



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, John Brescher
Alternates: Mark Poor, Jim Mondani

~~ MINUTES ~~

Thursday, June 13, 2023

PLUS Conference Room, 2 Fairgrounds Road, Conference Room –5:00 p.m.

This meeting was held via remote participation using ZOOM.

Called to order at 5:10 pm and announcements made by Ms. McCarthy

Staff in attendance: William Saad, Land Use Specialist; Leslie Snell, Deputy Director of Planning; Nicky Sheriff, Admin Specialist

Attending Members: McCarthy, Botticelli, Allen, O'Mara, Brescher, Mondani, Poor (remote attendance)

Absent: Brescher

I. APPROVAL OF AGENDA

Agenda adopted by unanimous consent

Motion **Motion to Approve.** (made by: Allen) (seconded by O'Mara)

Vote Carried unanimously

II. APPROVAL OF MINUTES

III. SURFSIDE CROSSING FINAL SITE PLAN/ENGINEERING REVIEW AND REVIEW OF CONDITIONS

Representing:

George Pucci, KP Law, Town Counsel

John Chessia, Chessia Consulting Services, LLC, engineer for ZBA

Paul Haverty, Blatman, Bobrowski, Haverty & Silverstein, LLC for Surfside Crossing

Mirka Ahern, Landscape Design Studio for Surfside Crossing

Don Bracken, Bracken Engineering for Surfside Crossing

Irem Cabbaroglu, Workshop APD for Surfside Crossing

1. Designate Sitting Board

McCarthy- Our deadline is June 28, 2023. The advice we received from Town Counsel is the five full members vote typically. We've had discussions that alternates sat on the Comprehensive Permit and should continue to vote for the review process.

Botticelli- There is a lot of history to this matter, so it makes sense to keep the sitting members from the Comprehensive Permit review.

John is missing, so we can use the five members currently in the room. (McCarthy, Botticelli, O'Mara, Allen, Mondani)

Pucci- Confirmed this is not a public hearing and mullens will not be necessary. Advised the Board to designate the voting members.

Motion Motion to Designate the sitting Board as McCarthy, O'Mara, Botticelli, Allen, Mondani (made by: Botticelli) (seconded O'Mara)

Vote Carried unanimously

2. Surfside Crossing Final Site Plan Review and Review of Conditions

McCarthy- Asked if the Board had questions on Exhibit 4.

Botticelli- Commented that there are two roof material choices (asphalt and metal) and strongly recommends that asphalt shingles be used.

Cabbaroglu- Stated the design intent on proposing a standing seam metal roof was due to solar being proposed and offering a complimentary material.

Botticelli- Questioned where solar panels are being proposed. Wants shingle material for roof documented as a concern in the Board's letter. Thinks color should be determined by HDC when the applicant applies for solar.

Allen- Thinks the Board should approve a roof color regardless of the addition of solar.

McCarthy- Reminded the Board that we can make a note but cannot make changes to the plan.

Poor- Pointed out discrepancies with building materials represented in the plans.

Mondani- Does not believe HDC will review solar if proposed.

McCarthy- Stated that it either goes to HDC or comes back to ZBA with any proposed changes. The Board will make note of the roof materials in the letter. Confirmed there are no more questions regarding Exhibit 4, comments will be noted in the letter. Moved on to Conditions.

McCarthy- Stated for condition 17, the applicant met the condition with a licensed landscape architect to review the plantings.

Botticelli- Stated that Mr. Chessia recommends that the plants be reviewed by a licensed professional.

Bracken- Clarified that the plan should be stamped by a licensed Landscape Architect

Chessia- Stated that he assumed someone within the Nantucket Government or a consultant would review for verification.

Botticelli- Questioned if the Board can ask the Conservation Commission.

Snell- Believes the plans will only need to be stamped by a licensed professional.

McCarthy- Questioned if additional review is necessary when a licensed landscape architect will stamp the plans confirming the plantings list complies with the Decision.

Botticelli- Asked if the Board can hire a professional to determine that the list is correct.

McCarthy- Doesn't think the Board needs to discuss the materials, but should decide if a consulting professional is necessary.

Snell- Stated that there is a condition later in the HAC decision, that addresses the landscape plans and the plans must be stamped to verify that they comply with the permit. The Town does not employ a professional landscape architect or consultant.

Mondani- Volunteered to compare the landscape materials list for the Board.

Snell- Referred to the original decision and stated that a 3rd party landscape professional was not a requirement for review.

McCarthy- Thinks for review of lighting plan and dark sky compliance. The applicant has to comply with the local Bylaw.

Botticelli- Questioned why the Board has not received a lighting plan.

Snell- Stated as it relates to the review of the lighting plan - lighting must comply with the Bylaw.

McCarthy- Asked Mr. Chessia about the disagreement between himself and Don Bracken about the dry wells and infiltration systems.

Chessia- Stated he never received the updated architectural plans and doesn't look at architecture specifically but uses it for comparison. It was unclear that the buildings had a walkout but there were no contours on the plans which created an inconsistency. Disagrees with Mr. Bracken about drywells, but understands there is a local custom with relation to recharge.

Bracken- Stated that the grading around the buildings was shown on the landscaping plans. Additional grading was added to the plans. Contour lines are shown on page 5 of our grading plan. Is confident that the combination of engineering and landscaping plans shows how that can be treated. It was too much information to include in one plan without making things too confusing. Stated that he and Mr. Chessia disagree on the interpretation of the drywell requirements.

Mondani- Asked Mr. Chessia how two engineers can disagree on engineering standards. Thinks the plans can be updated based on Mr. Chessia's comments.

Chessia- Stated that regulations can be interpreted in different ways, and we have different opinions on how they should be interpreted. Doesn't believe the plans are construction-ready drawings and leaves too much interpretation in the field. Concerned about lack of information in the elevations.

Bracken- Addressed comment about grading, explained engineering plans noted a reference to landscape plans for grading.

Cabbaroglu- Directed Board to look at the landscaped plan, page "L-02."

Botticelli- Stated that these are spot-grading elevations and do not include contour lines.

Bracken- Explained that contour lines were omitted to make the plan clearer for review. Referred the Board to look at the grading plans. Stated that the contour lines are shown before it starts to step down to the alcove. Is confident the landscaping and architectural plans show how those areas need to be treated.

Bracken showed the Board full-scale plans at the table and stated cross sections can be submitted.

Mondani- Questioned the reference to the 100-year storm.

Bracken- Explained the Town of Nantucket requires plans to be designed based on a "25-year storm event", which is approximately 5.7 inches of rainfall in 24 hrs. A 100-year storm is approximately 7.2 inches in 24 hours. The systems have been designed for the 100-year storm. There is a disagreement on stormwater interpretation with Mr. Chessia on the dry well situation. There is 20 feet to ground water. The custom in Nantucket has never been to keep the drywells 20 feet from a structure. Because of the soil conditions and the depth, water infiltrates vertically.

Allen- Questioned how the tests have been and if there has been any play.

Bracken- Stated there has been no play and water is virtually going straight down.

Botticelli- Questioned how many are less than 20 feet.

Bracken- Stated approximately 6.

Mondani- Questioned Mr. Chessia on what the concern is between the difference of interpretation.

Chessia- Stated there is no invert for any of the drywells near the buildings and doesn't know what the elevation is. Suspects drywells near walkouts are most likely below the foundation so you probably wouldn't have an issue with the basement flooding, but thinks plans are incomplete.

Mondani- Thinks more information is needed based on Mr. Chessia's comments.

Bracken- Stated that these are more of a design-build system. Can provide information if the Board requires it.

Mondani- Confirmed with Mr. Bracken that his way is a custom on Nantucket.

McCarthy- Stated the Board would make note of the engineer's concerns for the drywells in the letter to the building official.

Allen- Believes this is also an issue due to the dense population of the project and that it's not a typical Nantucket project.

Bracken- Suggested that they include information for the two typical units to demonstrate how it will work.

Chessia- Suggested that this would be sufficient and include a table for the systems with elevations.

Botticelli- Confirmed condition 28, which addresses the HDC's involvement - Any future proposed changes will require HDC review.

McCarthy- Asked the Board about condition 30 – does the board want more information on the trash and recycle sheds?

Botticelli- Wants to note that dumpsters seem insufficient, and each building should have its own dumpster.

O'Mara- Confirming the parking spaces affected by the rollout areas for dumpsters will be noted in the letter.

McCarthy- Condition 38, asked Mr. Bracken to explain the impervious surface 4% increase.

Bracken- Explained that additional handicap accesses had to be added to comply with code.

McCarthy- Condition 42, asked if Mr. Chessia has authorization to review the SWPPP. Thinka the Board had already approved.

Chessia- Stated he can but it's best practice to review after the technical review in case there are any changes to the process. Does not suspect the plan will change much at this point but would recommend it being reviewed prior to digging.

Moved onto condition 97

Botticelli-Questioned the phasing plan

Chessia- Explained the look of the phasing plan is more for the Board and public safety officials to ensure there are no issues as occupants start to move in. Understands the construction will start at the back and work toward the front.

O'Mara- Thinks that is the correct way so construction vehicles are not traversing through the occupied buildings.

Allen- Questioned the purpose of temporary earth berms.

Bracken- Explained the purpose is to provide screening.

Allen- Questioned if all fill will be taken off-site.

Bracken- Explained that there are specific stockpile areas identified on the plans.

Allen- Questioned the fencing.

Bracken- Stated silt fencing and construction fencing are shown on the phasing plans.

Botticelli- Condition 97K – Wants to note the Board has not seen a date-specific construction schedule.

Bracken- Will need to update the plans and get back to the Board.

Snell- Stated the Decision specifies that the applicant is to provide one, but also asks for identification of contractors and specialists so thinks it will come later and not for this portion of the technical review.

Botticelli- Would like to have an overall sense of timing.

Snell- Stated a large-scale project of this size will typically have one.

O'Mara- Questioned if anything that is buried, and drainage will be documented on the as-built plan.

Bracken- Confirmed that it will.

McCarthy- Would like something submitted for the construction plan to give an approximate idea.

Botticelli- Condition 97Y – Thinks detail should be included for retaining walls. Asked Mr. Bracken if they could be incorporated.

Bracken- Stated that he will have the architectural engineer provide.

McCarthy- Condition 103 D, questioned cross-sections for utility locations. Asked Mr. Chessia if that had been provided.

Chessia- Stated that the profile was shown but not all cross sections. Thinks they will be ok.

McCarthy- Questioned signage.

Bracken- Stated he will confirm with the team what signage is proposed.

Snell- Stated that in the Richmond Development, they named the buildings and that's how they're identified.

McCarthy- Condition 140, questioned discrepancy in parking with relation to phasing.

Bracken- Stated that he will have to confirm, and it will need to be updated based on the berms.

McCarthy- Appendix A

Botticelli- Questioned Mr. Bracken if soil tests had been performed.

Bracken- Confirmed soil tests have been performed but additional tests will be needed.

Allen- Questioned the overall time frame of the total project.

Snell- Confirmed one of the conditions specifies no longer than 3 years.

McCarthy- Confirmed with Mr. Bracken that oil will not be used for heating.

IV. ADJOURNMENT

Motion to Adjourn at 6:5 (made by: Botticelli) (seconded by O'Mara)

Roll-call vote Carried 5-0//McCarthy, Allen, Botticelli, O'Mara and Mondani-aye

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

I. None

Submitted by: William Saad