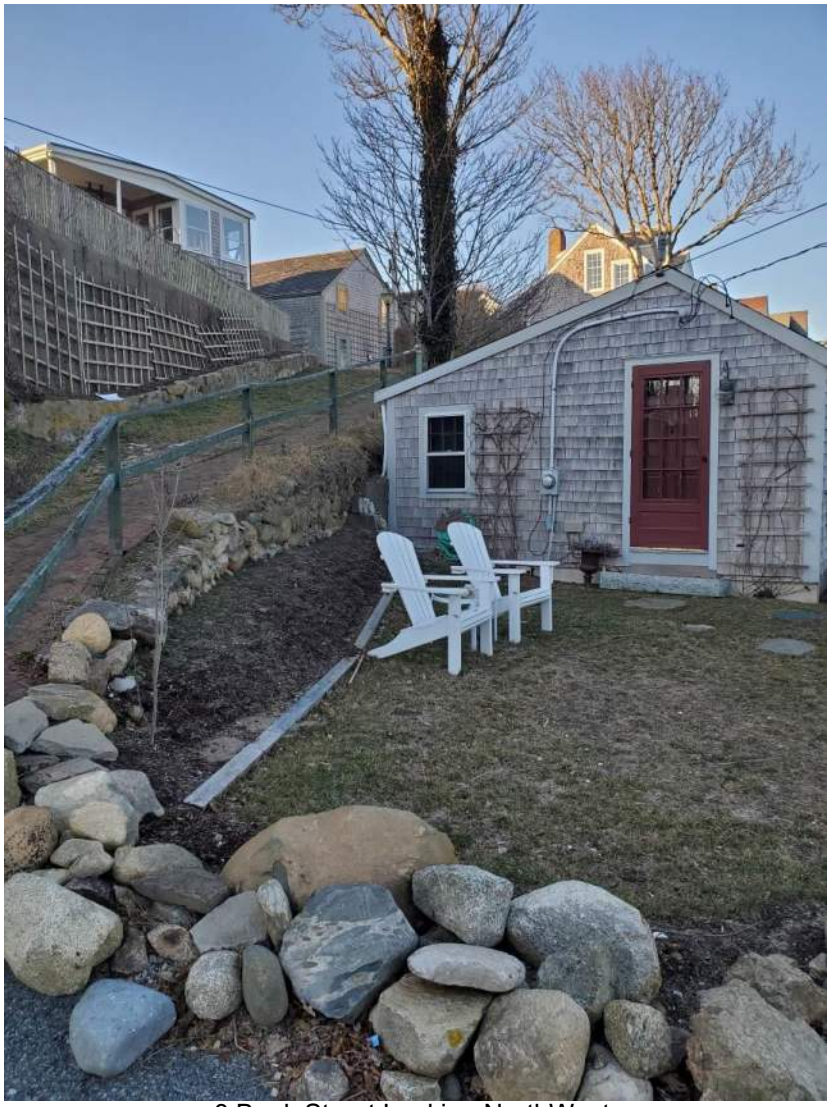
**PROPOSED CONSTRUCTION IMPACTS ON**
**9 BROADWAY, 9 FRONT STREET, & MIDDLE GULLY RD**

NANTUCKET MA

**MUESER RUTLEDGE CONSULTING ENGINEERS**

14 PENN PLAZA – 225 W 34TH STREET, NEW YORK NY 10122

| SCALE | MADE BY: JR | DATE: 02-15-2022 | FILE No. |
|---|---|---|---|
| N/A | | | 14294 |
| MIDDLE GULLY ROAD | | | PLATE 5 |



8 Bank Street Looking NorthWest

8 Bank Street – Looking North along Bank Street

**PROPOSED CONSTRUCTION IMPACTS ON**
**9 BROADWAY, 9 FRONT STREET, & MIDDLE GULLY RD**

NANTUCKET MA

**MUESER RUTLEDGE CONSULTING ENGINEERS**

14 PENN PLAZA – 225 W 34TH STREET, NEW YORK NY 10122

| SCALE | MADE BY: JR | DATE: 02-15-2022 | FILE No. |
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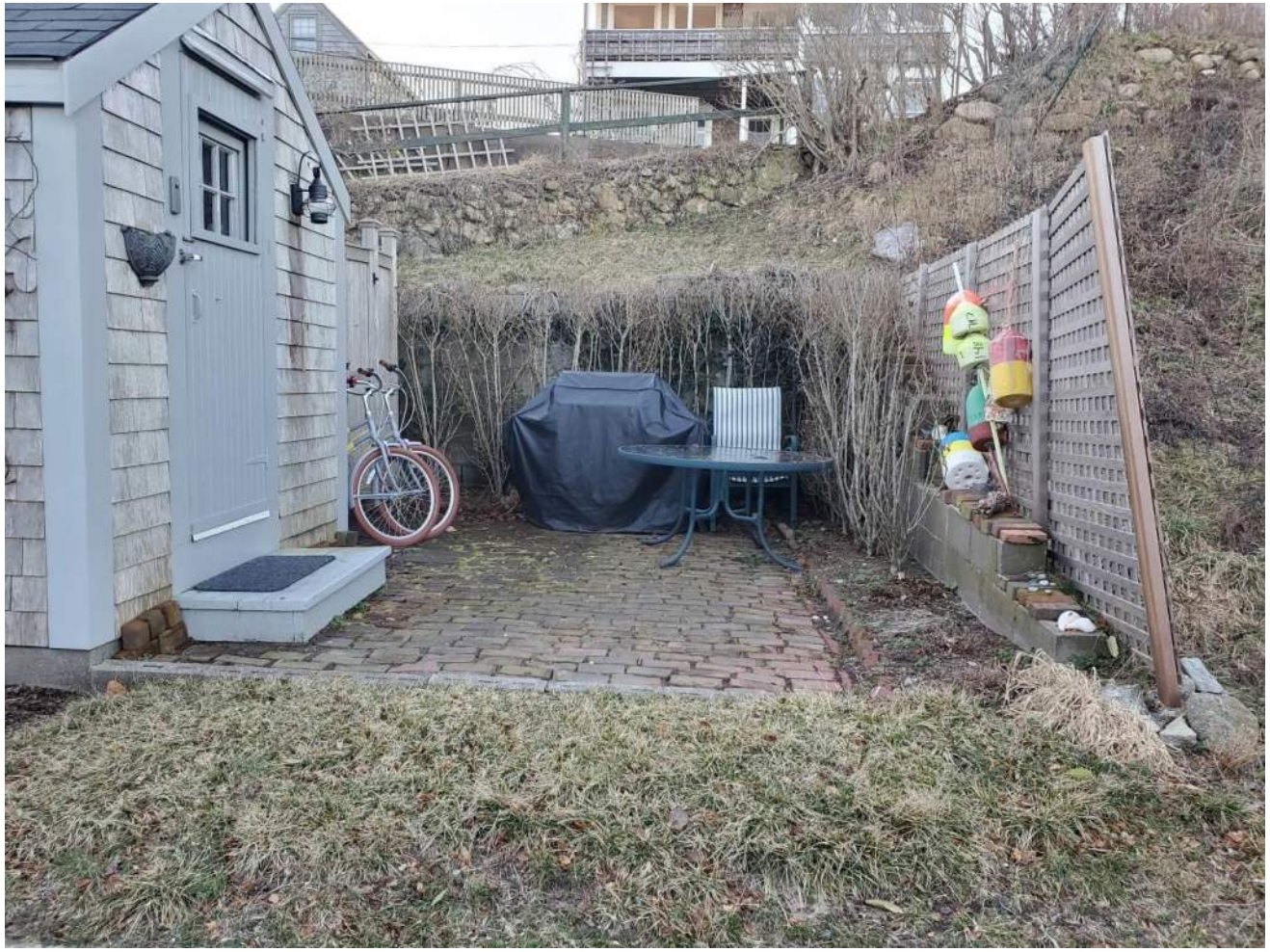
| N/A | | | 14294 |
| 8 BANK STREET | | | PLATE 6 |



8 Bank Street – Existing Courtyard Looking West

**PROPOSED CONSTRUCTION IMPACTS ON**
**9 BROADWAY, 9 FRONT STREET, & MIDDLE GULLY RD**

NANTUCKET MA

**MUESER RUTLEDGE CONSULTING ENGINEERS**

14 PENN PLAZA – 225 W 34TH STREET, NEW YORK NY 10122

| SCALE | MADE BY: JR | DATE: 02-15-2022 | FILE No. |
|---|---|---|---|
| N/A | | | 14294 |
| | 8 BANK STREET | | PLATE 7 |

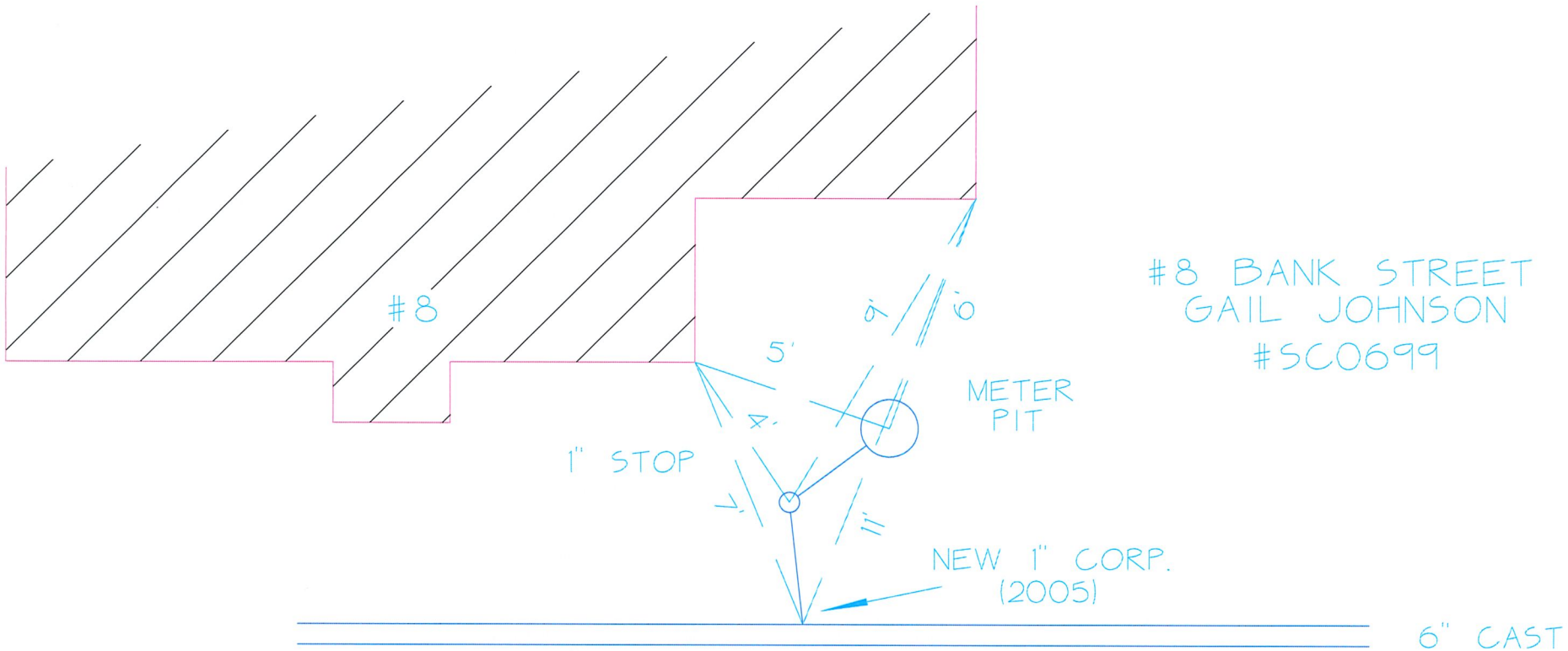
# TAB 2

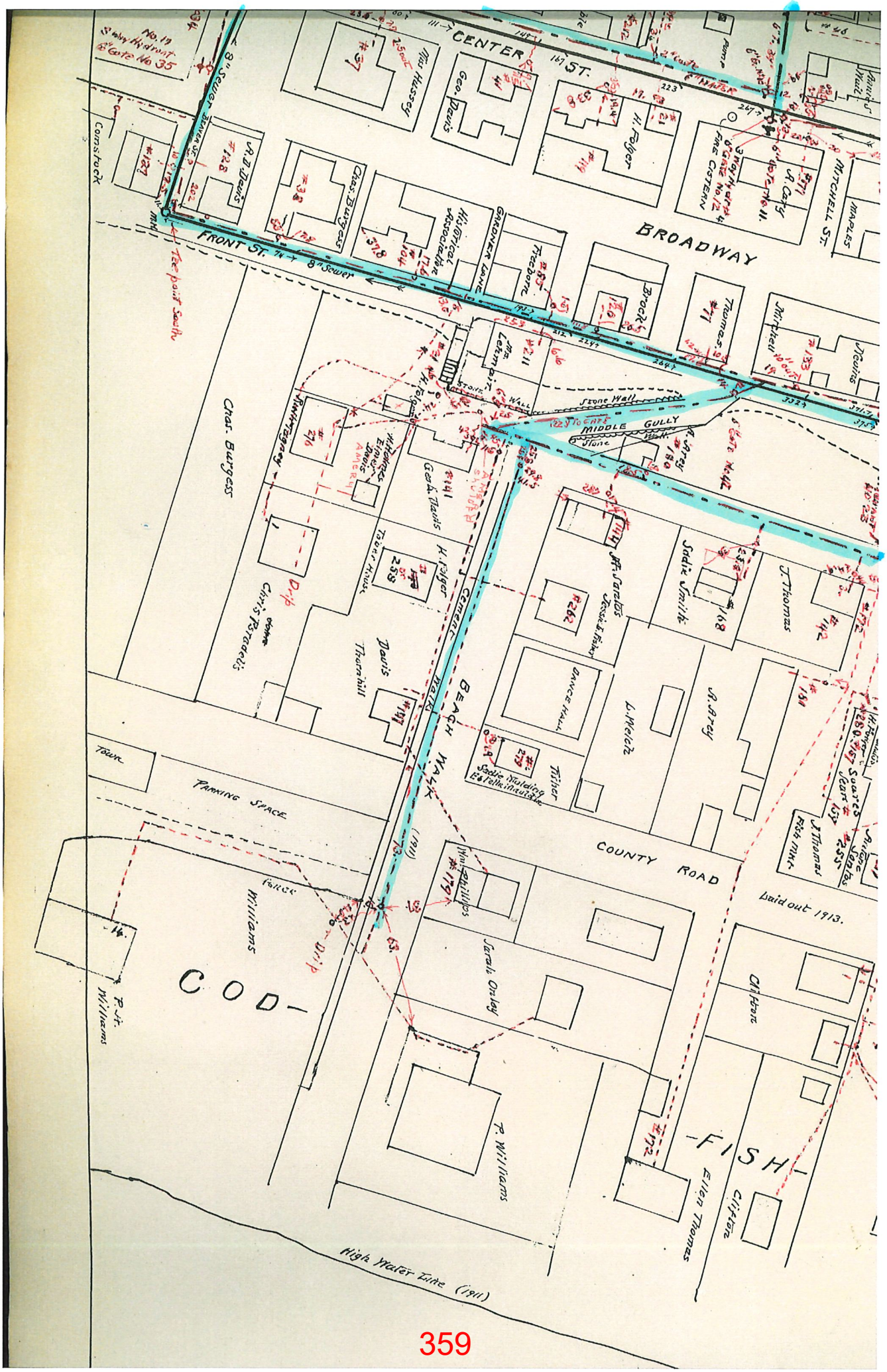
**From:** Rob West <rwest@nantucket-ma.gov>
**Date:** May 10, 2022 at 11:46:16 AM EDT
**To:** lsoeder@soeder-associates.com
**Subject: MIDDLE GULLY**

Lisa,
We don't have a whole lot of information in Sconset, but here is a plan showing water mains on Front Street,
Middle Gully and Bank Street, also a service sketch for #8 Bank Street. If you need anything else let me know.
Rob

**ROB WEST**
Wannacomet Water Company
1 Milestone Road
Nantucket, MA 02554

Phone: 508-228-0022
Fax: 508-325-5344


#8
5'
4'
1'
11'
METER
PIT
1" STOP
NEW 1" CORP.
(2005)
6" CAST
#8 BANK STREET
GAIL JOHNSON
#SC0699
BANK STREET


CENTER ST.
BROADWAY
FRONT ST.
8" Sewer
Constuck
Char. Burgess
Davis Thornhill
Chas. Richards
Geo. A. Davis
H. Felger
Sadie Smith
J. Thomas
J. Weiss
R. Gray
Jarvis Oxley
P. Williams
Wm. Phillips
Eliza Thomas
Clifton
Olive
Mitchell
Peters
Maples
Middle Gully
Stone Wall
Tree point South
Beach Walk
Parking Space
Town
Police
COUNTY ROAD
Laid out 1913.
High Water Line (1911)
COD-
-FISH
359

# TAB 3

From: **Margaret Van Deusen** <margaretvandeusen@gmail.com>
Date: Sun, May 8, 2022 at 7:39 PM
Subject: 8 BankStreet
To: <lsnell@nantucket-ma.gov>
Cc: annyvan <annyvan@aol.com>, Isabel Landzert <blandzert@aol.com>

Kindly forward the comments below to members of the Zoning Board of Appeals in advance of the hearing on May 12. 2022.

Dear Members of the Zoning Board of Appeals,

Please consider these comments as my sisters and I, trustees of the Van Deusen Realty Trust, 7 Front Street, Siasconset, are unable to attend the ZBA's in person May 12, 2022 hearing on this matter. In view of the widespread community opposition to this project, we ask that you make this meeting accessible on zoom so interested persons can participate.

Our house, Eastward Look, is a small house that is perched on Front Street between the steps leading to Codfish Park and Middle Gully. It was built in the mid 1920s -–around the same time as 8 Bank Street. Our property is directly across Middle Gully from 8 Bank Street. Our simple house, now almost 100 years old, does not have a foundation and the eastern side of the house is supported on the bank by concrete pilings of indeterminate age covered with a thin veneer of material that we do not believe provides support for the building. The bank in this area is fragile and eroding.

After reviewing the Geotechnical Engineering report prepared by McArdle Gannon Associates Inc., dated May 5, 2022 (the Report), we are concerned with potential damage to our house and to the surrounding historic houses on Front Street, Broadway and Codfish Park (CFP), to Middle Gully, which is the emergency access road to CFP and under which the water main for CFP is located, the coastal bank, and the intersection of Bank Street and CFP Road, which already floods during rain events.

While 8 Bank is characterized as an "addition" and "renovation," the engineering report makes clear that this is a demolition. According to the report: "We understand that the existing residence will be razed and a new foundation with a full basement will be constructed in its place." Engineering Report at p. 2. Thus, the report confirms what neighbors have opined from the beginning of the permitting process—that this is a tear down. Despite this, no demolition permit has been sought by the owners.

**The Engineering Report**
The Report makes it clear that this is a very challenging site on which to build a house with a basement. The Report also fails to address potential environmental and infrastructure damage, including undermining of the coastal bank and the integrity of Middle Gully and the water main. It seems obvious that during construction, emergency access to CFP would be cut off. As

people said at the last ZBA meeting if this project is allowed to go forward, construction should not be allowed during the fall (before November) and halted in early May.

Groundwater was encountered at 14 feet below ground at MGA-1; no groundwater reading was capable of being made at MGA-2. According to the report at p. 4, groundwater levels will fluctuate due to temperature, tides, precipitation and other factors. Excavation will be necessary 10 to 15 feet below the proposed surface grade for the nine-foot tall basement. (An unanswered question is what the proposed site grade would be). An underdrain will be necessary to carry water away from the foundation. Report at 7. Exterior footings would need to extend three feet below basement finish grade. The bottom of the basement would need to be compacted with a vibratory plate compactor using at least 6000 lbs. of force. Report at p. 5. Additionally, driven piles will generate ground vibrations that are "distinctly perceptible to adjacent properties." Report at 9. **We think this is likely a gross understatement. Pounding of piles is likely to jeopardize the structural integrity of our house given its close proximity to the site and position right on the bank.** Of course, the engineer punts responsibility for vibration damage to the contractor in his report.

Due to groundwater below the structure at the basement foundation, groundwater will need to be transported away from the site. The engineer proposes no method for this except that it should drain to manholes to transport groundwater to a "reliable source." Report at p. 7. However, to the best of our knowledge, there is little stormwater infrastructure in CFP, and even the storm drain at the low lying intersection of Beach Street and CFP Road cannot handle the current stormwater runoff. Increasingly, even in minor storms, this area floods and the flooding is worsening over time.

Generally, stormwater should be kept on site and infiltrated to the greatest extent. The south facing small lawn contains the subsurface septic system and the owners also plan to build a patio there. Most of the rest of the site is impermeable. Significantly, the engineer recommends grading the entire site toward the street to carry water off the site. We note that the flooding at the CFP intersection is already causing the pavement to deteriorate. Additionally, pumping groundwater from the site to the surrounding area is the very opposite of efforts to create resiliency to climate change.

**Detriment to the Interests of the Neighborhood**

The impacts from this project on the neighborhood would be significant. If allowed, this very tall vertical building right up against the Sconset Bank and Middle Gully will forever change the streetscapes and character of Codfish Park, Bank Street, and Front Street and the public viewsheds admired and enjoyed by all. These are treasured public resources.

We do wonder how it is possible that owners who buy a one-story house that is a contributing element in the Sconset Old Historic District at the entrance to CFP can be permitted to tear it down (without a permit) and to build a structure that would be as much as 6 feet above the bank with a 9-foot wide bathroom dormer looming over iconic Front Street and historic cobblestoned Middle Gully. This profoundly vertical house in this location will be substantially

more detrimental to the interests of the neighborhood and to the inhabitants of the village than the existing nonconforming structure.

While the owners maintain that the ZBA should only concern itself with a small southwest corner of the building, we believe this is erroneous. The ZBA is not required to wear blinders and to segregate this small section from the rest of the building.

We submitted comments to the ZBA on December 6, 2021, accompanied by photos showing the height poles at 8 Bank in relation to Front Street and Middle Gully. Both we and the Siasconset Civic Association (SCA) submitted the SCA's two comment letters to the HDC opposing this project b/c of its detrimental impacts on the interests of the neighborhood. It bears repeating here what the SCA wrote: "The preservation of the scale of the houses and streetscape are essential to keeping the character of Codfish Park intact. . . a higher structure in this specific location would disturb the balance and rhythm of architecture in this historic neighborhood."

Lastly, we note that no on-site parking is proposed despite the fact that there is almost no on-street parking allowed in CFP. Currently, cars park illegally on the Beach Street sidewalk so that pedestrians are forced to walk in the street.

We respectfully ask you to deny the special permit.

Sincerely,
Margaret Van Deusen, Anne Reilly and Isabel Landzert
7 Front Street

# TAB 4

MRCE
built on firm foundations

**PRINCIPALS**
Peter W. Deming
Roderic A. Ellman, Jr.
Francis J. Arland
David R. Good
Walter E. Kaeck
Sitotaw Y. Fantaye
Jan Cermak

**ASSOCIATE PRINCIPALS**
Tony D. Canale
Anthony DeVito

**SENIOR ASSOCIATES**
Domenic D'Argenzio
Ketan H. Trivedi
Hiren J. Shah
Alice Arana
Joel L. Volterra
Steven R. Lowe
Andrew R. Tognon
James M. Tantalla
T. C. Michael Law
Andrew Pontecorvo
Renzo D. Verastegui
Srinivas Yenamandra
Jesse L. Richins

**ASSOCIATES**
Douglas W. Christie
Farid Vastani
Jong W. Choi
Raj S. Chinthamani
Andrew R. Klaetsch
Peter L. Madarasz
Aaron L. Sacks
Sung H. Kong
Fathey N. Elsaid
Colleen Liddy
Adam M. Dyer
Alessandro Ciamei
David Z. Chen
Matthew T. Ruehle

**TECHNICAL SPECIALISTS**
David M. Cacoilo
Alfred H. Brand
George J. Tamaro
Hugh S. Lacy
Joel Moskowitz
James L. Kaufman
Robert K. Radske

**FINANCE DIRECTOR**
Eric A. Hoffman

**MARKETING DIRECTOR**
Martha J. Huguet

February 23, 2022

Ann and Jeff Gardner
9 Broadway
Nantucket Island
Siasconset, MA 02554

Re: Evaluation of Potential Impacts of Adjacent Construction
9 Broadway & 9 Front Street
Nantucket Island, Siasconset, MA
MRCE File No. 14294

Dear Mr. and Mrs. Gardner

In accordance with our contract dated February 8, 2022, Mueser Rutledge Consulting Engineers (MRCE) has completed a site visit and geotechnical review of potential impacts to your property (9 Broadway and 9 Front Street) and the adjacent public roadway due to the proposed construction at the neighboring 8 Bank Street property. Our evaluation relies on visual observations of existing conditions made during our site visit and information provided to the local Zoning Board describing the proposed construction.

## EXECUTIVE SUMMARY

Key findings and conclusions regarding the potential impacts of the proposed construction on adjacent property are presented below based on our site visit and review of available documents describing the proposed work at 8 Bank Street. Subsequent sections of this report provide the supporting data upon which our findings are based.

1. The proposed construction at 8 Bank Street requires excavation to a depth of more than 17 feet immediately adjacent to retaining walls supporting adjacent roadways and properties.
2. The existing retaining walls are non-engineered structures that are relied on to support the hillside slope and adjacent structures above 8 Bank Street. The retaining walls consist of old stone rubble walls and lightly reinforced concrete walls of unknown dimension, depth and stability (safety factor) that are vulnerable to damage caused by the adjacent deep excavation at 8 Bank Street.
3. As a result, the proposed excavation at 8 Bank Street poses the risk of destabilization or collapse of the retaining walls with consequent impact to Middle Gully Road and adjacent properties such as 9 Front Street.
4. The conceptual plans submitted to the Zoning Board for building construction and support of excavation during basement construction at 8 Bank Street provide insufficient detail to ascertain whether 8 Bank Street and their engineers have adequately considered the risks to adjacent structures due to the proposed construction.
5. In order to protect the public and adjacent property owners, we recommend that the Zoning Board require that 8 Bank Street submit more detailed design

and construction documents (as listed herein) that includes monitoring and protection plans for adjacent structures, utilities and roadways.

6. Furthermore, in order to protect the adjacent roads and properties, we recommend that the reviewing agency require that 8 Bank Street provide a construction escrow account to cover the costs of potential repairs to adjacent structures and properties if damages occur.

## SITE DESCRIPTION

The site is on the east side of Nantucket Island, in the historic village of Siasconset. The village of Siasconset is primarily located on a bluff between Elevation +50 and +30 overlooking the Atlantic Ocean. However, on the westernmost end of Siasconset, the small historic community of Codfish Park exists near the base of the bluff with ground surface sloping downward from Elevation +17 at the base of the bluffs down to +10 near the beach. Elevations in this report are based on data presented on the Town and County of Nantucket GIS site, and are assumed to refer to the North American Vertical Datum of 1988 (NAVD 88).

Our engineering review is related to the potential impacts to two properties on the western edge of the bluff (9 Broadway and 9 Front Street) and the roadway connecting the bluff to Codfish Park (Middle Gully Road) due to proposed building construction at the adjacent property near the bottom of the bluff (8 Bank Street). The relative arrangement of the adjacent properties and roadway is shown in Figure 1.

Source: Town and County of Nantucket, MA Online GIS Maps

Figure 1 – Site Location Plan

Residential development along the bluff has resulted in installation of a series of retaining walls to create terraces (level ground) in the slope for construction of roadways and private homes as Illustrated graphically in Figure 2 and further described below. These non-engineered retaining walls consist largely of old stone rubble walls and lightly reinforced concrete walls of unknown dimension, depth and stability (safety factor).

9 Broadway

9 Broadway is occupied by a two-story U-shaped residence with a basement on relatively flat ground. The site is bounded by Broadway to the west, a residence at 11 Broadway to the North, the historic sea shell

covered Front Street to the East and a residence at 7 Broadway to the south. Ground surface is at about Elevation +35.

9 Front Street
9 Front Street is a roughly triangular-shaped landscaped garden lot across Front Street from the structure at 9 Broadway. The site is bounded to the west by Front Street, to the south by a yard for 7 Front Street, and to the east by Middle Gully Road. The site is ringed by a wooden fence. An existing concrete retaining wall forms the east property line and retains the garden elevated above Middle Gully Road. The retaining wall is 10-inches thick at the top and ranges from 1- to 8-feet in height. Review of historic photos indicates that the retaining wall was constructed at some point after 1940. The garden is approximately flat at around Elevation +34.

Middle Gully Road
Middle Gully Road is a public roadway connecting Bank Street and Beach Street in the lower Codfish Park area to Front Street at a higher elevation. Middle Gully Road traverses the bluff in a narrow corridor between 9 Front Street to the west and 8 Bank Street to the east. The roadway is brick, cobble, and grass lined and slopes downward from about Elevation +34 at Front Street to Elevation +17 at the intersection with Bank Street. The west side of Middle Gully Road includes a low mortared stone rubble retaining wall that steps out from the toe of the larger concrete retaining wall supporting 9 Front Street. The east side of Middle Gully Road includes a wooden hand rail and a 2- to 3-ft tall rubble and boulder retaining wall supporting the roadway above 8 Bank Street. We understand that a water main runs beneath Middle Gully Road and that Middle Gully Road provides emergency egress for the Codifsh Park area (as the only other roadway in and out of Codfish park is Gully Road).

8 Bank Street
8 Bank Street is bounded to the south and west by Middle Gully Road, to the North by 11 Front Street, to the east by Bank Street. The site is sloped down from the west. The site is currently occupied by a single story residence. Review of historic photos indicates that the structure served as a hot dog stand in the 1930's. Ground surface at the structure is at about Elev. +17.

## DOCUMENTS REVIEWED

You provided us with a document package that #8 Bank Street submitted for review to the zoning board authority and historical district commission. The documents include:

- Conceptual Floor Plans and Section for 8 Bank Street by Angus Macleod Designs (4 sheets).
- A Conceptual Excavation Support Plan drawing prepared by McArdle Gannon Associates (MGA) and dated January 28, 2022 (SOE-1) (1 sheet).
- A statement of work scope dated January 28, 2022 for geotechnical engineering services to be performed by MGA. Proposed services include design of temporary support of excavation, performance of geotechnical investigations and pre-construction surveys, and construction observation (2 pages).
- Historic District Commission Submission dated August 19, 2021 including architectural elevations and plans by Angus Macleod Designs (20 pages).

## PROPOSED CONSTRUCTION

Based on our review of the zoning board submittal documents, we understand that the Owner of 8 Bank Street is currently requesting zoning board approval to permit construction of a 2 level building addition with a single level basement below the addition and the footprint of the existing structure. Basement construction will require excavation to a depth of about 10.5 feet along Bank Street and more than 17 feet below Middle Gully Road. The conceptual support of excavation (SOE) plan included in the submission indicates that a

soldier pile and timber lagging system will provide temporary shoring of the excavation sidewalls during basement construction. The SOE is shown setback 3 to 4 feet from the new building footprint. The conceptual SOE plans do not provide details on the size of the soldier piles, methods of installation, or lateral bracing.

## SITE OBSERVATIONS

MRCE Engineer and Senior Associate Mr. Jesse Richins visited the site on February 10, 2022 to observe site features and the condition of existing structures in the area of proposed construction.

9 Front Street Retaining Wall

An existing concrete retaining wall wraps around the south, east, and north sides of 9 Front Street. The retaining wall ranges from about 8-ft tall at the south end of the property to about 1-ft tall at the north end. The wall is 10-inches thick at the top of the wall. The front face of the wall includes vertical slots spaced 3- to 5-feet apart and approximately the size of 2x4 lumber. Remnant timber is present in some of the slots. Within the slots, welded wire fabric was observed at 18-inch spacing. The geometry of the concrete wall (thickness of stem below the top of the wall, base dimensions, depth to footing, etc.) are not known. A horizontal step exists at the toe (base) of the wall that extends 2- to 3-ft horizontally out from the wall into Middle Gully Road (from the front face of the concrete retaining wall) and 1- to 2-feet vertically downward. The step is retained by a mortared stone rubble wall.

The front face of the wall is approximately vertical. Several shallow horizontal cracks and minor spalling are evident. The cracks appear to indicate separation of aggregate when the concrete for the wall was poured. Horizontal crack depth is generally less than 1-inch. Several full depth vertical cracks are present in the south return wall and along the vertical slots in the wall. The concrete wall appears generally stable and in fair condition. At several locations, the mortared stone rubble retaining wall has loose stones and missing mortar.

Photographs illustrating the existing condition of the retaining wall are presented in the Appendix.

8 Bank Street Slope and Retaining Walls

Middle Gully Road is separated from 8 Bank Street by a mortared stone rubble wall. The wall is approximately 2- to 3.5-ft tall. At one location, roughly 1/3 of the way up the road, a tree has grown on the downslope side of the wall with tree roots penetrating into the wall. On the north end of 8 Bank Street, the slope down from the retaining wall is vegetated with grass. A 6-ft tall CMU retaining wall separates the slope from a small patio courtyard on the north end of 8 Bank Street.

Photographs of the slope and retaining wall are presented in the Appendix.

## POTENTIAL IMPACTS OF PROPOSED CONSTRUCTION

The proposed construction requires a deep excavation to a depth of more than 17 feet immediately below Middle Gully Road and the nearby retaining wall supporting 9 Front Street. Furthermore, the retained ground slopes up to a higher elevation, resulting in increased lateral earth pressures on the SOE system as shown in cross-sections A-A' and B-B' in Figure 2.

In general, even a well-designed and supported excavation has potential to impact ground within a 1:1 (horizontal to vertical) zone of influence from the bottom of the excavation. As illustrated in plan and section on Figure 2, all of Middle Gully Road and most of 9 Front Street are within the potential 1:1 zone of influence of the deep excavation required for basement construction at 8 Bank Street. The structure at 9 Broadway is generally beyond the potential zone of direct influence. As a result, the proposed deep excavation could cause ground loss and instability of the retained ground in a number of ways including but not limited to:

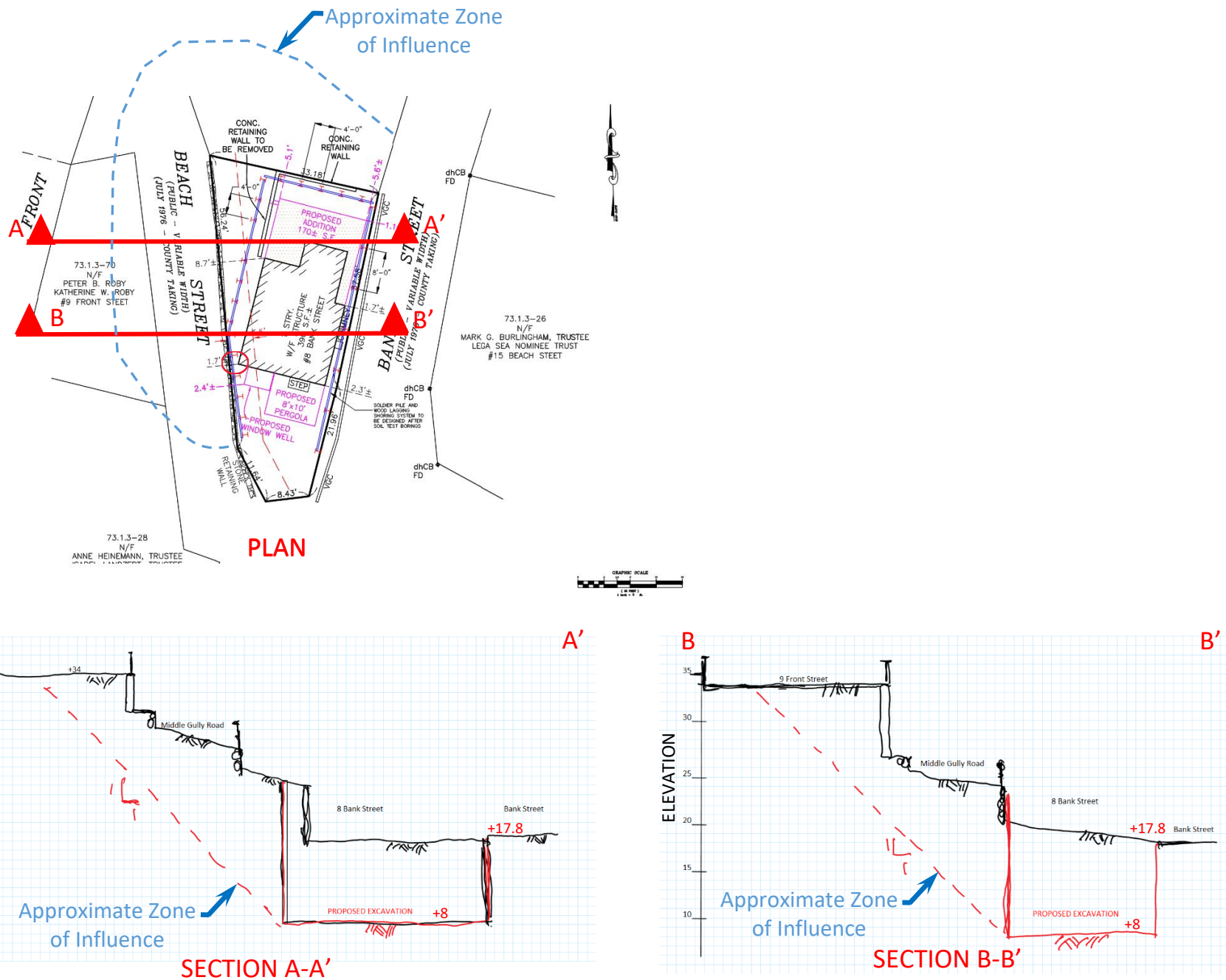



FIGURE 2 – PROPOSED CONSTRUCTION

FIGURE 2 – PROPOSED CONSTRUCTION

1. Insufficient lateral bracing of the SOE system, resulting in horizontal movement of the retained ground and possible collapse of the adjacent retaining walls
2. Installation of soldier piles by driving or other methods could cause vibrations and ground loss with consequent ground settlement and damage to the fragile retaining walls in the upland slope.
3. Improper removal of the existing tree that is embedded in the existing retaining wall resulting in collapse of the existing retaining wall or future settlement as the remnant tree decomposes,
4. Insufficient control of groundwater and surface water resulting in softening of the excavation bottom and horizontal movement of the SOE and the retained ground,
5. Improperly installed and filtered timber shoring boards resulting in loss of retained soil and settlement of the adjacent ground,
6. Insufficient erosion protection resulting in erosion of the slope.
7. Not accounting for potential traffic loads on Middle Gully Road, resulting in excessive movement in an emergency situation requiring vehicular access.

If the proposed excavation destabilizes the retained ground, the potential hazards include:

1. Loss of access for vehicles or pedestrians on Middle Gully Road, an emergency egress path for Codfish Park.
2. Damage to utilities buried below Middle Gully Road providing services to the area.
3. Damage to the historic roadway down to Codfish Park.
4. Damage to the retaining walls and retained property of 9 Front Street.

## DESIGN CONSIDERATIONS

Our evaluation indicates that the proposed deep excavation at 8 Bank Street poses significant risk of damage to the adjacent roadway, utilities, and properties if not carefully designed and constructed due to the proximity of adjacent structures and old and fragile retaining walls supporting the slope. Among the complications that the Designer needs to consider:

1. The retained ground on the west side of the site is sloped and includes old, non-engineered retaining walls of fragile construction that are vulnerable to damage due to vibration or ground settlement. The terraced and upward sloping ground will impose greater horizontal loads on the SOE (compared with level ground) that will need to be accounted for in design.
2. We understand that Middle Gully Road provides emergency access and egress to Codfish Park. Therefore, the road may support traffic live loads in an emergency, potentially even emergency vehicle traffic, such as fire trucks. This requirement should be considered in design and reviewed by the municipality and reviewing board.
3. The proposed excavation along Middle Gully Road is too deep for cantilever support of the hillside and will require one to two levels of bracing to restrain lateral movement.
4. The clean natural sands will tend to ravel and require tight installation of lagging boards and filtering to avoid mining retained soils.
5. The foundations of the retaining walls at 9 Front Street and the eastern edge of Middle Gully Road are not known and should be investigated to understand the potential impacts of the SOE.
6. The slope above 8 Bank Street includes a large tree that is partially grown into the existing retaining wall. Removal of the tree could impact the stability of the existing slope. Removal should be performed in a manner that does not destabilize the slope and maintains long-term stability.
7. The conceptual SOE system is shown with three- to four-feet offset from the proposed structure (in plan). The need for this larger excavation is not clear. The size of the excavation should be limited to necessity for the permanent structure in order to limit the area impacted by the excavation.
8. The layout of the conceptual SOE system requires removal of a part of the existing stone rubble retaining wall supporting Middle Gully Road. The design should address how this wall will be removed, how Middle Gully Road will be supported during construction, and how this historic

retaining wall will be replaced.

9. Pre- and post-construction condition surveys of adjacent structures should be performed to establish baseline conditions prior to construction and determine if construction is impacting surrounding grounds and structures,
10. Construction documents should include provisions for monitoring adjacent retaining walls, utilities and structures for vertical and lateral movement during construction. Instrumentation should include installation of crack gauges and optical movement monitoring so that any impacts are realized in real time and mitigation measures to avoid damage are quickly implemented.

## RECOMMENDATIONS FOR THE REVIEWING AGENCY

The conceptual plans for building construction and support of excavation during basement construction at 8 Bank Street provide insufficient detail to ascertain whether the Developers and Designers have adequately considered the risks to adjacent structures due to the proposed construction. We recommend that the Board and reviewing agency reviewing the proposed application require the Applicant to provide a full and detailed package before approval of the proposed deep excavation, such that all parties have confidence that the proposed construction will sufficiently protect the public. Before granting approval, we recommend requiring the applicant provide:

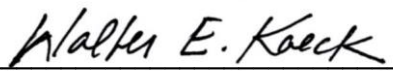
1. Geotechnical report and results of the geotechnical investigation at 8 Bank Street,
2. Detailed SOE Design Plans including means and methods for SOE installation
3. Surface Water and Groundwater Control Plan,
4. Monitoring and Protection Plan, including limiting movement criteria and contingency stabilization measures if movement thresholds are exceeded,
5. Erosion Control Plan,
6. Plan for removal of the existing tree on the slope,
7. Plan for removal and replacement or protection-in-place of the old stone rubble retaining wall supporting Middle Gully Road,
8. Schedule of construction and plans to mitigate impacts due to construction traffic and noise.

Furthermore, the proposed deep excavation at 8 Bank Street results in a potential risk to the Town and County of Nantucket (owners of Middle Gully Road), the general public (users and beneficiaries of access to Middle Gully Road), and the Owners of 9 Front Street. The risk assumed by permitting this construction is that the construction results in damage to Middle Gully Road or the property at 9 Front Street, which are both clearly within the zone of influence of the proposed excavation. If 8 Bank Street is not prepared or is unable to support repairs, there is little recourse for repairing the damages after the fact. Therefore, we recommend that, as a condition of permitting, the reviewing agency require that 8 Bank Street establish a construction escrow account to cover the costs of potential repairs to Middle Gully Road or 9 Front Street in the event that the construction damages these properties. In this way, the Town and County of Nantucket, the general public, and the owners of 9 Front Street are protected from any potential impacts of the construction. The escrow amount should be a portion of the total construction cost and maintain in place for one year after the completion of the basement construction if there are no damages to the surrounding properties.

Please contact the undersigned if you have any questions.

Very truly yours,
**MUESER RUTLEDGE CONSULTING ENGINEERS PLLC**

Jesse L. Richins, PE



Walter E. Kaeck, Principal

JLR:WEK
F:\142\14294\Letter - 2022-02-16.docx

## William Saad

**From:** Leslie Snell
**Sent:** Monday, September 5, 2022 6:28 PM
**To:** William Saad; Adrian Rodriguez; Nickesha Sheriff
**Subject:** Fwd: 8 Bank Street ZBA

Sent from my iPad

Begin forwarded message:

> **From:** Charles Mappin <cmappin@gmail.com>
> **Date:** September 5, 2022 at 8:08:38 AM EDT
> **To:** Leslie Snell <LSnell@nantucket-ma.gov>
> **Subject: 8 Bank Street ZBA**
>
> Dear Ms. Snell:
>
> Please pass this along to the Zoning Board of Appeals.
>
> I strongly urge the ZBA to reject the special permit application for the proposed new house at 8 Bank Street in Siasconset. The current proposal is totally inappropriate for that site so close to Middle Gully and the bank/bluff there, and would be detrimental to the neighborhood. The existing house on the site is within the building envelope that has been on that lot for decades and remains appropriate.
>
> Thank you.
> Regards,
> Charles Mappin
> 36B Burnell St

This email was scanned by Bitdefender

## William Saad

**From:** Leslie Snell
**Sent:** Tuesday, September 6, 2022 1:06 PM
**To:** William Saad; Adrian Rodriguez; Nickesha Sheriff
**Subject:** FW: From a neighbor re 8 Bank Street, Siasconset

Another one.

---

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

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

Telephone: 508-325-5385

-----Original Message-----
From: WILHEMINA MARVEL <dvilliers@aol.com>
Sent: Tuesday, September 6, 2022 12:28 PM
To: Leslie Snell <LSnell@nantucket-ma.gov>
Subject: From a neighbor re 8 Bank Street, Siasconset

Dear Leslie,

I have owned Liberty Hall, 11 Broadway, since 1998, and will be right above this project if you allow it.
My neighbors have spoken in detail as to the disregard of the streetscape, the overtopping of the coastal bank, and disregard of the public view shed, which is also my view shed. It will be a big cut to its value to stare down and into this.
But the excavation planned: please ! I look at that bank daily every walk I've taken down to Codfish Park and back: sand with a little dirt and the one remaining maple that digs in with its roots.
The bank is not going to stay stable, and Liberty Hall won't either.

Sincerely,

Wilhemina Austin

Sent from my iPhone

---

This email was scanned by Bitdefender

## William Saad

**From:** Leslie Snell
**Sent:** Tuesday, September 6, 2022 9:05 AM
**To:** William Saad; Adrian Rodriguez; Nickesha Sheriff
**Subject:** FW: Proposed dwelling at 8 Bank

Another one to forward.

---

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

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

Telephone: 508-325-5385

-----Original Message-----
From: Nicola Graham <nogemail@aol.com>
Sent: Tuesday, September 6, 2022 6:03 AM
To: Leslie Snell <LSnell@nantucket-ma.gov>
Cc: Kenneth Graham <kgraham@invernessgraham.com>
Subject: Proposed dwelling at 8 Bank

Dear Lisa.

I am writing as a concerned resident of Codfish Park. My family and I own two dwellings, two single story dwellings, on Jackson St. We agree with the SCA that the proposed dwelling at 8 Bank St would be detrimental to our neighborhood.

We cannot be on island to attend the upcoming ZBA appeals hearing on Thursday, but want to express our vehement disapproval for the proposed structure to replace The dwelling that we still refer to as Tour's End.

In our estimation the proposed dwelling would be completely out of character and scale with Codfish Park's Historic character and zoning.

In addition to being an out of character eyesore, I cannot begin to imagine the structural implications to the integrity of Middle Gully, a public way, the Sconset Bank and neighborhood area that such a construction would impose.

Respectfully,
Nicola & Ken Graham & family

Sent from my iPhone

---

This email was scanned by Bitdefender

## William Saad

**From:** Leslie Snell
**Sent:** Monday, September 5, 2022 6:27 PM
**To:** William Saad; Adrian Rodriguez; Nickesha Sheriff
**Subject:** Fwd: 8 Bank Street

For packet. There are a bunch of these in my inbox, I think. Just wait for them all to send together.

Sent from my iPad

Begin forwarded message:

**From:** Pamela Suan <pamelasuan@gmail.com>
**Date:** September 5, 2022 at 11:13:37 AM EDT
**To:** Leslie Snell <LSnell@nantucket-ma.gov>
**Subject: 8 Bank Street**

Ms.Snell,

I am writing, just in case I can not attend the meeting on Tuesday regarding the proposed home at 8 Bank Street. I will admit that having owned a property in the Village of Sconset since 2005, I was shocked to see CodFish park with roof lines being lifted and homes dwarfing those around them.

The debate surrounding this property is particularly upsetting. I did watch the meeting where the HDC clearly felt that they had not approved it and asked for more modifications and information. The architect refused to do anything else at the request of the owners. The fact that the architect and lawyer went behind closed doors with the town attorney and said the abstentions don't count was using legal jargon, and that the HDC apparently was accused of not knowing how to even conduct voting at their meeting is frightening.

The reality is that our beloved Sconset is being overrun with construction, traffic, trash, and noise. The serenity that once was is continually being compromised so people can make money. The small house that is there now charges an outrageous price for a nightly rental (VRBO). It is a charming little home that a couple would enjoy renting for a summer get away. Making it a four bedroom residence that takes up the majority of the ground cover and abuts an access road looks more like a plan to make more money than to make the home functional and enjoyable for the owners. Perhaps they were told it could be an amazing rental property for them, but not with the insight of the impact on the bank, Middle Gully, and the historic views and charm that will be lost.

As someone who once tried to replace a "historically correct" widows walk on my home and was turned down, I find it strange that so many things are approved that have no historic basis. I truly hope the town does not use the excuse that they already approved one structure that increased dramatically in size. One mistake does not open the door for continued destruction of the community.

It is sad to see what is happening to this Island house by house. We need some real guidelines for historic preservation, and we need the decision makers to visit the sites in person and review the proposals.

Thank you for listening to my opposition of this project. I walked that route daily for the past 18 years and am saddened to think of it changing.

Sincerely,

Pamela Suan
2 Broadway
Siasconset, MA

This email was scanned by Bitdefender

**William Saad**

**From:** Leslie Snell
**Sent:** Monday, September 5, 2022 6:26 PM
**To:** William Saad; Adrian Rodriguez; Nickesha Sheriff
**Subject:** Fwd: 8 Bank St.

For packet. Or to send to ZBA members.

Sent from my iPad

Begin forwarded message:

> **From:** Robin Gorham <robingorham@gmail.com>
> **Date:** September 5, 2022 at 4:39:57 PM EDT
> **To:** Leslie Snell <LSnell@nantucket-ma.gov>
> **Subject: 8 Bank St.**
>
> Hello Leslie, I am emailing you about my concern about 8 Bank St. I believe the building would be too tall and it would take away from the historic Front St. I am concerned about the surrounding buildings and perhaps damage to Middle Gully. I believe the emergency access to Codfish Park is very important and should not be changed or undermined. I am a Sconset Resident and I am have seen many changes in Sconset that should have not been approved. Thank you, Robin Gorham, 9 King ST.
>
> ---
> This email was scanned by Bitdefender

# Harris on Weweeder LLC

## File No. 09-22

## 50 Weweeder Ave

**VARIANCE**

# NEW MATERIALS SUBMITTED

# HDC
# APPROVALS

CERTIFICATE NO: HDC 2020-06-1162 DATE ISSUED: 8/10/2020

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

# CERTIFICATE OF APPROPRIATENESS

for structural work.

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

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

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

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

## PROPERTY DESCRIPTION

TAX MAP N°: 79 PARCEL N°. 15

Street & Number of Proposed Work: 50 WEWEEDER AVE

Owner of record: BRIAN & ELIZABETH HARRIS

Mailing Address: 2 BROAD ST

NANTUCKET MA 02554

Contact Phone #: 508-228-2728 E-mail:

## AGENT INFORMATION (if applicable)

Name: MCA +

Mailing Address: 50 WEWEEDER AVE

NANTUCKET MA 02554

Contact Phone #: 508-228-2728 E-mail: DOUG@MARKCUTLER.COM

FOR OFFICE USE ONLY ✓#4108

Date application received: 6/17/2020 Fee Paid: $ 130.20

Must be acted on by: ~~8/22/2020~~ 10/1/20

Extended

Approved: ✓ Disapproved:

Chairman: Douglas W Coombs (Acting)

Member:

Member:

Member:

Member:

Notes - Comments - Restrictions - Conditions

Motion to Approve through staff w/ the horizontal board to be vertical.

## DESCRIPTION OF WORK TO BE PERFORMED

See reverse for required documentation.

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

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

☐ Pool (Zoning District ____) ☐ Roof ☒ Other CABANA

Size of Structure or Addition: Length: 41' Sq. Footage 1st floor: 651 SF Decks/Patio: Size: 10X6 ☒ 1st floor ☐ 2nd floor

Width: 19' Sq. footage 2nd floor: Size: ☐ 1st floor ☐ 2nd floor

Sq. footage 3rd floor:

Difference between existing grade and proposed finish grade: North +/- 12" South " East " West "

Height of ridge above final finish grade: North 16'-7" South " East " West "

Additional Remarks

Historic Name:

Original Date:

Original Builder:

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

REVISIONS* (describe)

1. East Elevation
2. South Elevation
3. West Elevation
4. North Elevation

*Cloud on drawings and submit photographs of existing elevations.

## DETAIL OF WORK TO BE PERFORMED

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

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

**Roof Pitch**: Main Mass 10 /12 Secondary Mass 10 /12 Dormer 5 /12 Other

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

☒ Wood (Type: Red Cedar, White Cedar, Shakes, etc.)

Fence: Height: Type: Length:

**Skylights (flat only)**: Manufacturer Rough Opening Size Location

Manufacturer Rough Opening Size Location

**Gutters**: ☐ Wood ☐ Aluminum ☐ Copper ☐ Leaders (material)

**Leaders (material and size)**:

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

☐ Other

**Trim**: A. Wood ☐ Pine ☐ Redwood ☒ Cedar ☐ Other

B. Treatment ☒ Paint ☐ Natural to weather ☐ Other

C. Dimensions: Fascia 8+3 Rake 8+3 Soffit (Overhang) 6" Corner boards — Frieze 4

Window Casing 4 Door Frame 4 Columns/Posts: Round Square

**Windows***: ☒ Double Hung ☐ Casement ☐ All Wood ☐ Other

☐ True Divided Lights(muntins), single pane ☒ SDL's (Simulated Divided Lights) Manufacturer

**Doors*** (type and material): ☐ TDL ☒ SDL Front (4) 4 LITE Rear 4 LITE Side —

Garage Door(s): Type Material

**Hardscape materials**: Driveways Walkways Walls

* Note: Complete door and window schedules are required.

## COLORS

Sidewall NTW Clapboard (if applicable) — Roof NTW

Trim GRAY Sash CHARCOAL Doors CHARCOAL

Deck NTW Foundation NTW Fence — Shutters —

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

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

Date 6/16/20 Signature of owner of record Signed under penalties of perjury

# HARRIS - 50 WEWEEDER AVENUE




AERIAL VIEW: NTS



LOCUS PLAN: NTS



APPROVED
HDC 2020 - 06 - 1162
No Exterior Changes
Without HDC Approval

RECEIVED
AUG 17 2020

CABANA HDC
STAFF APPROVAL

HARRIS
50 WEWEEDER AVENUE
NANTUCKET, MA 02554
MAP: 79 PARCEL: 15

COVER SHEET

C1.3

14 AUGUST 2020

SURVEYOR
SITE DESIGN ENGINEERING
11 CUSHMAN STREET
MIDDLEBORO, MA 02346
508.947.0673

STRUCTURAL DESIGN
CAPE STRUCTURAL CONSULTANTS
P.O. BOX 798
FALMOUTH, MA 02541
508.457.0794

MARK CUTONE ARCHITECTURE
2 BROAD STREET
NANTUCKET, MA 02554
508.228.2728
MARKCUTONE.COM

MARK CUTONE
ARCHITECTURE
2 BROAD STREET
NANTUCKET, MA 02554
508.228.2728
MARKCUTONE.COM

SURVEYOR
SITE DESIGN ENGINEERING
11 CUSHMAN STREET
MIDDLEBORO, MA 02346
508.967.0673

STRUCTURAL DESIGN
CAPE STRUCTURAL CONSULTANTS
P.O. BOX 798
FALMOUTH, MA 02541
508.457.6794

CABANA HDC
STAFF APPROVAL

HARRIS
50 WESTMINSTER AVENUE
NANTUCKET, MA 02554
NAH-79 PARCEL 15

FLOOR PLAN

AS.1

14 AUGUST 2020





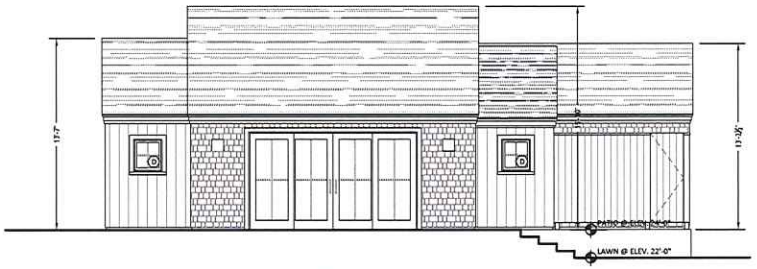


"ALL DOORS AND WINDOWS TO HAVE DP RATING AND LOW E GLASS

| WINDOW SCHEDULE | | | |
|---|---|---|---|
| # | QTY | MODEL NUMBER | ROUGH OPENING | DESCRIPTION |
| A | – | ANDERSEN AD4254 | R.O.: 5'-0" x 5'-4" | 2/2 DOUBLE HUNG WINDOW |
| B | – | ANDERSEN AD4454 | R.O.: 5'-4" x 5'-4" | 2/2 DOUBLE HUNG WINDOW |
| C | – | CUSTOM ANDERSEN | R.O.: 10'-2" x 3'-5" | (5) 4 LIGHT FOLDING WINDOW |
| D | – | ANDERSEN AA4024 | R.O.: 2'-0" x 2'-4" | 4 LIGHT FIXED WINDOW |

| DOOR SCHEDULE | | | | |
|---|---|---|---|---|
| # | QTY | MODEL NUMBER | ROUGH OPENING | DESCRIPTION |
| 1 | 1 | ANDERSEN FWGD111061-4 | R.O.: 11'-10" x 6'-11" | (4) 4 LIGHT SLIDING PATIO DOORS |
| 2 | 1 | ANDERSEN FWHID29611 | R.O.: 2'-9" x 6'-11" | (2) 4 LIGHT SWING DOORS |

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




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

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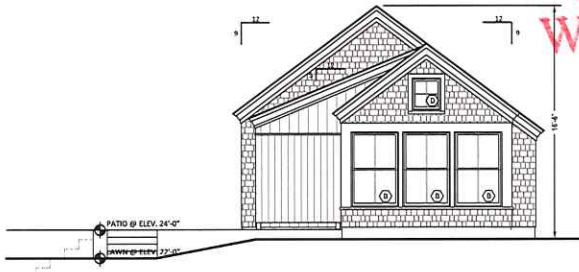
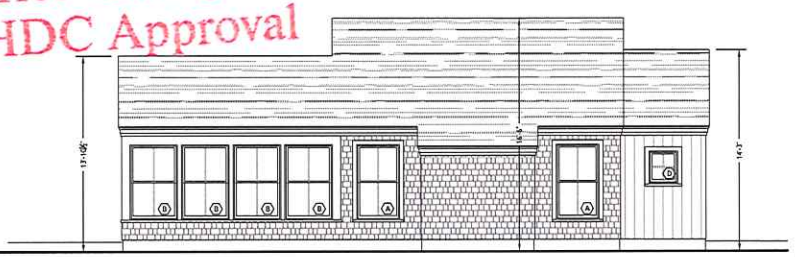
APPROVED
HDC 2020-06-1162
No Exterior Changes
Without HDC Approval




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



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

MARK CUTONE
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2 BROAD STREET
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SURVEYOR
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MIDDLEBORO, MA 02346
508.967.0673

STRUCTURAL DESIGN
CAPE STRUCTURAL CONSULTANTS
P.O. BOX 798
FALMOUTH, MA 02541
508.457.6794

CABANA HDC
STAFF APPROVAL

HARRIS
50 WEWEEDER AVENUE
NANTUCKET, MA 02554
MAP: 79 PARCEL: 15

ELEVATIONS

A6.1

14 AUGUST 2020

CERTIFICATE NO: HDC2020-06-1163 DATE ISSUED: 8/10/2020

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

# CERTIFICATE OF APPROPRIATENESS

for structural work.

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

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

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

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

## PROPERTY DESCRIPTION

TAX MAP N°: 79 PARCEL N°. 15

Street & Number of Proposed Work: 50 WEWEDDER AVE

Owner of record: BRIAN & ELIZABETH HARRIS

Mailing Address: 2 BROAD ST

NANTUCKET MA 02554

Contact Phone #: 508-228-2728 E-mail:

## AGENT INFORMATION (if applicable)

Name: MCA +

Mailing Address: 2 BROAD ST

NANTUCKET MA 02554

Contact Phone #: 508-228-2728 E-mail: DOUG@MARKSTONE.COM

FOR OFFICE USE ONLY ✓4104

Date application received: 6/17/2020 Fee Paid: $ 400.00

Must be acted on by: 10/1/20 ~~8/22/2020~~

Extended

Approved: ✓ Disapproved:

Chairman: Drew W Boomhs (Acting)

Member:

Member:

Member:

Member:

Notes - Comments - Restrictions - Conditions

ATS w/ the south and northe elevation 2nd floor windows to be a 4-light configuration

## DESCRIPTION OF WORK TO BE PERFORMED

See reverse for required documentation.

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

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

☐ Pool (Zoning District ____) ☐ Roof ☒ Other BARN

Size of Structure or Addition: Length: 25' Sq. Footage 1st floor: 1000 SF Decks/Patio: Size: ☐ 1st floor ☐ 2nd floor

Width: 40' Sq. footage 2nd floor: 1000 SF Size: ☐ 1st floor ☐ 2nd floor

Sq. footage 3rd floor:

Difference between existing grade and proposed finish grade: North +/- 12" South " East " West "

Height of ridge above final finish grade: North 28'-0" South East West

Additional Remarks

Historic Name:

Original Date:

Original Builder:

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

REVISIONS* (describe)

1. East Elevation
2. South Elevation
3. West Elevation
4. North Elevation

*Cloud on drawings and submit photographs of existing elevations.

## DETAIL OF WORK TO BE PERFORMED

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

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

**Roof Pitch**: Main Mass 10 /12 Secondary Mass 4 /12 Dormer /12 Other

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

☒ Wood (Type: Red Cedar, White Cedar, Shakes, etc.)

Fence: Height:
Type:
Length:

**Skylights (flat only)**: Manufacturer Rough Opening Size Location

Manufacturer Rough Opening Size Location

**Gutters**: ☐ Wood ☐ Aluminum ☐ Copper ☐ Leaders (material)

**Leaders (material and size)**:

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

☒ Other BOARD & BATTEN

**Trim**: A. Wood ☐ Pine ☐ Redwood ☒ Cedar ☐ Other

B. Treatment ☒ Paint ☐ Natural to weather ☐ Other

C. Dimensions: Fascia 8+3 Rake 8+3 Soffit (Overhang) 12" Corner boards — Frieze 4

Window Casing 4 Door Frame 4 Columns/Posts: Round Square

**Windows***: ☒ Double Hung ☐ Casement ☐ All Wood ☐ Other

☐ True Divided Lights(muntins), single pane ☒ SDL's (Simulated Divided Lights) Manufacturer

**Doors*** (type and material): ☐ TDL ☒ SDL Front Rear Side

Garage Door(s): Type 4 LITE w/ PANEL Material

**Hardscape materials**: Driveways Walkways Walls

* Note: Complete door and window schedules are required.

## COLORS

Sidewall NTW Clapboard (if applicable) — Roof NTW

Trim GRAY Sash CHARCOAL Doors CHARCOAL

Deck — Foundation NTW Fence — Shutters —

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

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

Date 6/16/20 Signature of owner of record Signed under penalties of perjury

# HARRIS - 50 WEWEEDER AVENUE

BARN HDC
STAFF APPROVAL

HARRIS
50 WEWEEDER AVENUE
NANTUCKET, MA 02554
MAP: 79 PARCEL: 15

COVER SHEET

C1.2

14 AUGUST 2020


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MARK CUTONE ARCHITECT
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508.228.2728
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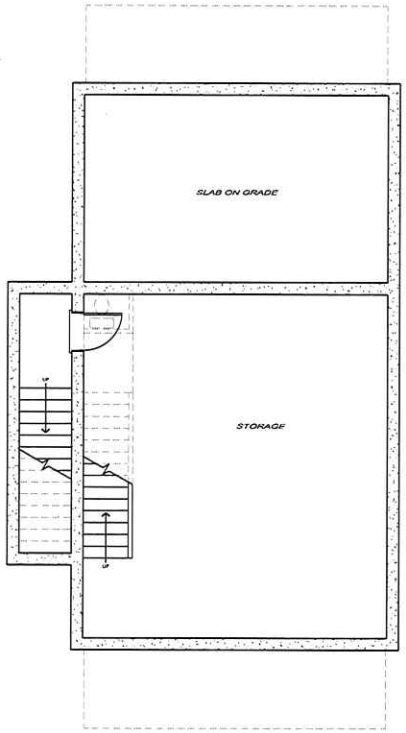
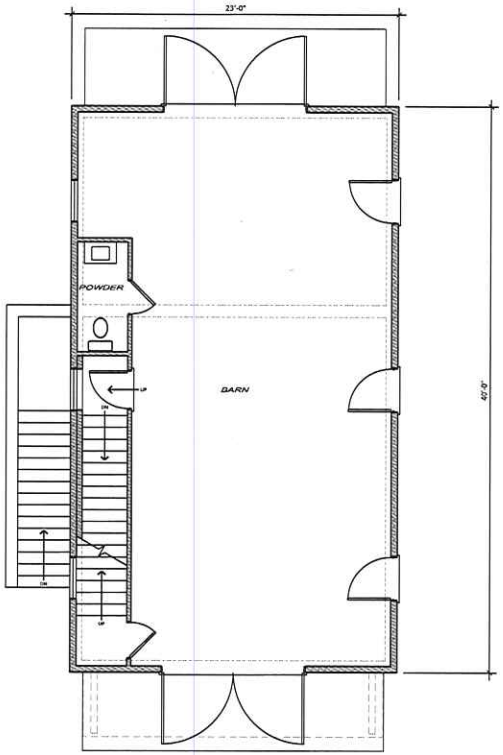
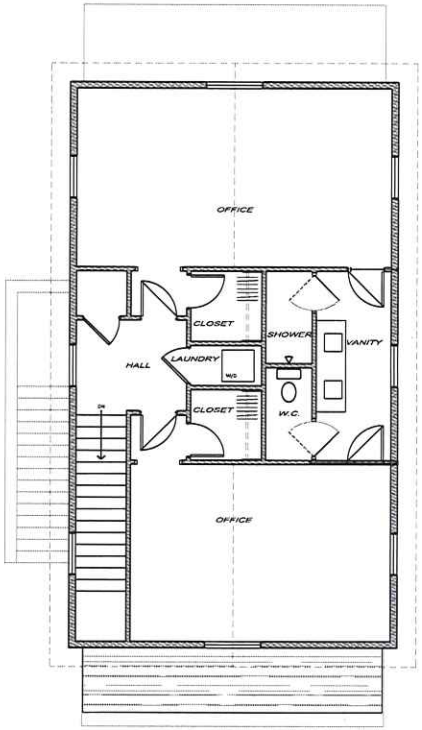



BASEMENT PLAN - 1,000SF
SCALE: 1/4" = 1'-0"




FIRST FLOOR PLAN - 920SF
SCALE: 1/4" = 1'-0"




SECOND FLOOR PLAN - 920SF
SCALE: 1/4" = 1'-0"

| | WINDOW SCHEDULE | | | |
|---|---|---|---|---|
| # | QTY | MODEL NUMBER | ROUGH OPENING | DESCRIPTION |
| A | – | ANDERSEN ADH3054 | R.O.: 3'-0" x 5'-4" | 2/2 DOUBLE HUNG WINDOW |
| B | – | ANDERSEN ACW3040 | R.O.: 3'-0" x 4'-0" | 4 LIGHT CASEMENT WINDOW |
| C | – | ANDERSEN APW4050 | R.O.: 4'-0" x 5'-0" | 4 LIGHT PICTURE WINDOW |
| | | | | |
| | | | | |
| | | | | |
| | DOOR SCHEDULE | | | |
| # | QTY | MODEL NUMBER | ROUGH OPENING | DESCRIPTION |
| 1 | 2 | ANDERSEN FWHID31611 | R.O.: 3'-1" x 6'-11" | 4 LIGHT PATIO DOOR |
| 2 | 2 | CUSTOM SWING DOORS | R.O.: 10'-3" x 9'-3" | (2) 4 LIGHT SWING DOORS |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

*ALL DOORS AND WINDOWS TO HAVE DP RATING AND LOW E GLASS

MARK CUTONE
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508.457.6794

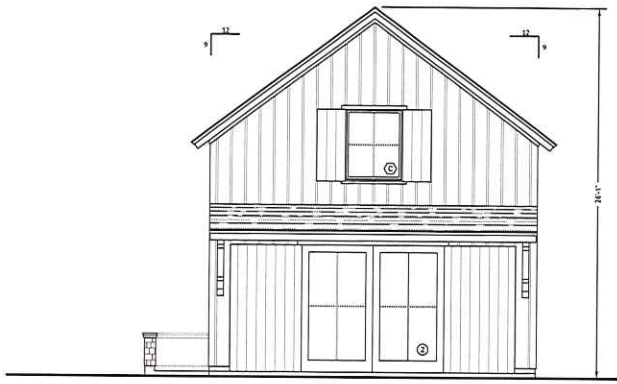
BARN HDC
STAFF APPROVAL

HARRIS
50 WEWEEDER AVENUE
NANTUCKET, MA 02554
MAP: 79 PARCEL: 15

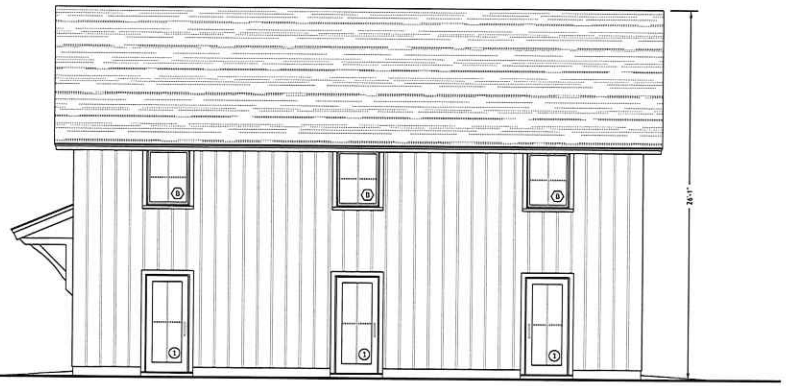
FLOOR PLANS

A3.1

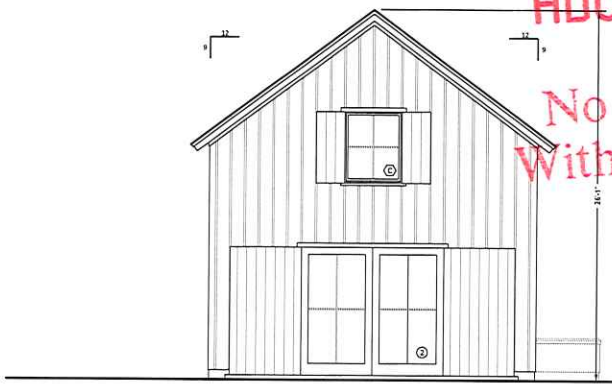
14 AUGUST 2020



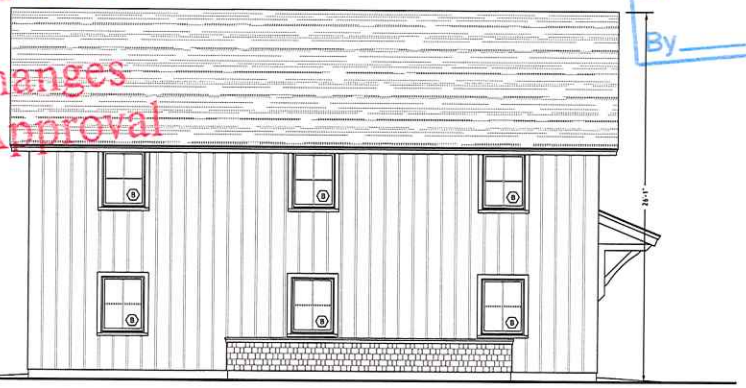
SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



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



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



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

APPROVED
HDC 2020-06-1163
No Exterior Changes
Without HDC Approval

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FALMOUTH, MA 02541
508.457.6794

BARN HDC
STAFF APPROVAL

HARRIS
50 WEWEEDER AVENUE
NANTUCKET, MA 02554
MAP: 79 PARCEL: 15

ELEVATIONS

A4.1

14 AUGUST 2020

CERTIFICATE NO: HDC 2020-016-11ce 4 DATE ISSUED: 8/10/2020

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

# CERTIFICATE OF APPROPRIATENESS

for structural work.

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

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

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

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

## PROPERTY DESCRIPTION

TAX MAP N°: 79 PARCEL N°. 15

Street & Number of Proposed Work: 50 WEWEEDER AVE

Owner of record: BRIAN & ELIZABETA HARRIS

Mailing Address: 2 BROAD ST

NANTUCKET MA 02554

Contact Phone #: 508-228-2728 E-mail: DOUG@MARKCUTONE.COM

## AGENT INFORMATION (if applicable)

Name: MCA +

Mailing Address: 2 BROAD ST

NANTUCKET MA 02554

Contact Phone #: 508-228-2728 E-mail: DOUG@MARKCUTONE.COM

FOR OFFICE USE ONLY ✓4109

Date application received: 6/17/2020 Fee Paid: $ 804.60

Must be acted on by: 8/22/2020 ~~10/1/20~~

Extended

Approved: ✓ Disapproved:

Chairman: Doug W.B. Combs (Acting)

Member:

Member:

Member:

Member:

Notes - Comments - Restrictions - Conditions

ATS w/ making the shower enclosure boards vertical, the front door to be a five panel, and to carry the interim roof connecting the right mass to the main mass and eliminated the secondary mass roof system.

## DESCRIPTION OF WORK TO BE PERFORMED

See reverse for required documentation.

☒ New Dwelling ☐ Addition ☐ Garage ☐ Driveway/Apron ☐ Commercial ☐ Historical Renovation ☐ Deck/Patio ☐ Steps ☐ Shed
☐ Color Change ☐ Fence ☐ Gate ☐ Hardscaping ☐ Move Building ☐ Demolition ☐ Revisions to previous Cert. No. _____
☐ Pool (Zoning District _____) ☐ Roof ☐ Other _____

Size of Structure or Addition: Length: 84 Sq. Footage 1st floor: 2470SF Decks/Patio: Size: 8X21 ☒ 1st floor ☐ 2nd floor
Width: 53 Sq. footage 2nd floor: 1553SF Size: 7X10 ☐ 1st floor ☒ 2nd floor
Sq. footage 3rd floor: 4023 TOTAL

Difference between existing grade and proposed finish grade: North ± 12" South " East " West "

Height of ridge above final finish grade: North 29'-5" South 23'-9" East 23'-9" West 23'-9"

Additional Remarks

Historic Name:

Original Date:

Original Builder:

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

REVISIONS* (describe)
1. East Elevation
2. South Elevation
3. West Elevation
4. North Elevation

*Cloud on drawings and submit photographs of existing elevations.

## DETAIL OF WORK TO BE PERFORMED

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

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

**Roof Pitch**: Main Mass 10 /12 Secondary Mass 10 /12 Dormer 4 /12 Other _____

**Roofing material**: ☐ Asphalt: ☐ 3-Tab ☐ Architectural
☒ Wood (Type: ~~Red Cedar~~, White Cedar, Shakes, etc.) _____

Fence: Height: _____
Type: _____
Length: _____

**Skylights (flat only)**: Manufacturer _____ Rough Opening _____ Size _____ Location _____
Manufacturer _____ Rough Opening _____ Size _____ Location _____

**Gutters**: ☐ Wood ☐ Aluminum ☐ Copper ☐ Leaders (material) _____

**Leaders (material and size)**: _____

**Sidewall**: ☒ White cedar shingles _____ ☐ Clapboard (exposure: _____ inches) Front ☐ _____ Side ☐ _____
☐ Other _____

**Trim**: A. Wood ☐ Pine ☐ Redwood ☒ Cedar ☐ Other _____
B. Treatment ☒ Paint ☐ Natural to weather ☐ Other _____
C. Dimensions: Fascia 8+3 Rake 8+3 Soffit (Overhang) ~~Matt~~ 6" Corner boards — Frieze 4
Window Casing 4 Door Frame 4 Columns/Posts: Round ____ Square X

**Windows***: ☒ Double Hung ☐ Casement ☐ All Wood ☐ Other _____
☐ True Divided Lights(muntins), single pane ☒ SDL's (Simulated Divided Lights) Manufacturer _____

**Doors*** (type and material): ☐ TDL ☒ SDL Front 6 PANEL Rear 4 LITE Side 4 LITE W/PANEL
Garage Door(s): Type _____ Material _____

**Hardscape materials**: Driveways SHELLS Walkways BLUE STONE Walls _____

* Note: Complete door and window schedules are required.

## COLORS

Sidewall NTW Clapboard (if applicable) — Roof NTW
Trim GRAY Sash CHARCOAL Doors CHARCOAL
Deck NTW Foundation NTW Fence — Shutters —

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

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

Date 6/16/20 Signature of owner of record _____ Signed under penalties of perjury

# HARRIS - 50 WEWEEDER AVENUE




AERIAL VIEW: NTS



LOCUS PLAN: NTS



APPROVED

HDC 2020-06-1164

1: Exterior Changes

Without HDC Approval

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MAIN HOUSE
STAFF APPROVAL

C1.1

14 AUGUST 2020

COVER SHEET


HARRIS
50 WEWEEDER AVENUE
NANTUCKET, MA 02554
MAP: 79 PARCEL: 15

STRUCTURAL DESIGN
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NANTUCKET, MA 02554
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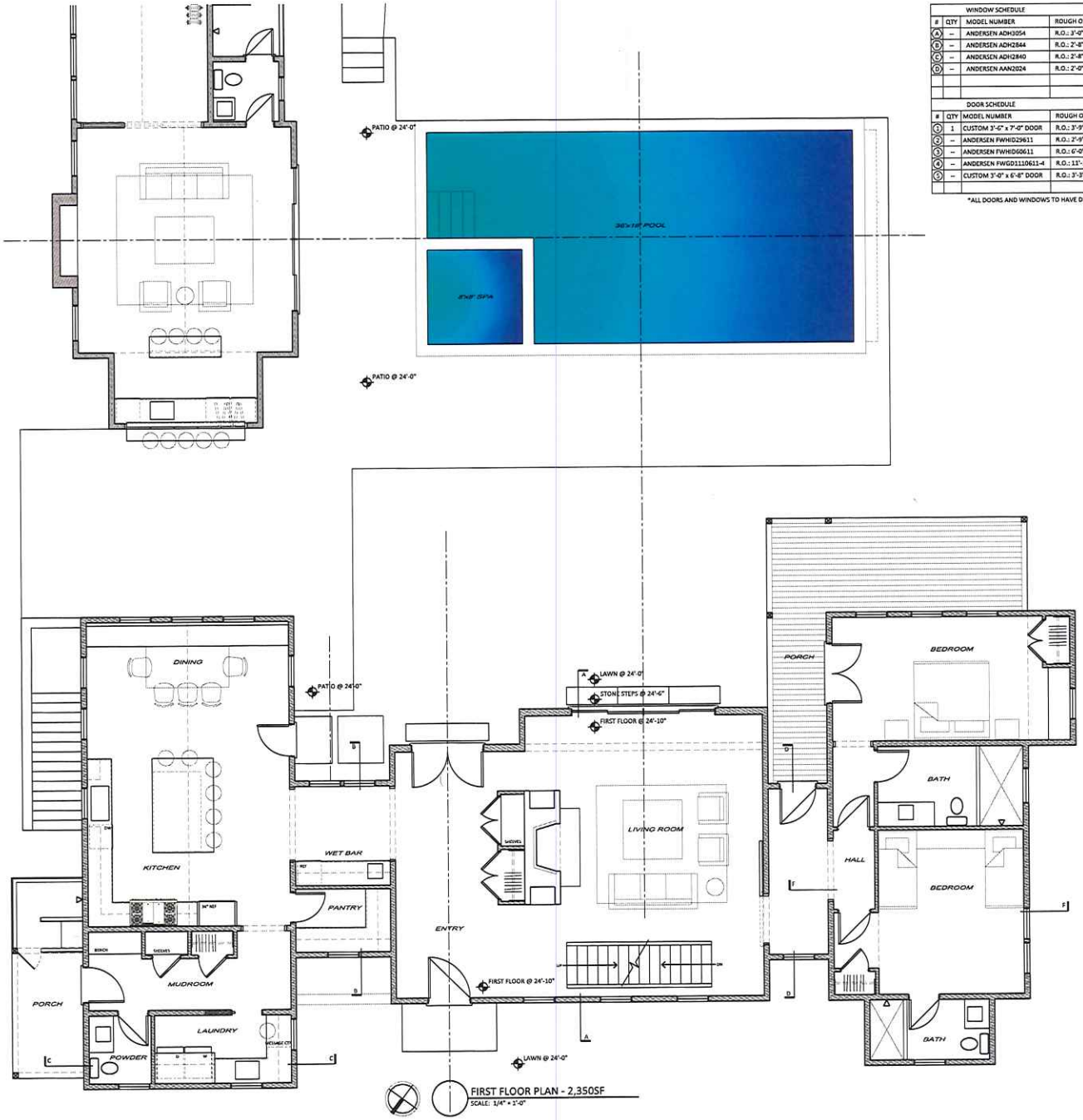
MARKCUTONE.COM




WINDOW SCHEDULE

| # | QTY | MODEL NUMBER | ROUGH OPENING | DESCRIPTION |
|---|---|---|---|---|
| A | -- | ANDERSEN ADH3054 | R.O.: 3'-0" x 5'-4" | 2/2 DOUBLE HUNG WINDOW |
| B | -- | ANDERSEN ADH2844 | R.O.: 2'-8" x 4'-4" | 2/2 DOUBLE HUNG WINDOW |
| C | -- | ANDERSEN ADH2840 | R.O.: 2'-8" x 4'-0" | 2/2 DOUBLE HUNG WINDOW |
| D | -- | ANDERSEN AAN2024 | R.O.: 2'-0" x 2'-4" | 6 LIGHT AWNING WINDOW |

DOOR SCHEDULE

| # | QTY | MODEL NUMBER | ROUGH OPENING | DESCRIPTION |
|---|---|---|---|---|
| 1 | 1 | CUSTOM 3'-6" x 7'-0" DOOR | R.O.: 3'-9" x 7'-3" | 6 PANEL DOOR w/ TRANSOM |
| 2 | -- | ANDERSEN FWHID29611 | R.O.: 2'-9" x 6'-11" | 4 LIGHT PATIO DOOR |
| 3 | -- | ANDERSEN FWHID60611 | R.O.: 6'-0" x 6'-11" | (2) 4 LIGHT PATIO DOORS |
| 4 | -- | ANDERSEN FWGD1110611-4 | R.O.: 11'-10" x 6'-11" | (4) 4 LIGHT GLIDING PATIO DOORS |
| 5 | -- | CUSTOM 3'-0" x 6'-8" DOOR | R.O.: 3'-3" x 6'-11" | 4 LIGHT DOORS w/ PANEL |

*ALL DOORS AND WINDOWS TO HAVE DP RATING AND LOW E GLASS

MARK CUTONE ARCHITECTURE +

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508.457.6794

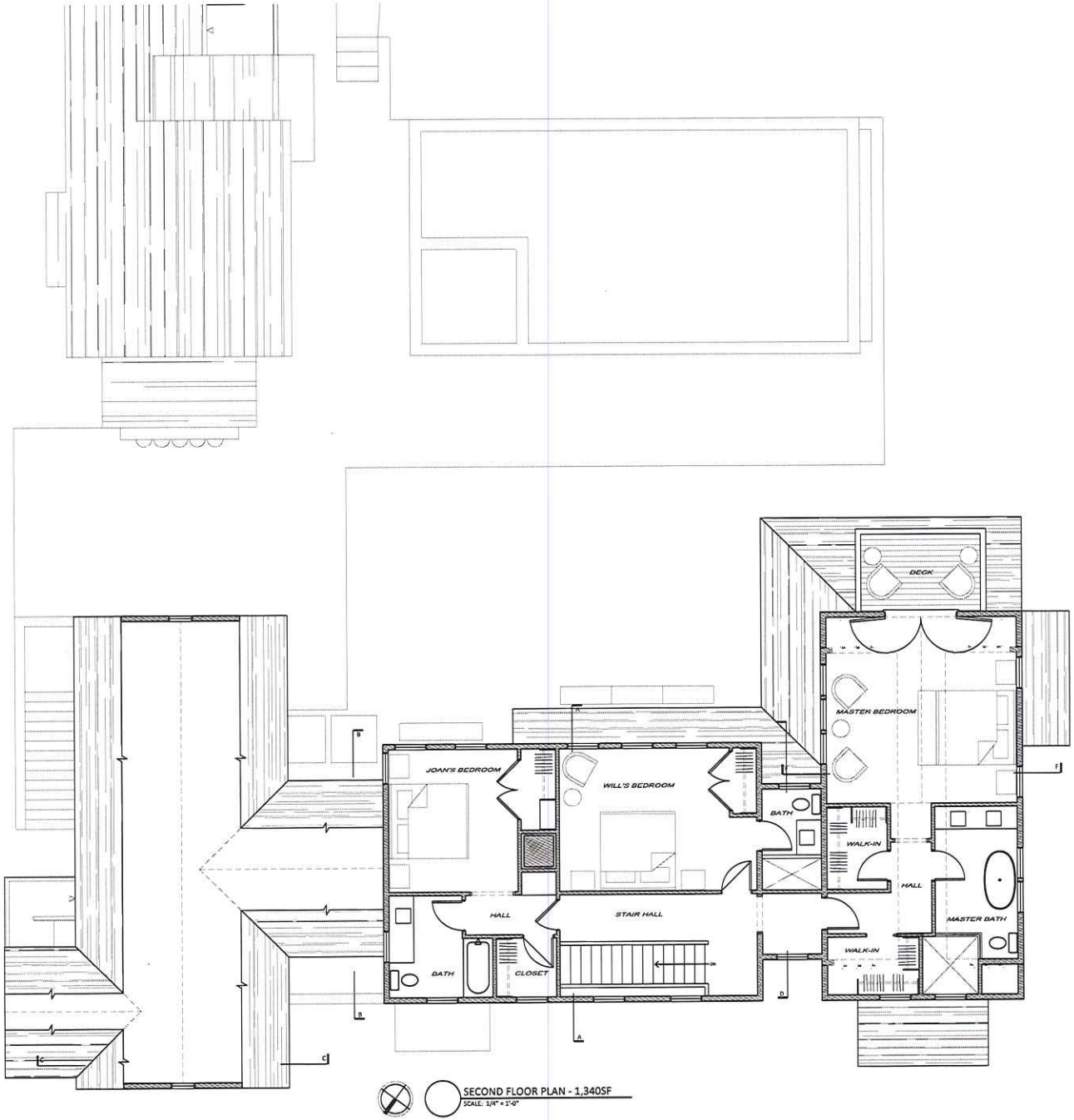
MAIN HOUSE
STAFF APPROVAL

HARRIS
50 WEWEEDER AVENUE
NANTUCKET, MA 02554
MAP: 79 PARCEL: 15

FIRST FLOOR PLAN

A1.1

14 AUGUST 2020




SECOND FLOOR PLAN - 1,340SF
SCALE: 1/4" = 1'-0"

MARK CUTONE ARCHITECTURE

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MAIN HOUSE
STAFF APPROVAL

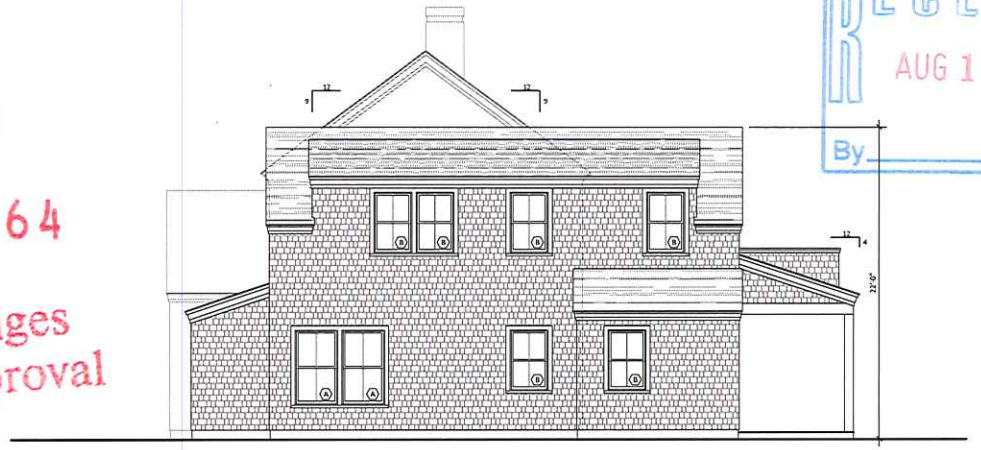
HARRIS
50 WEWEEDER AVENUE
NANTUCKET, MA 02554
MAP: 79 · PARCEL: 15

SECOND FLOOR PLAN

A1.2

14 AUGUST 2020

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



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

APPROVED
HDC 2020 - 06 - 1164
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MAIN HOUSE
STAFF APPROVAL

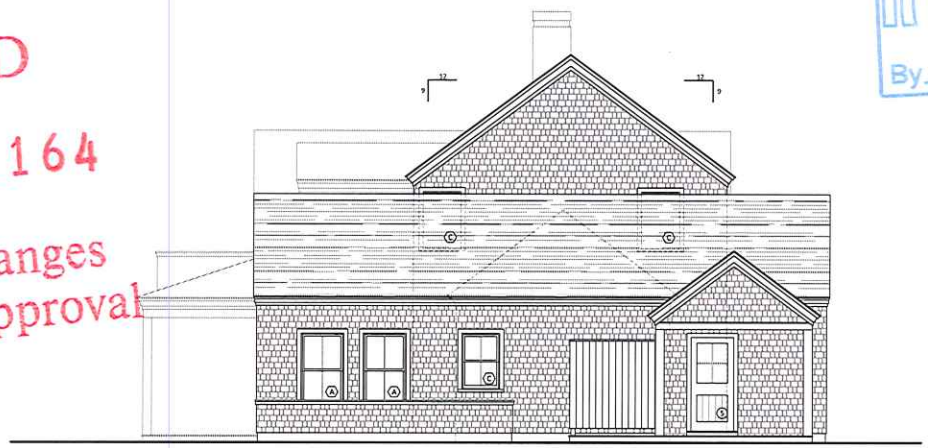
HARRIS
50 WEWEEDER AVENUE
NANTUCKET, MA 02554
MAP: 79 PARCEL: 15

NW & SW
ELEVATIONS

A2.1

14 AUGUST 2020

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



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

APPROVED
HDC 2020-06-1164
No Exterior Changes
Without HDC Approval

RECEIVED
AUG 17 2020
By

MARK CUTONE ARCHITECTURE
2 BROAD STREET
NANTUCKET, MA 02554
508.228.2728
MARKCUTONE.COM

SURVEYOR
SITE DESIGN ENGINEERING
11 CUSHMAN STREET
MIDDLEBORO, MA 02346
508.967.0673

STRUCTURAL DESIGN
CAPE STRUCTURAL CONSULTANTS
P.O. BOX 798
FALMOUTH, MA 02541
508.457.6794

MAIN HOUSE
STAFF APPROVAL

HARRIS
50 WEWEEDER AVENUE
NANTUCKET, MA 02554
MAP: 79 PARCEL: 15

SE & NE
ELEVATIONS

A2.2

14 AUGUST 2020

CERTIFICATE NO: HDC2020-08-1165 DATE ISSUED: 8/25/2020

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

# CERTIFICATE OF APPROPRIATENESS

for structural work.

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

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

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

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

## PROPERTY DESCRIPTION

TAX MAP N°: 79 PARCEL N°. 15

Street & Number of Proposed Work: 50 WEWEEDER AVE

Owner of record: BRIAN & ELIZABETH HARRIS

Mailing Address: 2 BROAD ST

NANTUCKET MA 02554

Contact Phone #: 508-228-2728 E-mail:

## AGENT INFORMATION (if applicable)

Name: MCA +

Mailing Address: 2 BROAD ST

NANTUCKET MA 02554

Contact Phone #: 508-228-2728 E-mail: DOUG@MARKCUTONE.com

FOR OFFICE USE ONLY ✓4107

Date application received: 6/17/2020 Fee Paid: $ 200

Must be acted on by: ~~8/22/2020~~ 10/1/20

Extended

Approved: Disapproved:

Chairman:

Member:

Member:

Member:

Member:

Notes - Comments - Restrictions - Conditions

Motion to Approve w/ the pool not to be visible at time of inspection or thereafter

## DESCRIPTION OF WORK TO BE PERFORMED

See reverse for required documentation.

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

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

☒ Pool (Zoning District LUG) ☐ Roof ☐ Other

Size of Structure or Addition: Length: 18 Sq. Footage 1st floor: 648 SF Decks/Patio: Size: 28 X 38 ☒ 1st floor ☐ 2nd floor

Width: 36 Sq. footage 2nd floor: Size: ☐ 1st floor ☐ 2nd floor

Sq. footage 3rd floor:

Difference between existing grade and proposed finish grade: North ± 12" South ^ East " West "

Height of ridge above final finish grade: North 16'-0" South ^ East " West "

Additional Remarks RED CEDAR PERGOLA

Historic Name:

Original Date:

Original Builder:

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

REVISIONS* (describe)

1. East Elevation
2. South Elevation
3. West Elevation
4. North Elevation

*Cloud on drawings and submit photographs of existing elevations.

## DETAIL OF WORK TO BE PERFORMED

**Foundation:** Height Exposed ☐ Block ☐ Block Parged ☐ Brick (type) ☐ Poured Concrete ☐ Piers

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

**Roof Pitch:** Main Mass 10 /12 Secondary Mass /12 Dormer /12 Other

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

☐ Wood (Type: Red Cedar, White Cedar, Shakes, etc.)

Fence: Height:
Type:
Length:

**Skylights (flat only):** Manufacturer Rough Opening Size Location

Manufacturer Rough Opening Size Location

**Gutters:** ☐ Wood ☐ Aluminum ☐ Copper ☐ Leaders (material)

**Leaders (material and size):**

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

☐ Other

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

B. Treatment ☐ Paint ☐ Natural to weather ☐ Other

C. Dimensions: Fascia Rake Soffit (Overhang) Corner boards Frieze

Window Casing Door Frame Columns/Posts: Round Square

**Windows*:** ☐ Double Hung ☐ Casement ☐ All Wood ☐ Other

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

**Doors*** (type and material): ☐ TDL ☐ SDL Front Rear Side

Garage Door(s): Type Material

**Hardscape materials:** Driveways SHELLS Walkways BLUESTONE Walls

* Note: Complete door and window schedules are required.

## COLORS

Sidewall Clapboard (if applicable) Roof

Trim NTW PERGOLA Sash Doors

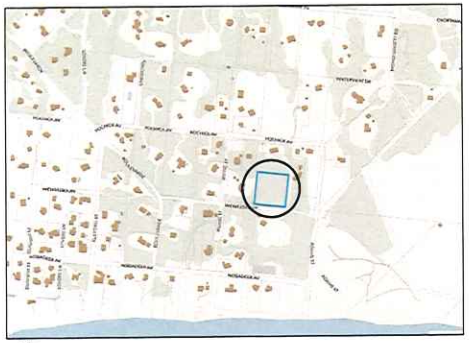
Deck Foundation Fence Shutters

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

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

Date 6/16/20 Signature of owner of record Signed under penalties of perjury

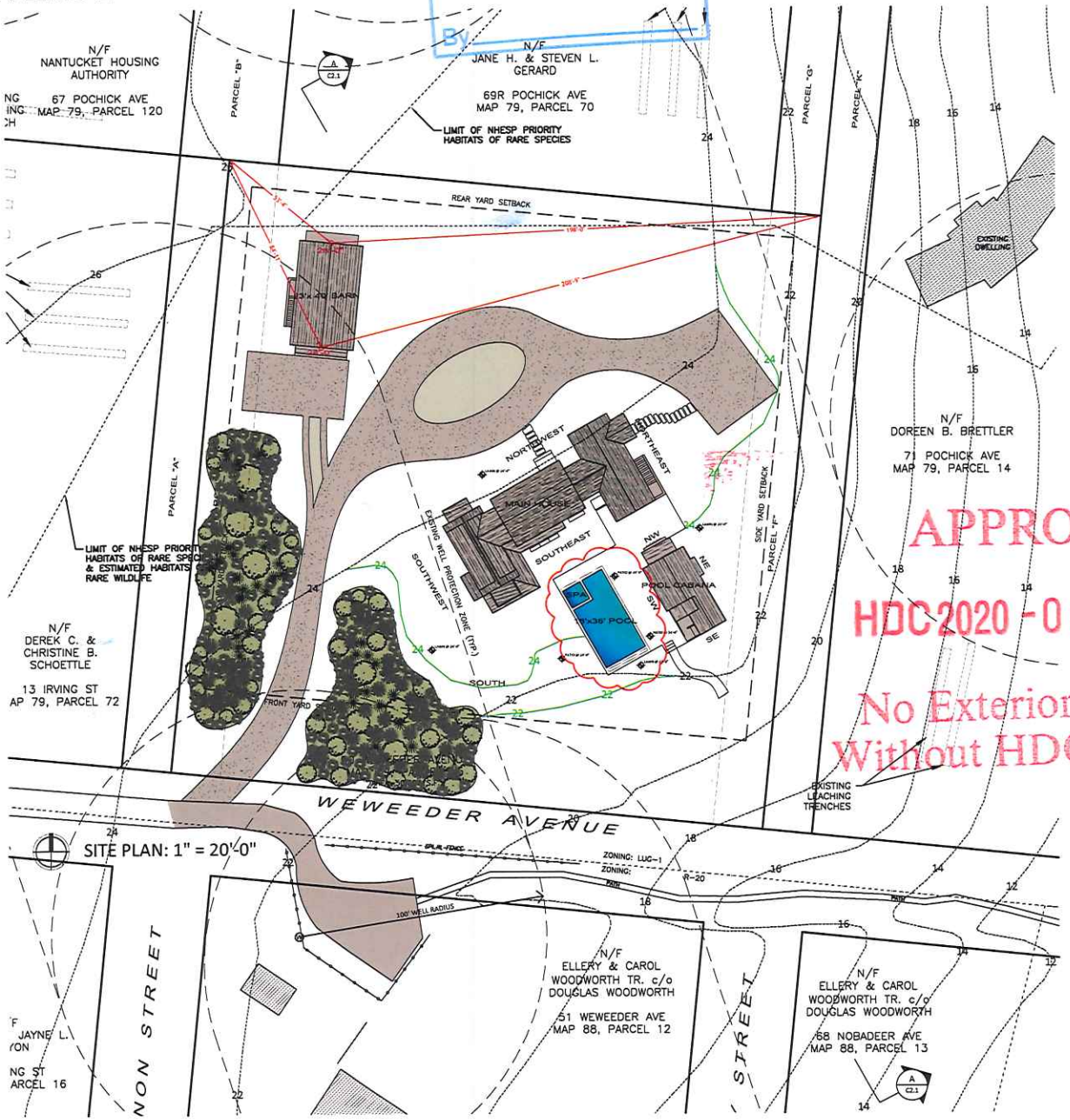
# HARRIS - 50 WEWEEDER AVENUE



LOCUS PLAN: NTS

AERIAL VIEW: NTS

BLUESTONE PATIO MATERIAL

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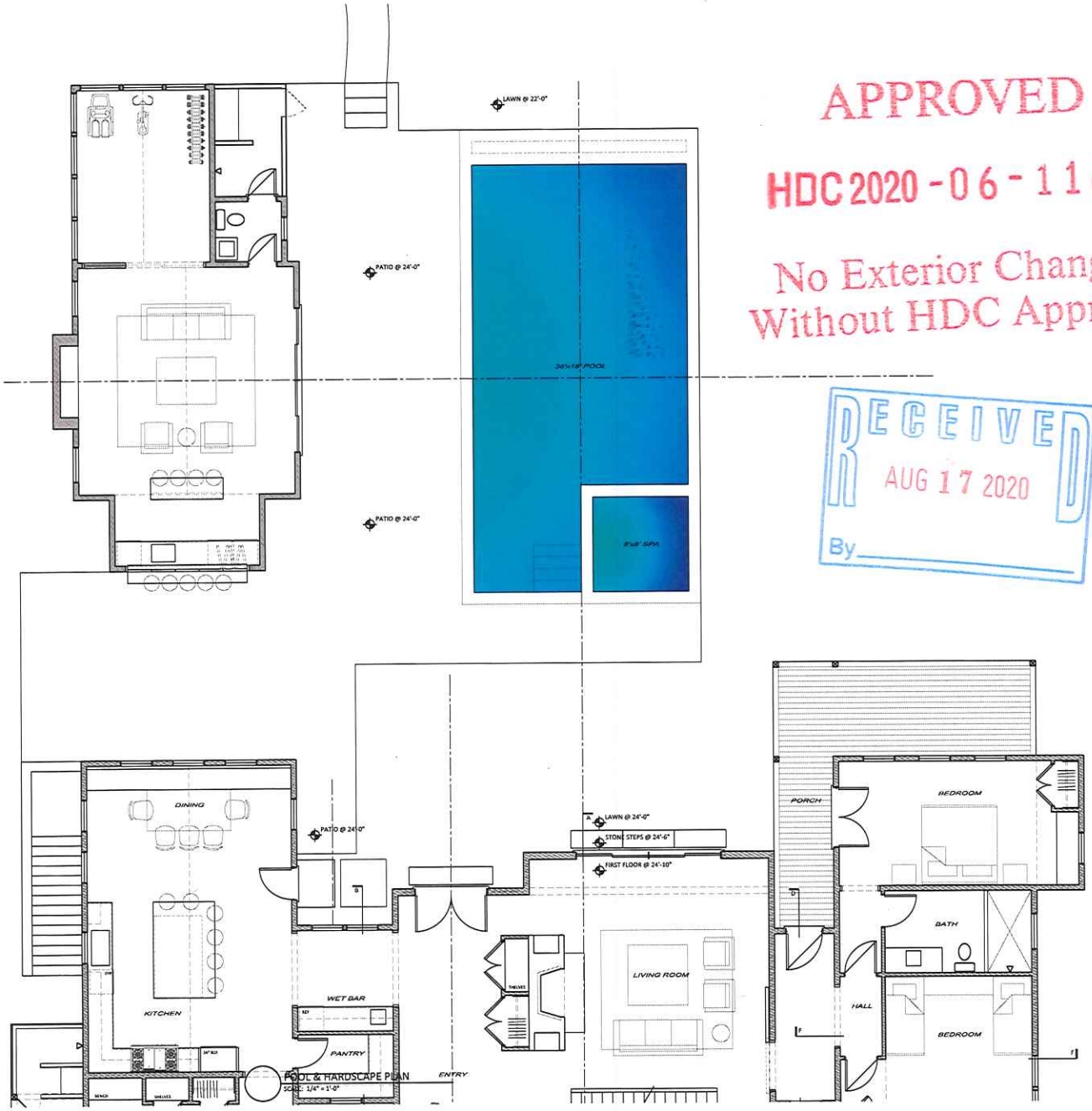
POOL & HARDSCAPE
HDC - 3

HARRIS
50 WEWEEDER AVENUE
NANTUCKET, MA 02554
MAP: 79 PARCEL: 15

COVER SHEET

C1.4

14 AUGUST 2020

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398

POOL & HARDSCAPE
HDC - 3

HARRIS
50 WEWEEDER AVENUE
NANTUCKET, MA 02554
MAP: 79 PARCEL: 15

POOL PLAN

A7.0

14 AUGUST 2020

# HISTORIC DISTRICT COMMISSION
## REGULAR MEETING

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

**Commissioners:** Raymond Pohl (Chair), Diane Coombs (Vice-chair), John McLaughlin, Abigail Camp, Vallorie Oliver,
**Associate Commissioners:** Stephen Welch, Jessie Dutra, Carrie Thornewill

## ~~ MINUTES ~~

**Tuesday, December 22, 2020**

*This meeting was held via remote participation using ZOOM and YouTube, Pursuant to Governor Baker's March 12, 2020 Order Regarding Open Meeting Law*

Called to order at 4:30 p.m. and announcements by Mr. Pohl

| | |
|---|---|
| Staff in attendance: | Cathy Flynn, Land Use Specialist; Holly Backus, Preservation Planner; Terry Norton, Town Minutes Taker |
| Attending Members: | Pohl, Coombs, McLaughlin, Camp, Oliver, Welch, Thornewill |
| Absent Members: | Dutra |
| Late Arrivals: | Camp, 4:32 P.M.; McLaughlin, 4:36 p.m.; Coombs and Welch, 4:38 p.m. |
| Early Departures: | Welch, 5:24 p.m.; McLaughlin, 8:56 p.m. |

Agenda adopted by unanimous consent.

| | |
|---|---|
| Motion | **Motion to Approve. (Oliver)** |
| Roll-call Vote | Carried 4-0//Thornewill, Camp, Oliver, and Pohl-aye |

## I. PUBLIC COMMENT

None

## II. CONSENT

| | Property owner name | Street Address | Scope of work | Map/Parcel | Agent |
|---|---|---|---|---|---|
| 1. | NIR **12-2560** | 19 North Water Street | Renew COA 67522 | 42.4.2/3 | Normand Residential |
| 2. | Christopher Maroney **12-2543** | 9 Swift Rock Road | Otdr shr/deck/fenestration | 40/69 | Peter Fernandez |
| 3. | 56 Monomoy NT **12-2568** | 56 Monomoy Road | Rev. 32731: MH Fenestration | 43/41 | Workshop/APD |
| 4. | 56 Monomoy NT **12-2569** | 56 Monomoy Road | Rev. 32732: GH Fenestration | 43/41 | Workshop/APD |
| 5. | Grey Lady Ln, LLC **12-2564** | 5 Grey Lady Lane | Rev. 69352: rmv 4' + chmn | 66/712 | Val Oliver Design |
| 6. | Cynthia Houlihan **12-2563** | 61 Boulevarde | Rev. 08-1489: shift windows | 79/18 | Val Oliver Design |
| 7. | Brian Harris **12-2595** | 50 Weeweeder Avenue | Rev. 06-1164: chmny + ovrhg | 79/15 | Val Oliver Design |
| 8. | Vern Matson **12-2597** | 30 Tashama Lane | Rev. 09-1700: add stairs | 55/455 | Val Oliver Design |
| 9. | Nicholas Ray **12-2555** | 37 Somerset Road | Fenestration replacement | 56/108 | Permits Plus |
| 10. | Jonathan Ames **12-2554** | 51 Fair Street | Replace fence/gate | 42.3.2/40 | Permits Plus |
| 11. | 3 Wingspread, LLC **12-2550** | 3 Wingspread Lane | Rev.1899: 144sf addition | 27/17.6 | EMDA |
| 12. | Randy Sharp **12-2559** | 1 Wamasquid Place | Egress window + well | 56/113.1 | Thornewill Design |
| 13. | High Tide Partners **12-2548** | 8 Ackermuck Way | Fenestration + porch roof | 41/618 | BPC |
| 14. | William Cowzer **12-2567** | 32 Equator Drive | Renew 61148: bsmt walkout | 56/340 | Self |
| 15. | Fred Kudish **12-2538** | 13 Meadow Lane | Rev. 08-1548: drmr/omit deck | 41/406.3 | Self |
| 16. | Maverick Trust **12-2527** | 245 Hummock Pond Road | Rev. 11-2280: MH | 82/32 | Normand Residential |
| 17. | 22 Starbuck Rd, LLC **12-2570** | 22 Starbuck Road | Rev. 10-1921: fenestration | 60/118 | Thornewill Design |
| 18. | Mainsail, LLC **12-2572** | 3 Pops Lane | Reduce decks/rmove railing | 60.2.4/64.1 | Normand Residential |
| 19. | Stephanie Kurzina **12-2552** | 26 New Street, Sias | Shed | 73.4.2/24 | Gryphon Architects |
| 20. | Olwen Pongrace **12-2525** | 16 Warren Street | Rev. 07-1367: roof change | 55/43.3 | EMDA |

| | |
|---|---|
| Voting | Pohl, Camp, Welch |
| Alternates | None |
| Recused | Oliver Items 1-11, Thornewill Items 12-20 |
| Documentation | None |
| Representing | None |
| Public Concerns (time) | No concerns |
| Motion | **Motion to Approve Items 1-11. (Camp)** |
| Roll-call Vote | Carried 3-0//Thornewill, Camp, and Pohl-aye |
| Motion | **Motion to Approve Items 12-20. (Camp)** |
| Roll-call Vote | Carried 3-0//Oliver, Camp, and Pohl-aye |

Certificate # **HDC2020-12-(as noted)**

CERTIFICATE NO: HDC2020-12-2595 DATE ISSUED: 12/22/2020

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

# CERTIFICATE OF APPROPRIATENESS

for structural work.

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

## PROPERTY DESCRIPTION

TAX MAP N°: 79 PARCEL N°. 15

Street & Number of Proposed Work: 50 WESTMINSTER AVE

Owner of record: BRIAN HARRIS

Mailing Address: 50 WESTMINSTER
NANTUCKET, MA 02554

Contact Phone #: 508-221-0312 E-mail: BRIANHARRIS.ACE@GMAIL.COM

## AGENT INFORMATION (if applicable)

Name: BRIAN HARRIS

Mailing Address: 50 WESTMINSTER
NANTUCKET, MA 02554

Contact Phone #: 508-221-0312 E-mail: BRIANHARRIS.ACE@GMAIL.COM

FOR OFFICE USE ONLY V8014

Date application received: 12/15/20 Fee Paid: $ 50

Must be acted on by: 01/30/21

Extended to:

Approved: Disapproved:

Chairman:

Member:

Member:

Member:

Member:

Notes - Comments - Restrictions - Conditions

## DESCRIPTION OF WORK TO BE PERFORMED

See reverse for required documentation.

☐ New Dwelling ☐ Addition ☐ Garage ☐ Driveway/Apron ☐ Commercial ☐ Historical Renovation ☐ Deck/Patio ☐ Steps ☐ Shed
☐ Color Change ☐ Fence ☐ Gate ☐ Hardscaping ☐ Move Building ☐ Demolition ☒ Revisions to previous Cert. No. 06-1164

☐ Pool (Zoning District ____) ☐ Roof ☐ Other

Size of Structure or Addition: Length: N/C Sq. Footage 1st floor: Decks/Patio: Size: ☐ 1st floor ☐ 2nd floor
Width: Sq. footage 2nd floor: Size: ☐ 1st floor ☐ 2nd floor
Sq. footage 3rd floor:

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

Height of ridge above final finish grade: North South East West

Additional Remarks

Historic Name:

Original Date:

Original Builder:

REVISIONS (describe)

~~1. East Elevation~~

2. ~~South Elevation~~ CHIMNEY - PARGED

3. ~~West Elevation~~ (NORTHWEST) - OVERHANG OVER DOOR CENTERED DOOR STYLE

4. ~~North Elevation~~

*Cloud on drawings and submit photographs of existing elevations.

## DETAIL OF WORK TO BE PERFORMED

**Foundation:** Height Exposed ☐ Block ☐ Block Parged ☐ Brick (type) ☐ Poured Concrete ☐ Piers

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

**Roof Pitch:** Main Mass /12 Secondary Mass /12 Dormer /12 Other

**Roofing material:** ☐ Asphalt: ☐ 3-Tab ☐ Architectural
☐ Wood (Type: Red Cedar, White Cedar, Shakes, etc.)

Fence: Height:
Type:
Length:

**Skylights (flat only):** Manufacturer Rough Opening Size Location
Manufacturer Rough Opening Size Location

**Gutters:** ☐ Wood ☐ Aluminum ☐ Copper ☐ Leaders (material)

**Leaders (material and size):**

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

**Trim:** A. Wood ☐ Pine ☐ Redwood ☐ Cedar ☐ Other
B. Treatment ☐ Paint ☐ Natural to weather ☐ Other
C. Dimensions: Fascia Rake Soffit (Overhang) Corner boards Frieze
Window Casing Door Frame Columns /Posts: Round Square

**Windows*:** ☐ Double Hung ☐ Casement ☐ All Wood ☐ Other
☐ True Divided Lights(muntins), single pane ☐ SDL's (Simulated Divided Lights) Manufacturer

**Doors*** (type and material): ☐ TDL ☐ SDL Front Rear Side
Garage Door(s): Type Material

**Hardscape materials:** Driveways Walkways Walls

* Note: Complete door and window schedules are required.

## COLORS

Sidewall NTW Clapboard (if applicable) — Roof NTW
Trim GREY Sash CARRIAGE Doors CARRIAGE
Deck NTW Foundation GREY Fence — Shutters —

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

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

Date 12/12/20 Signature of owner of record X [signature] Signed under penalties of perjury

400

Revised a-1164

Planning and Land Use Services
2 Fairgrounds Road, Nantucket, Massachusetts 02554
Telephone: 508.325.7587

**THIS CHECKLIST IS TO BE SUMBITTED WITH ALL HDC APPLICATIONS** Rev Jan 2020

***REQUIRED WITH ALL APPLICATIONS:***

X 1. **Completed Application Form**: Description of ALL work must be indicated on application form.

X 2. **Property Owner's Signature**: Current owner's signature preferred; if the agent is signing the application written authorization from the owner (letter, fax, email) must be provided.

X 3. **Application Fee:** See back of application for fee schedule or call the office.

X 4. **Locus Map (4 copies):** Location Map must include north arrow, parcel boundaries, primary and secondary streets. (Town GIS Map Site) https://www.nantucket-ma.gov/151/GIS-Maps

X 5. **Site Plan (4 Copies):** must include the following: lot dimensions, north arrow, all existing structures, proposed work (highlighted) with dimension to lot lines, scale, driveway, grade changes, and *placement of HVAC units, electrical boxes, fuel tanks, etc.*.

X 6. **8-1/2" x 11" Copies of ALL Application Materials**: Must include the following: application form (reduced 64%), locus map, plot plan, all elevations and floor plans, window schedule, photographs, other relevant supporting material. All material MUST BE LEGIBLE (font size no smaller than 12), collated and stapled.

X 7. **Photographs**: Required of ALL applications for alterations to an existing structure. Photographs must be clear and labeled with application address or contextual address.

X 8. **Electronic submission:** All documents submitted to the HDC office must be emailed to hdcsubmissions@nantucket-ma.gov.

***REQUIRED WHERE APPLICABLE:***

N/A 1. **Supplemental Information for Historic Buildings**: It is the applicant's responsibility to research the historical status of any and ALL buildings. Additional information may be obtained from the Nantucket Historical Association Library. If not historic, denote on application.

2. **Exterior Elevations and Floor Plans (4 copies):** Must be Y.-inch scale and include all affected sides of the building, cardinal points (N, S, E, W), dimensions, heights, floor and ceiling heights, elevations of finished grade, window details and placement of HVAC units, electrical boxes, fuel tanks, etc. *All changes from approved or existing design must be clouded on drawing*. All material MUST BE LEGIBLE, collated and stapled. Reduced sets should maintain a font size of 12.

3. **As-Built Plans (1copy):** of existing elevations

4. **Hardscaping Plans (4 copies):** To legible scale. This includes fences, decks, porches, arbors, retaining walls, tennis courts, swimming pool, driveways, gazebos etc. All material MUST BE LEGIBLE, collated and stapled.

5. **Topographic Map**: Must show existing and proposed grade for any change of more than one foot in height on grade . Retaining walls must be applied for separately (see hardscaping plan).

6. **Door and Window Schedule (4 copies):** Must include window type (true divided, simulated divided), number of lights, dimensions, materials, manufacturers type name and type number.

7. ***I UNDERSTAND THAT A TRUE DIVIDED LIGHT WINDOW/DOOR IS DEFINED AS MULTIPLE INDIVIDUAL SINGLE PANES OF GLASS (i.e., NOT DOUBLE-PANED OR INSULATED) ASSEMBLED IN THE SASH/DOOR USING MUNTINS.***

(initial to indicate read and understand)

V 8. **Abutter Notification Materials** – Abutters list from Assessors Office, certified mail stubs, and a copy of letter are required for all applications for changes of 1000 square feet or more except in the Nantucket Historic Core and 'Sconset Historic Core where the requirement for new construction is 100 square feet.

9. **Approvals from Planning Board, Zoning Board of Appeals, Conservation Commission etc.**

# HISTORIC DISTRICT COMMISSION

2 Fairgrounds Road
Nantucket, Massachusetts 02554

Telephone: 508.325.7587
Email: hdcsubmissions@nantucket-ma.gov

COMMISSIONERS

Ray Pohl
Chairman

Diane Coombs
Vice-Chairman

Val Oliver

Abigail Camp

John McLaughlin

ASSOCIATE COMMISSIONERS

Stephen Welch

TJ Watterson

Jesse Dutra

STAFF

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

## Waiver of the HDC 10 Day Hearing Requirement

I BRIAN HARRIS

AS AGENT FOR MYSELF

STREET ADDRESS 50 WEST MEADOW DR

MAP/PARCEL 79-15

UNDERSTAND THAT THE ABOVE REFERENCED APPLICATION SUBMITTED ON

12/14/20

WILL NOT BE REVIEWED BY THE HISTORIC DISTRICT COMMISSION, DUE TO THE COVID-19 PANDEMIC, WITHIN THE 10 DAY PERIOD AS REQUIRED BY:

**SECTION 8 of the HDC enabling legislation: ... The Commission shall meet within ten (10) days of the receipt of an application for a certificate of appropriateness or permit for removal...**

AND I AGREE TO A WAIVER OF THE ABOVE MENTIONED REQUIREMENT.

X

Signature

Date 12/14/20

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

# CERTIFICATE OF APPROPRIATENESS

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## AGENT INFORMATION (if applicable)

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Mailing Address: 50 WEST CHESTER
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Contact Phone #: 508-221-0312 E-mail: BRIANHAWKINS@ACME.COM

FOR OFFICE USE ONLY

Date application received: _____ Fee Paid: $ _____

Must be acted on by: _____

Extended to: _____

Approved: _____ Disapproved: _____

Chairman: _____

Member: _____

Member: _____

Member: _____

Member: _____

Notes - Comments - Restrictions - Conditions

## DESCRIPTION OF WORK TO BE PERFORMED

See reverse for required documentation.

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☐ Color Change ☐ Fence ☐ Gate ☐ Hardscaping ☐ Move Building ☐ Demolition ☒ Revisions to previous Cert. No. 06-1164

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

*Size of Structure or Addition:* Length: _____ Width: _____ Sq. Footage 1st floor: _____ Sq. footage 2nd floor: _____ Sq. footage 3rd floor: _____

Decks/Patio: Size: _____ ☐ 1st floor ☐ 2nd floor
Size: _____ ☐ 1st floor ☐ 2nd floor

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

*Height of ridge above final finish grade:* North _____ South _____ East _____ West _____

*Additional Remarks*

Historic Name:

Original Date:

Original Builder:

REVISIONS (describe)

1. ~~East Elevation~~
2. ~~South Elevation~~ CHIMNEY - RAISED
3. ~~West Elevation~~
4. ~~North Elevation~~ (NORTHWEST) - OVERHANG OVER DOOR CHANGE DOOR STYLE

*Cloud on drawings and submit photographs of existing elevations.

## DETAIL OF WORK TO BE PERFORMED

**Foundation:** Height Exposed _____ ☐ Block ☐ Block Parged ☐ Brick (type) _____ ☐ Poured Concrete ☐ Piers

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

**Roof Pitch:** Main Mass _____/12_____ Secondary Mass _____/12_____ Dormer _____/12_____ Other _____

**Roofing material:** ☐ Asphalt: ☐ 3-Tab ☐ Architectural
☐ Wood (Type: Red Cedar, White Cedar, Shakes, etc.) _____

Fence: Height: _____
Type: _____
Length: _____

**Skylights (flat only):** Manufacturer _____ Rough Opening _____ Size _____ Location _____
Manufacturer _____ Rough Opening _____ Size _____ Location _____

**Gutters:** ☐ Wood ☐ Aluminum ☐ Copper ☐ Leaders (material) _____

**Leaders (material and size):** _____

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

**Trim:** A. Wood ☐ Pine ☐ Redwood ☐ Cedar ☐ Other _____
B. Treatment ☐ Paint ☐ Natural to weather ☐ Other _____
C. Dimensions: Fascia _____ Rake _____ Soffit (Overhang) _____ Corner boards _____ Frieze _____
Window Casing _____ Door Frame _____ Columns/Posts: Round _____ Square _____

**Windows*:** ☐ Double Hung ☐ Casement ☐ All Wood ☐ Other _____
☐ True Divided Lights(muntins), single pane ☐ SDL's (Simulated Divided Lights) Manufacturer _____

**Doors*** (type and material): ☐ TDL ☐ SDL Front _____ Rear _____ Side _____
Garage Door(s): Type _____ Material _____

**Hardscape materials:** Driveways _____ Walkways _____ Walls _____

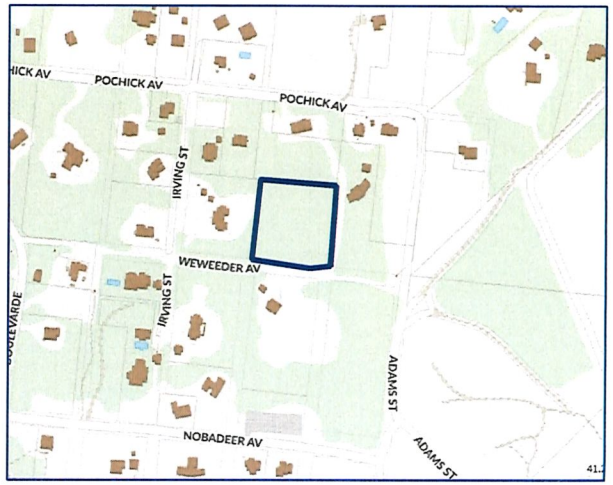
* Note: Complete door and window schedules are required.

## COLORS

Sidewall NTW Clapboard (if applicable) — Roof NTW
Trim GREY Sash CHARCOAL Doors CHARCOAL
Deck NTW Foundation GREY Fence — Shutters —

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

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



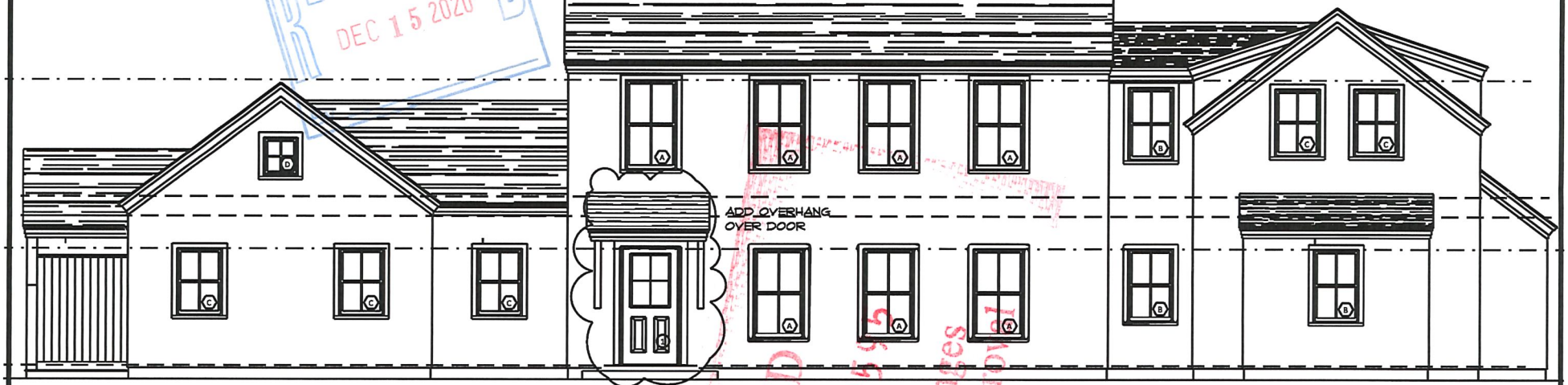

**MAP 79 PARCEL 15**

HARRIS- 50 WEEWEEDER
REV TO COA 2020-06-1164

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

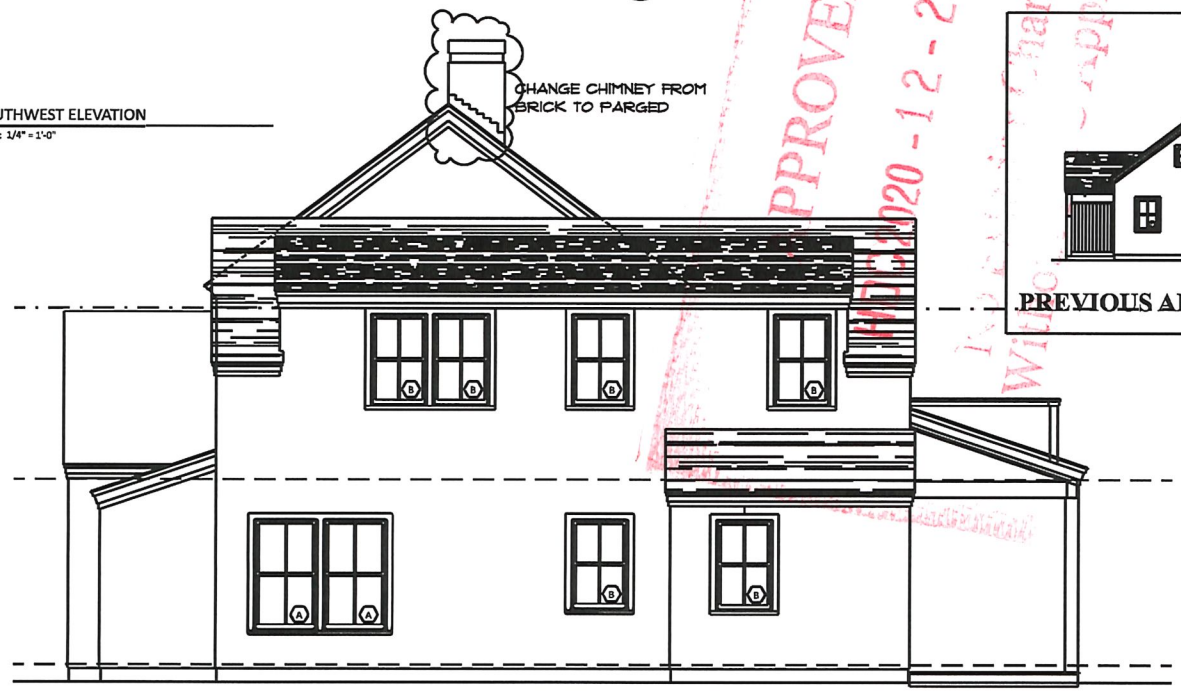
CHANGE CHIMNEY FROM BRICK TO PARGED

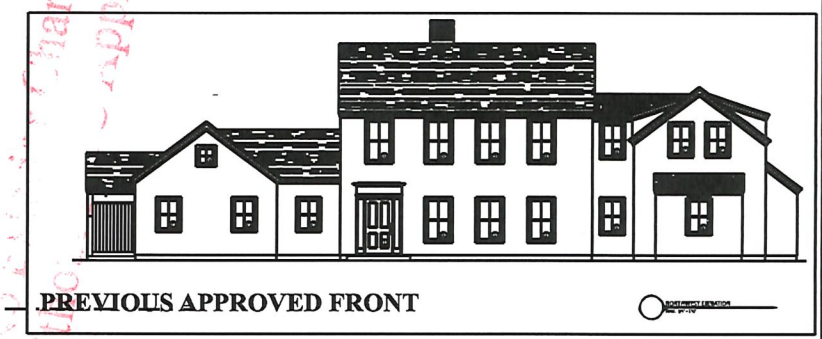
ADD OVERHANG OVER DOOR



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

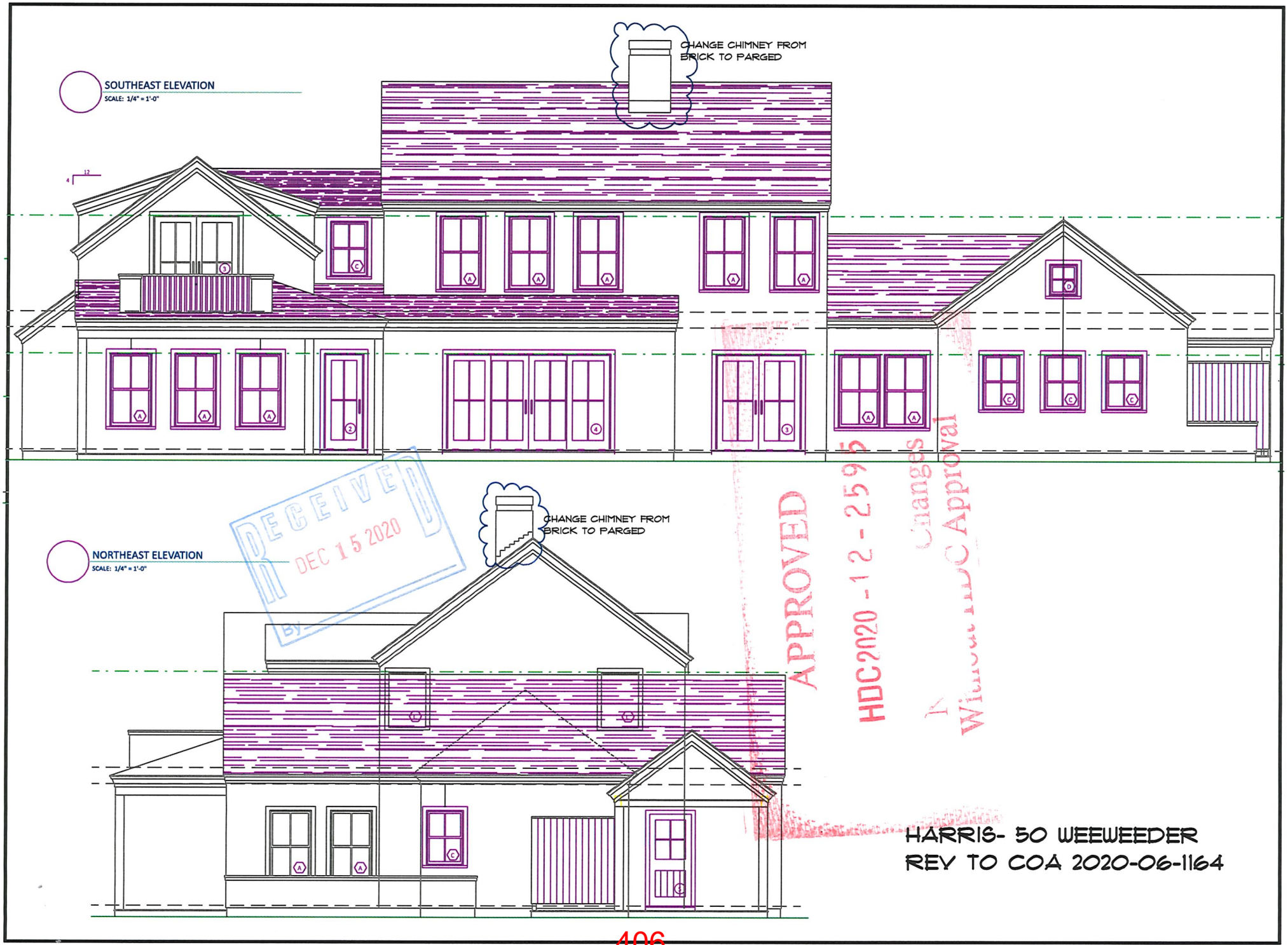
CHANGE CHIMNEY FROM BRICK TO PARGED

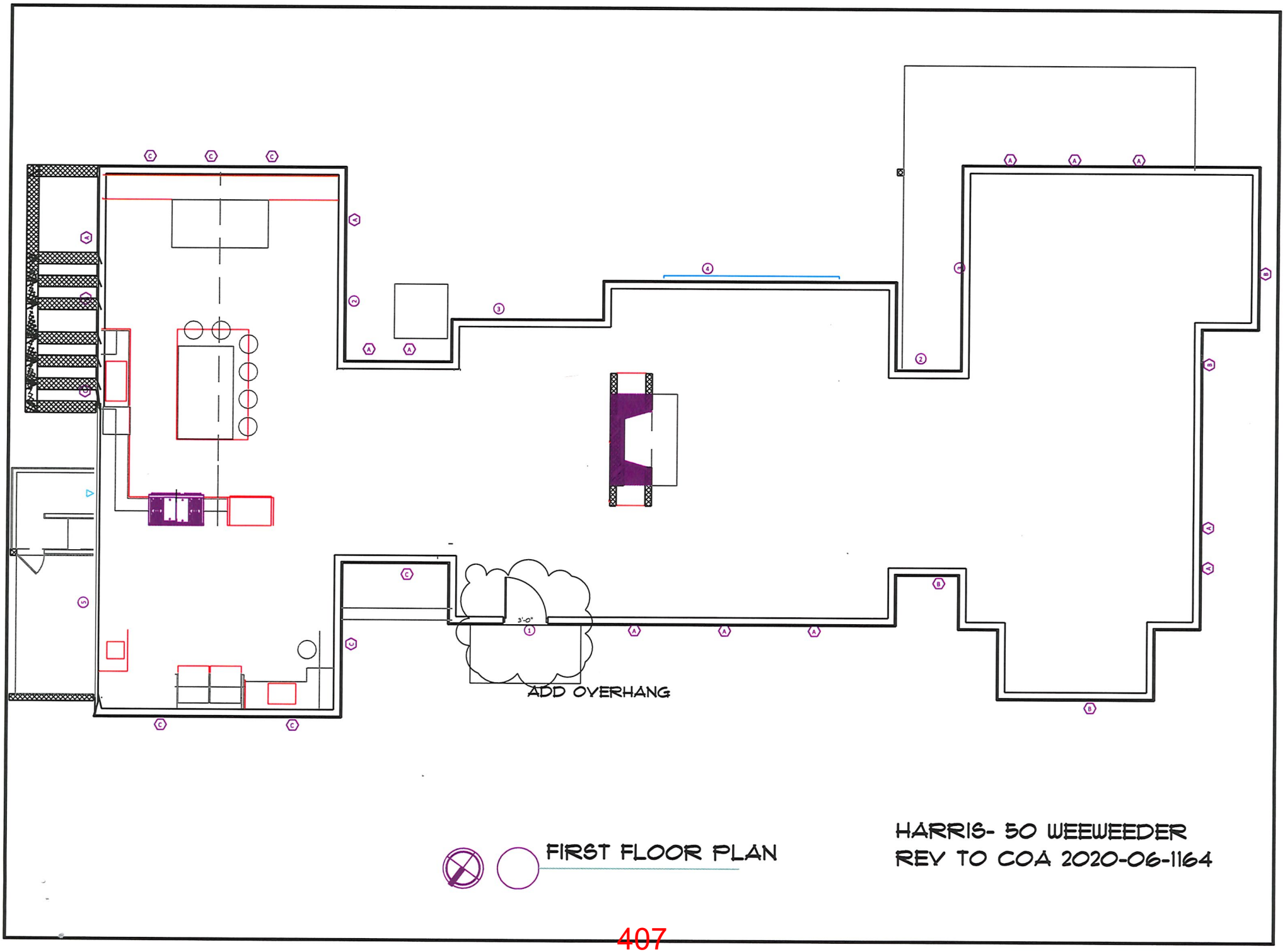




PREVIOUS APPROVED FRONT

HARRIS- 50 WEEWEEDER
REV TO COA 2020-06-1164


CHANGE CHIMNEY FROM BRICK TO PARGED
SOUTHEAST ELEVATION
SCALE: 1/4" = 1'-0"
CHANGE CHIMNEY FROM BRICK TO PARGED
NORTHEAST ELEVATION
SCALE: 1/4" = 1'-0"
RECEIVED
DEC 15 2020
APPROVED
HDC2020-12-259
Changes
Wilmington HDC Approval
HARRIS- 50 WEEWEEDER
REV TO COA 2020-06-1164




FIRST FLOOR PLAN

HARRIS- 50 WEEWEEDER
REV TO COA 2020-06-1164

# HISTORIC DISTRICT COMMISSION
## REGULAR MEETING

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

**Commissioners:** Raymond Pohl (Chair), Abigail Camp (Vice-chair), John McLaughlin, Diane Coombs, Vallorie Oliver,
**Associate Commissioners:** Stephen Welch, Jessie Dutra, Carrie Thornewill

## ~~ MINUTES ~~
## Thursday, July 22, 2021
## PLUS, 2 Fairgrounds Road, Conference Room – 1:00 p.m.

Called to order at 1:02 p.m. and announcements by Mr. Pohl

Staff in attendance: Cathy Flynn, HDC Compliance Coordinator; Holly Backus, Preservation Planner; Terry Norton, Town Minutes Taker
Attending Members: Pohl, Camp, McLaughlin, Coombs, Oliver, Welch, Thornewill
Remote Participation: Per 940 CMR 29.10, Diane Coombs and Stephen Welch are participating remotely via ZOOM
Absent Members: Dutra
Late Arrivals: None
Early Departures: None

Adoption of Agenda.
Motion **Motion to Approve as drafted. (Coombs)**
Roll-call vote Carried 5-0//Oliver, McLaughlin, Thornewill, Coombs, and Pohl-aye

## I. PUBLIC COMMENT

None

## II. CONSENT

| | Property owner name | Street Address | Scope of work | Map/Parcel | Agent |
|---|---|---|---|---|---|
| 1. | Brian Harris **07-4190** | 50 WeWeeder Avenue | Rev. 1164: change colors | 79/15 | self |
| 2. | Anthony Valero **07-4179** | 8 Goldstar Drive | Window/door replacement | 55/187 | V. Oliver Design |
| 3. | Brett Fodiman **07-4220** | 111 Surfside Road | GH Rev. 2765: omit dormer | 80/70 | Emeritus |
| 4. | Alex Karis **07-4154** | 22 Ellen's Way | MH Rev. 3097: doors & porch | 81/179 | B. Meerbergen |
| 5. | Alex Karis **07-4153** | 22 Ellen's Way | Grg Rev. 3098: doors | 81/179 | B. Meerbergen |
| 6. | Alex Karis **07-4150** | 22 Ellen's Way | Sports Court | 81/179 | B. Meerbergen |
| 7. | Josh Lewis **07-4119** | 1 Farmview Drive | Rev. 2850: shed color change | 66/177 | Frank Daily |
| 8. | Gunner Wilmot **07-4197** | 3 Summer Street | Re-site 64sf shed | 42.3.3/115 | Gryphon Arch. |
| 9. | Frances Siegler **07-4202** | 34 Polpis Road | 56sf addition | 54/253 | Normand Resid. |
| 10. | Gerald Hamelburg **07-4198** | 9 Davis Lane | Rev. 3156: change railing | 82/74 | Linda Williams |

Voting Pohl, Camp, McLaughlin, Coombs, Welch
Alternates Thornewill
Recused Oliver
Documentation None
Representing None
Public None
Concerns No concerns.
Motion **Motion to Approve. (Coombs)**
Roll-call vote Carried 5-0//Camp, McLaughlin, Welch, Coombs, and Pohl-aye Certificate # **HDC2021-07-(as noted)**

## III. CONSENT WITH CONDITIONS

| | Property owner name | Street Address | Scope of work | Map/Parcel | Agent |
|---|---|---|---|---|---|
| 1. | Brett Fodiman **07-4219** | 111 Surfside Road | MH Rev. 2217: add porch | 80/70 | Emeritus |
| | • Due to lack of visibility | | | | |
| 2. | David Reilly Trust **07-4196** | 13 Primrose Lane | Gate | 40/65.3 | Jeff Morash |
| | • Gate to be natural to weather. | | | | |

Voting Pohl, Camp, McLaughlin, Coombs, Oliver
Alternates Welch, Thornewill
Recused None
Documentation None
Representing None
Public None
Concerns No additional concerns.
Motion **Motion to Approve through staff per noted conditions. (Coombs)**
Roll-call vote Carried 5-0//McLaughlin, Camp, Oliver, Coombs, and Pohl-aye Certificate # **HDC2021-07-(as noted)**

CERTIFICATE NO: HDC2021-07-4190 DATE ISSUED: July 22, 202

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

# CERTIFICATE OF APPROPRIATENESS

for structural work.

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

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

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

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

## PROPERTY DESCRIPTION

TAX MAP N°: 79 PARCEL N°. 15

Street & Number of Proposed Work: 50 WEEWEEDER

Owner of record: BRIAN HARRIS

Mailing Address: 5 MONOHANSETT RD.
NANTUCKET, MA 02554

Contact Phone #: (508) 221-0512 E-mail: brianharrisace@gmail.com

## AGENT INFORMATION (if applicable)

Name:

Mailing Address: STAFF

Contact Phone #: E-mail:

FOR OFFICE USE ONLY V1439

Date application received: 7/12/21 Fee Paid: $ 50.00

Must be acted on by:

Extended to:

Approved: Disapproved:

Chairman:

Member: Roy Pado

Member:

Member:

Member:

Notes - Comments - Restrictions - Conditions

## DESCRIPTION OF WORK TO BE PERFORMED

See reverse for required documentation.

☐ New Dwelling ☐ Addition ☐ Garage ☐ Driveway/Apron ☐ Commercial ☐ Historical Renovation ☐ Deck/Patio ☐ Steps ☐ Shed
☐ Color Change ☐ Fence ☐ Gate ☐ Hardscaping ☐ Move Building ☐ Demolition ☒ Revisions to previous Cert. No. 06-1149
☐ Pool (Zoning District ____) ☐ Roof ☐ Other

Size of Structure or Addition: Length: N/A Sq. Footage 1st floor: N/A Decks/Patio: Size: ☐ 1st floor ☐ 2nd floor
Width: Sq. footage 2nd floor: Size: ☐ 1st floor ☐ 2nd floor
Sq. footage 3rd floor:

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

Height of ridge above final finish grade: North — South — East — West —

Additional Remarks

Historic Name:

Original Date:

Original Builder:

REVISIONS* (describe)
1. East Elevation
2. South Elevation
3. West Elevation
4. North Elevation

CHANGES DOORS TO OVERHEAD FROM SWING W/GLASS

Is there an HDC survey form for this building attached? ☐ Yes ☐ N/A *Cloud on drawings and submit photographs of existing elevations.

## DETAIL OF WORK TO BE PERFORMED

**Foundation**: Height Exposed ____ ☐ Block ☐ Block Parged ☐ Brick (type) ____ ☐ Poured Concrete ☐ Piers

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

**Roof Pitch**: Main Mass ____/12____ Secondary Mass ____/12____ Dormer ____/12____ Other ____

**Roofing material**: ☐ Asphalt: ☐ 3-Tab ☐ Architectural
☐ Wood (Type: Red Cedar, White Cedar, Shakes, etc.) ____

Fence: Height:
Type:
Length:

**Skylights (flat only)**: Manufacturer ____ Rough Opening ____ Size ____ Location ____
Manufacturer ____ Rough Opening ____ Size ____ Location ____

**Gutters**: ☐ Wood ☐ Aluminum ☐ Copper ☐ Leaders (material) ____

**Leaders (material and size)**: ____

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

**Trim**: A. Wood ☐ Pine ☐ Redwood ☐ Cedar ☐ Other ____
B. Treatment ☐ Paint ☐ Natural to weather ☐ Other ____
C. Dimensions: Fascia ____ Rake ____ Soffit (Overhang) ____ Corner boards ____ Frieze ____
Window Casing ____ Door Frame ____ Columns/Posts: Round ____ Square ____

**Windows***: ☐ Double Hung ☐ Casement ☐ All Wood ☐ Other ____
☐ True Divided Lights(muntins), single pane ☐ SDL's (Simulated Divided Lights) Manufacturer ____

**Doors*** (type and material): ☐ TDL ☒ SDL Front ____ Rear ____ Side ____
Garage Door(s): Type ____ Material ____

**Hardscape materials**: Driveways ____ Walkways ____ Walls ____

* Note: Complete door and window schedules are required.

## COLORS

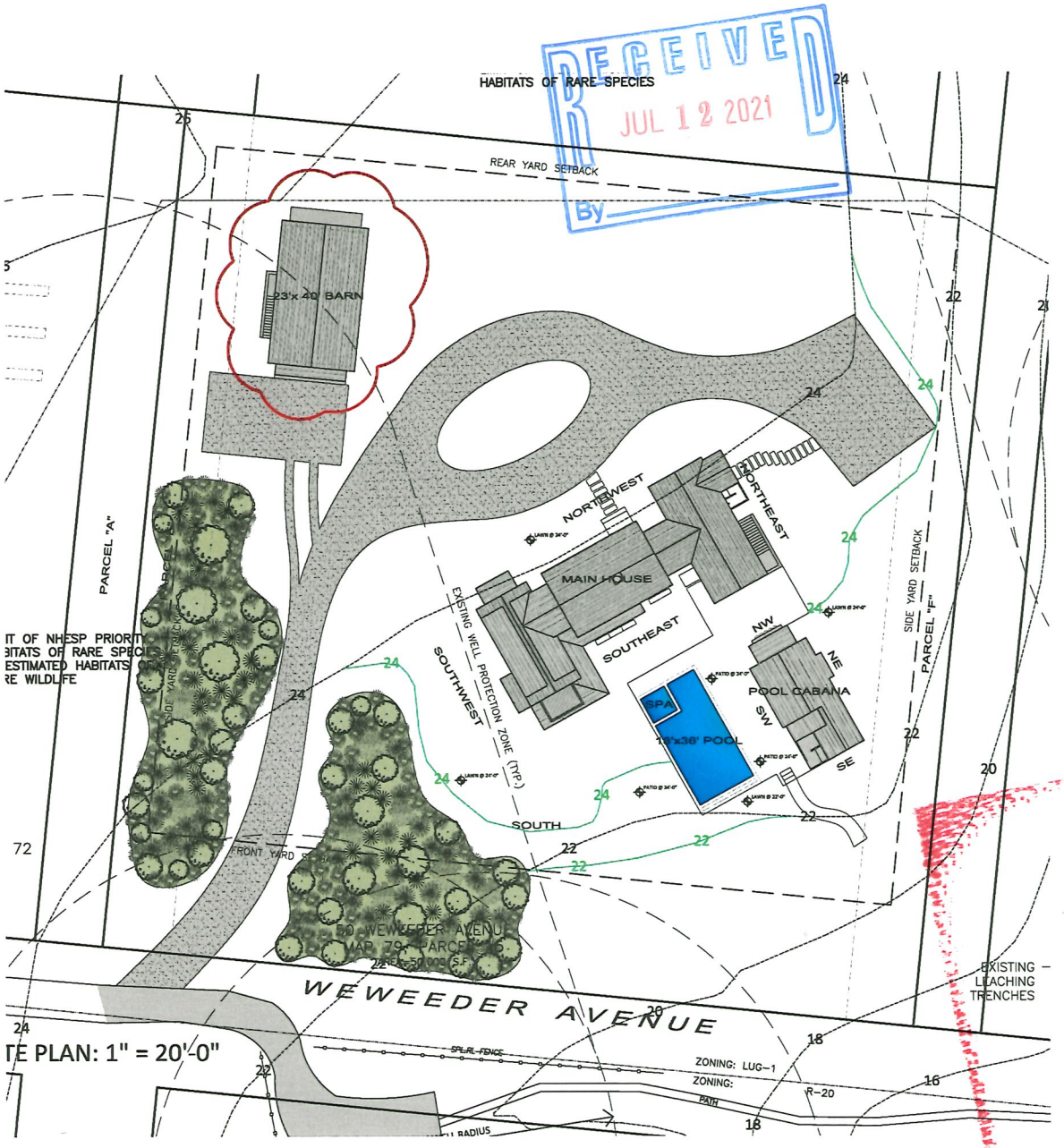
Sidewall AS APPROVED Clapboard (if applicable) ____ Roof ____
Trim ____ Sash NO Doors CHANGE
Deck ____ Foundation ____ Fence ____ Shutters ____

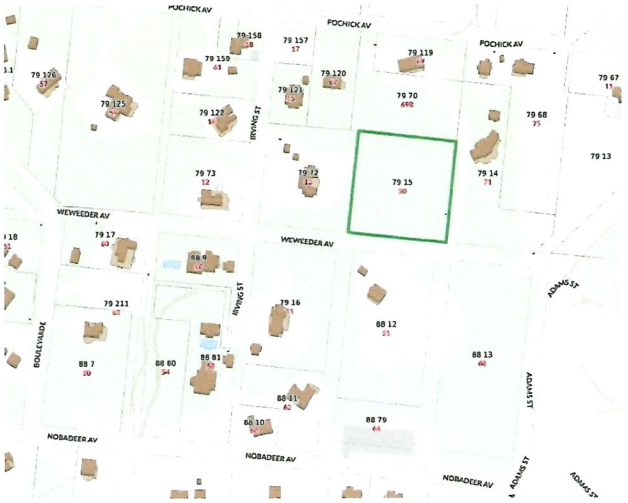
* Attach manufacturer's color samples if color is not from HDC approval list.

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

Date 7/12/21 Signature of owner of record ____ Signed under penalties of perjury

409



PREVIOUS APPROVAL

RECEIVED
JUL 12 2021
By

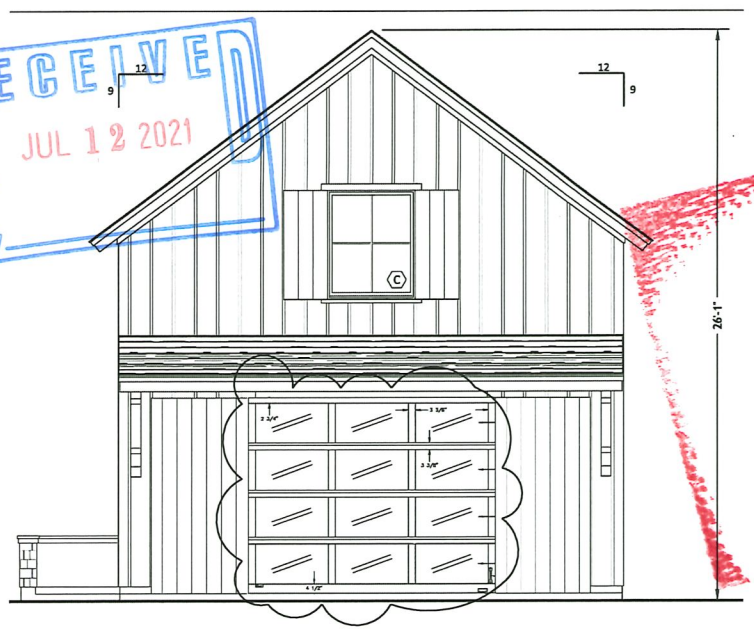
APPROVED
HDC2021-07-4190

No Exterior Changes
Without HDC Approval

410

**HARRIS- 50 WEEWEEDER**
**BARN DOOR CHANGE**
**REV TO HDC 06-1164**

RECEIVED
JUL 12 2021
By

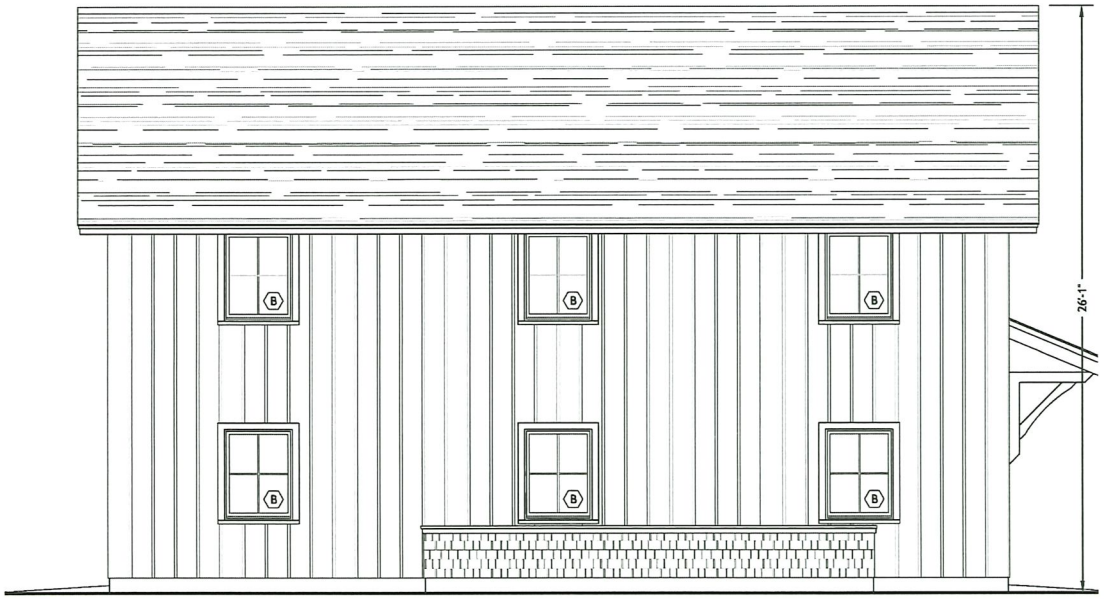


SOUTH ELEVATION
SCALE: 1/4" = 1'-0"

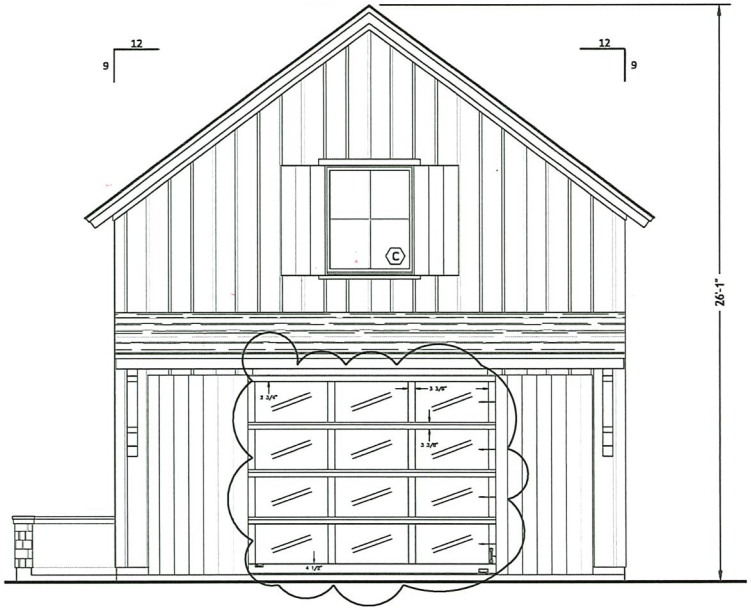
EAST ELEVATION
SCALE: 1/4" = 1'-0"

APPROVED
HDC 2021-07-4190
No Further Changes
Without HDC Approval

**HARRIS- 50 WEEWEEDER**
**BARN DOOR CHANGE**
**REV TO ~~HDC 06-1164~~**



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



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

# BUILDING PERMITS ISSUED

PAID
BY: J254

RECEIVED
OCT 09 2020
By

BLDR-2020-10-0910
BUILDING PERMIT NUMBER

**APPLICATION FOR BUILDING PERMIT**

**IMPORTANT - Applicant to complete all items in Sections: 1, 2, 3, 4, and 5** **Please Print**

## 1. LOCATION OF BUILDING

OWNERS NAME (print): HARRIS BRIAN
Last First Middle Initial

50 WEWEEDER AVE
No. Street

Assessor's Map No. 79 Assessor's Parcel No. 15

## 2. TYPE AND COST OF BUILDING - All applicants complete Parts A-E

A. TYPE OF IMPROVEMENT
- ☒ New Building
- ☐ Addition
- ☐ Alteration
- ☐ Repair, replacement
- ☐ Demolition
- ☐ Moving

NEW DWELLING

B. OWNERSHIP
- ☐ Private
- ☐ Public

C. COST
TOTAL COST OF IMPROVEMENT
$1.8 M

D. DIMENSIONS
Dimensions of Structure
First Floor Area: 2,350 SF
Second Floor Area: 1,340 SF
Third Floor Area:
Total Floor Area: 3690 SF
Full Cellar Area: 1,607 SF

E. PROPOSED USE
Residential
- ☒ One Family
- ☐ Studio
- ☐ Two or more family - Enter number of units
- ☐ Hotel, Motel, Dormitory enter number of units
- ☐ Second Dwelling
- ☐ Garage
- ☐ Pool
- ☐ Other - Specify

Detail scope of work by floor & provide the square footage.

- 5 BEDROOM NEW DWELLING
- 5½ BATHROOMS
- 3,690 SF TOTAL FLOOR AREA
- UNFINISHED BASEMENT

## 3. SELECTED CHARACTERISTICS OF BUILDING

For new buildings and additions, complete Parts D-N
for Demolition, complete only Part 1., for all others skip to 4.

F. PRINCIPLE TYPE OF FRAME
- ☒ Wood frame
- ☐ Other - Specify

G. PRINCIPLE TYPE OF HEATING
- ☒ Gas
- ☐ Electricity
- ☐ Oil
- ☐ Heat Pump
- ☐ Other - Specify

H. TYPE OF SEWAGE DISPOSAL
- ☐ Public
- ☒ Private (septic tank, etc.)

I. TYPE OF WATER SUPPLY
- ☐ Public
- ☒ Private (well)

J. SMOKE DETECTORS
No. of Detectors 11
See Plan for Location

K. ACCESSORY HEAT SOURCE
No. of fireplaces 1
No. of Wood Stoves
Other:

L. RESIDENTIAL BUILDINGS
Number of Bedrooms 5
Number of Bathrooms 5½
Full 5 Partial 1

PAID BY: √254

RECEIVED OCT 09 2020 By

BLDR-2020-10-0909
BUILDING PERMIT NUMBER

**APPLICATION FOR BUILDING PERMIT**

**IMPORTANT - Applicant to complete all items in Sections: 1, 2, 3, 4, and 5** **Please Print**

## 1. LOCATION OF BUILDING

OWNERS NAME (print): HARRIS BRIAN
Last First Middle Initial

50 WEWEEDER AVE
No. Street

Assessor's Map No. 79 Assessor's Parcel No. 15

## 2. TYPE AND COST OF BUILDING - All applicants complete Parts A-E

A. TYPE OF IMPROVEMENT
- [X] New Building
- [ ] Addition
- [ ] Alteration
- [ ] Repair, replacement
- [ ] Demolition
- [ ] Moving

BARN

B. OWNERSHIP
- [X] Private
- [ ] Public

C. COST
TOTAL COST OF IMPROVEMENT
$900,000

D. DIMENSIONS
Dimensions of Structure
First Floor Area: 920 SF
Second Floor Area: 920 SF
Third Floor Area:
Total Floor Area: 1840 SF
Full Cellar Area: 598 SF

E. PROPOSED USE
Residential
- [ ] One Family
- [X] Studio
- [ ] Two or more family - Enter number of units
- [ ] Hotel, Motel, Dormitory enter number of units
- [ ] Second Dwelling
- [X] Garage
- [ ] Pool
- [ ] Other - Specify

Detail scope of work by floor & provide the square footage.

1840 SF GARAGE/STUDIO "BARN"

## 3. SELECTED CHARACTERISTICS OF BUILDING

For new buildings and additions, complete Parts D-N for Demolition, complete only Part 1., for all others skip to 4.

F. PRINCIPLE TYPE OF FRAME
- [X] Wood frame
- [ ] Other - Specify

G. PRINCIPLE TYPE OF HEATING
- [X] Gas
- [ ] Electricity
- [ ] Oil
- [ ] Heat Pump
- [ ] Other - Specify

H. TYPE OF SEWAGE DISPOSAL
- [ ] Public
- [X] Private (septic tank, etc.)

I. TYPE OF WATER SUPPLY
- [ ] Public
- [X] Private (well)

J. SMOKE DETECTORS
No. of Detectors 6
See Plan for Location

K. ACCESSORY HEAT SOURCE
No. of fireplaces
No. of Wood Stoves
Other:

L. RESIDENTIAL BUILDINGS
Number of Bedrooms —
Number of Bathrooms 1 1/2
Full 1 Partial 1

PAID
BY: 1254

RECEIVED
OCT 09 2020
By

BLDR-2020-10-0908
BUILDING PERMIT NUMBER

**APPLICATION FOR BUILDING PERMIT**

**IMPORTANT - Applicant to complete all items in Sections: 1, 2, 3, 4, and 5** **Please Print**

## 1. LOCATION OF BUILDING

OWNERS NAME (print): HARRIS BRIAN
Last First Middle Initial

50 WEWEDER AVE
No. Street

Assessor's Map No. 79 Assessor's Parcel No. 15

## 2. TYPE AND COST OF BUILDING - All applicants complete Parts A-E

A. TYPE OF IMPROVEMENT
- ☐ New Building
- ☐ Addition
- ☐ Alteration
- ☐ Repair, replacement
- ☐ Demolition
- ☐ Moving
- ☒ POOL

B. OWNERSHIP
- ☒ Private
- ☐ Public

C. COST
TOTAL COST OF IMPROVEMENT
$200,000

D. DIMENSIONS
Dimensions of Structure
First Floor Area: 648 SF
Second Floor Area:
Third Floor Area:
Total Floor Area:
Full Cellar Area:

E. PROPOSED USE
Residential
- ☐ One Family
- ☐ Studio
- ☐ Two or more family - Enter number of units
- ☐ Hotel, Motel, Dormitory enter number of units
- ☐ Second Dwelling
- ☐ Garage
- ☒ Pool
- ☐ Other - Specify

Detail scope of work by floor & provide the square footage.

18'x36' POOL w/ 8x8 SPA

## 3. SELECTED CHARACTERISTICS OF BUILDING

For new buildings and additions, complete Parts D-N for Demolition, complete only Part 1., for all others skip to 4.

F. PRINCIPLE TYPE OF FRAME
- ☐ Wood frame
- ☒ Other - Specify CONC.

G. PRINCIPLE TYPE OF HEATING
- ☒ Gas
- ☐ Electricity
- ☐ Oil
- ☐ Heat Pump
- ☐ Other - Specify

H. TYPE OF SEWAGE DISPOSAL
- ☐ Public
- ☒ Private (septic tank, etc.)

I. TYPE OF WATER SUPPLY
- ☐ Public
- ☒ Private (well)

J. SMOKE DETECTORS
No. of Detectors —
See Plan for Location

K. ACCESSORY HEAT SOURCE
No. of fireplaces
No. of Wood Stoves
Other:

L. RESIDENTIAL BUILDINGS
Number of Bedrooms
Number of Bathrooms
Full Partial

ZBA

PAID JUL 18 2022 BY:

2022 JUL 19 AM 11:

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

## APPLICATION

**Fee: $450.00** File No. 09-22

Owner's name(s): **Harris on Weweeder, LLC**

Mailing address: **5 Monohansett Road, Nantucket, MA 02554**

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

Applicant's name(s): **Same**

Mailing Address: **Same**

Phone Number: E-Mail:

Locus Address: **50** ~~**Cliff Road**~~ Weweeder Ave Assessor's Map/Parcel: **79/15**

Land Court Plan/~~Plan Book & Page/Plan File No.~~: **LC Plan No. 42927-A**

~~Deed Reference~~/Certificate of Title: **Certificate of Title No. 27684**
Zoning District: **LUG-1**

Uses on Lot- Commercial: **No** Yes (describe)

Residential: Number of dwellings: **1** Duplex _____ Apartments _____ _____

Date of Structure(s):

Building Permit Numbers:

Previous Zoning Board Application Numbers:

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, Harris on Weweeder, LLC (hereinafter referred to as "Harris") is the owner of 50 Weweeder Avenue ("the Premises") by virtue of Certificate of Title No. 27684 registered at the Nantucket County Registry District of the Land Court. The Applicant is requesting Variance relief pursuant to Nantucket Zoning Bylaw Section 139-32 (Variances) from the intensity regulations in Section 139-16A., in order to site a proposed pool cabana in the side yard setback as close as 2.7 feet from the side yard lot line in a zoning district that requires a ten (10) foot side yard setback and to increase the allowable ground cover ratio to 7.9% in a zoning district with a maximum ground cover ratio of 7% as shown on the plan entitled, "Proposed Site Plan", prepared by Site Design Engineering, dated May 11, 2022, attached hereto as Exhibit B.

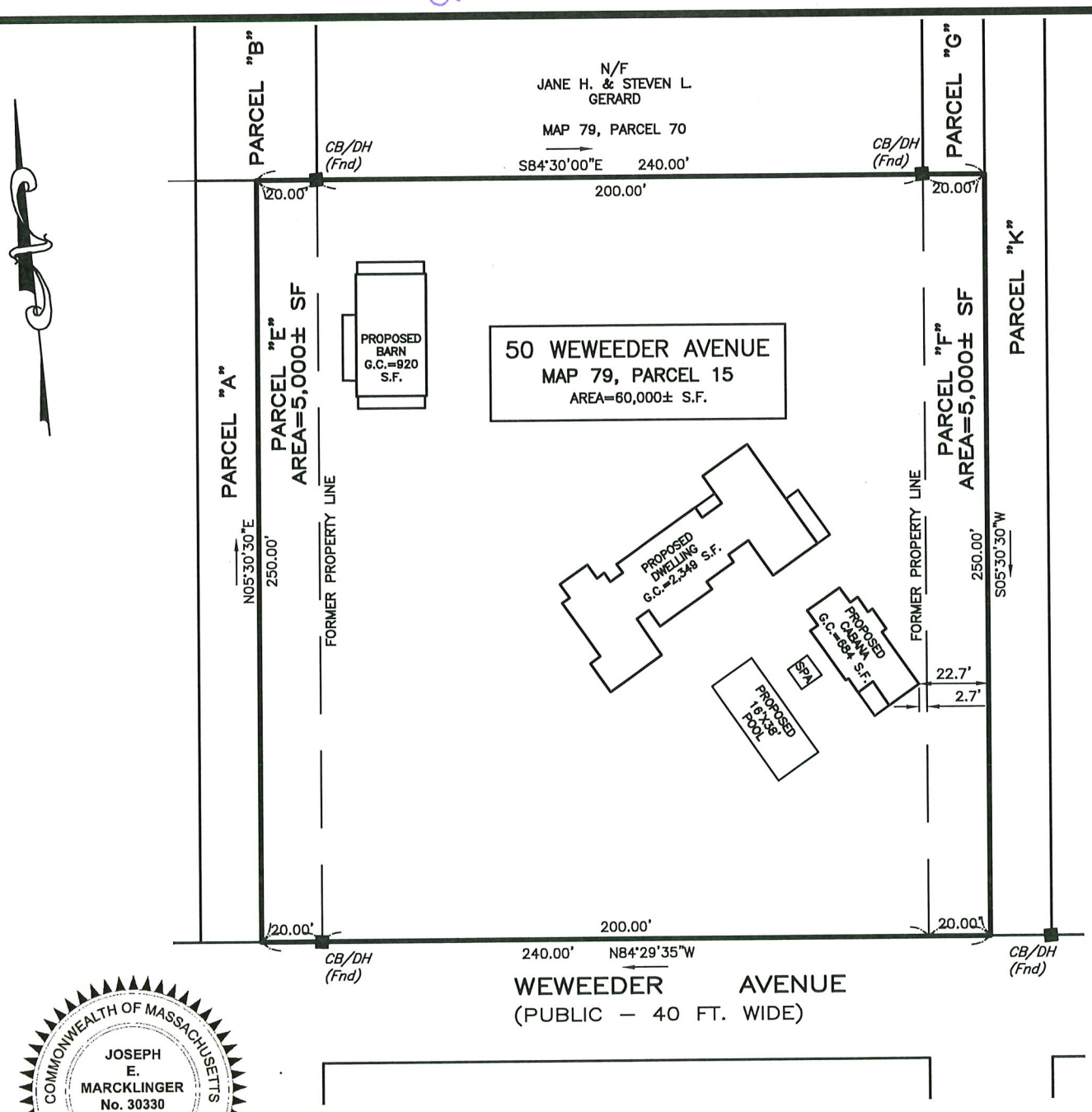
The Premises is subject to an Order of Taking by Eminent Domain of Portions of (Mount) Vernon Street, Waverly Street, and Adams Street as part of the Town of Nantucket "Yard Sale" program. A copy of the Order, which is registered as Document No. 131680 at the Nantucket County Registry District of the Land Court, is attached hereto as Exhibit C. The Town has taken the fee interest in these Paper Streets per this Order of Taking; however, the disposition of the Paper Streets has been stuck at the Land Court. The Premises will receive Parcels E and F, each being 5,000 sf, upon the issuance of a Certificate of Title from the Land Court. The Order of Taking was filed in October 2010, but there has not been any progress in the last 10 years.

The Applicant, who will be the contract purchaser of Parcels E & F on Plan No. 2010-51 (attached hereto as Exhibit D), has been relying on the acquisition of these Paper Streets in order to finish the construction of the single-family dwelling, barn, and pool cabana. Accordingly, the Applicant is requesting Variance relief in order to site the pool cabana on the attached Exhibit B as close as 2.7' from the current side yard lot line; however, upon the acquisition of Parcel F, the pool cabana will comply with the setbacks being as close as 22.7' from the easterly side yard lot line.

Furthermore, the Applicant is requesting Variance relief from the ground cover regulations per Section 139-16 of the Zoning Bylaw. In the event the structures are completed before the Certificate of Title is issued for the Paper Streets and Parcels E & F are conveyed to the Applicant, the Applicant's ground cover ratio will be 7.9% in a zoning district that allows for a maximum ground cover ratio of 7%. However, upon the acquisition of the Paper Streets, the ground cover ratio will be 6.5%.

Therefore, because the Applicant has been patiently waiting for over 10 years for the acquisition of these Parcels E & F, Variance relief is appropriate because of the uniqueness of the Premises in that it abuts two Paper Streets and a literal enforcement of the provisions of the Zoning Bylaw would involve substantial hardship, financial or otherwise, and desirable relief may be granted without substantial detriment to the public good and without nullifying the intent of the Zoning Bylaw.

Exhibit B




COMMONWEALTH OF MASSACHUSETTS
JOSEPH E. MARCKLINGER
No. 30330
REGISTERED PROFESSIONAL LAND SURVEYOR

Joseph Marcklinger

## ZONING REQUIREMENTS:

THE SITE IS ZONED LIMITED USE 1 (LUG–1)

| | REQUIRED |
|---|---|
| LOT AREA | 40,000 S.F. |
| LOT FRONTAGE | 100 FT. |
| FRONT YARD SETBACK | 35 FT. |
| REAR YARD SETBACK | 10 FT. |
| SIDE YARD SETBACK | 10 FT. |
| MAX GROUND COVER RATIO | 7% |

50 0 25 50

SCALE: 1 INCH = 50 FEET


J. MARCKLINGER & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS
P.O. BOX 896
NANTUCKET, MA. 02554
(310) 945-7054

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


DATE: MAY 11, 2022
PROJ. #: 20010
SCALE: 1"=50'
DRAWN BY: SKD
CHECK BY: DCM

REVISED:

ISSUED FOR: REVIEW

# PROPOSED SITE PLAN

**50 WEWEEDER AVENUE**
**ASSESSOR'S MAP 79 , PARCEL 15**
**NANTUCKET , MASSACHUSETTS**
**PREPARED FOR: HARRIS ON WEWEEDER LLC**

Exhibit C

131680

2010 00131680
Cert: 22630 Doc: OOT
Registered: 10/12/2010 02:31 PM

2010 00002748
Bk: 1249 Pg: 141 Page: 1 of 12
Doc: OOT 10/12/2010 02:29 PM

COMMONWEALTH OF MASSACHUSETTS
TOWN OF NANTUCKET
BOARD OF SELECTMEN

**ORDER OF TAKING BY EMINENT DOMAIN OF PORTIONS OF (MOUNT) VERNON STREET, WAVERLY STREET AND ADAMS STREET**

The undersigned being the majority of the duly elected and serving members of the Board of Selectmen of the Town of Nantucket, a body politic and corporate and a political subdivision of the Commonwealth of Massachusetts, having a principal place of business of Town and County Building, 16 Broad Street, Nantucket, Massachusetts ("Town"), acting by authority of Massachusetts General Laws Chapter 40, § 14 and Chapter 79, as amended, Article III, Section 3.3 of the Town Charter, St. 1996, c. 289, § 1, and the vote on Article 76 adopted by the Town at its 2010 Annual Town Meeting (certified copy attached as Exhibit A), and by virtue of every other power and authority hereto enabling us, having complied with all the preliminary requirements prescribed by law, having determined that the taking of the fee in those certain parcels of land comprising portions of (Mount) Vernon Street, Waverly Street and Adams Street as described below ("Parcels") is required for general municipal purposes and access purposes, do hereby adopt and decree this Order of Taking on behalf of the Town and do hereby take from the supposed owners of the Parcels, those who hold easements and other rights to the Parcels, and all their successors, heirs and assigns, as their interests may appear, by the right of eminent domain, the fee in the Parcels, including but not limited to all rights of passage, if any, as follows:

The land shown on a plan containing one (1) sheet and entitled "Plan To Acquire Land For General Municipal Purposes, (Mount) Vernon Street, Waverly Street, and Adams Street in Nantucket, Massachusetts," prepared by Nantucket Surveyors, LLC, dated September 9, 2010 (the "Plan") and filed with the Nantucket County Registry of Deeds herewith as Plan No. 2010-51 and consisting of the following Parcels described on the Plan:

| Parcel | Address/Location | Area (±) |
|---|---|---|
| Parcel A | 13 Irving Street<br>Lots 15-34, Block 168, Pl. Bk. 2, Pg. 60-61 | 5,000 s.f. |
| **Assessor ID** | **Supposed Owner(s)** | **Title Reference** |
| Map 79,<br>Parcel 72 | William D. Strittimatter and<br>Bonnie M Strittimatter | Book 589, Page 116 |

| Parcel | Address/Location | Area (±) |
|---|---|---|
| Parcel B | 67 Pochick Avenue<br>Lots 5-14, Block 168, Pl. Bk. 2, Pg. 60-61 | 5,000 s.f. |
| **Assessor ID** | **Supposed Owner(s)** | **Title Reference** |
| Map 79,<br>Parcel 120 | NHA Properties, Inc. | Book 928, Page 345 |

| Parcel | Address/Location | Area (±) |
|---|---|---|
| Parcel C | 69 Pochick Avenue<br>Lots 1-8, Block 169, Pl. Bk. 2, Pg. 60-61 | 2,000 s.f. |
| **Assessor ID** | **Supposed Owner(s)** | **Title Reference** |
| Map 79,<br>Parcel 119 | Jane Heller Gerard and Steven L. Gerard | Book 663, Page 113 |

| Parcel | Address/Location | Area (±) |
|---|---|---|
| Parcel D | 69R Pochick Avenue<br>Lots 9-14, 35-40, Block 169, Pl. Bk. 2,<br>Pg. 60-61 | 3,000 s.f. |
| **Assessor ID** | **Supposed Owner(s)** | **Title Reference** |
| Map 79,<br>Parcel 70 | Rhoda H. Weinman, as Trustee<br>of 138 Nominee Trust | Book 1001, Page 130 |

| Parcel | Address/Location | Area (±) |
|---|---|---|
| Parcel E | 50 Weweeder Avenue<br>Lot shown on Land Court Plan 42927-A | 5,000 s.f. |
| **Assessor ID** | **Supposed Owner(s)** | **Title Reference** |
| Map 79,<br>Parcel 15 | Neil J. Ruther, as Trustee of The<br>Ellery Woodworth Nantucket Trust | Certificate No. 22630 |

| Parcel | Address/Location | Area (±) |
|---|---|---|
| Parcel F | 50 Weweeder Avenue<br>Lot shown on Land Court Plan 42927-A | 5,000 s.f. |
| **Assessor ID** | **Supposed Owner(s)** | **Title Reference** |
| Map 79,<br>Parcel 15 | Neil J. Ruther, as Trustee of The<br>Ellery Woodworth Nantucket Trust | Certificate No. 22630 |

| Parcel | Address/Location | Area (±) |
|---|---|---|
| Parcel G | 69R Pochick Avenue<br>Lots 9-14, 35-40, Block 169, Pl. Bk. 2,<br>Pg. 60-61 | 3,000 s.f. |
| **Assessor ID** | **Supposed Owner(s)** | **Title Reference** |
| Map 79,<br>Parcel 70 | Rhoda H. Weinman, as Trustee<br>of 138 Nominee Trust | Book 1001, Page 130 |

| Parcel | Address/Location | Area (±) |
|---|---|---|
| Parcel H | 69 Pochick Avenue<br>Lots 1-8, Block 169, Pl. Bk. 2, Pg. 60-61 | 2,000 s.f. |
| **Assessor ID** | **Supposed Owner(s)** | **Title Reference** |
| Map 79,<br>Parcel 119 | Jane Heller Gerard and Steven L. Gerard | Book 663, Page 113 |

| Parcel | Address/Location | Area (±) |
|---|---|---|
| Parcel J | 75 Pochick Avenue<br>Lot 23 on Land Court Plan 17445-A | 2,000 s.f. |
| **Assessor ID** | **Supposed Owner(s)** | **Title Reference** |
| Map 79,<br>Parcel 68 | Mark White and Barbara White | Certificate No. 17021 |

| Parcel | Address/Location | Area (±) |
|---|---|---|
| Parcel K | 54 Weweeder Avenue<br>Lots 21-40, Block 170, Pl. Bk. 2,<br>Pg. 60-61 | 8,000 s.f. |
| **Assessor ID** | **Supposed Owner(s)** | **Title Reference** |
| Map 79,<br>Parcel 14 | Susan Mead, as Trustee of the<br>Block 170 Trust | Book 375, Page 122 and<br>Book 916, Page 175 |

| Parcel | Address/Location | Area (±) |
|---|---|---|
| Parcel L | 54 Weweeder Avenue<br>Lots 21-40, Block 170, Pl. Bk. 2,<br>Pg. 60-61 | 2,000 s.f. |
| **Assessor ID** | **Supposed Owner(s)** | **Title Reference** |
| Map 79,<br>Parcel 14 | Susan Mead, as Trustee of the<br>Block 170 Trust | Book 375, Page 122 and<br>Book 916, Page 175 |

| Parcel | Address/Location | Area (±) |
|---|---|---|
| Parcel M | 75 Pochick Avenue<br>Lot 23 on Land Court Plan 17445-A | 8,000 s.f. |
| **Assessor ID** | **Supposed Owner(s)** | **Title Reference** |
| Map 79,<br>Parcel 68 | Mark White and Barbara White | Certificate No. 17021 |

| Parcel | Address/Location | Area (±) |
|---|---|---|
| Parcel N | 11 Adams Street<br>Lot 1 on Land Court Plan 39913-A | 2,000 s.f. |
| **Assessor ID** | **Supposed Owner(s)** | **Title Reference** |
| Map 79,<br>Parcel 67 | Richard J. Diamond and Jeanne A.<br>Diamond | Certificate No. 16968 |

| Parcel | Address/Location | Area (±) |
|---|---|---|
| Parcel P | Weweeder Avenue | 8,000 s.f. |
| Assessor ID | Supposed Owner(s) | Title Reference |
| Map 79, Parcel 13 | Town of Nantucket, Frank Bailey, and their heirs, successors and assigns, and owners unknown | Book 81, Page 331 |

Any and all trees, vegetation, structures and improvements at the Parcels are included in this Order of Taking.

The damages sustained by the supposed owner(s) listed above by reason of this taking of the Parcels are valued and awarded in a resolution of even date adopted by the Board of Selectmen in accordance with Massachusetts General Law Chapter 79, as amended.

If any party named hereinabove as an owner of any Parcels taken hereby is not a true owner of said Parcels, then the award is made only to the true owner(s) of said Parcels.

[Remainder of Page Intentionally Blank. Signatures Follow on Next Page.]

Adopted under seal this 22nd day of September, 2010.

TOWN OF NANTUCKET
BY ITS BOARD OF SELECTMEN

Patricia Roggeveen

Brian Chadwick

Rick Atherton

Michael Kopko

Whiting Willauer

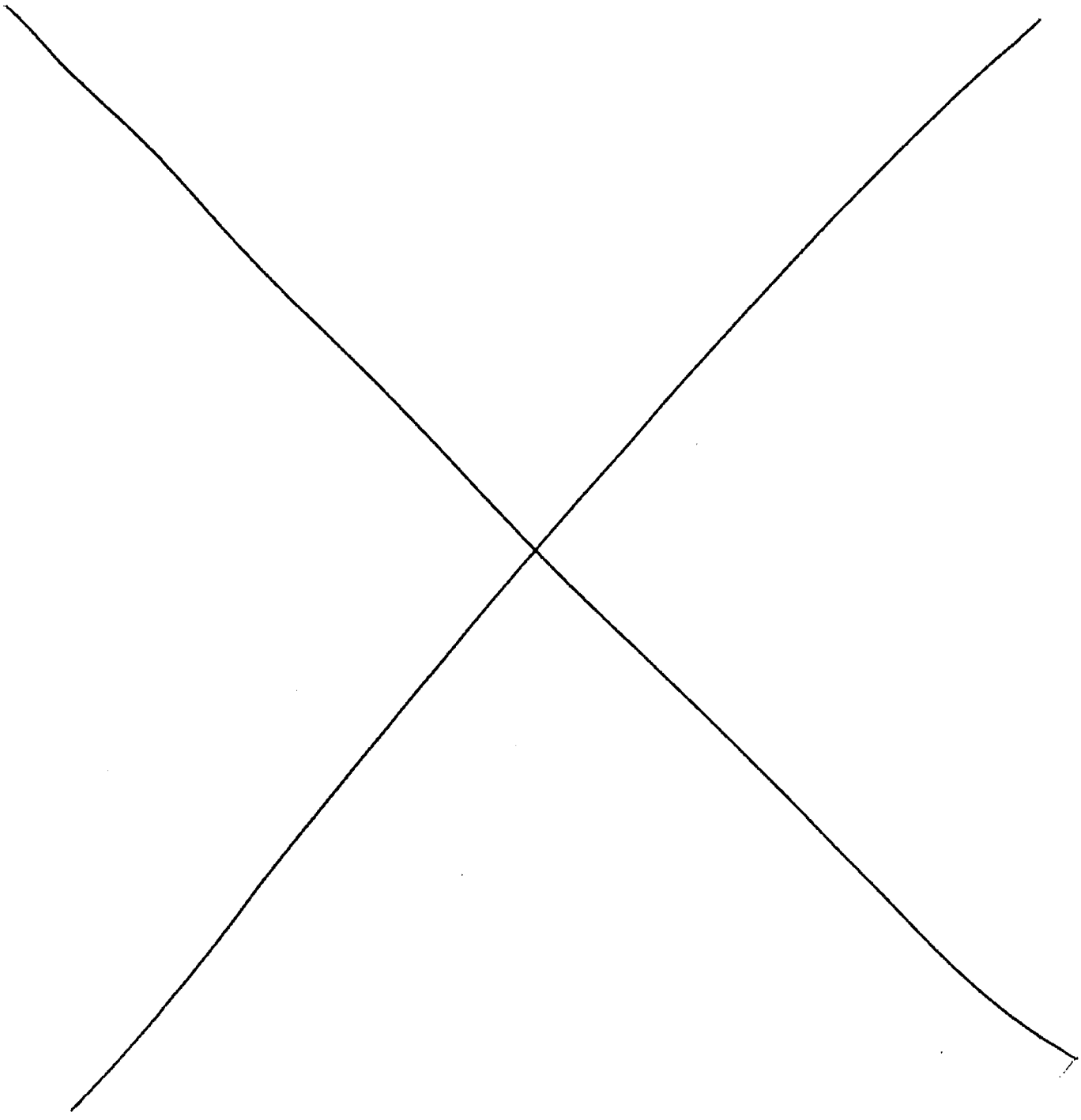
Commonwealth of Massachusetts
Nantucket County, ss.

On this ~~22nd~~ 7th day of ~~September~~ October, 2010, before me, the undersigned notary public, personally appeared Patricia Roggeveen, Brian Chadwick, Rick Atherton, Michael Kopko and Whiting Willauer, as members of the Board of Selectmen of the Town of Nantucket, proved to me through satisfactory evidence of identification, which was personal knowledge of the undersigned, to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose as the free act and deed of the Board of Selectmen of the Town of Nantucket.

Notary Public
My commission expires: July 26, 2011

EXHIBIT A

Town Clerk Certified Copy of Town of Nantucket Vote on Article 76 of the 2010 Annual Town Meeting of the Town of Nantucket



# Town of Nantucket

OFFICE OF THE
**TOWN & COUNTY CLERK**
16 Broad Street
NANTUCKET, MASSACHUSETTS 02554-3590

Catherine Flanagan Stover, MMC, CMMC
Town & County Clerk

(508) 228-7216
FAX (508) 325-5313
Home: (508) 228-7841
Email: cstover@nantucket-ma.gov
townclerk@nantucket-ma.gov

WEBSITE: http://www.nantucket-ma.gov

May 6, 2010

TO WHOM IT MAY CONCERN:

I, Catherine Flanagan Stover, duly elected Clerk of the Town and County of Nantucket, hereby certify that the April 5, 2010 ANNUAL TOWN MEETING adopted **Article 76: "Real Estate Acquisition: "Paper" Streets, Surfside"** at the April 6, 2010 adjourned session when ...the adoption of all articles not heretofore acted upon as recommended by the Finance Committee, or as recommended by the Planning Board was duly motioned and seconded.

**VOTE: The vote on the motion pursuant to Article 76 as moved by the Finance Committee, was by Unanimous Voice Vote. The motion was adopted.**

Catherine Flanagan Stover, MMC, CMMC
Town and County Clerk

ARTICLE 76

(Real Estate Acquisition: "Paper" Streets in Surfside)

To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift or eminent domain the fee or lesser interests in all or any portions of twenty (20) unconstructed rights of way in the Surfside area of Nantucket known as Surfside South and identified below, together with any public and private rights of passage, for public ways and/or general municipal purposes:

- Waverly, Mount Vernon, Harriet (formerly known as Prospect) and Hawthorne Streets between the northerly sideline of Nobadeer Avenue and the southerly sideline of Okorwaw Avenue (excluding any portion of Weweeder, Pochick and Pocomo Avenues and Boulevarde);
- Central Street between the northerly sideline of Boulevarde and the southerly sideline of Okorwaw Avenue (excluding any portion of Pochick and Pocomo Avenues);
- Clifford Street between the northerly sideline of Pochick Avenue to the southerly sideline of Pocomo Avenue;
- Irving Street between the northerly sideline of Pochick Avenue and the southerly sideline of Okorwaw Avenue (excluding any portion of Pocomo Avenue);
- Myles Standish (formerly known as Shimmo) and Plum Streets between the northerly sideline of Weweeder Avenue and the southerly sideline of Pochick Avenue;
- Masquetuck Street between the northerly sideline of Nonantum Avenue and the southerly sideline of Pochick Avenue (excluding any portion of Nobadeer and Weweeder Avenues);
- Holly Street between the northerly sideline of Weweeder Avenue and a line 200 feet south and parallel to the southerly sideline of Pochick Avenue;
- Woodbine Street between the northerly sideline of Nonantum Avenue and the southerly sideline of Weweeder Avenue (excluding any portion of Nobadeer Avenue);
- Poplar Street between the northerly sideline of Nonantum Avenue and the southerly sideline of Nobadeer Avenue;
- Laurel Street between the northeasterly sideline of Atlantic Avenue and the southerly sideline of Weweeder Avenue (excluding any portion of Nonantum and Nobadeer Avenues and between the northerly sideline of Masaquet Street and the southerly sideline of Mequash Avenue;
- School Street between the northeasterly sideline of Atlantic Avenue and the southerly sideline of Weweeder Avenue (excluding any portion of Nobadeer Avenue) and between the northerly sideline of Pochick Avenue and the southerly sideline of Mequash Avenue (excluding any portion of Masaquet Avenue);
- Copeland Street between the northerly sideline of Masaquet Street and the southerly sideline of Mequash Avenue;
- Nobadeer Avenue between the easterly sideline of Surfside Road (formerly known as Myrtle Street) and the westerly sideline of Dunham Street (excluding any portions of Naushon Way (formerly known as Cherry Street) Plum Street, Holly Street, Pequot Street (formerly known as Orange Street), Uncatena Street (formerly known as Wannacomet Street), and Myles Standish Street (formerly known as Shimmo Street);
- Mequash Avenue: Between the easterly sideline of Copeland Street and the westerly sideline of Surfside Road (formerly known as Myrtle Street) and between the easterly sideline of Surfside Road (formerly known as Myrtle Street) and the westerly sideline of Naushon Way (formerly known as Cherry Street);

- Pocomo Avenue between the easterly sideline of Assessor Map 79, Parcel 27 to the easterly sideline of Central Street and from the westerly sideline of Hawthorne Street to the easterly sideline of Adams Street;
- Adams Street between the northern sideline of Weweeder Avenue and the southerly sideline of Pocomo Avenue (excluding any portion of Pochick Avenue);

to see if the Town will vote to appropriate, borrow pursuant to applicable statute or transfer from available funds, a sum of money for such purposes; and to take any other actions related thereto.

*(Board of Selectmen)*
FINANCE COMMITTEE MOTION: Moved that the Board of Selectmen is authorized to acquire by purchase, gift or eminent domain the fee or lesser interests in all or any portions of twenty (20) unconstructed rights of way in the Surfside area of Nantucket known as Surfside South and identified below, together with any public and private rights of passage, for public ways and/or general municipal purposes:

- Waverly, Mount Vernon, Harriet (formerly known as Prospect) and Hawthorne Streets between the northerly sideline of Nobadeer Avenue and the southerly sideline of Okorwaw Avenue (excluding any portion of Weweeder, Pochick and Pocomo Avenues and Boulevarde);
- Central Street between the northerly sideline of Boulevarde and the southerly sideline of Okorwaw Avenue (excluding any portion of Pochick and Pocomo Avenues);
- Clifford Street between the northerly sideline of Pochick Avenue to the southerly sideline of Pocomo Avenue;
- Irving Street between the northerly sideline of Pochick Avenue and the southerly sideline of Okorwaw Avenue (excluding any portion of Pocomo Avenue);
- Myles Standish (formerly known as Shimmo) and Plum Streets between the northerly sideline of Weweeder Avenue and the southerly sideline of Pochick Avenue;
- Masquetuck Street between the northerly sideline of Nonantum Avenue and the southerly sideline of Pochick Avenue (excluding any portion of Nobadeer and Weweeder Avenues);
- Holly Street between the northerly sideline of Weweeder Avenue and a line 200 feet south and parallel to the southerly sideline of Pochick Avenue;
- Woodbine Street between the northerly sideline of Nonantum Avenue and the southerly sideline of Weweeder Avenue (excluding any portion of Nobadeer Avenue);
- Poplar Street between the northerly sideline of Nonantum Avenue and the southerly sideline of Nobadeer Avenue;
- Laurel Street between the northeasterly sideline of Atlantic Avenue and the southerly sideline of Weweeder Avenue (excluding any portion of Nonantum and Nobadeer Avenues and between the northerly sideline of Masaquet Street and the southerly sideline of Mequash Avenue;
- School Street between the northeasterly sideline of Atlantic Avenue and the southerly sideline of Weweeder Avenue (excluding any portion of Nobadeer Avenue) and between the northerly sideline of Pochick Avenue and the southerly sideline of Mequash Avenue (excluding any portion of Masaquet Avenue);
- Copeland Street between the northerly sideline of Masaquet Street and the southerly sideline of Mequash Avenue;
- Nobadeer Avenue between the easterly sideline of Surfside Road (formerly known as Myrtle Street) and the westerly sideline of Dunham Street (excluding any portions of

Naushon Way (formerly known as Cherry Street) Plum Street, Holly Street, Pequot Street (formerly known as Orange Street), Uncatena Street (formerly known as Wannacomet Street), and Myles Standish Street (formerly known as Shimmo Street);

- Mequash Avenue: Between the easterly sideline of Copeland Street and the westerly sideline of Surfside Road (formerly known as Myrtle Street) and between the easterly sideline of Surfside Road (formerly known as Myrtle Street) and the westerly sideline of Naushon Way (formerly known as Cherry Street);
- Pocomo Avenue between the easterly sideline of Assessor Map 79, Parcel 27 to the easterly sideline of Central Street and from the westerly sideline of Hawthorne Street to the easterly sideline of Adams Street; and
- Adams Street between the northern sideline of Weweeder Avenue and the southerly sideline of Pocomo Avenue (excluding any portion of Pochick Avenue).

BOARD OF SELECTMEN COMMENT: The Board of Selectmen supports the Finance Committee Motion.

NANTUCKET COUNTY Received & Entered
Attest: Jennifer H. Ferreira, Register of Deeds

DOC No: 00131680

NANTUCKET COUNTY LAND COURT

REGISTRY DISTRICT

** RECEIVED FOR REGISTRATION **

On: Oct 12,2010 at 02:31P

Document Fee: 225.00 Rec Total:$225.00

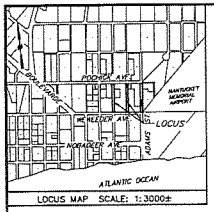
CERTIFICATE No: 22630

Also noted on

CERT 16963
CERT 17021

2010 00000051
Bk: Pg: 0 Page: 0
Doc: PLAN 10/12/2010 02:29 PM

NANTUCKET REGISTRY OF DEEDS
Date 10.12.2010
Time 2:29 PM
Plan Bk: ____ Pg: ____
Plan No. 2010-51
Attest [signature] Register
Sheet 1 of 1
RESERVED FOR REGISTRY USE ONLY



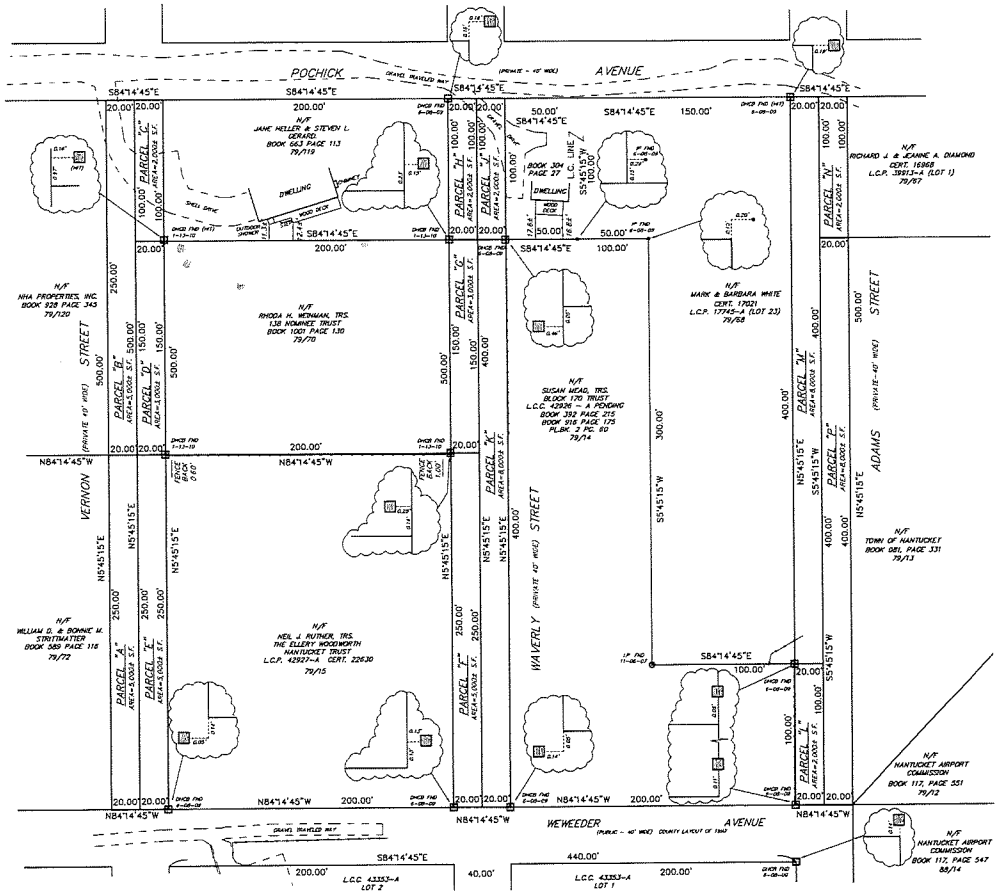
LOCUS MAP SCALE: 1:3000±

NOTES:

1. THE PREMISES SHOWN ON THIS PLAN ARE LOCATED WITHIN THE "X" ZONE AS DELINEATED ON THE "FIRM" MAP OF COMMUNITY NO. 250230 0012 D; MAP REVISED:11/06/1996 BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

2. THE PLANNING BOARD DETERMINES THAT:
   LOT(S) PARCELS "A" THRU "P" DO NOT CONTAIN AREAS SUBJECT TO PROTECTION UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT WHICH ARE REQUIRED TO BE EXCLUDED FROM LOT AREA UNDER THE NANTUCKET ZONING BY-LAW BUT STILL MAY BE SUBJECT TO PROTECTION UNDER STATE AND LOCAL WETLAND BYLAWS. DETERMINATION OF APPLICABILITY MAY BE OBTAINED THROUGH APPLICATION TO THE CONSERVATION COMMISSION.

| PARCEL NO. | MAP & PLOT | AREA | OWNER N/F |
|---|---|---|---|
| A | 79-72 | 5,000± S.F. | WILLIAM D. & BONNIE M. STRITTMATTER |
| B | 79-120 | 5,000± S.F. | NHA PROPERTIES, INC. |
| C | 79-119 | 2,000± S.F. | JANE HELLER & STEVEN L. GERARD |
| D | 79-70 | 3,000± S.F. | RHODA H. WEINMAN, TRUSTEE |
| E | 79-15 | 5,000± S.F. | NEIL J. RUTHER, TRUSTEE |
| F | 79-15 | 5,000± S.F. | NEIL J. RUTHER, TRUSTEE |
| G | 79-70 | 3,000± S.F. | RHODA H. WEINMAN, TRUSTEE |
| H | 79-119 | 2,000± S.F. | JANE HELLER & STEVEN L. GERARD |
| J | 79-68 | 2,000± S.F. | MARK & BARBARA WHITE |
| K | 79-14 | 8,000± S.F. | SUSAN MEAD, TRUSTEE |
| L | 79-14 | 2,000± S.F. | SUSAN MEAD, TRUSTEE |
| M | 79-68 | 8,000± S.F. | MARK & BARBARA WHITE |
| N | 79-67 | 2,000± S.F. | RICHARD J. & JEANNE A. DIAMOND |
| P | 79-13 | 8,000± S.F. | TOWN OF NANTUCKET |




MERIDIAN: L.C.P. 17745-A (MAGNETIC)

NANTUCKET BOARD OF SELECTMEN
APPROVED PURSUANT TO ARTICLES 76 & 77 ANNUAL TOWN MEETING APRIL 5, 2010.
PATRICIA ROGGEVEEN, CHAIRMAN
BRIAN CHADWICK
WESLEY WILLAUER
MICHAEL YORKE
RICK ATHERTON
DATE

PLAN TO ACQUIRE LAND FOR GENERAL MUNICIPAL PURPOSES VERNON STREET, WAVERLY STREET AND ADAMS STREET
IN
NANTUCKET, MASSACHUSETTS
PREPARED FOR:
TOWN OF NANTUCKET
SCALE: 1"=40' DATE: SEPTEMBER 9, 2010

NANTUCKET SURVEYORS, LLC
5 WINDY WAY
NANTUCKET, MA 02554

SCALE: 1"=40'
0 40 80 120 160

LEGEND:

| | |
|---|---|
| DHCB | DRILL HOLE/CONCRETE BOUND |
| FND | FOUND |
| IP | IRON PIPE |
| N/F | NOW OR FORMERLY |
| —o—o— | POST & RAIL FENCE |
| L.C.C. | LAND COURT CERTIFICATE |
| L.C.P. | LAND COURT PLAN |

" I HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS."
[signature] 9/9/10
PROFESSIONAL LAND SURVEYOR DATE

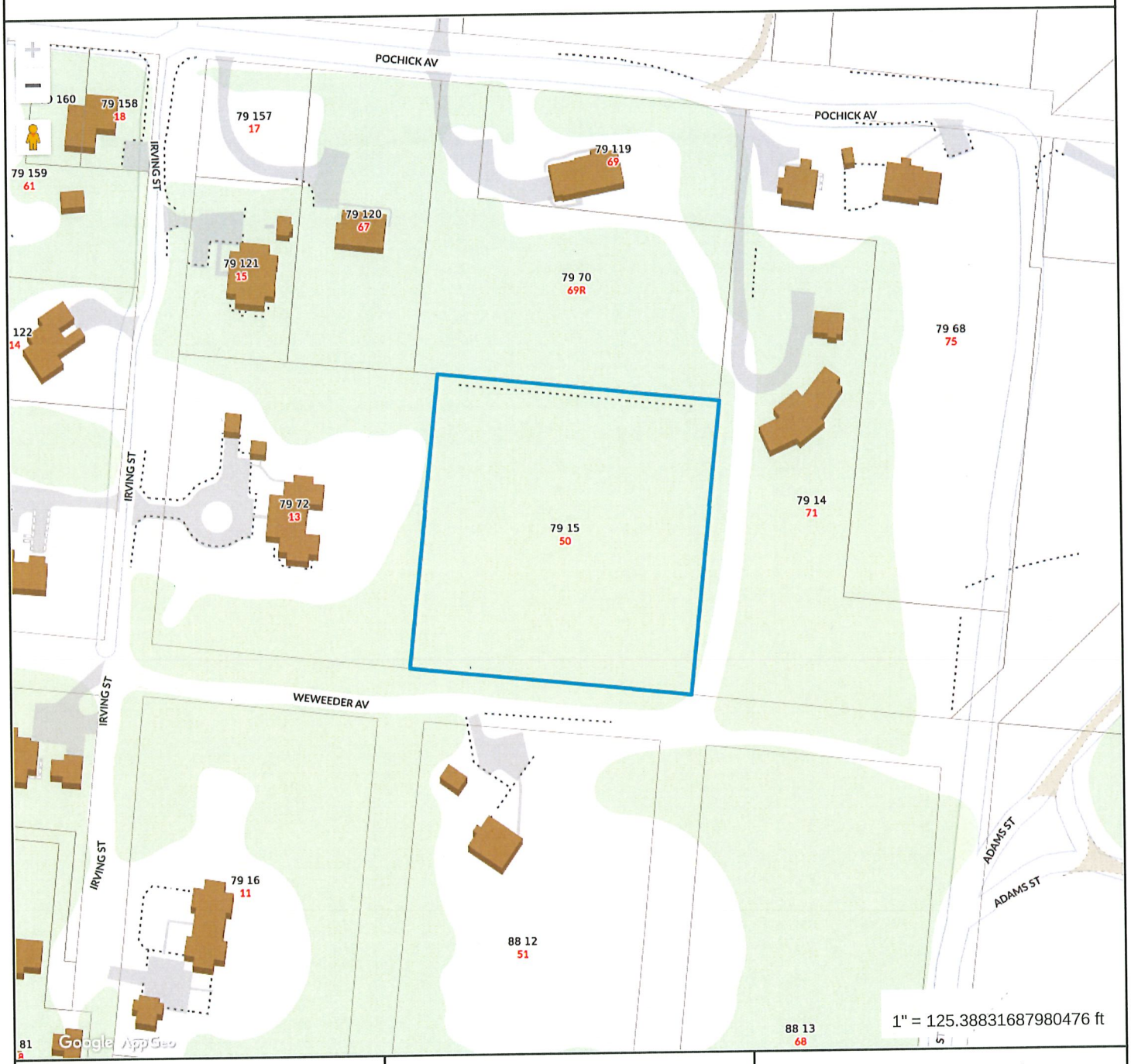
PLANNING BOARD ENDORSEMENT DOES NOT CONSTITUTE A DETERMINATION OF CONFORMANCE UNDER ZONING.

NANTUCKET PLANNING BOARD
APPROVAL UNDER THE SUBDIVISION CONTROL LAW NOT REQUIRED
BARRY RECSOR, CHAIRMAN
SYLVIA HOWARD, VICE-CHAIRWOMAN
NATHANIEL LOWELL
JOHN MEJUCHOW
LINDA WILLIAMS
DATE APPROVED 08-20-2010
DATE SIGNED 09-20-2010
FILE NO. 97-93

N-9919

432

Plan 0




**Property Information**

| | |
|---|---|
| Property ID | 79 15 |
| Location | 50 WEWEEDER AV |
| Owner | HARRIS ON WEEWEEDER LLC |

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 05/31/2022
Data updated Jan. 2021

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

**John Brescher**

**From:** Brian harris <brianharrisack@gmail.com>
**Sent:** Tuesday, July 5, 2022 3:51 PM
**To:** John Brescher
**Subject:** 50 Weweeder ZBA

Hi John, I would like you to represent me on the ZBA for 50 Weweeder. Pls let me know what you need from me?
Thanks, Brian Harris

Town of Nantucket

Zoning Board of Appeals

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

PROPERTY OWNER..... Hons on Weweeder, LLC .....

MAILING ADDRESS..... 5 Marchant Road, Nantucket, MA .....

PROPERTY LOCATION..... 50 Weweeder Ave .....

ASSESSOR MAP/PARCEL..... 79/15 .....

SUBMITTED BY..... Gibson & Brecher, 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: 2022.06.27 08:14:56 -04'00'

06-27-2022
DATE

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 |
|---|---|---|---|---|---|---|---|---|---|
| 79 | 12 | | NANTUCKET TOWN OF | | 16 BROAD ST | NANTUCKET | MA | 02554 | NANTUCKET AP |
| 79 | 13 | | NANTUCKET TOWN OF | | 16 BROAD ST | NANTUCKET | MA | 02554 | WEWEEDER AV |
| 79 | 14 | | BRETTLER DOREEN B | | 18 FRENCH DRIVE | BOYLSTON | MA | 01505 | 71 POCHICK AV |
| 79 | 15 | | HARRIS ON WEEWEEDER LLC | | 5 MONOHANSETT RD | NANTUCKET | MA | 02554 | 50 WEWEEDER AV |
| 79 | 16 | | KENYON E NILES & JAYNE L | | 4824 SAINT MARGARETS DR | VERO BEACH | FL | 32967 | 11 IRVING ST |
| 79 | 67 | | DIAMOND RICHARD J & JEANNE A TR | DIAMOND RICHARD J & JEANNE A REV TRUST | PO BOX 2644 | NANTUCKET | MA | 02584 | 11 ADAMS ST |
| 79 | 68 | | WHITE MARK & BARBARA | | PO BOX 1251 | NANTUCKET | MA | 02554 | 75 POCHICK AV |
| 79 | 70 | | GERARD JANE H & STEVEN L | | PO BOX 830 | REDDING | CT | 06896 | 69R POCHICK AV |
| 79 | 72 | | SCHOETTLE DEREK C & CHRISTINE B | | 27 FOREST AVENUE | MILTON | MA | 02186 | 13 IRVING ST |
| 79 | 73 | | HEINTZ PAUL C & JANE D | | 1239 DENBIGH LANE | RADNOR | PA | 19087-4646 | 12 IRVING ST |
| 79 | 118 | | KEPPLE DOUGLAS J TR | | 67 BEDFORD STREET | NEW YORK | NY | 10014 | 27 OKORWAW AV |
| 79 | 119 | | GERARD JANE HELLER & STEVEN L | | PO BOX 830 | REDDING | CT | 06896 | 69 POCHICK AV |
| 79 | 120 | | NANTUCKET HOUSING AUTHORITY | | PO BOX 3149 | NANTUCKET | MA | 02584 | 67 POCHICK AV |
| 79 | 121 | | WORTH THE WAIT LLC | | 4 MORAY LANE | IPSWICH | MA | 01938 | 15 IRVING ST |
| 79 | 122 | | HAUSSLEIN ROBERT W | C/O NETS ELECTRONIC TAX SERVICE | MAC X2502-011 | DES MOINES | IA | 50328-0001 | 14 IRVING ST |
| 79 | 154 | | FOX JOHN E IV & BRIAN TRS | 72 POCHICK AVE REV TRUST | 38 LINCOLN ST | HINGHAM | MA | 02043 | 72 POCHICK AV |
| 79 | 155 | | ROCKETT JAMES B & DANIEL F | | PO BOX 1272 | NANTUCKET | MA | 02554 | 70 POCHICK AV |
| 79 | 156 | | JACKS MARYELLEN WALKER | | 70 BEHARRELL ST APT 220 | CONCORD | MA | 01743 | 68 POCHICK AV |
| 79 | 157 | | NHA PROPERTIES INC | | 3 MANTA DRIVE | NANTUCKET | MA | 02554 | 17 IRVING ST |
| 79 | 158 | | NHA PROPERTIES INC | | 3 MANTA DRIVE | NANTUCKET | MA | 02554 | 18 IRVING ST |
| 79 | 159 | | COYLE MARCIA J | | 61 POCHICK AVE | NANTUCKET | MA | 02554 | 61 POCHICK AV |
| 79 | 176 | | RENNER ERNST W | | 51 BUCKS CROSSING | TOLLAND | CT | 06084 | 21 IRVING ST |
| 88 | 9 | | RIZZIO & HAMILTON LLC | | 29 PHEASANT RUN | NEW HOPE | PA | 18938 | 10 IRVING ST |
| 88 | 12 | | ACK TOW LLC | | 50 WEWEEDER AVE | NANTUCKET | MA | 02554 | 51 WEWEEDER AV |
| 88 | 13 | | NANTUCKET ISLANDS LAND BANK | | 22 BROAD STREET | NANTUCKET | MA | 02554 | 68 NOBADEER AV |
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**Count:** **26**

NANTUCKET TOWN OF
16 BROAD ST
NANTUCKET, MA 02554

NANTUCKET TOWN OF
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NANTUCKET, MA 02554

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18 FRENCH DRIVE
BOYLSTON, MA 01505

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**Count:** 26

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16 BROAD ST
NANTUCKET, MA 02554



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# Letters

**James Conn Hurowitz, M.D., S.M.**
**Doreen Barbara Brettler, M.D.**

29 July 2022

Andrew V. Vorce, Director of Planning
Town of Nantucket

Via email: avorce@nantucket-ma.gov

Dear Mr. Vorce:

I am writing you in regards to a public notice letter my wife, Doreen Brettler, received yesterday of an item on the August 11 Nantucket zoning board of appeals agenda. This item is "Harris on Weweeder, LLC", File number 09-22. The public notice says that we need to get written comments in by Thursday, August 4. This doesn't leave us much time and that is why I am emailing you right now. I also just called you and left a message, this Friday afternoon.

Mr. Harris' home is directly next to our home, at 71 Pochick Ave. As far as we can tell he has already built this pool cabana. This cabana is on our mutual property border directly abutting our home and back deck. If I am reading the Notice correctly I don't know how he can be applying for a variance now after he has already built it. Nonetheless, we are unconditionally opposed to this. We hope that this will be rejected by the board of appeals. I just planted a series of vegetation between his home and mine at considerable cost, to try to separate our homes even further and lessen the audio and visual negative impact of what has become a four-structure property and swimming pool.

I can be reached at 774-312-1933 if necessary.

Sincerely,

James C. Hurowitz, M.D., S.M.

Doreen B. Brettler, M.D.

**18 French Drive**
**Boylston, Massachusetts 01505**

FITCH

JONATHAN W. FITCH
jwf@fitchlp.com

August 31, 2022

FITCH LAW PARTNERS LLP
84 STATE STREET
BOSTON, MA 02109

**BY EMAIL**

Susan McCarthy, Chair
Nantucket Zoning Board of Appeals
2 Fairgrounds Road
Nantucket, MA 02554

Re: Opposition to File No. 09-22 Submitted by Harris on Weweeder, LLC
50 Weweeder Avenue

Dear Ms. McCarthy and Members of the Zoning Board of Appeals:

I write on behalf of my clients, Dr. James C. Hurowitz and Dr. Doreen B. Brettler in response to the Application for Variance submitted by Harris on Weweeder, LLC, which is managed by Brian Harris ("Harris"). Harris himself is a licensed Home Improvement Contractor and a licensed Construction Supervisor.

On July 29, 2022, my clients submitted a letter in opposition of the Application for Variance ("Application"), which was included in the August 11, 2022 Zoning Board of Appeals ("ZBA") Meeting Packet. Today, I write to reiterate my clients' concerns, several of which were highlighted by the ZBA members during the August 11 ZBA Meeting ("August 11 Meeting"), and to state further opposition to the Application.

By way of background, the Application seeks a variance to build a "proposed pool cabana" located within the property's side yard setback and to increase the ground cover ratio of 50 Weweeder Avenue ("Premises"). As an initial matter, and as the ZBA is aware, the pool cabana has already been built (without a building permit),[1] and thus describing it as "proposed" is erroneous. As such and as detailed in the Application, the pool cabana is currently located 2.7 feet from the property line, where the permissible side yard setback is ten feet, and the erection of the pool cabana increased the Premises' ground cover ratio to 7.9%, where the permissible ratio is only 7%. My clients' property, which is located at 71 Pochick Avenue, is the closest property to the pool cabana.[2] In addition to the pool cabana, and despite being labeled as "proposed" on Harris' Proposed Site Plan, the Premises also already contains a dwelling, barn, and garage-like structure (the latter of which is not even depicted on the Site Plan), and Harris is using the dwelling as his primary residence.

[1] Construction on the pool cabana began in or around April or May 2022.
[2] As described further herein, my clients' property is separated from the Premises by a Paper Street shown as Parcel F on the Application's Proposed Site Plan.

PHONE 617-542-5542
FAX 617-542-1542
FITCHLP.COM

In support of his Application, Harris contends that the requested variance is appropriate because the Premises abuts two Paper Streets that Harris will eventually own "upon the issuance of a Certificate of Title from the Land Court" – Parcel E and Parcel F. The sale of the Paper Streets to abutting landowners is part of the Town's "Yard Sale" program. According to the Application, once the Yard Sale to Harris is complete and the Certificate of Title issues, the pool cabana will be located 22.7 feet from the property line and the ground cover ratio will be 6.5%, both of which are within permissible range pursuant to the Zoning Bylaw.[3] However, while the Application states that Harris "will be the contract purchaser of Parcels E & F on Plan 2010-51," it does not explain how that will come to be. Indeed, Harris' simple and vague description that he will acquire Parcels E and F "upon the issuance of a Certificate of Title from the Land Court" does not shed any light on the status or timing of the Yard Sale's completion. In fact, as Harris noted in the Application, and as Harris' attorney and the ZBA members acknowledged at the August 11 Meeting, there has been no movement in the Land Court in over 10 years. As such, Harris' attempt to present the Application as seeking temporary relief is misleading. There is absolutely no reason to believe that Harris will acquire Parcels E and F within even the next 10 years.

As noted in the ZBA Staff Report issued in advance of the August 11 Meeting ("Staff Report"), the ZBA may only grant a variance upon a finding "that owing to circumstances relating to the soil conditions, shape or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located, a literal enforcement of the provisions of this chapter would involve substantial hardship, financial or otherwise, to the petitioner or appellant, and the desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of such bylaw." Nantucket Zoning Bylaw § 139-32(A).

Nevertheless, the Staff Report recommended approving the Application for two reasons: because the request contained therein is (1) "reasonable;" and (2) "consistent with prior actions of the Board." I address the inadequacy of each in turn.

First, reasonableness is not among the requirements outlined in § 139-32(A) of the Zoning Bylaw. Indeed, as quoted above, to issue the requested variance, the ZBA must find that due to the Premises' unique circumstances, literally enforcing the Zoning Bylaw would involve a substantial hardship to Harris and that the variance could be granted without substantial detriment to the public or without running contrary to the intent and purpose of the Zoning Bylaw. However, the Application does not mention the Premises' soil conditions or topography, nor does it describe how Harris' inability to erect a pool cabana (setting aside the fact that it has already been built) in that exact location would result in his substantial hardship, financial or otherwise. Accordingly, the only possible outcome is to deny the Application.

[3] As noted by many of the ZBA members at the August 11 Meeting, the Proposed Site Plan appended to the Application speciously described the current property line as the "Former Property Line." As a result, the pool cabana appeared to be located 22.7 feet from the property line, instead of just 2.7 feet from it. Moreover, the Application itself seemed to grapple with the possibility that the requisite Certificate of Title could issue *before* the structures were complete, even though the "proposed" dwelling, the "proposed" pool cabana, the "proposed" barn, and a fourth garage-like structure have already been constructed on the Premises.

Second, that the ZBA granted variance relief under seemingly similar circumstances in the past cannot be dispositive. In fact, granting a variance in the instant matter solely because the ZBA did so in a previous case and not because it actually meets the requirements set forth in § 139-32(A) would be arbitrary and capricious. *See generally Fafard v. Conservation Comm'n of Reading*, 41 Mass. App. Ct. 565, 567–68 (1996) ("If the agency has acted for reasons that are extraneous to the prescriptions of the regulatory scheme, but are related, rather, to an ad hoc agenda, then that agency has acted arbitrarily because the basis for action is not uniform, and, it follows, is not predictable"). This is especially true where the circumstances underlying the previously granted variances are readily distinguishable from the instant matter or where the decision to grant a previous variance was insufficiently supported.

For example, Application No. 04-19, which was appended to the Staff Report, sought a variance to construct the Applicant's dwelling within the side-yard setback area and contended that the encroachment thereon would be resolved as soon as the Yard Sale process was complete. In support of the application, materials demonstrated that "significant progress had been made in this particular case and that the Land Court process was likely to reach completion within the year, if not sooner." Moreover, the abutters to the north and to the south supported the requested relief. In granting the variance, the ZBA noted that the Applicant would make "desirable improvements and build upon this vacant lot." In contrast, Harris seeks a variance for a pool cabana (not a dwelling), which he constructed without a building permit, on a lot that is already improved by a sizable home, a barn, and a garage-like structure.[4] The abutters closest to the pool cabana, my clients, adamantly object to the requested relief and as discussed above, Harris has provided zero information about when the Yard Sale will be complete, never mind a demonstration that the resolution is imminent.

As to Application No. 08-14, the ZBA's decision was premised upon the relevant lot's topography, the proximity of an eroding coastal bank, lack of sufficient area outside of the 50-foot buffer required by the Conservation Commission, and its soil conditions. Further, the ZBA specifically recognized "that the collaboration between the Applicants and the Town of Nantucket…led to a creative solution to the otherwise intractable problem of severe coastal erosion." In contrast, the reasons for the Application's requested relief have nothing to do with the Premises' topography, erosion, wetlands, or its soil. The two situations cannot reasonably be analogized.[5]

In conclusion, there can be no doubt that the Application does not meet the requirements of § 139-32(A), and therefore, my clients respectfully request that the ZBA deny the Application and require Harris to raze the pool cabana. Moreover, Harris, a licensed contractor, flagrantly disregarded the law by building the pool cabana in the side yard setback without a building permit and while the Application was pending. Such a violation should not go unanswered.

---

[4] See a photograph of the pool cabana roof and the dwelling roof appended hereto as **Exhibit A**. The pool cabana roof is tan, and the dwelling roof is gray.

[5] As to Application No. 31-21, it appears that the ZBA erroneously granted the requested variance without making a sufficient determination that a literal enforcement of the Zoning Bylaw would result in substantial hardship to the Applicant. Looking at the ZBA decision, it is difficult to discern any explanation for granting the variance aside from a simple reiteration of the Zoning Bylaw. Regardless, each variance application requires an individual analysis and as stated throughout, Harris' Application does not meet the Zoning Bylaw's requirements for a variance.

Thank you for your consideration of the opposition of Dr. James C. Hurowitz and Dr. Doreen B. Brettler to the variance request of Harris.

Sincerely yours,

Jonathan W. Fitch

cc: Rebekah Glickman-Simon, Esq. (via email)

# EXHIBIT A

# NEW BUSINESS

# PAUL P. & JEAN M.

# MORAN

## File No. 10-22

## 4 Washington Ave

**SPECIAL PERMIT**

ZBA

PAID

2022 AUG 12 AM 11:11

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

## APPLICATION

**Fee: $450.00** **File No.** 10-22

Owner's name(s): Paul P. Moran and Jean M. Moran, Trustees

Mailing address: 460 Ocean Road, Narragansett, RI 02882

Phone Number: 401-714-7617 E-Mail: pmoran@mclaughlinmoran.com

Applicant's name(s): Paul Moran

Mailing Address: 460 Ocean Road, Narragansett, RI 02882

Phone Number: 401-714-7617 E-Mail: pmoran@mclaughlinmoran.com

Locus Address: 4 Washington Avenue Assessor's Map/Parcel: 60.2.4/65

Land Court Plan/Plan Book & Page/Plan File No.: Land Court Plan - 14672-H

Deed Reference/Certificate of Title: 28661 Zoning District V-R Village Residential

Uses on Lot- Commercial: None____ Yes (describe) _____
Residential: Number of dwellings 1 Duplex _____ Apartments _____

Date of Structure(s): all pre-date 7/72 _____ or 2012

Building Permit Numbers: BP-2012-0281

Previous Zoning Board Application Numbers: N/A

2 Fairgrounds Road Nantucket Massachusetts 02554
508 325-7587 telephone 508-228-7298 facsimile

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

Applicant is seeking Special Permit relief pursuant to Zoning By-law Sections 139-30 and 139-2 in order to install an in-ground residential swimming pool. Locus is located on the north side of Washington Avenue, contains an Area of 24,311+/- S.F. where 20,000 S.F is required and is dimensionally conforming as to Frontage, Setbacks and Ground Cover. Locus is serviced by municipal water and a on-site subsurface sewage disposal system. The proposed pool and mechanical equipment will be setback a minimum of 20 feet from both the side and rear yards. In addition the pool will be setback 20 feet from the subsurface sewage disposal system in accordance with the State Environmental Code, Title 5.

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*

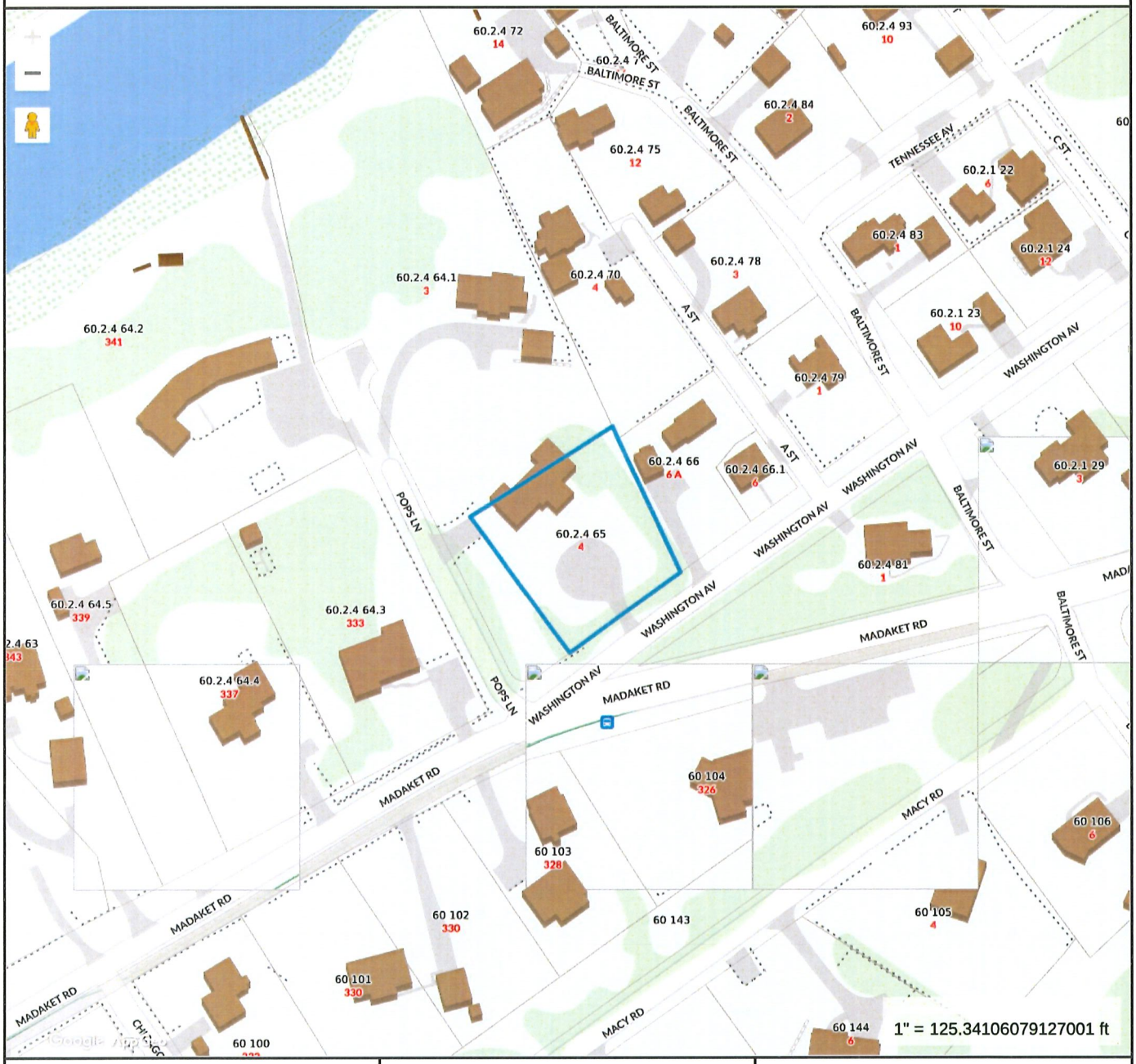
**SIGNATURE:**_____ Applicant/Attorney/Agent*

*If an 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:__/__/__




**Property Information**

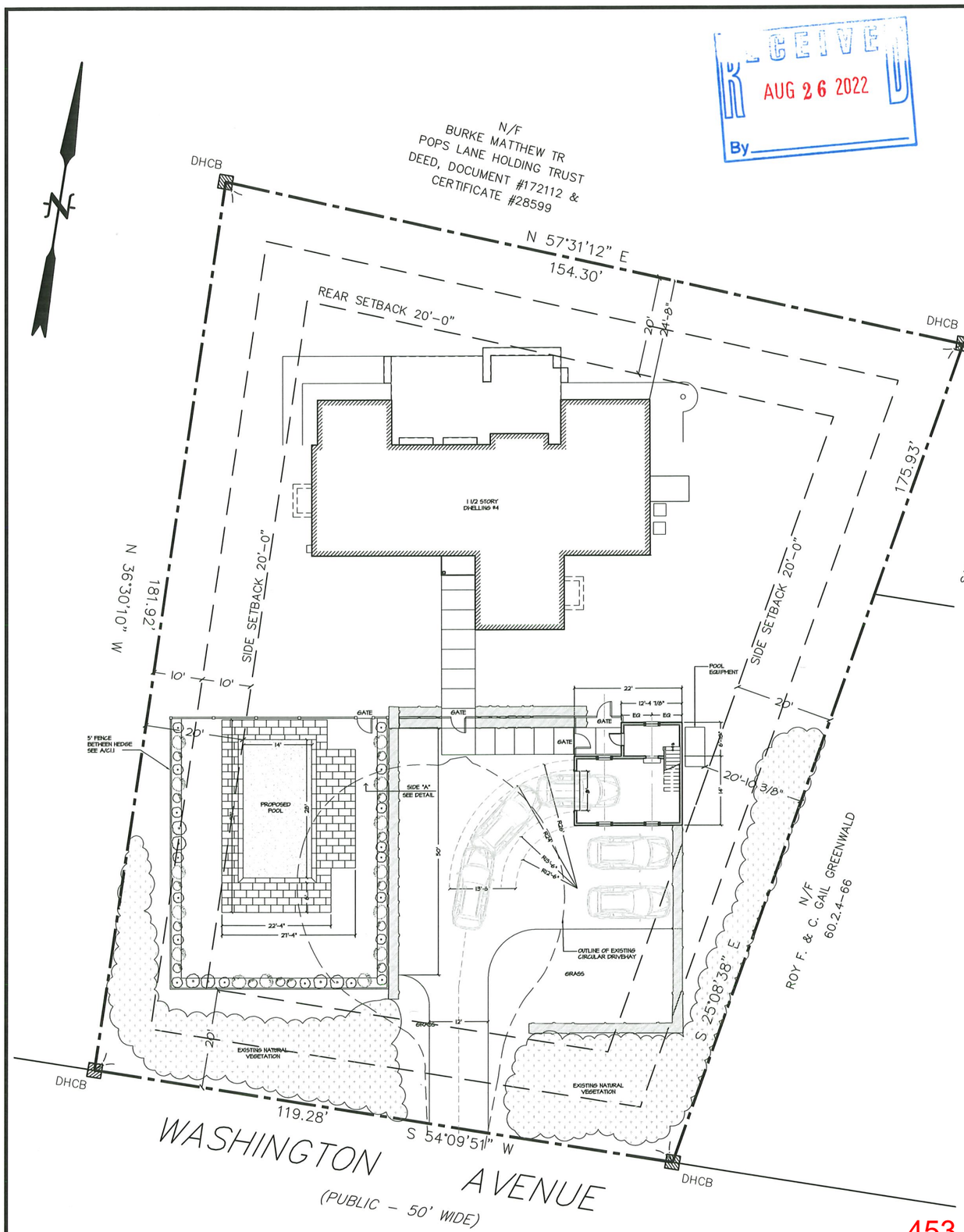
| | |
|---|---|
| **Property ID** | 60.2.4 65 |
| **Location** | 4 WASHINGTON AV |
| **Owner** | MORAN PAUL P TR |

MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

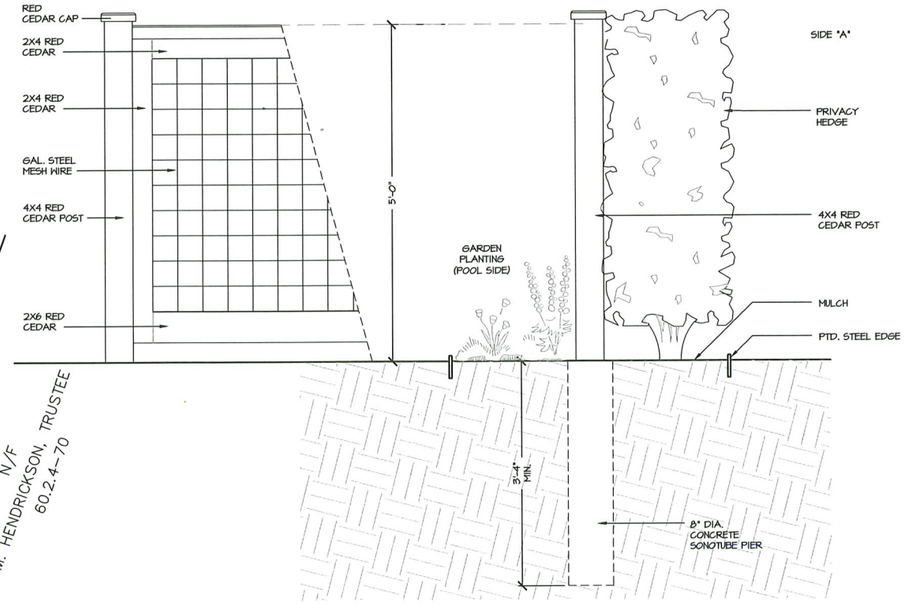
Town and County of Nantucket, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 05/31/2022
Data updated Jan. 2021

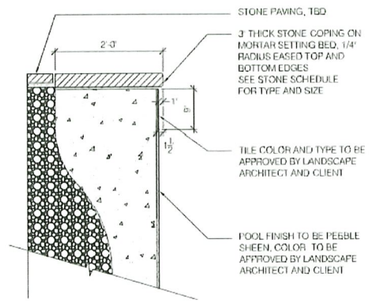
Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.



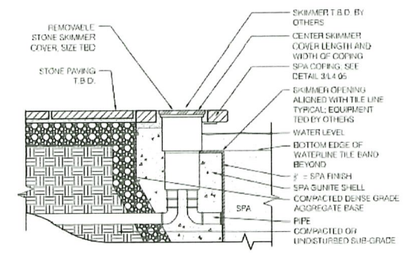

RECEIVED
AUG 26 2022
By




A FENCE DETAIL AROUND POOL
SCALE: 1"=1'-0"




B POOL COPING DETAIL
SCALE: N.T.S.




C POOL SKIMMER DETAIL
SCALE: N.T.S.

GENERAL NOTES:

1. DO NOT SCALE DRAWINGS.
2. VERIFY ALL DIMENSIONS IN FIELD.
3. REPORT ANY DISCREPANCIES TO JP COUTURE.

CUSTOM HOMES ▪ RENOVATION
R E S T O R A T I O N

JP COUTURE, ARCHITECT ©

12 Arnold Street
Providence, RI 02906
Tel. 401.621.1861

JP@coutureddesignassociates.com

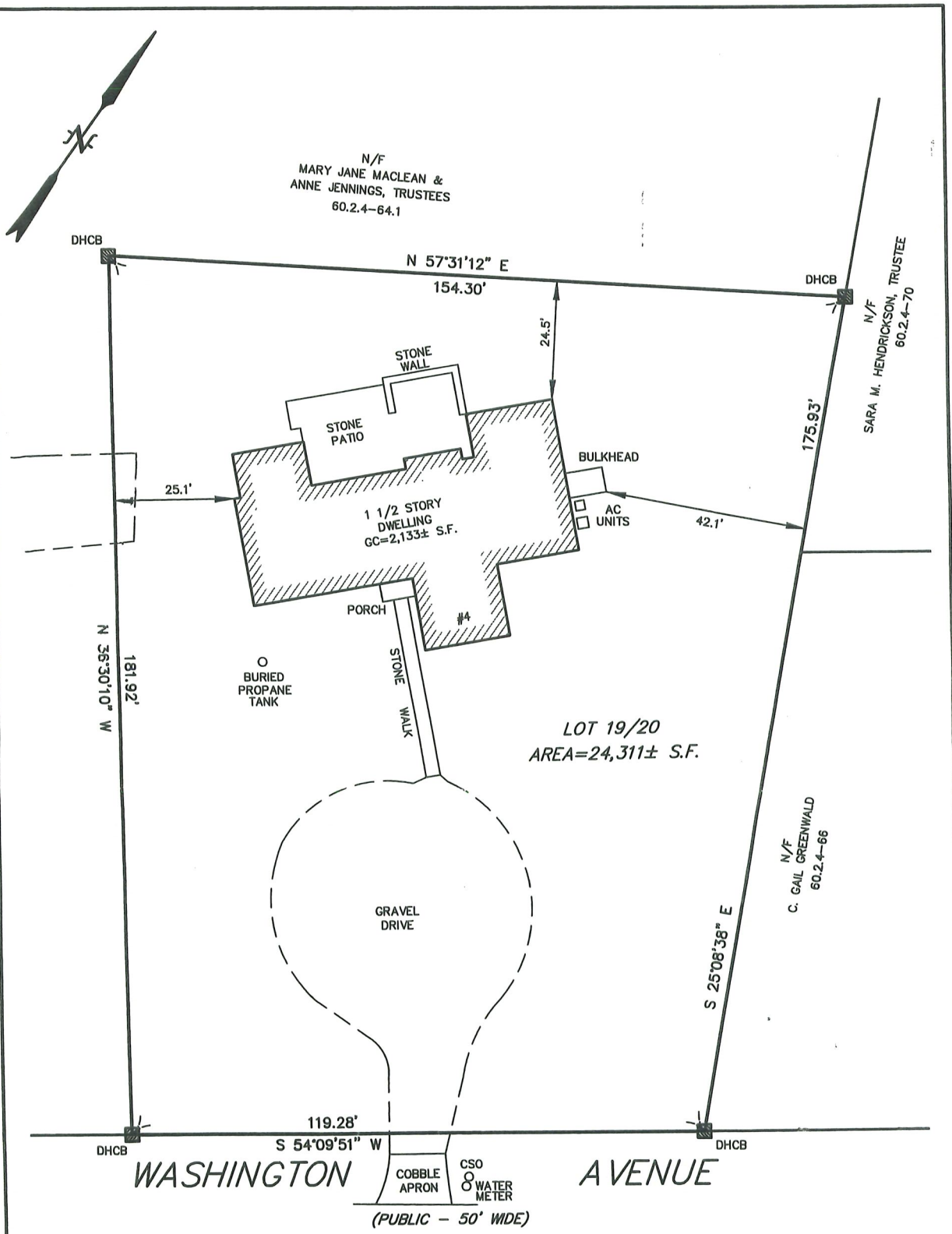
| No. | Date | Revisions |
|---|---|---|
| | | |

# MORAN RESIDENCE
4 WASHINGTON AVE
NANTUCKET, MA 02554

Date: AUG. 15, 2022

C1.1

Project Number:




CURRENT ZONING: V–R (VILLAGE RESIDENTIAL)
MINIMUM LOT SIZE: 20,000 S.F.
MINIMUM FRONTAGE: 100'
FRONT YARD SETBACK: 20'
SIDE AND REAR SETBACK: 10'
ALLOWABLE G.C.R.: 10%
EXISTING G.C.R.: 8.8%

FOR PROPERTY LINE DETERMINATION THIS PLOT PLAN RELIES ON CURRENT DEEDS AND PLANS OF RECORD, VERIFIED BY FIELD MEASUREMENTS AS SHOWN HEREON. THIS PLAN IS NOT REPRESENTED TO BE A TITLE EXAMINATION OR A RECORDABLE SURVEY.

NB: 376/75 & 381/21

COMMONWEALTH OF MASSACHUSETTS
PAUL J. SANTOS
No. 36124
PROFESSIONAL LAND SURVEYOR
10/3/13

AS–BUILT PLOT PLAN
#4 WASHINGTON AVENUE
IN
NANTUCKET, MASSACHUSETTS
SCALE: 1"=20' DATE: 10/03/13

DEED REFERENCE: L.C. CERT. #24544
PLAN REFERENCE: L.C. PLAN #14672–H

ASSESSOR'S REFERENCE:
MAP: 60.2.4 PARCEL: 65

PREPARED FOR:
PAUL P. & JEAN M. MORAN

NANTUCKET SURVEYORS LLC
5 WINDY WAY
NANTUCKET, MA. 02554

COPYRIGHT BY NANTUCKET SURVEYORS, LLC.

N–10076

**4 Washington Avenue, Nantucket, MA**
**Applicant: Paul Moran**

View from Washington Avenue

View from Pops Lane

View from gravel drive off of Pops Lane

Town of Nantucket

Zoning Board of Appeals

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

PROPERTY OWNER..... Paul P. Moran Trustee

MAILING ADDRESS..... 460 Ocean Road, Narragansett, RI 02882

PROPERTY LOCATION..... 4 Washington Avenue

ASSESSOR MAP/PARCEL..... 60.2.4/65

SUBMITTED BY..... Nantucket Surveyors, LLC

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).

Mary Haley, Senior Clerk, Assessor's Office

Digitally signed by Mary Haley, Senior Clerk, Assessor's Office
Date: 2022.07.11 13:45:09 -04'00'

July 11, 2022
DATE

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 |
|---|---|---|---|---|---|---|---|---|---|
| 60 | 101 | | ALFORD EDWARD L & PATRICIA | | PO BOX 537 | SOUTH HADLEY | MA | 01075-0537 | 330 MADAKET RD |
| 60 | 102 | | ALFORD EDWARD L & PATRICIA | | PO BOX 537 | SOUTH HADLEY | MA | 01075-0537 | 330 MADAKET RD |
| 60 | 103 | | HERNANDEZ JOHN PATRICK ET AL | | 25 NORTHERN AV APT 1910 | BOSTON | MA | O2212 | 328 MADAKET RD |
| 60 | 104 | | ANDERSON GRENNAN TRUSTEE | ANDERSON NOMINEE TRUST | P O BOX 5244 | NANTUCKET | MA | 02554 | 326 MADAKET RD |
| 60 | 105 | | NICHOLSON LAURA TR | 4 MACY RD REALTY TRUST | 88 STRAWBERRY HILL ROAD | ACTON | MA | 01720 | 4 MACY RD |
| 60 | 143 | | TOWN OF NANTUCKET | | 16 BROAD ST | NANTUCKET | MA | 02554 | MACY RD |
| 60 | 144 | | GREENE TIMOTHY | | 19 EAST BATTERY | CHARLESTON | SC | 29401 | 6 MACY RD |
| 60 | 146 | | GALLAGHER PHILIP N JR | | PO BOX 1071 | NANTUCKET | MA | O2554 | 8 MACY RD |
| 6021 | 23 | | RANKIN SCOTT M & JESSICA L | | 66 MOHAWK PATH | HOLLISTON | MA | 01746 | 10 WASHINGTON AV |
| 6021 | 29 | | ODELL ROBIN S & DEREK C | | 32 BRETTON RIDGE RD | MOUNT KISCO | NY | 10549 | 3 WASHINGTON AV |
| 6024 | 52 | | PEARSON JOHN R JR ETAL | | 5417 BARTLETT STREET | PITTSBURG | PA | 15217 | MASSACHUSETTS AV |
| 6024 | 64 | 1 | BURKE MATTHEW TR | POPS LANE HOLDINGS TRUST | POPS LANE HOLDINGS TRUST | ENCINO | CA | 91316 | 3 POPS LN |
| 6024 | 64 | 2 | OVERCREEK LLC | | 1248 ZIMMER DR | ATLANTA | GA | 30306 | 341 MADAKET RD |
| 6024 | 64 | 3 | 333 MADAKET LLC | | 33 TAYLOR CROSS WY | BROOKLINE | MA | 02445 | 333 MADAKET RD |
| 6024 | 64 | 4 | STARRY NIGHT LLC | | C/O RUTH HODGES | LINCOLN | MA | 01773 | 337 MADAKET RD |
| 6024 | 64 | 5 | LECLAIRE JOHN R & HODGES RUTH A | | 150 TRAPELO ROAD | LINCOLN | MA | 01773 | 339 MADAKET RD |
| 6024 | 66 | | GREENWALD C GAIL | | 21 FOLLEN ST | CAMBRIDGE | MA | 02138 | 6 A WASHINGTON AV |
| 6024 | 70 | | MANNING TODD D & KATHLEEN A | | OLD MILL HOUSE | MILL LANE ASCOT | | 5L57RU | 4 A ST |
| 6024 | 72 | | WHELDEN HAROLD R & COLLEEN S TR | WHELDEN REALTY TRUST | 14 BALTIMORE ST | NANTUCKET | MA | 02554 | 14 BALTIMORE ST |
| 6024 | 73 | | TAYLOR R SCOTT TRST ETAL | | 1333 WEST 11TH AVE | ANCHORAGE | AK | 99501 | 16 BALTIMORE ST |
| 6024 | 75 | | CARROLL JOHN T | | 566 HANCOCK STREET | WRENTHEM | MA | 20293 | 12 BALTIMORE ST |
| 6024 | 78 | | SCHMIDT GEORGE L TRUSTEE | 3 A STREET REALTY TRUST | 510 SOUTHSHIRE DR | BENNINGTON | VT | 05201 | 3 A ST |
| 6024 | 79 | | KOZAR RICHARD F & HEIDI TODD | | 235 QUARRY RD | LATROBE | PA | 15650 | 1 A ST |
| 6024 | 81 | | TURNER GEORGE M III TR | TURNER MICHELLE J TRUST | 5 HIDEAWAY LANE | DUXBURY | MA | 02332 | 1 WASHINGTON AV |
| 6024 | 82 | | ANDERSON GRENNAN TRUSTEE | ANDERSON NOMINEE TRUST | P O BOX 5244 | NANTUCKET | MA | 02554 | 324 MADAKET RD |
| 6024 | 83 | | 1 TENNESSEE STREET LLC | C/O FRANCIS DISCALA | 10 WALL ST | NORWALK | CT | 06850 | 1 TENNESSEE AV |
| 6024 | 84 | | 2 TENN ZEN LLC | | C/O PATRICIA M STOLTE | NANTUCKET | MA | 02584 | 2 TENNESSEE AV |
| 6024 | 86 | | STOLTE ROGER F & PATRICIA TRS | C/O STOLTE ROGER | PO BOX 2858 | NANTUCKET | MA | 02584 | 19 BALTIMORE ST |
| 6024 | 89 | | LYMAN THEODORE P TRST ETAL | CHOATE HALL/SILVENA GINER | 2 INTERNATIONAL PLACE | BOSTON | MA | 02110 | 12 C ST |
| 6024 | 93 | | RAY BONNIE S TR | RAY FAMILY TRUST | 10 C STREET | NANTUCKET | MA | 02554 | 10 C ST |
| **Count:** | **30** | | | | | | | | |

ALFORD EDWARD L & PATRICIA
PO BOX 537
SOUTH HADLEY, MA 01075-0537

ALFORD EDWARD L & PATRICIA
PO BOX 537
SOUTH HADLEY, MA 01075-0537

HERNANDEZ JOHN PATRICK ET AL
25 NORTHERN AV APT 1910
BOSTON, MA O2212

ANDERSON GRENNAN TRUSTEE
ANDERSON NOMINEE TRUST
P O BOX 5244
NANTUCKET, MA 02554

NICHOLSON LAURA TR
4 MACY RD REALTY TRUST
88 STRAWBERRY HILL ROAD
ACTON, MA 01720

TOWN OF NANTUCKET
16 BROAD ST
NANTUCKET, MA 02554

GREENE TIMOTHY
19 EAST BATTERY
CHARLESTON, SC 29401

GALLAGHER PHILIP N JR
PO BOX 1071
NANTUCKET, MA O2554

RANKIN SCOTT M & JESSICA L
66 MOHAWK PATH
HOLLISTON, MA 01746

ODELL ROBIN S & DEREK C
32 BRETTON RIDGE RD
MOUNT KISCO, NY 10549

PEARSON JOHN R JR ETAL
5417 BARTLETT STREET
PITTSBURG, PA 15217

BURKE MATTHEW TR
POPS LANE HOLDINGS TRUST
POPS LANE HOLDINGS TRUST
ENCINO, CA 91316

OVERCREEK LLC
1248 ZIMMER DR
ATLANTA, GA 30306

333 MADAKET LLC
33 TAYLOR CROSS WY
BROOKLINE, MA 02445

STARRY NIGHT LLC
C/O RUTH HODGES
LINCOLN, MA 01773

LECLAIRE JOHN R & HODGES RUTH A
150 TRAPELO ROAD
LINCOLN, MA 01773

GREENWALD C GAIL
21 FOLLEN ST
CAMBRIDGE, MA 02138

MANNING TODD D & KATHLEEN A
OLD MILL HOUSE
MILL LANE ASCOT,  5L57RU

WHELDEN HAROLD R & COLLEEN S TR
WHELDEN REALTY TRUST
14 BALTIMORE ST
NANTUCKET, MA 02554

TAYLOR R SCOTT TRST ETAL
1333 WEST 11TH AVE
ANCHORAGE, AK 99501

CARROLL JOHN T
566 HANCOCK STREET
WRENTHEM, MA 20293

SCHMIDT GEORGE L TRUSTEE
3 A STREET REALTY TRUST
510 SOUTHSHIRE DR
BENNINGTON, VT 05201

KOZAR RICHARD F & HEIDI TODD
235 QUARRY RD
LATROBE, PA 15650

TURNER GEORGE M III TR
TURNER MICHELLE J TRUST
5 HIDEAWAY LANE
DUXBURY, MA 02332

ANDERSON GRENNAN TRUSTEE
ANDERSON NOMINEE TRUST
P O BOX 5244
NANTUCKET, MA 02554

1 TENNESSEE STREET LLC
C/O FRANCIS DISCALA
10 WALL ST
NORWALK, CT 06850

2 TENN ZEN LLC
C/O PATRICIA M STOLTE
NANTUCKET, MA 02584

STOLTE ROGER F & PATRICIA  TRS
C/O STOLTE ROGER
PO BOX 2858
NANTUCKET, MA 02584

LYMAN THEODORE P TRST ETAL
CHOATE HALL/SILVENA GINER
2 INTERNATIONAL PLACE
BOSTON, MA 02110

RAY BONNIE S TR
RAY FAMILY TRUST
10 C STREET
NANTUCKET, MA 02554

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Pat: avery.com/patents

ALFORD EDWARD L & PATRICIA
PO BOX 537
SOUTH HADLEY, MA 01075-0537

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5417 BARTLETT STREET
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1248 ZIMMER DR
ATLANTA, GA 30306

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33 TAYLOR CROSS WY
BROOKLINE, MA 02445

STARRY NIGHT LLC
C/O RUTH HODGES
LINCOLN, MA 01773

LECLAIRE JOHN R & HODGES RUTH A
150 TRAPELO ROAD
LINCOLN, MA 01773

GREENWALD C GAIL
21 FOLLEN ST
CAMBRIDGE, MA 02138

MANNING TODD D & KATHLEEN A
OLD MILL HOUSE
MILL LANE ASCOT, 5L57RU

WHELDEN HAROLD R & COLLEEN S TR
WHELDEN REALTY TRUST
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NANTUCKET, MA 02554

TAYLOR R SCOTT TRST ETAL
1333 WEST 11TH AVE
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CARROLL JOHN T
566 HANCOCK STREET
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SCHMIDT GEORGE L TRUSTEE
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NORWALK, CT 06850

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C/O PATRICIA M STOLTE
NANTUCKET, MA 02584

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C/O STOLTE ROGER
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LYMAN THEODORE P TRST ETAL
CHOATE HALL/SILVENA GINER
2 INTERNATIONAL PLACE
BOSTON, MA 02110

RAY BONNIE S TR
RAY FAMILY TRUST
10 C STREET
NANTUCKET, MA 02554

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Easy Peel® Address Labels
Bend along line to expose Pop-up Edge®

AVERY® 5160®

# MONTANA HEAVEN LLC

## File No. 14-22

## 13 Arkansas Ave

**SPECIAL PERMIT**

PAID

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

## APPLICATION

Fee: $450.00 File No. 14-22

Owner's name(s): Montana Heaven LLC

Mailing address: PO Box 786, Nantucket MA 02554

Phone Number: 508-228-0337 E-Mail: Steven@cohenlegal.net

Applicant's name(s): _____

Mailing Address: _____

Phone Number: _____ E-Mail: _____

Locus Address: 13 Arkansas Ave Assessor's Map/Parcel: 59.4/158

Land Court Plan/Plan Book & Page/Plan File No.: Lot 639 LCP 3092-64

Deed Reference/Certificate of Title: I-992 Zoning District VR

Uses on Lot- Commercial None X Yes (describe) ___ _____
Residential: Number of dwellings 2 Duplex ___ ___ Apartments _____

Date of Structure(s): all pre-date 7/72 _____ or ____ 1978, 2020 reno

Building Permit Numbers: _____

Previous Zoning Board Application Numbers: _____

2 Fairgrounds Road Nantucket Massachusetts 02554
508 325-7587 telephone 508-228-7298 facsimile

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

SEE 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: Steven Cohen Steven Cohen 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 A

The Locus is a 20,180± square foot lot with a single-family dwelling and a cottage with an attached garage in the Village Residential (VR) zoning district. The VR District that requires a minimum lot size of 20,000 square feet. The Locus is dimensionally conforming, including as to lot size, frontage and setbacks and ground cover (9.8 where 10.0% is allowed). Evidence of the owner's title is registered on Certificate of Title No. I-992, for Units 1-15 (all of the time share units) of Lot 693 on Land Court Plan 3092-64 at the Nantucket Registry District for the Land Court.

Applicant is requesting Special Permit relief pursuant to Nantucket Zoning Bylaw Sections 139-2 (definitions – residential swimming pool) and 139-30 in order to construct the residential swimming pool. A proposed site plan is attached as Exhibit A along with the Certificate of Appropriateness for the pool from the Historic District Commission.

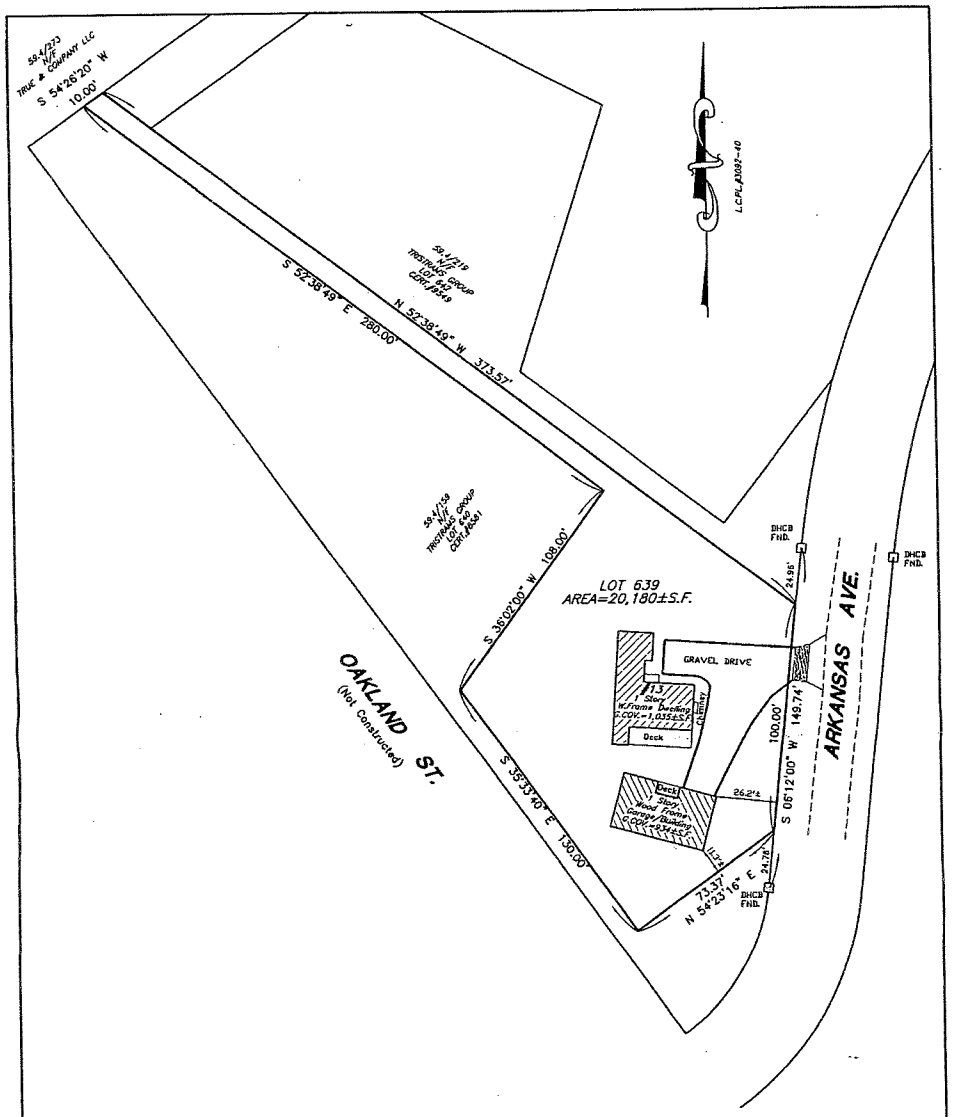
In the VR zoning district, the Zoning Board of Appeals, acting as the special permit granting authority, may grant a special permit to allow a residential swimming pool on a lot subject to the following conditions:

1. The lot must meet the minimum lot size for the district, and
2. Side and rear yard setbacks of 20 feet shall apply to the residential swimming pool and associated mechanical equipment.

As noted above, the Locus is more than the minimum lot size for the VR zoning district and the proposed site plan, attached as Exhibit A, shows that the residential swimming pool and associated mechanical equipment shall be 20 feet from the side and rear yard lot lines.

Applicant proposes the following maintenance and site contingencies:

1. All work shall be done in substantial conformity with locations for the pool and equipment shown on the attached Plan.
2. The pool shall not be chemically treated between November 1 and May 1 of any given year.
3. All chemical treatments of the pool water shall stop three weeks prior to any draining or discharging of the pool. If this is not feasible, the owner shall engage a professional company to discharge the pool water in a tanker and dispose of it at the Wastewater Treatment Facility.
4. If a municipal water source is not available, the owner shall engage a professional company to fill the pool, as needed.
5. The exterior lighting in the pool area shall be in conformity with the provisions of Chapter 102 of the Town Code, shall be turned off by 10:00 pm each night, shall be down-lit, and shall utilize low-voltage lighting.




| | |
|---|---|
| CURRENT ZONING: | VR |
| MINIMUM LOT SIZE: | 20,000 S.F. |
| MINIMUM FRONTAGE: | 100 FT. |
| FRONTYARD SETBACK: | 20 FT. |
| SIDE AND REAR SETBACK: | 10 FT. |
| ALLOWABLE G.C.R.: | 10% |
| EXISTING G.C.R.: | 9.8% ± |

FOR PROPERTY LINE DETERMINATION THIS PLOT PLAN RELIES ON CURRENT DEEDS AND PLANS OF RECORD, VERIFIED BY FIELD MEASUREMENTS AS SHOWN HEREON. THIS PLAN IS NOT REPRESENTED TO BE A TITLE EXAMINATION OR A RECORDABLE SURVEY.

AS BUILT PLOT PLAN
#13 ARKANSAS AVE.
IN
NANTUCKET, MASSACHUSETTS

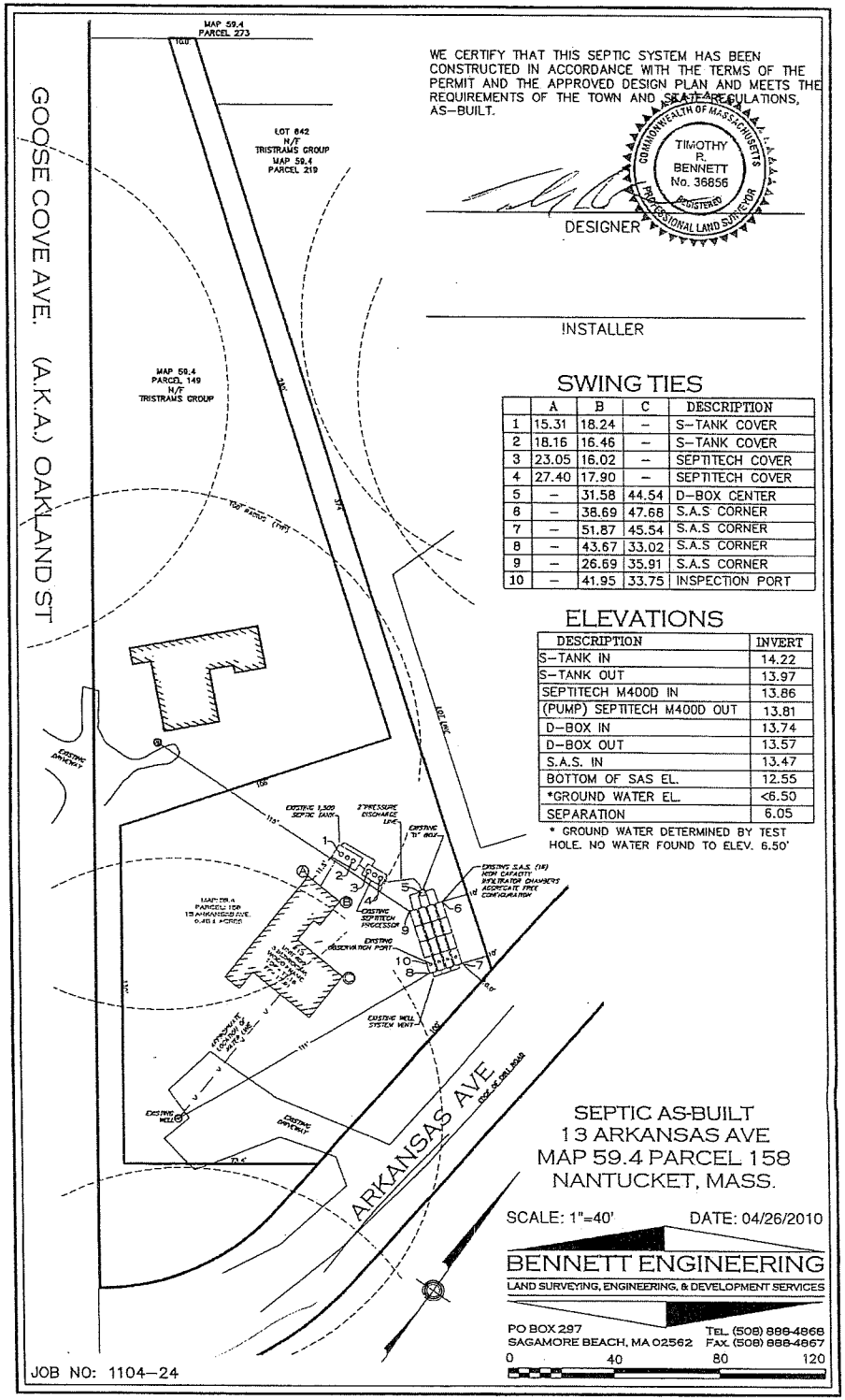
SCALE: 1"=40' | DATE: JULY 3, 2020

DEED REFERENCE: CERT.# 1-937
PLAN REFERENCE: L.C.PL.#3092-64
ASSESSOR'S REFERENCE:
MAP: 59.4 PARCEL: 158

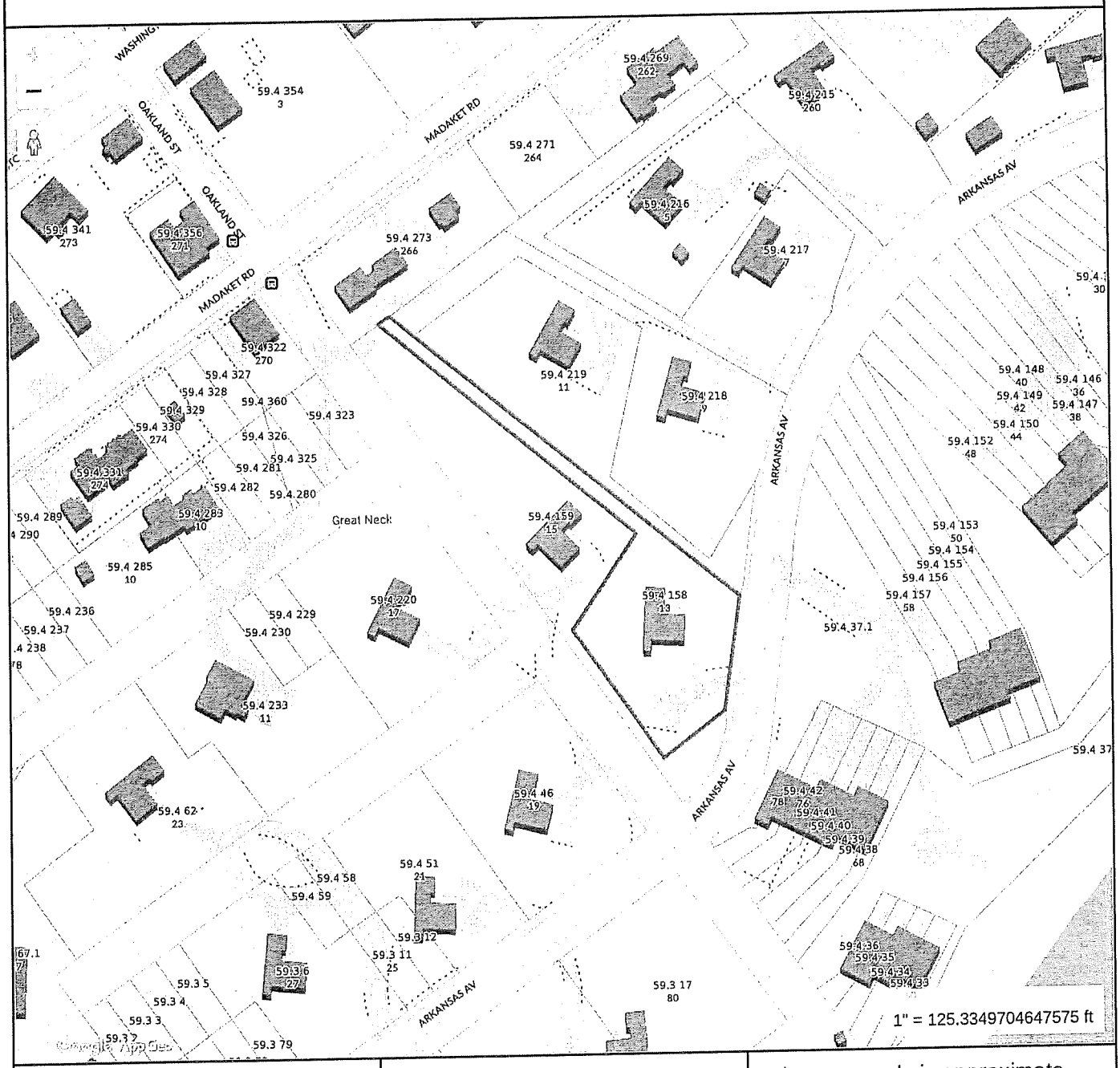
PREPARED FOR:
JACQUELINE W. MAHAN

EARLE & SULLIVAN, INC.
PROFESSIONAL LAND SURVEYORS
6 YOUNGS WAY
NANTUCKET, MA. 02554
508-332-4808

ES-617




| | A | B | C | DESCRIPTION |
|---|---|---|---|---|
| 1 | 15.31 | 18.24 | – | S-TANK COVER |
| 2 | 18.16 | 16.46 | – | S-TANK COVER |
| 3 | 23.05 | 16.02 | – | SEPTITECH COVER |
| 4 | 27.40 | 17.90 | – | SEPTITECH COVER |
| 5 | – | 31.58 | 44.54 | D-BOX CENTER |
| 6 | – | 38.69 | 47.68 | S.A.S CORNER |
| 7 | – | 51.87 | 45.54 | S.A.S CORNER |
| 8 | – | 43.67 | 33.02 | S.A.S CORNER |
| 9 | – | 26.69 | 35.91 | S.A.S CORNER |
| 10 | – | 41.95 | 33.75 | INSPECTION PORT |




**Property Information**

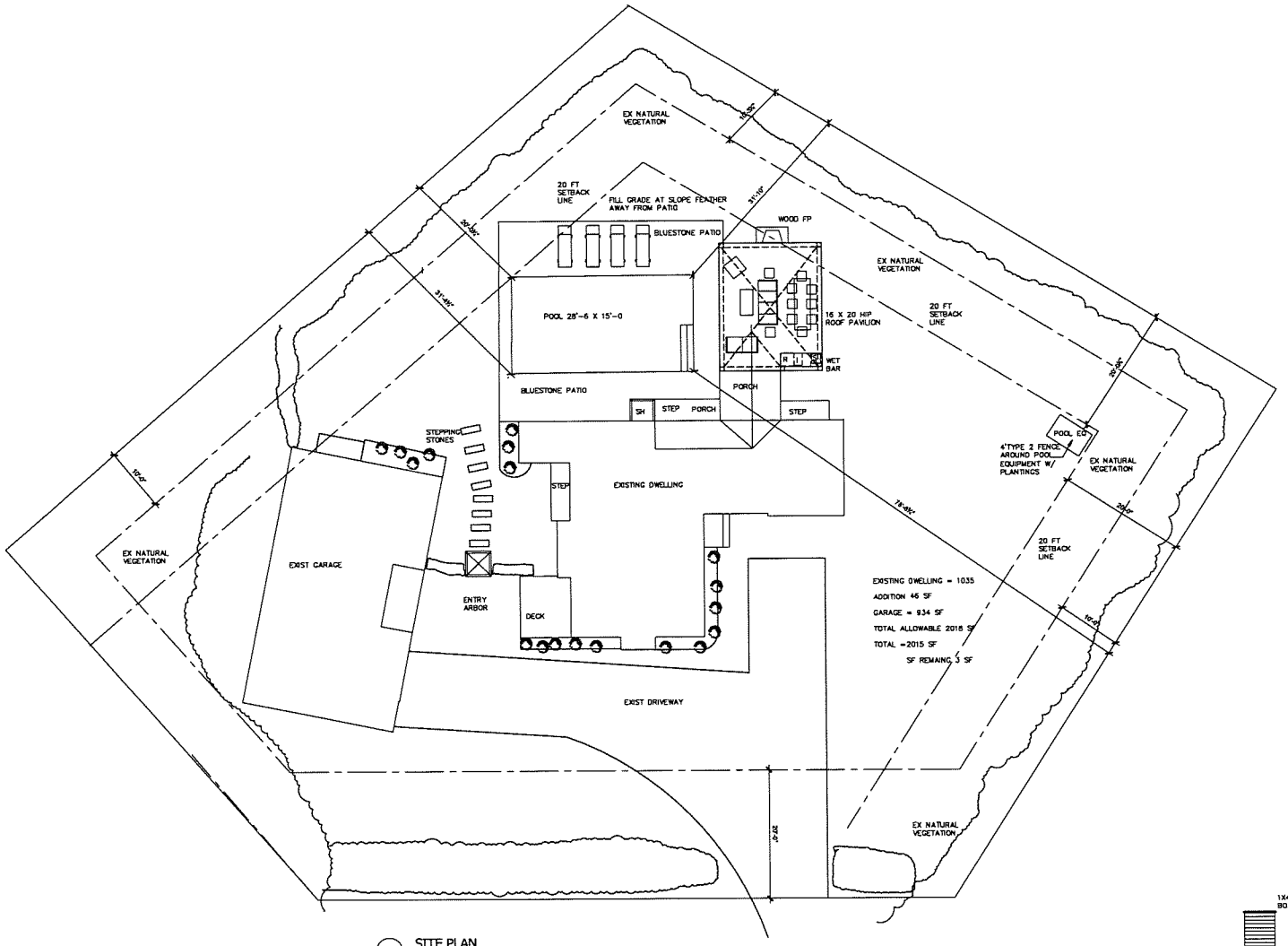
| | |
|---|---|
| **Property ID** | 59.4 158 |
| **Location** | 13 ARKANSAS AV |
| **Owner** | MAHAN JACQUELINE W |

MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

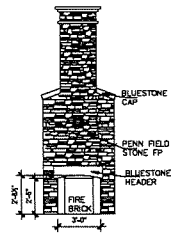
Town and County of Nantucket, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 07/28/2022
Data updated Jan. 2021

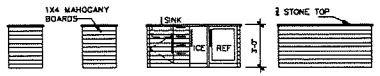
Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.



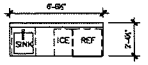

1 SITE PLAN
Scale: 1/8=1'-0




1 FIREPLACE ELEVATION
Scale: 1/4=1'-0




1 ELEVATIONS: OUTDOOR WET BAR
Scale: 1/4=1'-0




1 PLAN: OUTDOOR WET BAR
Scale: 1/4=1'-0

NANTUCKET ARCHITECTURE GROUP LTD.
POST OFFICE BOX 1814
NANTUCKET, MASSACHUSETTS, 02554
TELEPHONE 508.228.5631
WWW.NANTUCKETARCHITECTURE.COM

LANDSCAPE PLAN
MR. GUY WSINSKI AND MS.MEG HESSEL
13 ARKANSAS AVENUE , NANTUCKET, MA 02554

4068

HARDSCAPE PLAN

| |
|---|
| HDC: XX/XX/XX |
| BIDDING: |
| BLDG. DEPT: |
| REVISIONS: |
| REVISIONS: |
| REVISIONS: |
| REVISIONS: |
| D/B:xxx copyright nag 2015 |

client number

A1

Town of Nantucket

Zoning Board of Appeals

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

PROPERTY OWNER..... Montana Heaven LLC

MAILING ADDRESS..... 111 Delafield Island Road, Darien, CT 06820

PROPERTY LOCATION 13 Arkansas

ASSESSOR MAP/PARCEL 59.4 / 158

SUBMITTED BY.....Kalina Parusheva, Cohen and Cohen Law

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).

Mary Haley,
Senior Clerk,
Assessor's Office

Digitally signed by Mary Haley, Senior Clerk, Assessor's Office
Date: 2022.09.16 15:30:39 -04'00'

September 16, 2022

DATE

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 |
|---|---|---|---|---|---|---|---|---|---|
| 593 | 11 | | BURR RANDALL W & ROSEMARY A | | 89 PELLANA RD | NORWOOD | MA | 02062 | 25 ARKANSAS AV |
| 593 | 12 | | BURR RANDALL W & ROSEMARY A | | 89 PELLANA RD | NORWOOD | MA | 02062 | 25 ARKANSAS AV |
| 593 | 13 | | TRISTRAMS GROUP ETAL | | 2 SANFORD RD #5 | NANTUCKET | MA | 02554 | 82 ARKANSAS AV |
| 593 | 17 | | TRISTRAMS GROUP | C/O TRISTRAMS MGMENT CO | 2 SANFORD RD #5 | NANTUCKET | MA | 02554 | 80 ARKANSAS AV |
| 593 | 92 | | MADAKET CONSERVATION LAND TRUS | C/O KENNETH LINDSAY | P O BOX 987 | NANTUCKET | MA | 02554 | N CAROLINA AV |
| 594 | 31 | | MADAKET CONSERVATION LAND TRUS | C/O KENNETH LINDSAY | P O BOX 987 | NANTUCKET | MA | 02554 | GOOSE COVE AV |
| 594 | 33 | | BRETT JAMES R & CONSTANCE M T | | 28 AVENUE AT PORT IMPERIAL | WEST NEW YORK | NJ | 07093 | 60 ARKANSAS AV |
| 594 | 34 | | CONWAY RYAN P | | PO BOX 2261 | NANTUCKET | MA | 02584 | 62 ARKANSAS AV |
| 594 | 35 | | MAHON MARGARET | | 34 PARK AVE | SHREWSBURY | NJ | 07702 | 64 ARKANSAS AV |
| 594 | 36 | | BAUR PETER TR | 66 ARKANSAS AVENUE NOM TRUST | PO BOX # 3612 | PLACIDA | FL | 33946 | 66 ARKANSAS AV |
| 594 | 37 | | SULLIVAN TIMOTHY C TRST | SULLIVAN REVOCABLE TRUST | 8 STEEPLE LANE | AMHERST | NH | 03031 | ARKANSAS AV |
| 594 | 37 | 1 | KILBOURNE THOMAS B ETAL | | 41 MOUNTAIN CHURCH ROAD | HOPEWELL | NJ | 08525 | ARKANSAS AV |
| 594 | 37 | 2 | BOURKE DONEYN & HAYWARD WILLIAM SR | | 6 ARKANSAS AV | NANTUCKET | MA | 02554 | ARKANSAS AV |
| 594 | 38 | | CURTIS V KAY | | 128 OLD DYKE RD | TRUMBULL | CT | 06611 | 68 ARKANSAS AV |
| 594 | 39 | | JANSONS PETERIS & INARA | | 360 W WELLINGTON AV #16B | CHICAGO | IL | 60657 | 70 ARKANSAS AV |
| 594 | 40 | | COCKER DAVID J | | PO BOX 1376 | NANTUCKET | MA | 02554 | 72 ARKANSAS AV |
| 594 | 41 | | RANDALL ALYSSA P ETAL | | 74 ARKANSAS AVE | NANTUCKET | MA | 02554 | 74 ARKANSAS AV |
| 594 | 42 | | PRESLEY DONEYN | | 6 ARKANSAS AV | NANTUCKET | MA | 02554 | 76 ARKANSAS AV |
| 594 | 43 | | STOREY JAMES M | | 78 ARKANSAS AVE | NANTUCKET | MA | 02554 | 78 ARKANSAS AV |
| 594 | 46 | | TRISTRAMS GROUP | C/O TRISTRAMS MNGMENT CO | 2 SANFORD RD #5 | NANTUCKET | MA | 02554 | 19 ARKANSAS AV |
| 594 | 51 | | TRISTRAMS GROUP | C/O TRISTRAMS MNGMENT CO | 2 SANFORD RD #5 | NANTUCKET | MA | 02554 | 21 ARKANSAS AV |
| 594 | 58 | | NANTUCKET TOWN OF | | 16 BROAD ST | NANTUCKET | MA | 02554 | UTAH AV |
| 594 | 148 | | VANDERWOLK AMELIA B | | PO BOX 512 | NANTUCKET | MA | 02554 | 40 ARKANSAS AV |
| 594 | 149 | | HITHER CREEK LLC | C/O ROBERT BLAIR | 4911 LOUGHBORO RD | WASHINGTON | DC | 20016 | 42 ARKANSAS AV |
| 594 | 150 | | ROWE PETER C & BETTY SANTINI | | 4 EMMONSDALE RD | WEST ROXBURY | MA | 02132 | 44 ARKANSAS AV |
| 594 | 151 | | HITHER CREEK LLC | | 4911 LOUGHBORO RD | WASHINGTON | DC | 20016 | 46 ARKANSAS AV |
| 594 | 152 | | LESTER WALTER A & COURTNEY T | | P O BOX 3256 | NANTUCKET | MA | 02584 | 48 ARKANSAS AV |
| 594 | 153 | | DUNN MIRIAM A & THOMAS J | | 5 ETON DR | CALDWELL | NJ | O7006 | 50 ARKANSAS AV |
| 594 | 154 | | RUGGIERO ALICIA M & BURNETT PATRICK E TRS | | 16 SUSSEX AVE | CHATHAM | NJ | 07928 | 52 ARKANSAS AV |
| 594 | 155 | | POLLARD CAROLINE P TRST | 54 ARKANSAS AVE REALTY TRUST | 227 CONGRESS AVE | LANSDOWNE | PA | 19050 | 54 ARKANSAS AV |
| 594 | 156 | | GORDON ABRAHAM I & MARILYN S | | 960 BURR ST | FAIRFIELD | CT | 06430 | 56 ARKANSAS AV |
| 594 | 157 | | NAYLON MARGARET E ETAL | | 58 ARKANSAS AVE | NANTUCKET | MA | 02554 | 58 ARKANSAS AV |

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| 594 | 159 | TRISTRAMS GROUP | C/O TRISTRAMS MNGMENT CO | 2 SANFORD RD #5 | NANTUCKET | MA | 02554 | 15 ARKANSAS AV |
| 594 | 216 | ZUMBACH ELLEN M & DOUGLAS A TRST | FIVE ARKANSAS NOM TRUST | 49 BROOKS ROAD | NEW CANAAN | CT | 06840 | 5 ARKANSAS AV |
| 594 | 217 | HARRIS NANCY M & BRIAN P | | 152 MT VERNON ST | BOSTON | MA | 02108 | 7 ARKANSAS AV |
| 594 | 218 | TRISTRAMS GROUP | C/O TRISTRAMS MNGMENT CO | 2 SANFORD RD #5 | NANTUCKET | MA | 02554 | 9 ARKANSAS AV |
| 594 | 219 | TRISTRAMS GROUP | C/O TRISTRAMS MNGMENT CO | 2 SANFORD RD #5 | NANTUCKET | MA | 02554 | 11 ARKANSAS AV |
| 594 | 220 | TRISTRAMS GROUP | C/O TRISTRAMS MNGMENT CO | 2 SANFORD RD #5 | NANTUCKET | MA | 02554 | 17 ARKANSAS AV |
| 594 | 229 | DWYER MATTHEW J & ELIZABETH | | 14 WOODLAND DR | DARIEN | CT | 06820 | MISSISSIPPI AV |
| 594 | 230 | DWYER MATTHEW J & ELIZABETH | | 14 WOODLAND | DARIEN | CT | 06820 | MISSISSIPPI AV |
| 594 | 233 | 11 MISSISSIPPI LLC | | 1775 LAKE ROAD | CHARLOTTESVILLE | VA | 22901 | 11 MISSISSIPPI AV |
| 594 | 269 | LEGGETT DAVID J TRST ETAL | | 2408 NORTH QUANTICO ST | ARLINGTON | VA | 22207 | 262 MADAKET RD |
| 594 | 271 | MCMAHON STACEY & JAMES M | | 557 LAUREL STREET | LONGMEADOW | MA | 01106 | 264 MADAKET RD |
| 594 | 273 | TRUE & COMPANY LLC | | 58 SUMMER ST | MARSHFIELD | MA | 02050 | 266 MADAKET RD |
| 594 | 281 | MADAKET CONSERVATION LAND TRUS | C/O KENNETH LINDSAY | P O BOX 987 | NANTUCKET | MA | 02554 | MISSISSIPPI AV |
| 594 | 282 | MADAKET CONSERVATION LAND TRUS | C/O KENNETH LINDSAY | P O BOX 987 | NANTUCKET | MA | 02554 | MISSISSIPPI AV |
| 594 | 283 | DUJARDIN TRUDY ETAL TRST | | 275 POST ROAD EAST UNIT 5202 | WESTPORT | CT | 06881-5202 | 10 MISSISSIPPI AV |
| 594 | 285 | DUJARDIN TRUDY ETAL TRST | | 275 POST ROAD EAST UNIT 5202 | WESTPORT | CT | 06881-5202 | 10 MISSISSIPPI AV |
| 594 | 296 | MUABESSAC LLC | | 126 MARION HEIGHTS | GALAX | VA | 24333 | 275 MADAKET RD |
| 594 | 319 | 265 MADAKET ROAD LLC | | 100 TOWER OFFICE PARK STE I | WOBURN | MA | 01801 | 265 MADAKET RD |
| 594 | 322 | GREY SEAGULL ENTERPRISES LLC | | 1005 BOYLSTON ST #323 | NEWTON | MA | 02461 | 270 MADAKET RD |
| 594 | 323 | MADAKET CONSERVATION LAND TRUS | C/O KENNETH LINDSAY | P O BOX 987 | NANTUCKET | MA | 02554 | MISSISSIPPI AV |
| 594 | 324 | MADAKET CONSERVATION LAND TRUS | C/O KENNETH LINDSAY | P O BOX 987 | NANTUCKET | MA | 02554 | MISSISSIPPI AV |
| 594 | 325 | MADAKET CONSERVATION LAND TRUS | C/O KENNETH LINDSAY | P O BOX 987 | NANTUCKET | MA | 02554 | MISSISSIPPI AV |
| 594 | 326 | MADAKET CONSERVATION LAND TRUS | C/O KENNETH LINDSAY | P O BOX 987 | NANTUCKET | MA | 02554 | MISSISSIPPI AV |
| 594 | 327 | MADAKET CONSERVATION LAND TRUS | C/O KENNETH LINDSAY | P O BOX 987 | NANTUCKET | MA | 02554 | 272 MADAKET RD |
| 594 | 328 | MADAKET CONSERVATION LAND TRUS | C/O KENNETH LINDSAY | P O BOX 987 | NANTUCKET | MA | 02554 | 272 MADAKET RD |
| 594 | 329 | GOLD POODLE LLC | | 2457 KENSINGTON DR | COLUMBUS | OH | 43221 | 274 MADAKET RD |
| 594 | 330 | GOLD POODLE LLC | | 2457 KENSINGTON DR | COLUMBUS | OH | 43221 | 274 MADAKET RD |
| 594 | 331 | GOLD POODLE LLC | | 2457 KENSINGTON DR | COLUMBUS | OH | 43221 | 274 MADAKET RD |
| 594 | 341 | DOENCH LAWRENCE G & NANCY M | | 20 STONEY BROOK RD | MONTVILLE | NJ | 07045 | 273 MADAKET RD |
| 594 | 354 | 3 OAKLAND STREET LLC | | 5 SESAPANA RD | NANTUCKET | MA | 02554 | 3 OAKLAND ST |
| 594 | 356 | BORNEMAN PAUL R JR & CYNTHIA N TRS | BORNEMAN LIVING TRUST | 271 MADAKET RD | NANTUCKET | MA | 02554 | 271 MADAKET RD |
| **Count:** | **63** | | | | | | | |

BURR RANDALL W & ROSEMARY A
89 PELLANA RD
NORWOOD, MA 02062

BURR RANDALL W & ROSEMARY A
89 PELLANA RD
NORWOOD, MA 02062

TRISTRAMS GROUP ETAL
2 SANFORD RD #5
NANTUCKET, MA 02554

TRISTRAMS GROUP
C/O TRISTRAMS MGMENT CO
2 SANFORD RD #5
NANTUCKET, MA 02554

MADAKET CONSERVATION LAND TRUS
C/O KENNETH LINDSAY
P O BOX 987
NANTUCKET, MA 02554

MADAKET CONSERVATION LAND TRUS
C/O KENNETH LINDSAY
P O BOX 987
NANTUCKET, MA 02554

BRETT JAMES R & CONSTANCE M T
28 AVENUE AT PORT IMPERIAL
WEST NEW YORK, NJ 07093

CONWAY RYAN P
PO BOX 2261
NANTUCKET, MA 02584

MAHON MARGARET
34 PARK AVE
SHREWSBURY, NJ 07702

BAUR PETER TR
66 ARKANSAS AVENUE NOM TRUST
PO BOX # 3612
PLACIDA, FL 33946

SULLIVAN TIMOTHY C TRST
SULLIVAN REVOCABLE TRUST
8 STEEPLE LANE
AMHERST, NH 03031

KILBOURNE THOMAS B ETAL
41 MOUNTAIN CHURCH ROAD
HOPEWELL, NJ 08525

BOURKE DONEYN & HAYWARD WILLIAM
SR
6 ARKANSAS AV
NANTUCKET, MA 02554

CURTIS V KAY
128 OLD DYKE RD
TRUMBULL, CT 06611

JANSONS PETERIS & INARA
360 W WELLINGTON AV #16B
CHICAGO, IL 60657

COCKER DAVID J
PO BOX 1376
NANTUCKET, MA 02554

RANDALL ALYSSA P ETAL
74 ARKANSAS AVE
NANTUCKET, MA 02554

PRESLEY DONEYN
6 ARKANSAS AV
NANTUCKET, MA 02554

STOREY JAMES M
78 ARKANSAS AVE
NANTUCKET, MA 02554

TRISTRAMS GROUP
C/O TRISTRAMS MNGMENT CO
2 SANFORD RD #5
NANTUCKET, MA 02554

TRISTRAMS GROUP
C/O TRISTRAMS MNGMENT CO
2 SANFORD RD #5
NANTUCKET, MA 02554

NANTUCKET TOWN OF
16 BROAD ST
NANTUCKET, MA 02554

VANDERWOLK AMELIA B
PO BOX 512
NANTUCKET, MA 02554

HITHER CREEK LLC
C/O ROBERT BLAIR
4911 LOUGHBORO RD
WASHINGTON, DC 20016

ROWE PETER C & BETTY SANTINI
4 EMMONSDALE RD
WEST ROXBURY, MA 02132

HITHER CREEK LLC
4911 LOUGHBORO RD
WASHINGTON, DC 20016

LESTER WALTER A & COURTNEY T
P O BOX 3256
NANTUCKET, MA 02584

DUNN MIRIAM A & THOMAS J
5 ETON DR
CALDWELL, NJ O7006

RUGGIERO ALICIA M & BURNETT
PATRICK E TRS
16 SUSSEX AVE
CHATHAM, NJ 07928

POLLARD CAROLINE P TRST
54 ARKANSAS AVE REALTY TRUST
227 CONGRESS AVE
LANSDOWNE, PA 19050

GORDON ABRAHAM I & MARILYN S
960 BURR ST
FAIRFIELD, CT 06430

NAYLON MARGARET E ETAL
58 ARKANSAS AVE
NANTUCKET, MA 02554

TRISTRAMS GROUP
C/O TRISTRAMS MNGMENT CO
2 SANFORD RD #5
NANTUCKET, MA 02554

ZUMBACH ELLEN M & DOUGLAS A TRST
FIVE ARKANSAS NOM TRUST
49 BROOKS ROAD
NEW CANAAN, CT 06840

HARRIS NANCY M & BRIAN P
152 MT VERNON ST
BOSTON, MA 02108

TRISTRAMS GROUP
C/O TRISTRAMS MNGMENT CO
2 SANFORD RD #5
NANTUCKET, MA 02554

TRISTRAMS GROUP
C/O TRISTRAMS MNGMENT CO
2 SANFORD RD #5
NANTUCKET, MA 02554

TRISTRAMS GROUP
C/O TRISTRAMS MNGMENT CO
2 SANFORD RD #5
NANTUCKET, MA 02554

DWYER MATTHEW J & ELIZABETH
14 WOODLAND DR
DARIEN, CT 06820

DWYER MATTHEW J & ELIZABETH
14 WOODLAND
DARIEN, CT 06820

11 MISSISSIPPI LLC
1775 LAKE ROAD
CHARLOTTESVILLE, VA 22901

LEGGETT DAVID J TRST ETAL
2408 NORTH QUANTICO ST
ARLINGTON, VA 22207

MCMAHON STACEY & JAMES M
557 LAUREL STREET
LONGMEADOW, MA 01106

TRUE & COMPANY LLC
58 SUMMER ST
MARSHFIELD, MA 02050

MADAKET CONSERVATION LAND TRUS
C/O KENNETH LINDSAY
P O BOX 987
NANTUCKET, MA 02554

MADAKET CONSERVATION LAND TRUS
C/O KENNETH LINDSAY
P O BOX 987
NANTUCKET, MA 02554

DUJARDIN TRUDY ETAL TRST
275 POST ROAD EAST UNIT 5202
WESTPORT, CT 06881-5202

DUJARDIN TRUDY ETAL TRST
275 POST ROAD EAST UNIT 5202
WESTPORT, CT 06881-5202

MUABESSAC LLC
126 MARION HEIGHTS
GALAX, VA 24333

265 MADAKET ROAD LLC
100 TOWER OFFICE PARK STE I
WOBURN, MA 01801

GREY SEAGULL ENTERPRISES LLC
1005 BOYLSTON ST #323
NEWTON, MA 02461

MADAKET CONSERVATION LAND TRUS
C/O KENNETH LINDSAY
P O BOX 987
NANTUCKET, MA 02554

MADAKET CONSERVATION LAND TRUS
C/O KENNETH LINDSAY
P O BOX 987
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P O BOX 987
NANTUCKET, MA 02554

MADAKET CONSERVATION LAND TRUS
C/O KENNETH LINDSAY
P O BOX 987
NANTUCKET, MA 02554

GOLD POODLE LLC
2457 KENSINGTON DR
COLUMBUS, OH 43221

GOLD POODLE LLC
2457 KENSINGTON DR
COLUMBUS, OH 43221

GOLD POODLE LLC
2457 KENSINGTON DR
COLUMBUS, OH 43221

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DOENCH LAWRENCE G & NANCY M
20 STONEY BROOK RD
MONTVILLE, NJ 07045

3 OAKLAND STREET LLC
5 SESAPANA RD
NANTUCKET, MA 02554

BORNEMAN PAUL R JR & CYNTHIA N TRS
BORNEMAN LIVING TRUST
271 MADAKET RD
NANTUCKET, MA 02554

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# BRIAN & LORRI

# RYDER

## File No. 13-22

## 3.5 MARY ANN DR.

**VARIANCE**

PAID

TOWN CLERK
2022 SEP 13 PM 1:25

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

## APPLICATION

**Fee: $450.00** **File No. 13-22**

Owner's name(s): BRIAN AND LORRI RYDER

Mailing address: 18 EVERGREEN WAY, NANTUCKET, MA 02554

Phone Number: 508-566-3869 E-Mail: brianryder@comcast.net

Applicant's name(s): (same)

Mailing Address: _____

Phone Number: _____ E-Mail: _____

Locus Address: 3.5 MARY ANN DRIVE

Assessor's Map/Parcel: 68/988

Land Court Plan/Plan Book & Page/Plan File No.: LOT 786, LC PLAN 16514-78

Deed Reference/Certificate of Title: 27496 Zoning District C-TEC

Uses on Lot- Commercial: None X Yes (describe) PERSONAL STORAGE

Residential: Number of dwelling: _____ Duplex _____ Apartments _____

Date of Structure(s): all pre-date 7/72 _____ or 2010

Building Permit Numbers: _____

Previous Zoning Board Application Numbers: 033-10

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

(SEE ATTACHED ADDENDUM)

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 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

Applicants are seeking relief by VARIANCE pursuant to Nantucket Zoning By-law Section 139-16C(1) (Intensity regulations – setback). Applicants propose to construct a 704 SF one-bedroom apartment on the second floor of an existing personal storage building with a 2-bay garage space on the first floor. The apartment would be for employee housing for Applicants' business Ryder Electric which is located directly across Mary Ann Lane on a separate commercial lot. Due to the requirement of having two (2) means of egress for a second-floor apartment, an exterior stairway is proposed for the east rear side of the structure. One means of egress is already installed in the interior space bifurcating the first-floor space into a 19' x39' space and a 14' x 39' space. This interior wall and stair placement makes it difficult to add another interior stairway. An antique vehicle is stored on one side and Applicants' boat is stored on the other. Due to the 14' garage ceiling height the existing stairway will have to be substantially altered to get the code-compliant stairway with required landings.

When the structure was built in 2010 the area was zoned Residential-Commercial-2 with a five-foot side and rear yard setback requirement. The area was rezoned C-TEC with a 10-foot rear yard setback before the Applicants could add the apartment with the rear exterior stairway that would have complied with the 5-foot setback requirement. Though the side yard setback requirement remained at five feet, there is insufficient room to place the stairway on the north side of the structure and meet the setback requirement.

The proposed second means of egress constructed in the rear would be situated within the now required 10-foot setback area. The existing structure is currently conforming as to all other dimensional zoning requirements. The new egress stairway would be sited at 6.7 feet at its closest point from the rear yard lot line. As a note: the Zoning By-law has a provision that allows the ZBA to grant special permit relief to reduce the side and rear yard setbacks from 10 to five in other zoning districts that were changed from 5-foot side/rear setback requirements, but not this area.

Granting relief to allowing the rear stairway to be sited within the required 10-foot rear yard setback area would not have a negative impact on the neighborhood. Several other structures on Mary Ann Lane are also sited closer to the rear yard lot line than 10 feet as they were constructed under the RC-2 zoning district allowances. The stairway would not be visible from the publicly travelled way.

Variance relief could be granted due to the topography of the building as so stated in the Zoning By-law. The stairway is sited to the rear of the lot as several other structures on Mary Ann Drive are, with parking in the front. The change in zoning has the unintended consequence of adversely affected the ability to provide much needed year-round housing.

## § 139-32 Variances.

**A.**

The Board of Appeals shall have the power to grant upon appeal or upon petition, with respect to particular land or structures, a variance from the terms of this chapter where the Board of Appeals specifically finds that owing to circumstances relating to the soil conditions, shape or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located, a literal enforcement of the provisions of this chapter would involve substantial hardship, financial or otherwise, to the petitioner or appellant, and the desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of such bylaw.

**12 Mary Ann Drive /P.O. Box 479**
**Nantucket, MA 02554**
**Phone (508) 228-1496 Fax (508) 228-3932/ (508) 325-9641**
**office@ryderelectric.us**

RYDER ELECTRIC
Nantucket Island

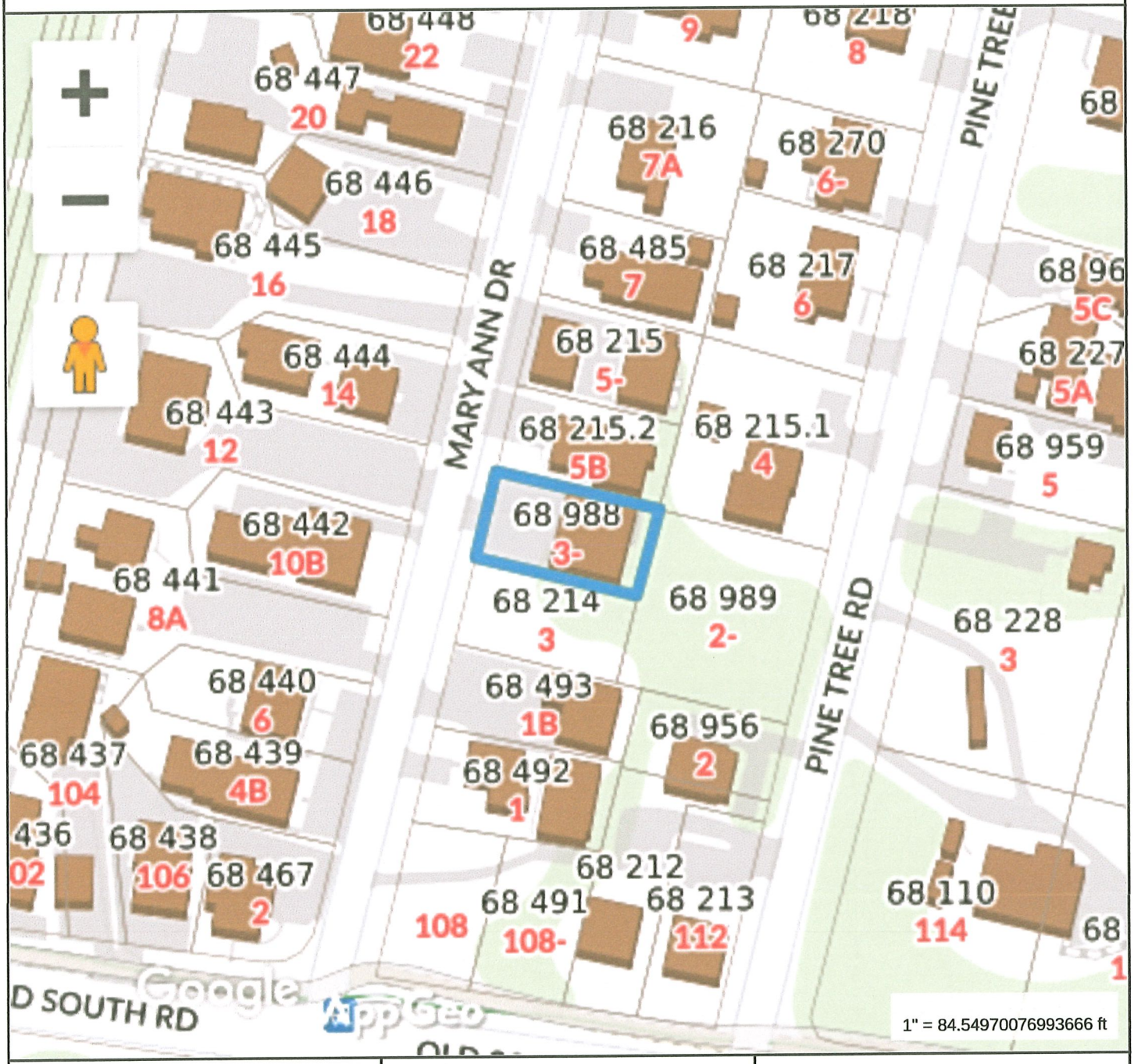
September 12, 2022

Linda,

I give you, Linda Williams, my approval to sign the application, speak on my behalf, and represent me, Brian Ryder on my ZBA application as well as during the ZBA meeting for 3 ½ Mary Ann Drive.

Thank You,

Brian Ryder
3 ½ Mary Ann Drive
Nantucket, MA 0255




**Property Information**

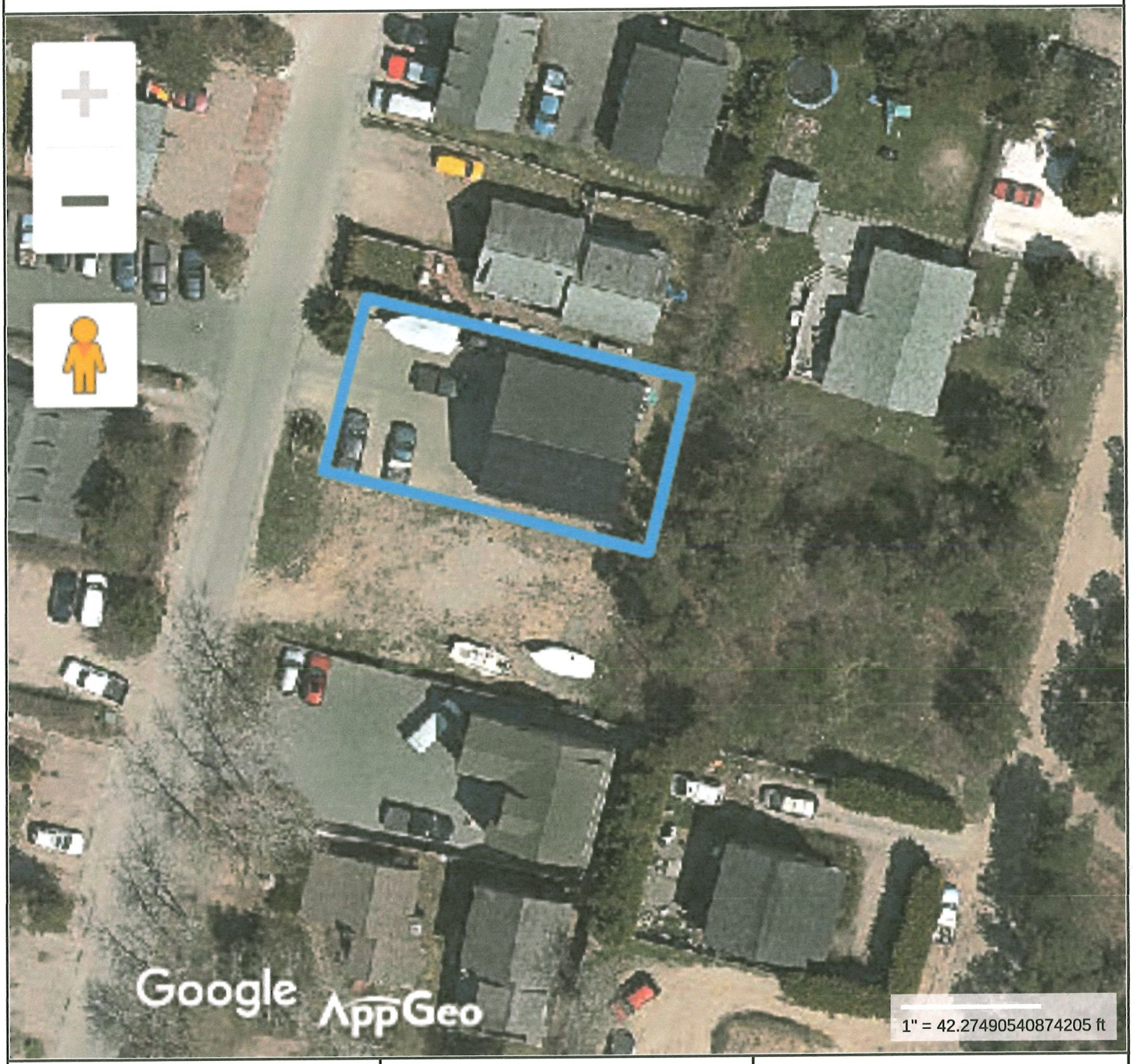
| | |
|---|---|
| **Property ID** | 68 988 |
| **Location** | 3- MARY ANN DR |
| **Owner** | RYDER BRIAN T & LORRI A TRS |

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 07/28/2022
Data updated Jan. 2021

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

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Geometry updated 07/28/2022
Data updated Jan. 2021

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

Joan Bunting
P.O. Box 2441
Nantucket, Ma 02584

To: Nantucket Zoning Board of Appeals
37 Washington Street
Nantucket, Ma 02554

To whom it may concern:

I am writing this letter on behalf of Brian Ryder and Ryder Electric Inc.

As the owner of 2 ½ Pine Tree Road (M68/P989) in Nantucket, Ma 02554, which abuts Brian Ryder's property at 3 ½ Mary Ann Drive (M68/P988) on the rear, westerly property line, I would like to support Brian Ryder's recent request for relief of his Rear Setback restriction of 10'.

Mr. Ryder is asking for this relief to install an exterior staircase which would act as a "Second means of egress" on his proposed 2nd floor residence, which will be used as employee housing for his company Ryder Electric, Inc.

When Brian purchased this property, it was zoned at RC-2 which had a 5' Rear Setback. In recent years the Town of Nantucket has re-zoned this property to C-TECH which changed his setback to 10' and eliminated his right to add this egress.

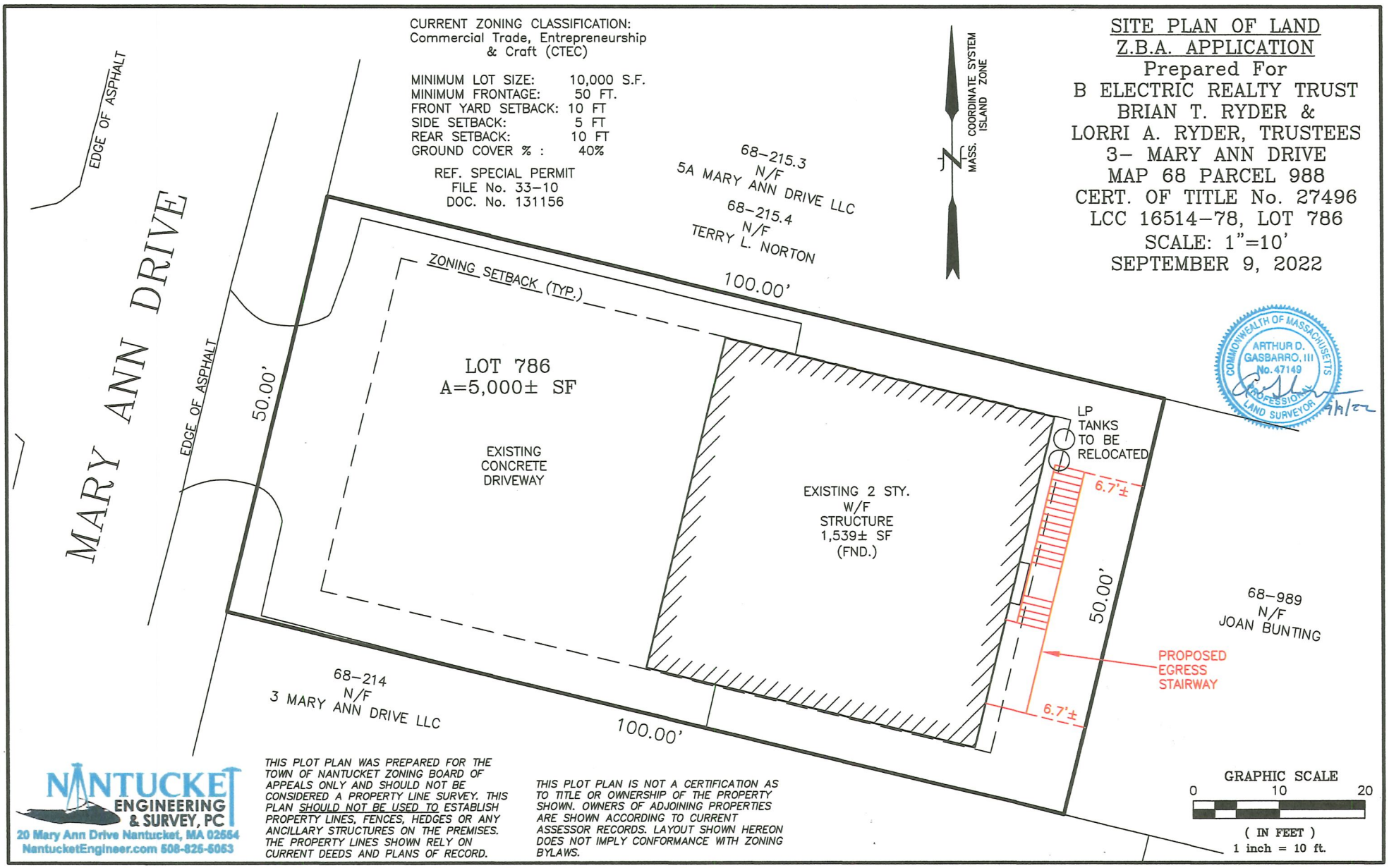
I would like to speak in favor of allowing Brian to install this staircase as it in no way will affect my property on Pine Tree Road and can not be seen from the road.

Thank you for your time and consideration in this matter.

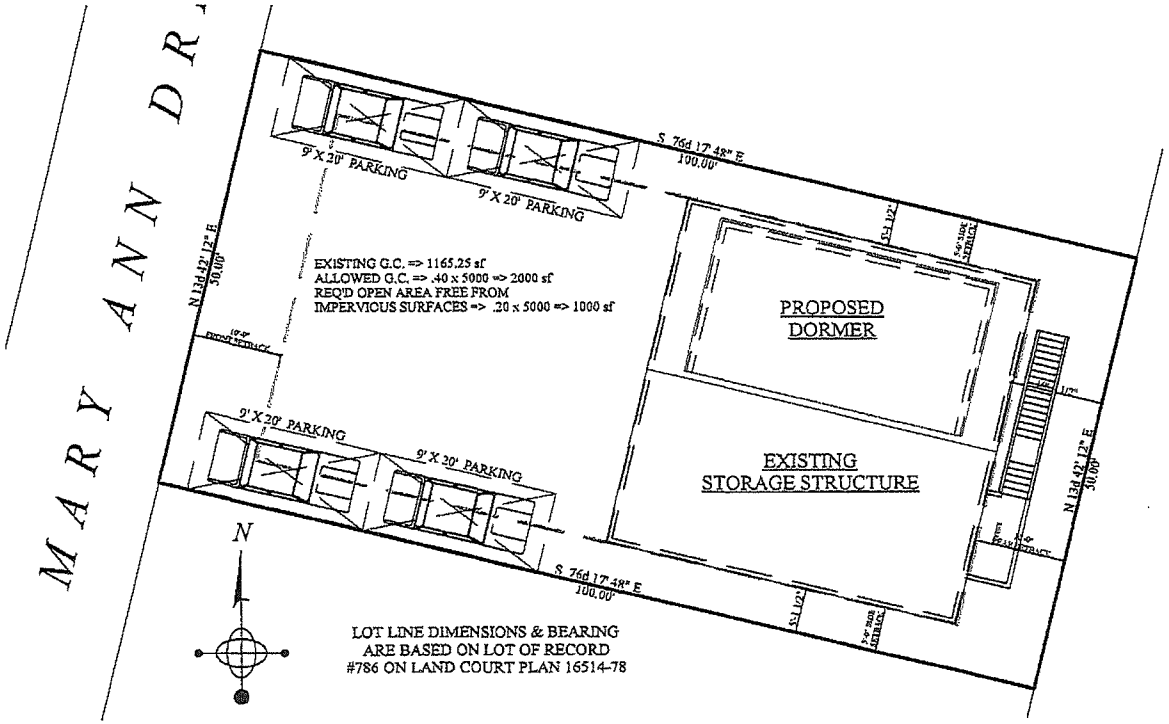
Sincerely,

Joan Bunting

Joan Bunting


CURRENT ZONING CLASSIFICATION:
Commercial Trade, Entrepreneurship & Craft (CTEC)
MINIMUM LOT SIZE: 10,000 S.F.
MINIMUM FRONTAGE: 50 FT.
FRONT YARD SETBACK: 10 FT
SIDE SETBACK: 5 FT
REAR SETBACK: 10 FT
GROUND COVER % : 40%
REF. SPECIAL PERMIT
FILE No. 33-10
DOC. No. 131156
MASS. COORDINATE SYSTEM ISLAND ZONE
SITE PLAN OF LAND
Z.B.A. APPLICATION
Prepared For
B ELECTRIC REALTY TRUST
BRIAN T. RYDER &
LORRI A. RYDER, TRUSTEES
3- MARY ANN DRIVE
MAP 68 PARCEL 988
CERT. OF TITLE No. 27496
LCC 16514-78, LOT 786
SCALE: 1"=10'
SEPTEMBER 9, 2022
MARY ANN DRIVE
EDGE OF ASPHALT
EDGE OF ASPHALT
68-215.3
N/F
5A MARY ANN DRIVE LLC
68-215.4
N/F
TERRY L. NORTON
ZONING SETBACK (TYP.)
100.00'
50.00'
LOT 786
A=5,000± SF
EXISTING
CONCRETE
DRIVEWAY
EXISTING 2 STY.
W/F
STRUCTURE
1,539± SF
(FND.)
LP
TANKS
TO BE
RELOCATED
6.7'±
50.00'
68-989
N/F
JOAN BUNTING
PROPOSED
EGRESS
STAIRWAY
6.7'±
68-214
N/F
3 MARY ANN DRIVE LLC
100.00'
COMMONWEALTH OF MASSACHUSETTS
ARTHUR D. GASBARRO, III
No. 47149
PROFESSIONAL LAND SURVEYOR
9/9/22
NANTUCKET ENGINEERING & SURVEY, PC
20 Mary Ann Drive Nantucket, MA 02554
NantucketEngineer.com 508-825-5053
THIS PLOT PLAN WAS PREPARED FOR THE TOWN OF NANTUCKET ZONING BOARD OF APPEALS 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. LAYOUT SHOWN HEREON DOES NOT IMPLY CONFORMANCE WITH ZONING BYLAWS.
GRAPHIC SCALE
0 10 20
( IN FEET )
1 inch = 10 ft.

BROOK MEERBERGEN DESIGNS
PO BOX 673
NANTUCKET, MA 02554
508.228.1388

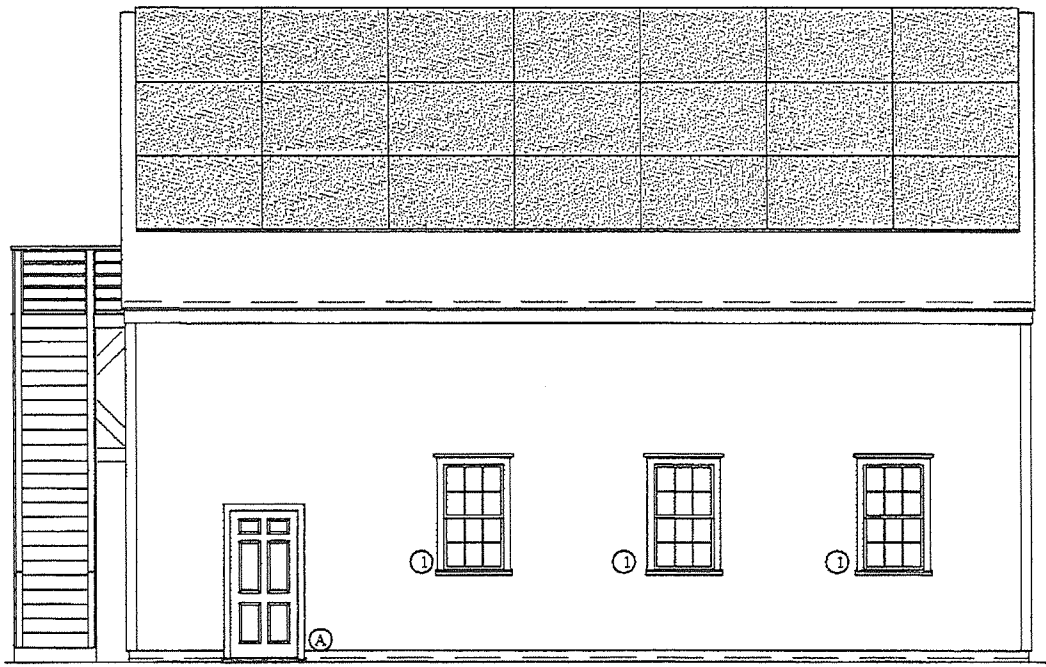


EAST - REAR

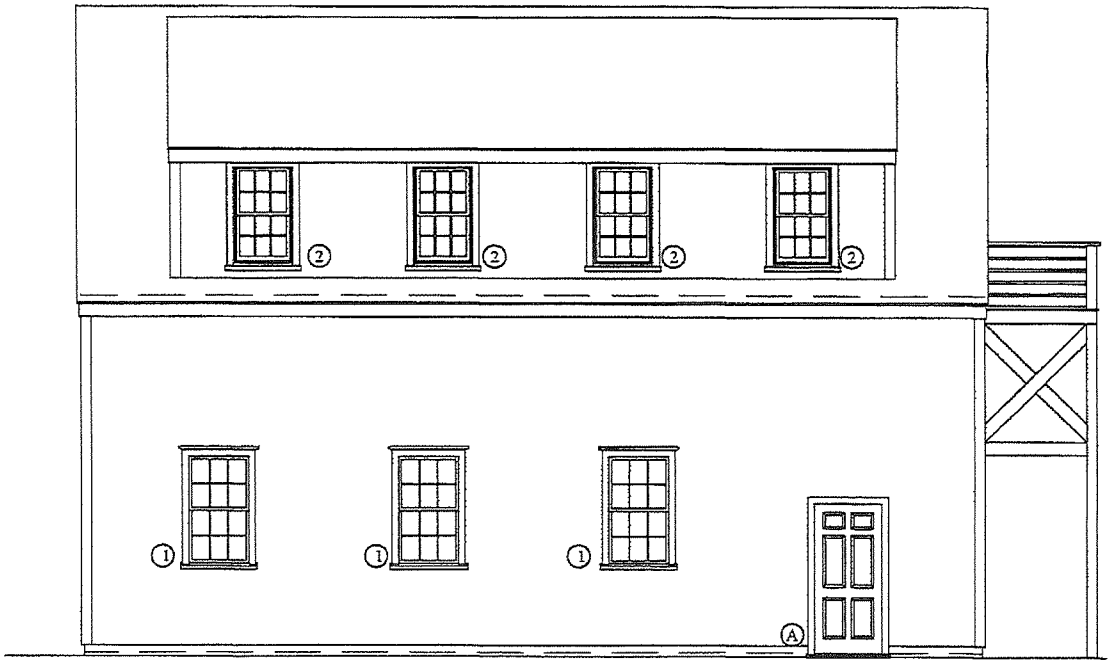
RYDER - GARAGE
3 1/2 MARY ANN DRIVE

SCALE: 1/8" = 1'-0"

BROOK MEERBERGEN DESIGNS
PO BOX 673
NANTUCKET, MA 02554
508.228.1388



SOUTH

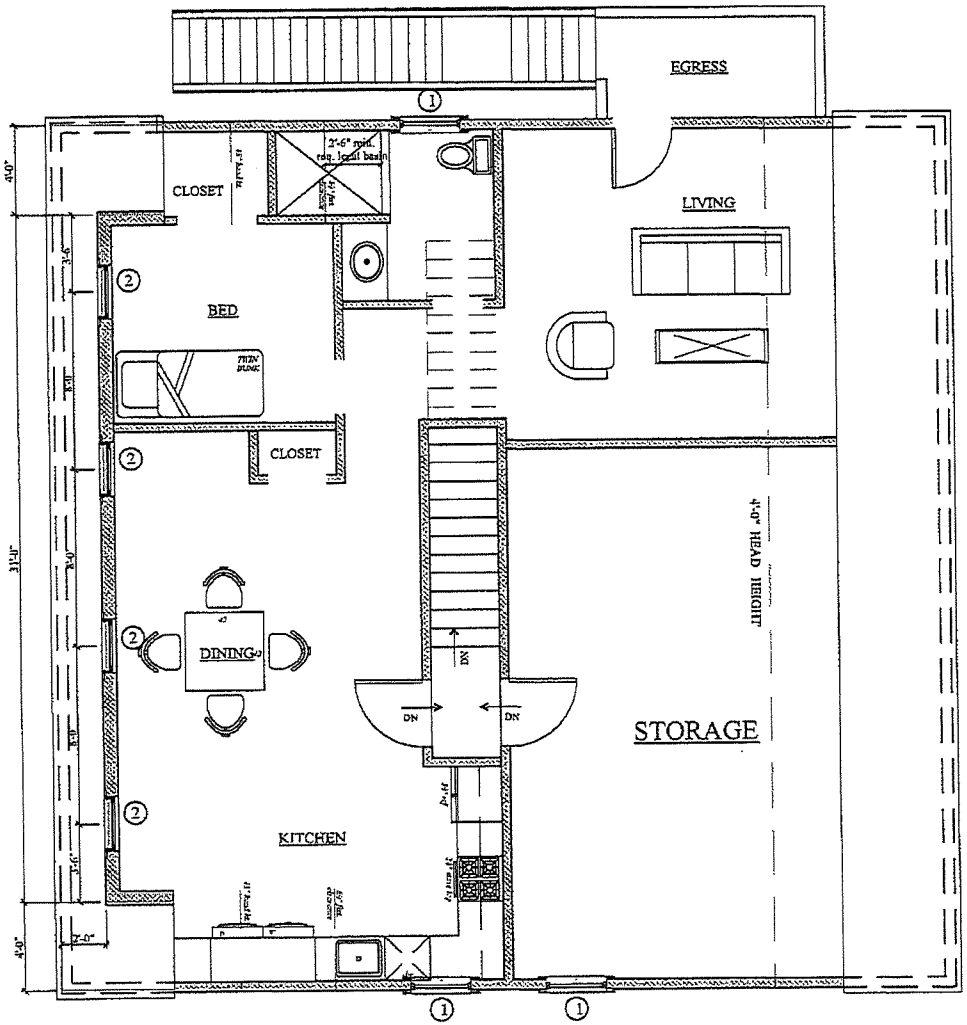


NORTH

RYDER - GARAGE
3 1/2 MARY ANN DRIVE

SCALE: 1/8" = 1'-0"

BROOK MEERBERGEN DESIGNS
PO BOX 673
NANTUCKET, MA 02554
508.228.1388




CONVERT TO R-3

RYDER - GARAGE MOD
3 1/2 MARY ANN DRIVE

SCALE: 1/8" = 1'-0"

2010 00131156
Cert: 22980 Doc: BP
Registered: 08/13/2010 09:31 AM

RECEIVED
'10 JUL 23 P3:26
NANTUCKET
TOWN CLERK

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

Date: July 23, 2010

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

Application No.: 033-10

Owner/Applicant: Brian Ryder

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.

Edward Toole (SBB)
Edward 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 68, Parcel 988
Certificate of Title No. 12206
Commercial Trade Entrepreneurial Craft (CTEC)

Plan No. 16514-78
3 Mary Ann Drive

DECISION:

1. At a public hearing of the Nantucket Zoning Board of Appeals, on Thursday, June 10, 2010, at 1:00 P.M., in the Garage Area at 2 Fairgrounds Road, Nantucket, Massachusetts, the Board made the following decision on the application of BRIAN RYDER of 12 Mary Ann Drive, Nantucket, MA 02554, File No. 033-10:

2. Applicant is requesting Special Permit relief pursuant to Nantucket Zoning Bylaw Section 139-30 (special permits) to be allowed to construct a standalone storage structure as allowed in Section 139-7.A. (allowed uses). The site is located at 3 Mary Ann Drive, is shown on Nantucket Tax Assessor's Map 68 as Parcel 988, is shown on Plan File No. 16514-78, and is registered as Certificate of Title No. 12206 at the Nantucket County Registry District of the Land Court. The site is zoned Commercial Trade, Entrepreneurship and Craft (CTEC).

3. Our decision is based upon the application and accompanying materials, and representations and testimony received from the applicant at our public hearing. The Planning Board recommendation was not of planning concern. There was a letter of support in the file and Staff had been in contact with two abutters regarding the type of materials stored, as well as screening part of the locus.

4. At the hearing, the Applicant represented himself at the hearing. The Applicant stated that he is requesting Special Permit relief pursuant to Nantucket Zoning Bylaw Section 139-30 (special permits) to be allowed to construct a standalone storage structure as allowed in Section 139-7.A (allowed uses).

The Applicant is the owner of Ryder Electric and plans on storing fixtures and wires as they are delivered to his business. There was concern expressed from the Board regarding the parking on the Locus and the type of screening to be used. The Applicant and the abutter concerned with the screening were agreeable to the suggestion that the screening be on the front of the property and consist of Leland Cypress trees. The Applicant also stated that the parking configuration will be modified from what was originally proposed.

5. Based upon the following, the Board finds that granting the requested Special Permit relief to allow the applicant to construct a standalone storage structure is in harmony with the purpose and intent of the Zoning Bylaw as the Locus is situated in the CTEC zoning district and warehousing is an allowed use by Special Permit.

6. Accordingly, by a UNANIMOUS vote, the Board granted the requested relief for the Applicant to construct a standalone storage structure with the following conditions:

a) The Applicant shall plant Leland Cypress trees along the front of the property on Mary Ann Drive except for the location of the driveway to enter the Locus;

b) The standalone structure shall be constructed in substantial conformity to proposed structure as shown on the attached "Exhibit A" entitled "Rider - Garage" as prepared by Brook Meerbergen Designs; and,

c) The hours of operation shall be 7:00 am to 5:00 pm, Monday through Saturday.

SIGNATURE PAGE TO FOLLOW

Dated: July 22, 2010

Michael J. O'Mara

Dale Waine

Kerim Koseatac

Mark Poor

Carol Cross

COMMONWEALTH OF MASSACHUSETTS

Nantucket, ss. July 22, 2010

On this 22 day of July, 2010, before me, the undersigned Notary Public, personally appeared Michael O'Mara, 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.

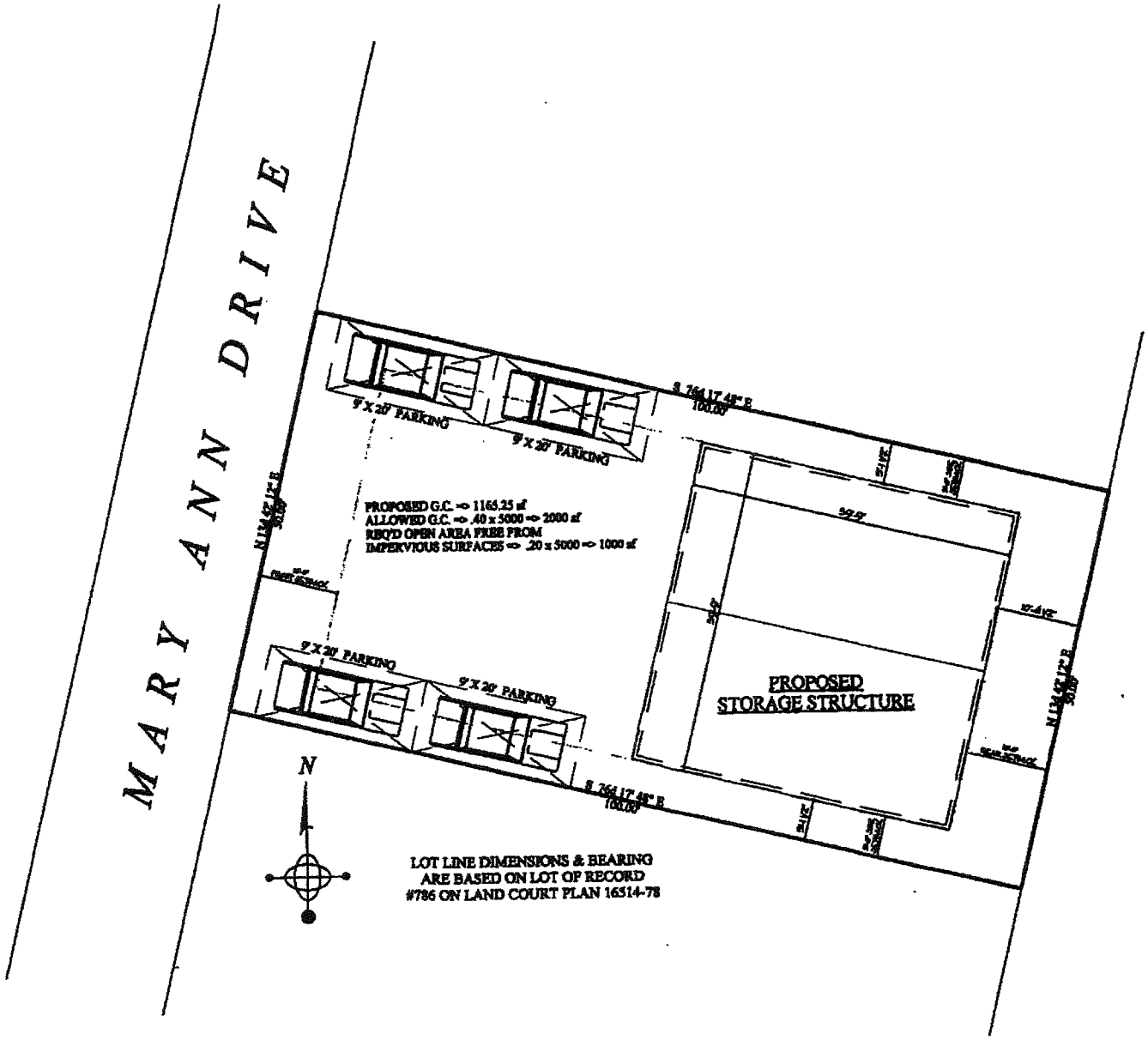
Notary Public: Vanessa K. Moore
My commission expires: 3/22/13

ATTEST: A TRUE COPY
NANTUCKET TOWN CLERK

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

TOWN CLERK

AUG 13 2010



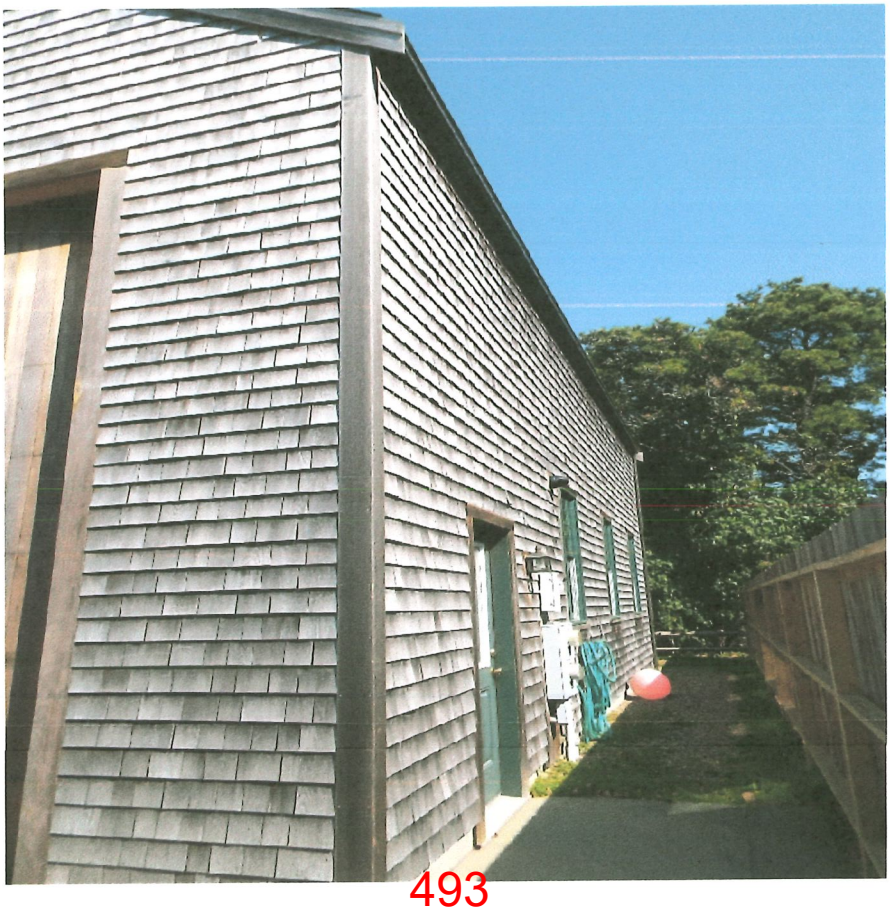

492

RYDER - GARAGE
3 MARY ANN DRIVE
MAP 68; PCL 088

BROOK MEERBERGEN DESIGNS
PO BOX 673
NANTUCKET, MA 02554

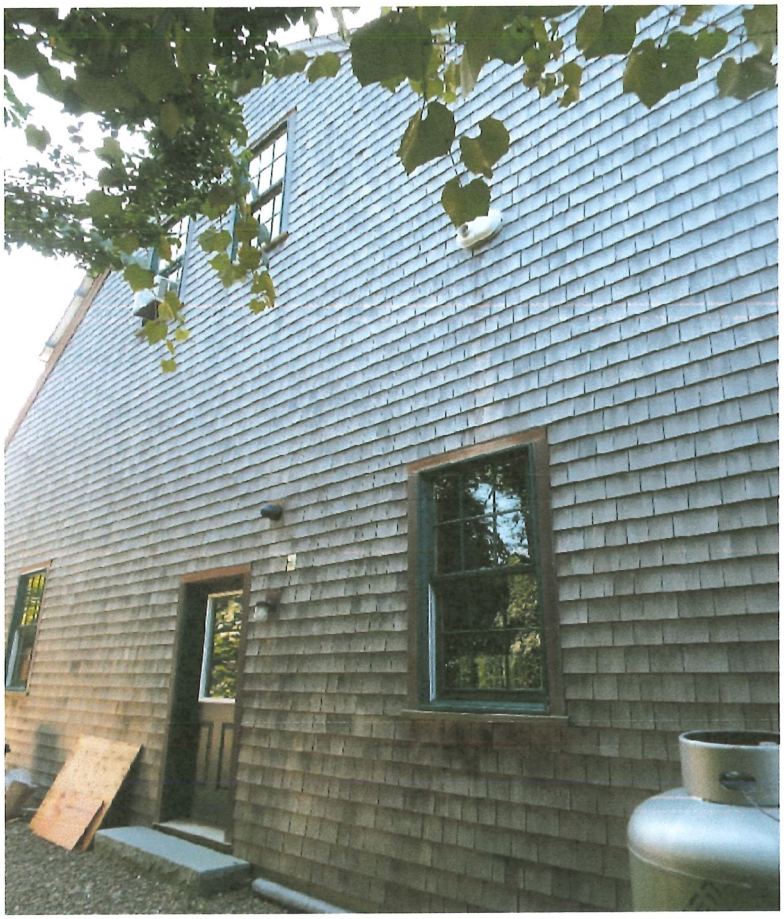
## WEST ELEVATION – SCREENING BETWEEN LOCUS AND LOT TO THE NORTH

## SOUTH ELEVATION – FENCE BETWEEN LOCUS AND LOT TO THE SOUTH AND SCREENING TO THE REAR VISIBLE



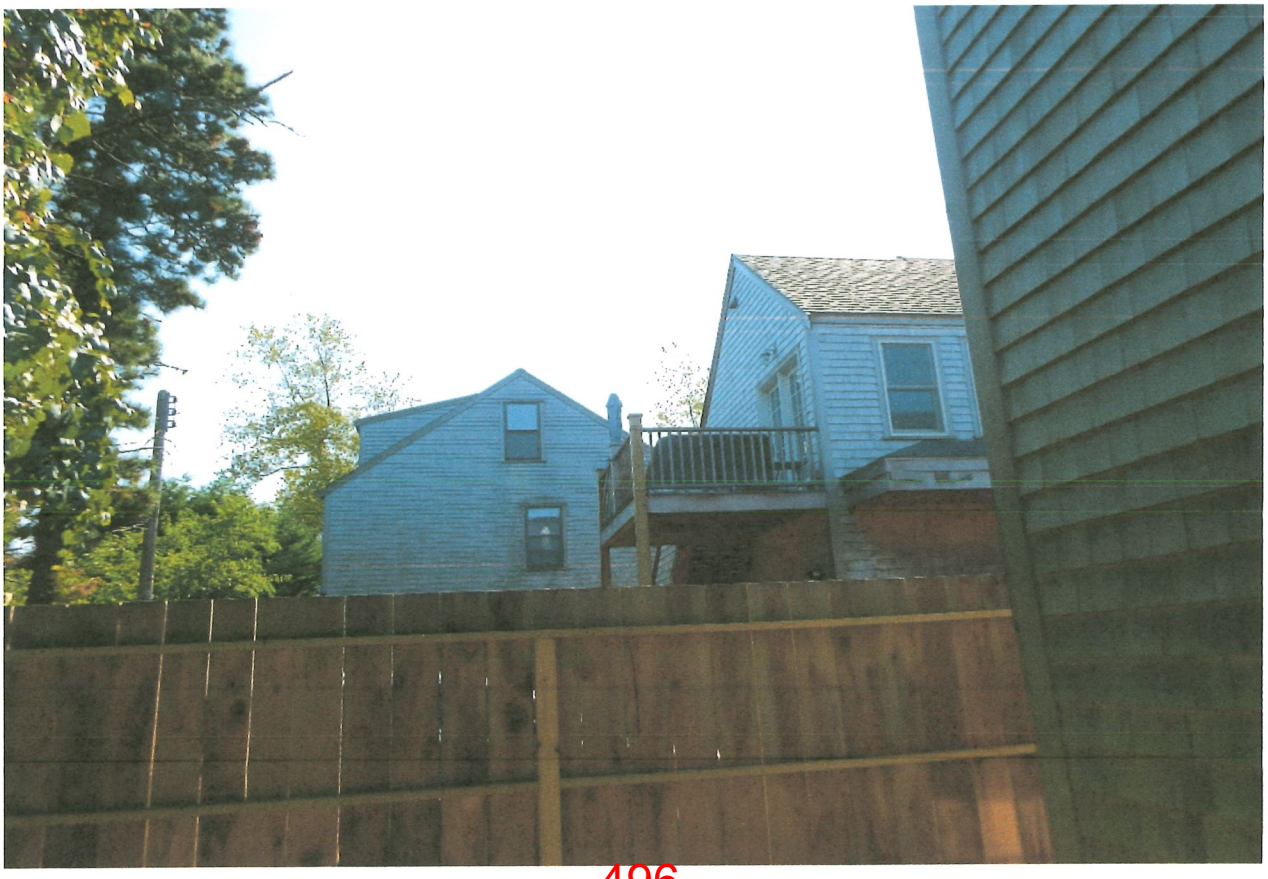
## NORTH ELEVATION – FENCE BETWEEN LOCUS AND LOT TO THE NORTH

## EAST-REAR ELEVATION WHERE STAIRWAY IS PROPOSED



**LOOKING UP THE BACK INTERIOR STAIRS TO SECOND FLOOR FRAMING**

## IMMEDIATE ABUTTER TO THE SOUTH

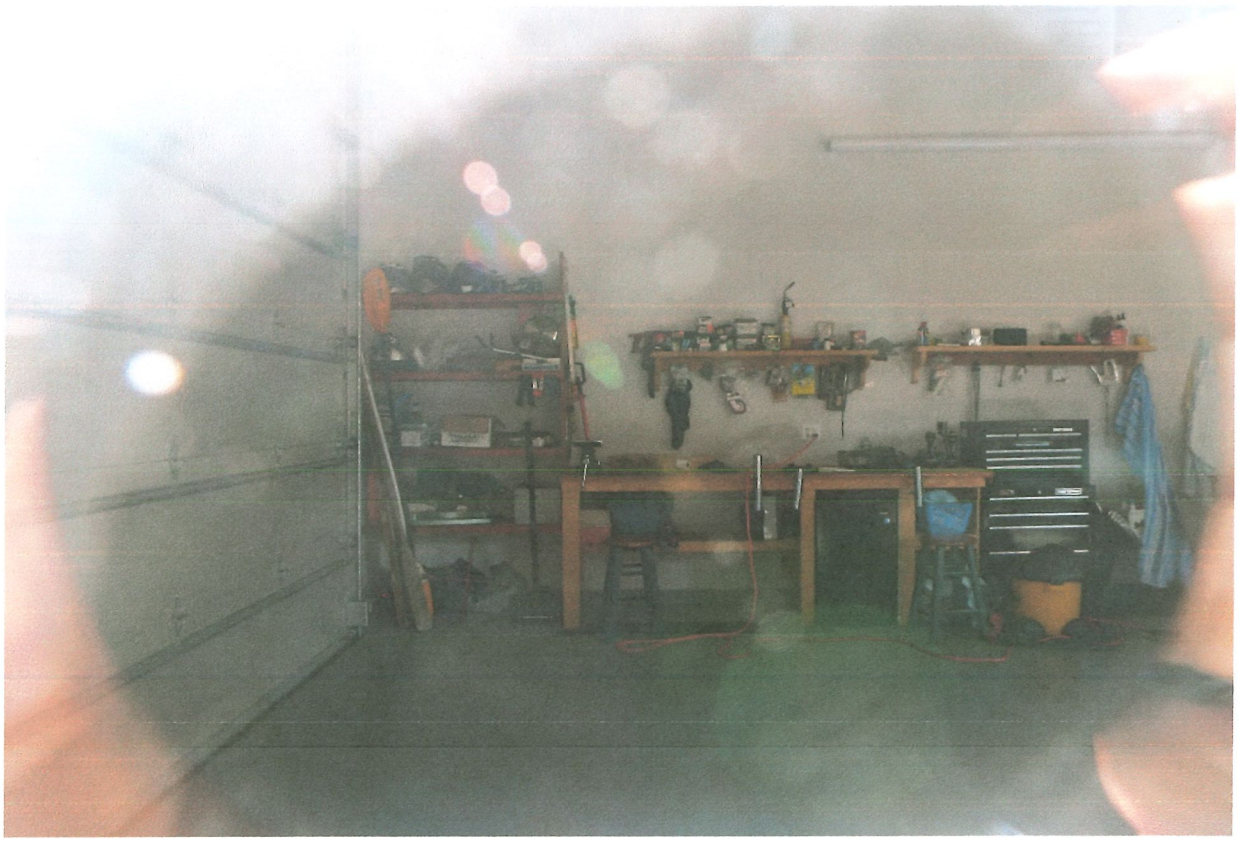


## IMMEDIATELY ABUTTER TO THE NORTH

## SCREENING ALONG THE REAR LOT LINE WHERE THE STAIRWAY IS PROPOSED

## INTERIOR GARAGE DOOR AND HEIGHT OF CEILING

## INTERIOR PARTICIAN WALL WITH STAIRS BEHIND IT



## LOOKING SOUTH TO OLD SOUTH ROAD

## LOOKING NORTH TO HINSDALE ROAD

Town of Nantucket

Zoning Board of Appeals

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

PROPERTY OWNER BRIAN AND LORRI RYDER

MAILING ADDRESS 18 EVERGREEN WAY, NANTUCKET, MA 02554

PROPERTY LOCATION 3.5 MARY ANN DRIVE

ASSESSOR MAP/PARCEL 68-988

SUBMITTED BY LINDA WILLIAMS

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 1 1 and Zoning Code Chapter 40A, Section 139-29B (2).

Mary Haley, Senior Clerk, Assessor's Office

Digitally signed by Mary Haley, Senior Clerk, Assessor's Office
Date: 2022.09.09 10:40:48 -04'00'

September 9, 2022

DATE

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 |
|---|---|---|---|---|---|---|---|---|---|
| 68 | 107 | | BUNTING JOAN | | PO BOX 2441 | NANTUCKET | MA | 02584 | 14 MACYS LN |
| 68 | 108 | | BUNTING JOAN E | | PO BOX 2441 | NANTUCKET | MA | 02584 | 8 MACYS LN |
| 68 | 109 | | BUNTING JOAN E | | PO BOX 2441 | NANTUCKET | MA | 02584 | 116 OLD SOUTH RD |
| 68 | 110 | | BUNTING JOAN E | | PO BOX 2441 | NANTUCKET | MA | 02584 | 114 OLD SOUTH RD |
| 68 | 111 | | FAIR CITY LLC | | 61 OLD SOUTH RD STE128 | NANTUCKET | MA | 02554 | 117 OLD SOUTH RD |
| 68 | 167 | | BUNTING HEIDI | | 750 ETHAN ALLEN HGWY | RIDGEFIELD | CT | 05877 | 111 OLD SOUTH RD |
| 68 | 211 | | NIPATNANTAPORN WISIMA S | | 4 CANAL PARK #402 | CAMBRIDGE | MA | 02141 | 108 OLD SOUTH RD |
| 68 | 212 | | WARD JOAN E | C/O BUNTING JOAN E | PO BOX 2441 | NANTUCKET | MA | 02584 | 110 OLD SOUTH RD |
| 68 | 213 | | WARD JOAN E | C/O BUNTING JOAN | PO BOX 2441 | NANTUCKET | MA | 02584 | 112 OLD SOUTH RD |
| 68 | 214 | | 3 MARY ANN DRIVE LLC | | PO BOX 3405 | NANTUCKET | MA | 02584 | 3 MARY ANN DR |
| 68 | 215 | | RYDER BRIAN T & LORRI A TRS | | 18 EVERGREEN WY | NANTUCKET | MA | 02554 | 5- MARY ANN DR |
| 68 | 215 | 1 | CONRAD WHITNEY M | | 4 PINE TREE RD | NANTUCKET` | MA | 02554 | 4 PINE TREE RD |
| 68 | 215 | 2 | LEMBERG EDWIN | | 5 MARY ANN DRIVE | NANTUCKET | MA | 02554 | 5 MARY ANN DR |
| 68 | 216 | | HOMEMADE LLC | | 26 LOVERS LN | NANUTCKET | MA | 02554 | 7A MARY ANN DR |
| 68 | 217 | | LAHEY ROBERT J | | 6 PINE TREE RD | NANTUCKET | MA | 02554 | 6 PINE TREE RD |
| 68 | 218 | | WESTBURY JAMES & CATHERINE D | | 4496 ACACIA RD | EUREKA | MO | 63025 | 8 PINE TREE RD |
| 68 | 219 | | WHITE DAVID P TR | WHITE HOUSE TRUST | PO BOX 1812 | NANTUCKET | MA | 02554 | 9 MARY ANN DR |
| 68 | 226 | | MAHONEY JOSEPH F & ELAYNE C | | 7 PINE TREE RD | NANTUCKET | MA | 02554 | 7 PINE TREE RD |
| 68 | 227 | | BELANGER DEAN T & TAMMY E M | | 5B PINE TREE RD | NANTUCKET | MA | 02554 | 5A PINE TREE RD |
| 68 | 228 | | BUNTING JOAN E | | PO BOX 2441 | NANTUCKET | MA | 02584 | 3 PINE TREE RD |
| 68 | 270 | | HILLS CAROLYN LEIGH | | PO BOX 1257 | NANTUCKET | MA | 02554 | 6- PINE TREE RD |
| 68 | 418 | | EGAN ANN M | | P O BOX 2682 | NANTUCKET | MA | 02584 | 11 PINE CREST DR |
| 68 | 432 | | WILLETT DEBORAH M ETAL | | 18 PINE CREST DR | NANTUCKET | MA | 02554 | 18 PINE CREST DR |
| 68 | 433 | | SUMMER STREET CHURCH | | 4 TROTTERS LANE | NANTUCKET | MA | 02554 | 23 PINE CREST DR |
| 68 | 434 | | OLNEY JAMES W | | 100 OLD SOUTH RD | NANTUCKET | MA | 02554 | 100 OLD SOUTH RD |
| 68 | 437 | | VTT 104 OLD SOUTH LLC | | 1 CLARKS HILL RD #102 | FRAMINGHAM | MA | 01702 | 104 OLD SOUTH RD |
| 68 | 438 | | SUGAR & OLLIE REALTY LLC | | PO BOX 337 | NANTUCKET | MA | 02554 | 106 OLD SOUTH RD |
| 68 | 439 | 1 | MILES DANIELLE I & JONATHAN D TR | MILES TRUST | 693 SANTUIT NEWTOWN ROAD | MARSTONS MILLS | MA | 02648 | 4A MARY ANN DR |
| 68 | 440 | | LEWIS DURVAN C & MARIA HENRY | | 6 MARY ANN DR | NANTUCKET | MA | 02554 | 6 MARY ANN DR |
| 68 | 441 | | LEMBERG DAVID | | 8 MARY ANN DR | NANTUCKET | MA | 02554 | 8 MARY ANN DR |
| 68 | 442 | | KINSELLA DANIEL | | PO BOX 2035 | NANTUCKET | MA | 02584 | 10 MARY ANN DR |
| 68 | 442 | 1 | PROPS DIGS LLC | | 9 INDIA ST | NANTUCKET | MA | O2554 | 10A MARY ANN DR #1 |
| 68 | 442 | 2 | MGM NANTUCKET PROPERTIES LLC | | 10B MARY ANN DRIVE UNIT 2 | NANTUCKET | MA | O2554 | 10B MARY ANN DR #2 |

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| 68 | 443 | | RYDER BRIAN T & LORRI A TRS | | 18 EVERGREEN WAY | NANTUCKET | MA | 02554 | 12 MARY ANN DR |
| 68 | 444 | | WILLIAMS HAROLD F III ETAL TR | | 95053 BERMUDA DR | FERNANDINA BEACH | FL | 32034 | 14 MARY ANN DR |
| 68 | 445 | | MARKS ROBERT S | | 16 MARY ANN DR | NANTUCKET | MA | 02554 | 16 MARY ANN DR |
| 68 | 446 | | MORASH JOSHUA D TR | MORASH REALTY TRUST | 18 MARY ANN DRIVE | NANTUCKET | MA | 02554 | 18 MARY ANN DR |
| 68 | 447 | | GASBARRO ARTHUR D III | | 20 MARYANNE DR | NANTUCKET | MA | 02554 | 20 MARY ANN DR |
| 68 | 448 | | OTTS KENNETH E & DIANE L | | 22 MARY ANN DR | NANTUCKET | MA | 02554 | 22 MARY ANN DR |
| 68 | 449 | 1 | JORDIN JOHN N III & JULIE M | | PO BOX 3153 | NANTUCKET | MA | 02584 | 24A MARY ANN DR |
| 68 | 450 | | LEMUS RODOLFO ETAL | | PO BOX 2228 | NANTUCKET | MA | 02584 | 26 MARY ANN DR |
| 68 | 467 | | 2 MARY ANN DRIVE LLC | | 2 MARY ANN DR | NANTUCKET | MA | 02554 | 2 MARY ANN DR |
| 68 | 485 | | LATTER MARK & CLAIRE R | | PO BOX 2984 | NANTUCKET | MA | 02584 | 7 MARY ANN DR |
| 68 | 491 | | THAIRATANA PATAMA TRST | WSN REALTY TRUST | 4 CANAL PARK #402 | CAMBRIDGE | MA | 02141 | 108- OLD SOUTH RD |
| 68 | 492 | | THAIRATANA PATAMA TRUSTEE | WISIMA REALTY TRUST | 4 CANAL PARK #402 | CAMBRIDGE | MA | 02141 | 1 MARY ANN DR |
| 68 | 493 | | 1B MARY ANNE DRIVE LLC | | P.O. BOX 2291 | NANTUCKET | MA | 02584 | 1B MARY ANN DR |
| 68 | 959 | | 5B PINE TREE ROAD LLC | C/O AXT PAUL T | 216 MASCOMA ST | LEBANON | NH | 03766 | 5 PINE TREE RD |
| 68 | 960 | | CARUSO ROGER | | 16 SEIKINNOW PLACE | NANTUCKET | MA | 02554 | 5B PINE TREE RD |
| 68 | 960 | 1 | PTR LLC | | 68 HUMMOCK POND RD | NANTUCKET | MA | O2554 | 5B PINE TREE RD #1 |
| 68 | 960 | 2 | MILES JONATHAN D TR ET AL | | 693 SANTUIT-NEWTOWN RD | MARSTONS MILLS | MA | O2648 | 5B PINE TREE RD #2 |
| 68 | 963 | | KALMAN MICHELLE L | | 19 PINE CREST DR | NANUTCKET | MA | 02554 | 19 PINE CREST DR |
| 68 | 992 | | MEYERS DONALD J | | PO BOX 3357 | NANTUCKET | MA | 02554 | 98A OLD SOUTH RD |
| 68 | 993 | | EGAN MICHAEL JAMES | | 13 PINE CREST DR | NANTUCKET | MA | 02554 | 13 PINE CREST DR |
| **Count:** | **53** | | | | | | | | |

KINSELLA DANIEL
PO BOX 2035
NANTUCKET, MA 02584

PROPS DIGS LLC
9 INDIA ST
NANTUCKET, MA O2554

MGM NANTUCKET PROPERTIES LLC
10B MARY ANN DRIVE UNIT 2
NANTUCKET, MA O2554

RYDER BRIAN T & LORRI A TRS
18 EVERGREEN WAY
NANTUCKET, MA 02554

WILLIAMS HAROLD F III ETAL TR
95053 BERMUDA DR
FERNANDINA BEACH, FL 32034

MARKS ROBERT S
16 MARY ANN DR
NANTUCKET, MA 02554

MORASH JOSHUA D TR
MORASH REALTY TRUST
18 MARY ANN DRIVE
NANTUCKET, MA 02554

GASBARRO ARTHUR D III
20 MARYANNE DR
NANTUCKET, MA 02554

OTTS KENNETH E & DIANE L
22 MARY ANN DR
NANTUCKET, MA 02554

JORDIN JOHN N III & JULIE M
PO BOX 3153
NANTUCKET, MA 02584

LEMUS RODOLFO ETAL
PO BOX 2228
NANTUCKET, MA 02584

2 MARY ANN DRIVE LLC
2 MARY ANN DR
NANTUCKET, MA 02554

LATTER MARK & CLAIRE R
PO BOX 2984
NANTUCKET, MA 02584

THAIRATANA PATAMA TRST
WSN REALTY TRUST
4 CANAL PARK #402
CAMBRIDGE, MA 02141

THAIRATANA PATAMA TRUSTEE
WISIMA REALTY TRUST
4 CANAL PARK #402
CAMBRIDGE, MA 02141

1B MARY ANNE DRIVE LLC
P.O. BOX 2291
NANTUCKET, MA 02584

5B PINE TREE ROAD LLC
C/O AXT PAUL T
216 MASCOMA ST
LEBANON, NH 03766

CARUSO ROGER
16 SEIKINNOW PLACE
NANTUCKET, MA 02554

PTR LLC
68 HUMMOCK POND RD
NANTUCKET, MA O2554

MILES JONATHAN D TR ET AL
693 SANTUIT-NEWTOWN RD
MARSTONS MILLS, MA O2648

KALMAN MICHELLE L
19 PINE CREST DR
NANUTCKET, MA 02554

MEYERS DONALD J
PO BOX 3357
NANTUCKET, MA 02554

EGAN MICHAEL JAMES
13 PINE CREST DR
NANTUCKET, MA 02554

# Letters

**Terry Norton**
**5B Mary Ann Drive, Unit 5**
**Nantucket, Ma 02554**

To: Nantucket Zoning Board of Appeals
37 Washington Street
Nantucket, Ma 02554

To whom it may concern:

I am writing this letter on behalf of Brian Ryder and Ryder Electric Inc.

As the owner of 5B Mary Ann Dr. (M68/P215-4) in Nantucket, Ma 02554, which abuts Brian Ryder's property at 3 ½ Mary Ann Drive (M68/P988) on my north property line, I would like to support Brian Ryder's recent request for relief of his Rear Setback restriction of 10'.

Mr. Ryder is asking for this relief to install an exterior staircase which would act as a "Second means of egress" on his proposed 2nd floor residence, which will be used as employee housing for his company Ryder Electric, Inc.

When Brian purchased this property, it was zoned at RC-2 which had a 5' Rear Setback. In recent years the Town of Nantucket has re-zoned this property to C-TECH which changed his setback to 10' and eliminated his right to add this egress.

I would like to speak in favor of allowing Brian to install this staircase as it in no way will affect my property on Mary Ann Drive and cannot be seen from the road.

Thank you for your time and consideration in this matter.

Sincerely,

Terry Norton

RECEIVED
SEP 14 2022
By

**3 Mary Ann Drive, LLC**
**C/O Doug Lebrecht**
**P.O. Box 3405**
**Nantucket, Ma 02584**

To: Nantucket Zoning Board of Appeals
37 Washington Street
Nantucket, Ma 02554

To whom it may concern:

I am writing this letter on behalf of Brian Ryder and Ryder Electric Inc.

As the owner of 3 Mary Ann Dr. (M68/P214) in Nantucket, Ma 02554, which abuts Brian Ryder's property at 3 ½ Mary Ann Drive (M68/P988) on my north property line, I would like to support Brian Ryder's recent request for relief of his Rear Setback restriction of 10'.

Mr. Ryder is asking for this relief to install an exterior staircase which would act as a "Second means of egress" on his proposed 2nd floor residence, which will be used as employee housing for his company Ryder Electric, Inc.

When Brian purchased this property, it was zoned at RC-2 which had a 5' Rear Setback. In recent years the Town of Nantucket has re-zoned this property to C-TECH which changed his setback to 10' and eliminated his right to add this egress.

I would like to speak in favor of allowing Brian to install this staircase as it in no way will affect my property on Mary Ann Drive and cannot be seen from the road.

Thank you for your time and consideration in this matter.

Sincerely,

Doug Lebrecht

RECEIVED
SEP 14 2022
By

Joan Bunting
P.O. Box 2441
Nantucket, Ma 02584

To: Nantucket Zoning Board of Appeals
37 Washington Street
Nantucket, Ma 02554

To whom it may concern:

I am writing this letter on behalf of Brian Ryder and Ryder Electric Inc.

As the owner of 2 ½ Pine Tree Road (M68/P989) in Nantucket, Ma 02554, which abuts Brian Ryder's property at 3 ½ Mary Ann Drive (M68/P988) on the rear, westerly property line, I would like to support Brian Ryder's recent request for relief of his Rear Setback restriction of 10'.

Mr. Ryder is asking for this relief to install an exterior staircase which would act as a "Second means of egress" on his proposed 2nd floor residence, which will be used as employee housing for his company Ryder Electric, Inc.

When Brian purchased this property, it was zoned at RC-2 which had a 5' Rear Setback. In recent years the Town of Nantucket has re-zoned this property to C-TECH which changed his setback to 10' and eliminated his right to add this egress.

I would like to speak in favor of allowing Brian to install this staircase as it in no way will affect my property on Pine Tree Road and can not be seen from the road.

Thank you for your time and consideration in this matter.

Sincerely,

Joan Bunting

Joan Bunting

RECEIVED
SEP 14 2022
By

BUNTING JOAN
PO BOX 2441
NANTUCKET, MA 02584

BUNTING JOAN E
PO BOX 2441
NANTUCKET, MA 02584

BUNTING JOAN E
PO BOX 2441
NANTUCKET, MA 02584

BUNTING JOAN E
PO BOX 2441
NANTUCKET, MA 02584

FAIR CITY LLC
61 OLD SOUTH RD STE128
NANTUCKET, MA 02554

BUNTING HEIDI
750 ETHAN ALLEN HGWY
RIDGEFIELD, CT 05877

NIPATNANTAPORN WISIMA S
4 CANAL PARK #402
CAMBRIDGE, MA 02141

WARD JOAN E
C/O BUNTING JOAN E
PO BOX 2441
NANTUCKET, MA 02584

WARD JOAN E
C/O BUNTING JOAN
PO BOX 2441
NANTUCKET, MA 02584

3 MARY ANN DRIVE LLC
PO BOX 3405
NANTUCKET, MA 02584

RYDER BRIAN T & LORRI A TRS
18 EVERGREEN WY
NANTUCKET, MA 02554

CONRAD WHITNEY M
4 PINE TREE RD
NANTUCKET`, MA 02554

LEMBERG EDWIN
5 MARY ANN DRIVE
NANTUCKET, MA 02554

HOMEMADE LLC
26 LOVERS LN
NANUTCKET, MA 02554

LAHEY ROBERT J
6 PINE TREE RD
NANTUCKET, MA 02554

WESTBURY JAMES & CATHERINE D
4496 ACACIA RD
EUREKA, MO 63025

WHITE DAVID P TR
WHITE HOUSE TRUST
PO BOX 1812
NANTUCKET, MA 02554

MAHONEY JOSEPH F & ELAYNE C
7 PINE TREE RD
NANTUCKET, MA 02554

BELANGER DEAN T & TAMMY E M
5B PINE TREE RD
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BUNTING JOAN E
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EGAN ANN M
P O BOX 2682
NANTUCKET, MA 02584

WILLETT DEBORAH M ETAL
18 PINE CREST DR
NANTUCKET, MA 02554

SUMMER STREET CHURCH
4 TROTTERS LANE
NANTUCKET, MA 02554

OLNEY JAMES W
100 OLD SOUTH RD
NANTUCKET, MA 02554

VTT 104 OLD SOUTH LLC
1 CLARKS HILL RD #102
FRAMINGHAM, MA 01702

SUGAR & OLLIE REALTY LLC
PO BOX 337
NANTUCKET, MA 02554

MILES DANIELLE I & JONATHAN D TR
MILES TRUST
693 SANTUIT NEWTOWN ROAD
MARSTONS MILLS, MA 02648

LEWIS DURVAN C & MARIA HENRY
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LEMBERG DAVID
8 MARY ANN DR
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