

ZBA MEETING PACKET

11/09/23



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)

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NANTUCKET TOWN CLERK
Posting Number:T 988

Committee/Board/s	Zoning Board of Appeals
Day, Date, and Time	Thursday, November 9, 2023, at 1:00 PM
Location / Address	4 Fairgrounds Road, Nantucket, MA 02554 PSF COMMUNITY ROOM & REMOTE PARTICIPATION VIA ZOOM WEBINAR
Signature of Chair or Authorized Person	Leslie Woodson Snell, 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.

ZOOM WEBINAR REGISTRATION LINK:

https://us06web.zoom.us/webinar/register/WN_pCh2A38bRRC_UBMfY_gCdq

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

<https://youtu.be/2PwJezWDZME>

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:

APRIL 13, 2023
MAY 30, 2023
JUNE 13, 2023
OCTOBER 19, 2023

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

09-22 Harris on Weweeder, LLC

50 Weweeder Avenue

Brescher

Continued to December 14, 2023

Applicant is seeking Variance relief pursuant to Nantucket Zoning Bylaw Section 139-32 from the intensity regulations in 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 General 1 (LUG-1).

20-22 Steven L. Cohen & Christopher P. Choma, Trs. 29 Monomoy Rd Nominee Trust,

Cohen

Continued to December 14, 2023

Applicant is seeking Variance relief pursuant to Zoning Bylaw Section 139-32 for a waiver from the ground cover provision in Section 139-16 in order to construct an accessory structure of up to 780.25 SF. Locus is situated at 29 Monomoy Road, shown on Assessor's Map 54 as Parcel 209 and as Lots 10 and 11 on Land Court Plan 10937-C. Evidence of owner's title is registered on Certificate of Title No. 22883 at the Nantucket County District of the Land Court. The site is zoned Limited Use General 1 (LUG-1).

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

13-23 Surfside Drive, LLC

5 Surfside Drive

Beaudette

Applicant is seeking a modification of a Special Permit pursuant to Nantucket Zoning Bylaw Section 139-33 in order to alter and expand the pre-existing, nonconforming use by tearing down the existing commercial structure on the premises and replacing it. Locus is situated at 5 Surfside Drive, shown on Assessor's Map 67, Parcel 251 and shown as Lot 29 on Land Court Plan 26439-H. Evidence of owner's title is registered on Certificate Title No. 27168 with the Nantucket County District of the Land Court. The site is zoned Residential-10 (R10).

14-23 Benjamin and Jacqueline deRuyter

12 Academy Lane

Beaudette

Applicants are seeking Special Permit relief pursuant to Zoning Bylaw Section 139-33.A.(1)(b) to change the use of the preexisting nonconforming garage structure to a mixed-use shed and outbuilding/home office. Locus is situated at 12 Academy Lane, shown on Assessor's Map 42.4.3 as Parcel 87. Evidence of owner's title is recorded in Book 1789 and Page 243 with the Nantucket County Registry of Deeds. The site is zoned Residential Old Historic (ROH).

15-23 Allan and Darina McKelvie

6 Candle House Lane

Williams

Applicants are seeking re-issuance and modification of a previous grant of relief in the Zoning Board of Appeals Decision in File No. 031-17. Applicants propose to alter and extend the garage structure as previously approved by Special Permit pursuant to Zoning Bylaw Section 139-33A. Additionally, Applicants are seeking clarification to remove the wooden portion of the structure, with the foundation to remain in place, and reconstruct as previously approved. Locus is situated at 6 Candle House Lane and shown on Assessor's Map 55.4.4 as Parcel 52.1. Evidence of owner's title is recorded as Lot 1 in Plan Book 20 and Page 107 with the Nantucket County Registry of Deeds. The site is zoned Residential Old Historic (ROH).

16-23 Lee and Priscilla Saperstein

20 New Street

Williams

Applicants are requesting a Modification of the previously granted Special Permit in File No. 014-05, which was further modified in File No. 086-06, File No. 043-08, and File No. 013-09. Specifically, Applicants are seeking to eliminate two (2) of the conditions in order to convert the studio structure to a secondary dwelling. Additionally, to the extent necessary, Applicants are seeking Special Permit relief pursuant to Zoning Bylaw Section 139-18, for a waiver of the onsite parking requirements. Locus is situated at 20 New Street, shown on Assessor's Map 55, Parcel 337. Evidence of owners' title is recorded in Book 943 and Page 342 with the Nantucket County Registry of Deeds. The site is zoned Residential Old Historic (ROH).

**17-23 C. Gail Greenwald and Roy F. Greenwald, Trustees of the Roy F. Greenwald Revocable Trust – 1994
and of the C. Gail Greenwald Revocable Trust - 1994 6&6A Washington Avenue Cohen**

Applicants are seeking a Variance pursuant to Zoning Bylaw Section 139-32, to exceed the allowable maximum ground cover in order to merge two lots. Locus is situated at 6 + 6A Washington Avenue and shown on Assessor's Map 60.2.4 as Parcels 66 + 66.1. and shown as Lots 896 + 897 on Land Court Plan 3092-120. Evidence of owner's title is registered on Certificate Title No. 27237 with the Nantucket County District of the Land Court. The site is zoned Village-Residential (VR).

VI. OTHER (VOTES MAY BE TAKEN)

- 2024 Zoning Board of Appeals Meeting Schedule

VII. ADJOURNMENT (VOTE WILL BE TAKEN)

MINUTES

04/13/23



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, April 13, 2023

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

This meeting was held via remote participation using ZOOM and YouTube.

Called to order at 1:08 pm and announcements made by Ms. McCarthy

Staff in attendance: William Saad, Land Use Specialist; Leslie Snell, Deputy Director of Planning; Paul Murphy, Building Commissioner

Attending Members: McCarthy, Botticelli, Allen, O'Mara, Brescher, Mondani

Absent: Poor

Agenda adopted by unanimous consent

Motion **Motion to Approve.** (made by: Brescher) (seconded)

Vote Carried unanimously

I. APPROVAL OF MINUTES

1. February 9, 2023

Botticelli – On page 4, there is a comment where I say “biblical piles” and it should say “helical piles”. On page 5, there is another statement by me that says “when you go to the basement and add a bathroom” and it should read “add a bedroom”

Motion Motion to Approve as amended. (made by: O'Mara) (seconded)

Vote Carried unanimously

II. UPDATE

1. Surfside Crossing 40B

Discussion (6:36) **Snell** - Update for the board and the public relative to the Surfside Crossing 40b. They have chosen to proceed at their own risk while the HAC appeals are still pending. We received the final plan set in the office on March 22nd and I have distributed those to the applicable Town staff for review, and also the engineer for his final review and that will be scheduled for your May 11th ZBA meeting. It is a 90-day review period, which is outlined in the decision and in the HAC decision, so that's the window that you have to work with.

Botticelli – What is that 90-day date?

Snell – Not sure but it started on March 22nd.

Botticelli – Has anybody reviewed the plans? Can I ask questions?

McCarthy – We were just going to do an announcement today. Leslie, what do you think?

Snell – If the Board has questions, that's fine.

Botticelli – Questioning the letter from Dennis Murphy. Have the 25 items in the conditions been received?

Snell – Comments that we have already received and will receive will be distributed to you in your agenda packet for May 11th. Comments weren't distributed today because they were not a discussion item.

Botticelli – Okay, if you can just update us on the 90-day date as well

Mondani – The town is in a suit right?

Snell – Currently, yes.

Mondani – Is there anything the town is going to do with regard to a stay?

Snell – I can't really speak to that.

III. EXECUTIVE SESSION

1. The Board may entertain a motion to go into executive session under G.L.c.30A, §21(a)(3) for the purpose of discussing strategy with respect to litigation regarding Appeal of Special Permit by Guy Maddalone (ZBA No. 17-21), where the Chair has determined that an Open Session Meeting may have a detrimental effect on the litigating position of the Board.

Motion Motion to Enter into Executive Session for the reasons stated at 1:19 PM and to go back into open session upon completion. (made by: O'mara) (seconded by: Mondani)

Vote Carried unanimously: McCarthy – aye; Allen – aye; O'mara – aye; Mondani – aye

Motion Motion to Leave Executive Session at 1:42 PM. (made by: Allen) (seconded by: O'mara)

Vote Carried unanimously: McCarthy – aye; Allen – aye; O'mara – aye; Mondani – aye

IV. OLD BUSINESS

1. 09-22 Harris on Weweeder, LLC 50 Weweeder Avenue Brescher
CONTINUED to May 11, 2023
2. 20-22 Steve L. Cohen & Christopher P. Choma, Trs. 29 Monomoy Rd Nominee Trust, 29 Monomoy Road Cohen
CONTINUED to May 11, 2023
3. 37-21 Kristina & Nicholas Amendolare 8 Bank Street Williams
Applicants are seeking a Special Permit pursuant to Nantucket Zoning Bylaw Sections 139-30 and 139-33A in order 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).
Voting McCarthy, Botticelli, O'Mara, Allen, Mondani
Alternates: None
Recused: None
Representing: Attorney Michael Wilson
Jeff Blackwell, Blackwell & Associates
Wayne McArdle, engineer
Public: Attorney Jon Fitch, for the Gardners
Ann Ramsey Gardner, 9 Broadway
Attorney Sarah Alger for Wilhemina Austin 11 Broadway
Margret Van Deusen, 7 Front Street
Lisa Soeder 13 Broadway
Discussion
Attorney Michael Wilson - This is a request for a special permit involving a pre-existing non-conforming setback being about 12 square foot triangular portion of the roof plane. We've been discussing various aspects of how the construction will be implemented to mitigate or prevent any negative impacts in the neighborhood at previous meetings. My clients have engaged McArdle Associates and Mr. Wayne McArdle is here to address any additional questions or any follow-up that you may have.
Mondani - Clarification on this non-conformity. Can the roof be resolved without relief?
Wilson - Cutting the triangular portion of the building off would compromise what is already a very small structure with very little usable space.
Botticelli - Questioned ruling from the health department - staff recommendation that says that no basement bedroom can be added?
Wilson - Asked that the opinion letter not be part of the zoning board of appeals review. Has done some independent research with respect to applicable sewer districts, this property may benefit from sewer in the not-too-distant future.
Botticelli - Questioned if adding a bathroom in the basement would classify it as a bedroom, but noted that the septic system cannot be expanded beyond its approved capacity for one bedroom.
Wilson - Stated zoning relief requested is not for the number of bedrooms.
Allen - Questioned septic size
Wilson - Septic is a new title five. The variance in place was for the upgraded Title Five.
Botticelli - Questioned if the basement is feasible based on Health Department letter, and that is a big part of the discussion relative to the safety of the roads.
Wilson - The basement is not going to be a portion of the zoning relief that's currently requested.
Botticelli - But it affects the means and methods of construction.
Wilson - It does and the Board received information from the engineer on how they will shore up. It's possible to do this with the means and methods that Mr McArdle has presented without causing any compromise to the neighborhood.

McCarthy - The very small triangle is triggering the need for zoning relief but when zoning relief is triggered, we typically look at the project as a whole. The bigger concern for me in this Board of Health opinion was that they are saying any work to the house will affect the structural integrity of the septic tank

Allen - It's new construction and the new construction doesn't go with what was approved for the septic

McCarthy - Board of Health will deal with that portion. If the project was only doing something in that one little area then we would look at that area but this is a whole project involving more than the triangular portion.

Wilson - Agreed that Board of Health will review the septic.

Jeff Blackwell - There's going to be an article placed on the fall special town meeting to expand the Sewer District to include this property. The simple solution is to connect this property to the sewer that's on Front street directly above the property. If voted through a town meeting it becomes a simple sewer connection design of a single dwelling.

Botticelli - Questioned if sewer would need to be expanded down Front street to site.

Blackwell - Sewer doesn't have to be expanded down Front Street, already a gravity sewer line at Front Street.

O'Mara - Everything that we've heard from Mr. Blackwell makes a lot of sense. If we Grant the permit, the town may decide not to expand sewer. If the town doesn't approve it, then they're going to be using that house as it currently sits.

Botticelli - The basement would require a new variance from the Board of Health.

Mondani - Concerned scope is going beyond "substantially more detrimental". The septic issue is for the Health Department to determine.

O'Mara - Not voting on whether the applicant can build it and wouldn't want to handicap that. As far as Zoning Board, I think they've given the information we've requested.

Botticelli - basement adds a lot more complexity to this project. Until sewer is an option, the septic is part of our discussion and part of the whole discussion.

McCarthy - If we're comfortable with the means and methods, and conditions to be added, I want to make sure the decision is clear and limited to our purview.

Allen - Doesn't want to deny and disable them from doing other things with the property.

McCarthy - This project will have to go through other boards for final approvals. Our scope is focused on the Triangular 12 square feet but also the means and methods. If we deny, approve, or continue, it needs to be based on the means and methods. The information we have about septic is informative but our decision can't be based on that.

Botticelli - Questioned if the retaining wall is staying in place, how will piles be installed.

Wayne McArdle - Existing CMU blockwall will stay in place. House will be removed from the site, the wall will be cut to drill the piles into place. It'll be shored with timberlagging and the west side will be reinforced with a new wall. The existing wall with a new wall that will be used as the outside form for the new foundation.

O'Mara - Questioned if house will be moved off-site

McArdle - the house is going to be removed off-site during construction.

Wilson - It has to be relocated in order to install the Shoring of the of the bank and the installation of the foundation. This will all have to go through Town of Nantucket permitting.

O'Mara - questioned discrepancy about materials and testimony regarding turning or moving the house.

Botticelli - Questioned if there are concerns of vibration from drilling.

McArdle - Almost little or no vibration, we're bracing it internally based on abutter's concern

Allen - Stated there will be vibration

Attorney Jon Fitch - Represents Jeffrey and Ann Gardner of nine Broadway LLC. The conclusion of the Health Department document is that there is simply not a safe setback of the tank and that is relevant to your determination about whether or not this project is detrimental to the neighborhood. Client filed a letter on 4/10 from their own geotechnical consultant. Their letter states that the applicant has not adequately responded to issues raised and supports that the neighborhood is at risk and there is a reasonable basis to conclude that the neighborhood would suffer a detrimental impact.

Ann Gardner - the construction risks remaining are implementation risk. There will be a difference of over 30 feet between the bottom of the excavation and Front Street. Pumping effluence up that high is unrealistic per our geotechnical engineer. If basement is added, there's no leaching cyst area under the house now it will go beyond the site. This project is a small vacation rental home for one family and would put a neighborhood and historic district at risk.

Margaret Van Deusen - Stated that her house does not have a foundation and the house is supported on the bank itself by concrete pillars of indeterminate age. The risk is that it will destabilize the bank and damage houses. Whether something could happen at town meeting down the road is highly speculative.

Blackwell - Indicated a variance from the Board of Health for new septic is no longer an option. We have to tie to town sewer, which are routinely expanded at Town Meetings. Nothing technically difficult about pumping sewage up a hill.

Attorney Sara Alger - Agree with gardeners, their counsel and appreciates and agrees with Mr Blackwell's comments on the septic system. If the Board is inclined to approve it then it should be conditional upon the property being brought into the Sewer District and a sewer connection being made.

McCarthy - Surprised there won't be a basement unless they can tie into sewer. Doesn't see point in approving this if it can only happen at some point down the road at town meeting.

Allen - Agrees but doesn't want to deny it and disable them from coming back for two years. Also don't want to approve without knowing if there will be sewer access.

Snell – The Board has veered outside of its jurisdiction, but all you need to make is a substantially more detrimental finding. Stick to your jurisdiction and the burden is on them to get additional relief as needed from the appropriate Board. Follow the Zoning Bylaw and apply appropriate conditions or decide that you don't think it's appropriate and deny it.

McCarthy - If we are going to entertain a motion today, we do have some conditions to talk about

Mondani – For clarification, you cannot build the basement without the septic approval?

Wilson – We would need a variance from the Board of Health to locate the foundation that's proposed within the proximity of the existing septic tank.

Lisa Soder - Stated her house is at the top of Middle Gully Road. The new information submitted today concerning the possibility of town sewer being available does not change anything. The pilings are 10 feet below the basement which is 10 feet below the plane and could jeopardize the bank.

McCarthy - Questioned if there is a list for standard conditions that for a project like this?

O'Mara - Thinks Board can make an approval subject to the approval of conditions that don't currently exist because we have to go back and review all documents submitted.

Snell – It's an option to vote to approve a project, close the public hearing, and draft a decision for just the board to review and comment on at the next meeting. Closing the public hearing closes down any new public comments and new information from being submitted.

Alger - do you know when your action deadline is?

McCarthy - June 22nd

Motion	Motion to close the public hearing. (made by: Botticelli) (seconded by Allen)
	Motion to have a draft Decision with conditions to review at May 11 meeting. (made by: Allen) (seconded by O'mara)
Vote	Carried unanimously

V. NEW BUSINESS

1. 10-22 Paul P. Moran & Jean M. Moran	4 Washington Avenue	Santos
CONTINUED to May 11, 2023		
2. 17-22 Nantucket Cottage Hospital	16 Vesper Lane	Erickson
CONTINUED to May 11, 2023		
Voting	McCarthy, Botticelli, O'Mara, Allen, Mondani	
Discussion	Not opened at this time.	
Motion	Motion to continue 09-22, 20-22, 10-22, 17-22. (made by: Mondani) (seconded by: O'mara)	
Vote	Carried unanimously	

VI. OTHER BUSINESS

1. None

VII. ADJOURNMENT

Motion	Motion to Adjourn at 3:05 pm. (made by: Mondani) (seconded Botticelli)
Vote	Carried unanimously

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

1. None

Submitted by:
Billy Saad

MINUTES

05/30/23



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, May 30, 2023

PLUS Conference Room, 2 Fairgrounds Road, Conference Room –11:00 a.m.

This meeting was held via remote participation using ZOOM.

Called to order at 11:22 am 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,

Absent: Poor

I. APPROVAL OF AGENDA

Agenda adopted by unanimous consent

Motion **Motion to Approve.** (made by: Allen) (seconded by Brescher)

Vote Carried unanimously

II. APPROVAL OF MINUTES

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

Representing:

Paul Haverty Surfside Crossing Attorney

Mirka Ahern, Landscape Architect for Surfside Crossing

Ryan Maxwell, Bracken Engineering for Surfside Crossing

Irem Cabbaroglu, Workshop APD for Surfside Crossing

1. Designate Sitting Board

Discussion about the item being properly posted.

Saad- It was posted on the meeting posting, but not the packet.

McCarthy- Can we go forward if it was not posted in the packet?

Snell- The posting is what's important, but I would suggest, given the general controversy of this project, that we include the agenda item in both the meeting posting and packet, and do it at the next meeting to eliminate any confusion.

McCarthy- Agreed.

2. Surfside Crossing Technical review

McCarthy- Today we are focusing on landscape plans, architecture plans, and community building. Our goal is to note any deficiencies in the final plans. We can start with landscape plans. Did anyone have questions or comments? I had one question, but it was answered with the latest submission.

Botticelli- Questioned the size of dumpsters

Ahern- 10x6 would be the size.

Botticelli- Questioned how many dumpsters total and how often they will be picked up.

Ahern- Most buildings will have one dumpster, a few buildings will share one. Thinks pick up will be once or twice per week.

McCarthy- Questioned if that is managed by HOA docs.

Botticelli- Asked how many occupants will use a single dumpster.

O'Mara- Asked if dumpsters will make any parking spots available less than 24 hrs.

Ahern- Doesn't believe so.

Botticelli- Buildings 15 and 16 have a larger area. Is that combined to serve both buildings?

Ahern- That's correct.

Botticelli- Wants to make sure there are enough dumpsters. Doesn't think the plan reflects enough.

Ahern- The plans will need to be updated to show all dumpsters.

Allen- Questioned number of occupants per building to gauge how much trash will be accumulated as well as parking.

McCarthy- The documents show 283 bedrooms total.

Botticelli- Divided by 18 buildings.

Allen- Approximately 30 people

Botticelli- Concerned there is not enough trash storage.

Haverty- Stated the number of occupants per building is a question for fire code and or building code, it's not something limited by the Housing Appeals Committee. It can vary.

McCarthy- Is the trash adequate for the potential number of occupants?

Allen- How often will trash be picked up?

Haverty- In terms of frequency of pickup, as frequently as necessary.

Allen- Asked for a promised schedule.

Haverty- Does not believe it has been determined yet. Trash pickup will be handled by the management company as often as necessary.

Allen- Wants to know how many days per week.

Haverty- Information is not available yet. Stated this is not in the purview of the Board.

Mondani- Stated for the record, we don't have legal counsel in this meeting to address if trash pickup is part of this review process.

McCarthy- The Board has a question about trash pickup. The developer's attorney does not know the answer. The architect should have an answer about the size of the dumpsters and the enclosed areas. Thinks this will be addressed in the HOA documents and also the operation and management plan.

Botticelli- Asked if dumpsters were on the original plan approved by HAC

McCarthy- Believed they were on Exhibit C, dated 2/28/20. Those were the plans approved so we're looking for discrepancies between the conditions amended by the HAC Decision and the plans.

Botticelli- Does not believe they were on original plans. There should be at least one per building. Concerned about how this will be handled and also the mailboxes. How big are the mail structures?

Ahern- Stated they are freestanding, and there will be 9 total - all outside.

McCarthy- Asked if the community center will still have mailboxes.

Ahern- All mailboxes will be outside, the community center mailboxes have been eliminated.

O'Mara- Thinks questions are appropriate. The parking calculations might have to get redone when we add in the parking spaces that prohibit the dumpsters from being serviced. Thinks it's about 10 spaces when factoring in the roll-off.

Allen- Regarding parking, counted a maximum of 90 people and 37 parking spots. Has that been approved?

Botticelli- Approved because it's on the February 28th plan. Thinks parking will be an issue.

Allen- Asked if the number of parking spots estimated on the plan is accurate.

Ahern- Confirmed with Don Bracken, the parking calculations were done based on two spaces per unit.

Botticelli- Concerned there will be a lot of illegal parking and safety vehicles will have trouble maneuvering the tight corners.

Allen- There is less than half the amount of parking available based on the potential occupancy. How was that number figured?

Haverty- Parking was an issue during the HAC process and during the process with MEEPA. MEEPA encouraged a reduction in the amount of parking in the plans my client submitted. A small reduction was achieved, and additional spaces were land banked. The HAC reviewed those plans as submitted and approved those plans showing the number of parking spaces with the waiver requested and that's what has been approved.

McCarthy- 299 is the total number of parking spaces. Asked if that included the 10 by the community building and the 20 accessible spaces.

Haverty- Correct.

Botticelli- That's roughly one per bedroom.

McCarthy- Questioned if the ten parking spaces at the community building are different from the other ones. Is there a time limit?

Haverty- That will be determined by the property manager. It's ultimately the property manager's responsibility to manage the property and make sure all resources are properly allocated. That includes trash pickup. That doesn't get addressed at this point in the process but prior to occupancy.

Botticelli- Asked if there will be designated spaces for particular units.

Haverty- Doesn't believe there will be a separate price for the sale of parking spaces per unit. Thinks it will be included in the unit.

Botticelli- Will it be designated?

Haverty- Not sure at this time. It could be a parking pass for any space within the development.

Mondani- Stated that the Board needs the expertise of the engineer to advise on parking. Questioned how can we have these review meetings without an attorney or engineer?

O'Mara- Town Counsel and the engineer said they would not be available for this meeting.

McCarthy- This plan was approved by HAC and we are constrained to not add new conditions. Thinks there should be more parking, but this is what's been approved. We can note a deficiency, but we cannot tell them to change the plan or add parking spaces.

O'Mara- Stated that if the Board doesn't approve something the state feels is adequate, HAC can overrule the board on an appeal. We lost all leverage because HAC decided we didn't give enough. What we're doing today is to salvage what was approved and make it a better development.

Allen- Questioned if the developer is required to make changes based on the review.

O'Mara- Thinks that is up to HAC

Mondani- Disagrees and thinks this is different because it was remanded.

Snell- Stated this was not remanded. This is a technical review and we're getting off base with management questions about trash and parking. Those are important issues, but outside of the scope of this review. Condition 97 as amended addresses trash. The developer needs to submit plans done by a registered architect and to be reviewed by a building official. Comments on those should be provided to the applicant for consideration but there is no obligation to change things.

Botticelli- Questioned if the dumpsters were not included in the original plan submitted, why can we not comment on them?

Snell- Thinks the Board can comment and add them to the list of deficiencies. Right now, dumpster locations are relevant to this portion of the review process. With regards to a question about adding conditions, page 42 of the HAC Decision, item #4, specifically states "The Board shall not include new/additional conditions".

O'Mara- Thinks it's important to make note of deficiencies. If there is a complaint in the future, we'll have documentation in case it's remanded.

McCarthy- Stated that this was not remanded; this was overruled by HAC. The goal is to note deficiencies on the final plan and issue a decision that the plans either conform or do not conform with the ZBA Comprehensive Permit as amended by the HAC Decision. Hopes to come up with a list of noted deficiencies and include it in a letter to be reviewed with the submission of a building permit application.

Allen- Asked if there is a need for further discussion unless there are changes after June 28.

McCarthy- Stated that is correct. Questioned Attorney Haverty on condition 93, financial documents including cost certification.

Haverty- Cost certification occurs once the final unit has been sold. There is a requirement for the applicant to provide surety to the subsidizing agency to ensure the cost certification process occurs and occurs in a timely manner. The Board is entitled to notification of all submittals for that cost certification process.

Botticelli- Questioned the phasing of construction – how will occupants move in while buildings are still being constructed?

Haverty- Stated that they can submit an estimated construction schedule but there needs to be flexibility. That's something circumstances can impact.

Botticelli- Not concerned about exact dates for completion of a building. Concerned about how sites will be secured as people start to move in. Wants a written phasing schedule detailing which buildings are built first and the successive build-outs.

Haverty- We can submit something that responds to that.

Snell- Responding to a question about condition 88, about who's going to monitor the market rate units, affordable units, and CO's. That's done in combination with the Building Commissioner and the ZBA staff person. We will track which CO's are granted and when.

Botticelli- It's easier for this project as I'm presuming there are affordable units in each building.

Allen- Questioned if units were being presold prior to being built. Are these being marketed?

Haverty- Stated that's the goal. There is soft marketing, but not actively marketed. Once construction commences, they will be actively marketed. That will also start the lottery process for the affordable units because that must occur prior to selling market-rate units.

Mondani- There is reference to anything over 8" caliper being protected.

Botticelli- Asked if there is a diagram.

Ahern- Page 12 of the landscape plan. The trees over 8" caliper have been identified on the plan. In addition, everything on the north property line has been surveyed and no disturbance will be happening in that zone.

O'Mara- Thinks that given the number of people living in this development, bigger is better for the community building. More interested in what's going to be happening in that building. Will there be weddings?

McCarthy- Condition 15C – no commercial kitchen or catering; Condition 15D – the exclusive use for residents and guests.

O'Mara- That doesn't prevent a wedding.

O'Mara- Thinks we should limit the number of people for an event, and that there be no outside party functions.

Botticelli- Agrees, doesn't think there is adequate parking.

McCarthy- Can Attorney Haverty confirm conditions 15 C & D?

Haverty- Correct, they did not contend those conditions. Can have a conversation with client regarding trash and parking and they can be addressed in the HOA documents.

Botticelli- Thinks the allowed number of guests should be clarified. There's a difference between having a family over vs having a wedding function.

Haverty- Can discuss with his client. Community gatherings will be a feature of this development, but they will be for residents of the community. This is going to be a condominium association and believes they can come to a resolution with the Board.

Snell- Stated that the Board can note concerns about future uses at the property and how they may impact the parking that's been provided.

Discussion about architectural plans for the clubhouse

Botticelli- Thinks cardinal points on architectural drawings are backward.

Brescher- Questioned if it would be beneficial for HDC to review the drawings.

Snell- Stated the HAC reviewed elevations in the Exhibit 3 plans.

McCarthy- Questioned if they're the same plans the Board is reviewing.

Haverty- Stated Exhibit 4 was for architectural plans.

Discussion about Exhibit 4. The Board has not reviewed those plans.

Mondani- Asked if the architectural plans provided for the meeting differ from the Exhibit 4 plans.

Cabbaroglu- Confirmed they are the same.

Haverty- Stated he is emailing the Exhibit 4 plans to staff.

IV. ADJOURNMENT

Motion to Adjourn (made by: Brescher) (seconded by O'Mara)

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

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

I. None

Submitted by: William Saad

MINUTES

06/13/23



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

MINUTES

10/19/23



ZONING BOARD OF APPEALS

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

Commissioners: Susan McCarthy (Chair), Elisa Allen (Clerk), Michael J. O'Mara, John Brescher, Joe Marcklinger
Alternates: Lisa Botticelli, Mark Poor, Jim Mondani

~~ MINUTES ~~

Thursday, October 19, 2023

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

This meeting was held via remote participation using ZOOM and YouTube.

Called to order at 1:09 pm and announcements made by Ms. McCarthy

Staff in attendance: Nicky Sheriff, Administrative Specialist; William Saad, Land Use Specialist; Leslie Snell, Director of Planning; Tucker Holland, Municipal Housing Director

Attending Members: Susan McCarthy, Elisa Allen, John Brescher, Joe Marcklinger, Michael O'Mara, Jim Mondani

Absent: Lisa Botticelli, Mark Poor

Late Arrivals: None

Early Departures: None

Town Counsel: Attorney Vicki Marsh, KP Law

Motion Agenda adopted by unanimous consent
Vote **Motion to Approve.** (made by: Brescher) (seconded by: Allen)
Carried unanimously

I. APPROVAL OF MINUTES

May 23, 2023; July 13, 2023; August 10, 2023; September 14, 2023

Motion **Motion to Approve as drafted.** (made by: Brescher) (seconded by: Allen)
Vote Carried unanimously

II. OLD BUSINESS

1. 20-18 Surfside Crossing LLC Surfside Crossing 40B Haverty
Discussion and Acknowledgment of the Regulatory Agreement between the Massachusetts Housing Finance Agency and Surfside Crossing, LLC.

Voting McCarthy, Brescher, O'Mara, Allen, Mondani
Alternates
Recused None
Documentation File with associated plans, photos, correspondence and required documentation
Representing Attorney Paul Haverty, Blatman, Bobrowski, Haverty, and Silverstein, LLC
Discussion

Marsh- I have reviewed the proposed Regulatory Agreement and attachments – Affordable Housing Restriction, Affordability Monitoring Service Agreement, Limited Dividend Monitoring Agreement, and also the Comprehensive Permit Decisions. I've found that they comply with the Comprehensive Permit, and I have no substantive changes to this document. Many of the documents are form documents provided by MHFA for comp permit projects not funded by a state entity. These are commonly used by MHFA. A few key points:

- Of the 156 units to be constructed, 39 would be deemed affordable. The eligible purchasers for these units would have AMI of less than 80%.
- All affordable units would be eligible to be on the town's subsidized housing inventory, approved by EOHLIC.
- There are requirements for the developer to not be able to sell the units for more than the maximum initial sales price determined by MHFA.
- Each individual initial purchaser will be required to execute an affordable housing restriction attached to the deed for the unit to remain affordable in perpetuity.

- The affordable housing restriction is being held by the Town, the Monitoring Agent, and EOHLC. They would hold the rights in perpetuity and would have the ability to enforce them.
- These restrictions are deemed Affordable Housing Restrictions pursuant to MGL 184, sections 31 & 32.
- The developer is being asked to prepare an affirmative fair housing marketing plan. To be submitted for review and approval by the Monitoring agent and MHFA, in compliance with fair housing laws.
- In addition to the regulatory agreement, it contains a provision about the local preference that enables the municipality and developer to sell no more than 70% of what is deemed to be the local preference. There are four categories that EOHLC permits: municipal residents, municipal employees, and people with children in the Nantucket Schools. This requirement of 70% is in the guidelines and generally not exceeded.
- Although not in the Regulatory Agreement, the Town is making a request to MHFA for consideration to carve out an additional local preference for municipal employees. This will not increase the 70% number. Of the 27 units subject to a local preference, the Town has asked that a special local preference of 6 of those units go to municipal employees. The Town is additionally requesting this special local preference be extended in perpetuity so the unit can always be conveyed to a local Town Employee. MHFA will make the determination.
- The Limited Dividend Monitoring Service Agreement covers the amount of profits the developer is allowed to acquire through the development of the project and is overseen by MHFA.
- The Affordability Monitoring Service Agreement covers the monitoring agent to make sure the developer complies with the plans for the affordable housing units. Citizens Housing and Planning Association has been assigned by MHFA for this project.
- After reviewing all documents, I found that all documents comply with the comprehensive permit and therefore recommend that you may acknowledge and sign the acknowledgment form for the agreement.

McCarthy- Questioned the joint statement issued by the Town and SSX, specifically number four, under principles, it says “For the units that are to be year-round (e.g., the 75%), there would be a requirement that they are owned either by year-rounders or by local businesses or local not-for-profits for the exclusive use of their local employees.” How does this 75% line up with the local preference of 70% of the affordable housing units for local preference referenced in the agreement? Are those conflicting ideas?

Marsh- The 70% local preference referenced is for just the affordable units. Of the 156 units to be constructed, 39 will be affordable units. Of the 39, 27 of the units will be conveyed to parties under the local preference. The 75% year-round referenced in the joint statement is not limited to affordable units.

Holland- I agree completely with Attorney Marsh’s description. If MHFA grants the request, it would guarantee that 70% of those units go to locals. That doesn’t mean the other 30% will not go to locals but ensures 70% go to locals. With respect to the 75% referenced from the joint statement, that is the stated goal of the developer and the Town. We would like to see 75% of this project ultimately serve year-rounders.

McCarthy- There were discussions about deed restrictions for the year-round housing. How would that work? Can that be done on 1 of the 27 units under local preference? Typically, the local preference only applies to the initial sale. Would we be able to do a permanent deed restriction in perpetuity without permission from the monitoring agency?

Marsh- Presently, there is not a deed restriction in place. All proposals as far as deed restrictions have not been finalized. My understanding is that this is a proposal by the developer and the Town, but we don’t have final terms in place.

McCarthy- That’s my understanding as well. If the Town and the developer come to an agreement, any of the 25% affordable units would need approval from the state agency or monitoring agency to be able to put any kind of deed restriction for local preference in perpetuity.

Marsh- The 25% of the affordable units will be affordable regardless of a year-round restriction. Under the affordable unit restriction, these units must be the principal place of residence of the buyer. Any deed restriction will require further work with MHFA.

Haverty- The affordable units are always restricted to owner occupancy. It’s only the market-rate units that will be subject to a year-round restriction.

Brescher- In attorney Marsh’s experience, how likely is DHCD to grant a municipal preference? Have they ever approved of one?

Marsh- We’re currently working with DHCD to allow the additional carve out for local preference, but they have not approved one for any project. They do understand the unique circumstances a community like Nantucket faces.

Holland- The 80% AMI units will be more restrictive in terms of year-round occupancy than a year-round restriction on the market rate units. Recent statements from the administration indicate they are considering a seasonal communities designation in part of the recent major housing bond bill package that was introduced yesterday. One of the items under consideration is the difficulty seasonal communities have with housing municipal employees.

Mondani- Why was the only exception considered for municipal employees? Why not local business owners for employees or people whose children attend Nantucket Public Schools?

Holland- There are 39 AMI units, and 70% is the maximum. Of the 70%, we're seeking 6 units to be for municipal employees. The remainder of the 70% will go to applicants who fit all categories of local applicants that qualify.

Mondani- It's always going to be locals, so I don't understand the local preference. I can't imagine someone who will qualify and work off-island every day. We're unique as it's always going to be 100% of the affordable units will be local.

Holland- The probability that 100% of the affordable units will go to locals is very high. If you look at Sachem's Path, it had approximately 200 applications for the restricted units. Of the 200 applications, one came from off-island for an ex-local trying to get back on the island. The advantage of local preference is that it guarantees a community a minimum percentage of units will indeed be local.

Mondani- My understanding of these preferences is that they relate to the lottery. You would have a separate lottery for the municipal employee preference. I don't understand why we're only requesting one exception with municipal employees. The other categories should be included. I think the Town is already building housing for municipal employees. I have nothing against municipal employees, but we should be trying to solve the problem with a wider net.

Mondani- Follow-up question for attorney Marsh, we have not seen a hard copy of the comprehensive permit and a lot of this agreement contemplates it being filed in the registry. I'm not sure this local preference is allowed unless it was previously stated in the comprehensive permit.

Marsh- I have not seen a final version that will be recorded for the Comprehensive Permit. There are two decisions I reviewed, and the local preference is in the original comprehensive permit decision. The regulatory agreement already provides for the 70% local preference, and it says specifically that it must be approved by EOHLC only after review of the materials filed by the Town. This is true in all regulatory agreements I've been working on for other affordable housing projects in Nantucket. This is not an unusual practice, but the issue is the document has not been recorded.

Mondani- The regulatory agreement contemplates that the Comprehensive Permit Decision must be filed. Until we see the final comprehensive permit has been filed, we're going to have an issue.

McCarthy- Is the 70% local preference request in the comp permit?

Marsh- There is not a final permit, only two decisions. I have not been provided with a final document to be recorded.

McCarthy- You said there are two decisions?

Marsh- There is the Decision issued by the ZBA and the Decision issued by HAC.

McCarthy- Don't we have a final comp permit?

Snell- We have a comprehensive permit that the ZBA issued, and it was appealed. Then there is the HAC Decision that amended the ZBA comprehensive permit.

McCarthy- Do both decisions get recorded?

Snell- I believe so.

Haverty- Condition 95 of your original decision addresses local preference and requires up to 70%. There will be no need to modify that presently.

Mondani- It would be good to have the comprehensive permit, and it should be filed with the registry. The agreement document contemplates the comp permit being filed with the registry. It's a notice requirement.

McCarthy- Why isn't it filed?

Haverty- For clarification, the HAC Decision does not get filed with the Town Clerk. There's no legal requirement that it be filed with the Town Clerk. We will be filing with the Registry of Deeds within the next couple of days.

Mondani- Then we will know. We don't know what this final document looks like right now.

Allen- Of the 39 affordable units, 27 will get local preference, and 6 for municipal worker preference. Are all of these affordable unit preferences carried over to the 2nd, 3rd, or 4th sale?

McCarthy- Only the affordability is. They are asking for the local and municipal preference to be allowed in perpetuity. This will be decided at the state level.

Allen- We're voting without knowing what the state will allow.

O'Mara- They either approve it or they don't.

Allen- We're approving something today based on not knowing if the state will approve it. Does this only apply to the local preference?

Marsh- The local preference is only for the initial purchase currently and does not go on in perpetuity. That is written in the EOHLC guidelines for these types of projects. We are asking for 6 municipal employee units and requesting that they grant those units to be in perpetuity.

Mondani- The acknowledgment of the ZBA on this regulatory agreement does state that the Comp Permit shall be implemented only in the initial sale of the unit, so we would need that determination. The acknowledgment contemplates the document included as attachments being fully executed. We have not received these yet.

Marsh- The documents that are attached to the regulatory agreement are form documents from MHFA. I reviewed them for the specific terms that apply to this project to make sure they comply with the decisions and I did find that they comply. The terms are standard forms that MHFA uses. They are not complete and are not signed. The Comprehensive Permit has not been recorded. I can't speak to when Mr. Haverty can have the documents completed, but I can say they're not in further negotiation.

Mondani- The affordable housing restriction contemplates up to a 2.5% fee that can be charged against a seller and paid to the monitoring agent. Do we typically make an affordable unit owner pay that fee?

Marsh- Those fees are assessed by MHFA. They have control over the payment of those fees. The monitoring agent makes sure these units are sold to an eligible purchaser when they are resold. This enables the Town and MHFA to make sure the affordable units are always maintained as affordable.

Mondani- All of these comments are related to the Regulatory Agreement, and I would like to make sure our Ts are crossed prior to the ZBA signing the acknowledgment. Is there a reason the Select Board is not signing these documents when they have done so in the past?

Haverty- I presume on other regulatory agreements that have been executed, that the Town was the signatory because they were a party either because they were local action units or because it was a LIP development, those require the sign off from the Select Board. This is not that type of project, so it does not require it. It requests that the Board sign the acknowledgment that the regulatory agreement is consistent with the Comprehensive Permit Decision.

Mondani- I know on Beach Plum, they did. On the restriction, the Town almost has a right of refusal on a resale of the 25% if there is no one else who qualifies, and they have the right to enforce it.

Marsh- I agree with Mr. Haverty about the reason the Select Board is not executing the regulatory agreement and yes, the Town has the right to enforce the restriction.

Motion **Motion that the proposed Regulatory Agreement complies with the Comprehensive Permit with the understanding that the sitting Board will not sign the Regulatory Agreement until the Comprehensive Permit is recorded at the Registry of Deeds and all Exhibits are finalized and executed by the developer for the Regulatory Agreement.** (made by: Brescher) (seconded by: O'Mara)

Vote Carried unanimously

2. 09-22 **Harris on Weweeder, LLC** **50 Weweeder Avenue** **Brescher**

CONTINUED to November 9, 2023

Voting McCarthy, O'Mara, Allen, Brescher, Marcklinger

Discussion Not opened at this time.

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

Vote Carried unanimously

3. 20-22 **Steven L. Cohen & Christopher P. Choma, Trs. 29 Monomoy Rd Nominee Trust** **Cohen**

CONTINUED to November 9, 2023

Voting McCarthy, O'Mara, Allen, Brescher, Marcklinger

Discussion Not opened at this time.

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

Vote Carried unanimously

III. NEW BUSINESS

1. 13-23 Surfside Drive, LLC **5 Surfside Drive** **Beaudette**

CONTINUED to November 9, 2023

Voting McCarthy, O'Mara, Allen, Brescher, Marcklinger

Discussion Not opened at this time.

Motion **Motion to Allow Continuance.** (made by: Brescher) (seconded by: O'Mara)

Vote Carried unanimously

2. 14-23 Benjamin and Jacqueline DeRuyter **12 Academy Lane** **Beaudette**

CONTINUED to November 9, 2023

Voting McCarthy, O'Mara, Allen, Brescher, Marcklinger

Discussion Not opened at this time.

Motion **Motion to Allow Continuance.** (made by: Brescher) (seconded by: O'Mara)

Vote Carried unanimously

3. 15-23 Allan and Darina McKelvie

6 Candle House Lane

Williams

CONTINUED to November 9, 2023

Voting McCarthy, O'Mara, Allen, Brescher, Marcklinger
Discussion Not opened at this time.
Motion **Motion to Allow Continuance.** (made by: Brescher) (seconded by: O'Mara)
Vote Carried unanimously

4. 16-23 Lee and Priscilla Saperstein

20 New Street

Williams

CONTINUED to November 9, 2023

Voting McCarthy, O'Mara, Allen, Brescher, Marcklinger
Discussion Not opened at this time.
Motion **Motion to Allow Continuance.** (made by: Brescher) (seconded by: O'Mara)
Vote Carried unanimously

IV. OTHER BUSINESS

1. ELECTION OF OFFICERS – (Chairman, Vice Chairman, and Clerk Positions)

a. Chair: Ms. McCarthy volunteered as Chair

Motion **Motion to Approve Susan McCarthy as Chair.** (made by: Brescher) (seconded O'Mara)
Vote Carried unanimously

b. Vice Chair: John Brescher nominated as Vice Chair

Motion **Motion to Approve John Brescher as Vice Chair.** (made by: Marcklinger) (seconded O'Mara)
Vote Carried unanimously

c. Clerk: Allen volunteered to be Clerk

Motion **Motion to Approve the slate of officers.** (made by: Brescher) (seconded Mondani)
Vote Carried unanimously

2. ATM 2024 POTENTIAL CONCEPTS - Special Permit granting authority for MMD

Discussion

Snell- It's that time of year for the Planning Board to start considering article concepts for Town Meeting. There is one that is of interest to the ZBA – To shift the permit granting authority for projects in the MMD from the Planning Board to ZBA. The applications seem to be more in line with what the ZBA would consider as they deal with direct-to-neighbor issues.

Mondani- What is the MMD

Snell- The Moorlands Management District which basically covers a lot of areas in Cisco to Madaket, is an area with very specific environmental issues.

Brescher- It's in West Miacomet. 6-acre zoning?

Snell- 10 acres with half a percent ground cover. There are a lot of restrictions on the size of structures and features such as pools. It's a very restrictive area and applications are infrequent. When they do come up, they're usually rather complicated.

Mondani- Are the special permit standards what we are familiar with?

Snell- This particular area has its own performance standards, but some of the same findings you will make with a special permit.

Brescher- About how many do you see?

Snell- Not very many. There's been an influx recently involving swimming pools and changes to structures. Again, they are not frequent applications.

O'Mara- At one time, the ZBA was the Special Permit Granting Authority. At some point, it went to the Planning Board. Correct? If this were approved at ATM, would ongoing applications have to stop? Would we only get fresh applications.

Snell- I would have to look into that.

O'Mara- How many are there today?

Snell- Over the past two years, maybe 5. We could certainly mitigate and try to have applicants hold off on submitting prior to ATM.

Mondani- If you have concerns, they could be addressed by saying only applications filed after the date of adoption.

O'Mara- That would need to be included in the Warrant.

McCarthy- Are you looking for us to endorse this?

Snell- Just some feedback. I didn't want to pursue something if I was hearing a lot of opposition.

McCarthy- I think this makes sense based on what you said regarding direct-to-neighbor issues versus general planning concerns.

Mondani- I'm okay with it, but asked the question about the standards. The pools in Madaket have our hands tied as the standards are specific.

Snell- This one will have specific standards spelled out in the Bylaw.

V. ADJOURNMENT

Motion **Motion to Adjourn at 2:25 p.m.** (made by: Brescher) (seconded by: Allen)
Vote Carried unanimously

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

1. None

Submitted by:
William Saad

OLD BUSINESS

Harris on Weweeder LLC

File No. 09-22

50 Weweeder Ave

VARIANCE

Continued to December 14, 2023

STEVEN L. COHEN
&
CHRISTOPHER P.
CHOMA TRUST

File No. 20-22

29 MONOMOY ROAD

VARIANCE

Continued to December 14, 2023

NEW BUSINESS

Surfside Drive, LLC

File No. 13-23

5 Surfside Drive

MODIFICATION

BEAUDETTE AND SWAIN
PROFESSIONAL LIMITED LIABILITY COMPANY
ATTORNEYS AT LAW
35 OLD SOUTH ROAD, SUITE D
P.O. BOX 2049
NANTUCKET, MASSACHUSETTS 02584

RICHARD P. BEAUDETTE
BRYAN J. SWAIN

PHONE: (508) 228-4455
FAX: (508) 228-3070
WWW.NANTUCKETLAWFIRM.COM

OF COUNSEL
KEVIN F. DALE
WILLIAM F. HUNTER

August 14, 2023

VIA HAND DELIVERY AND EMAIL

Susan McCarthy, Chairwoman
Nantucket Zoning Board of Appeals
Planning and Land Use Building
2 Fairgrounds Road
Nantucket, MA 02554

Re: Surfside Drive, LLC
5 Surfside Drive, Nantucket, MA 02554
Application for a Special Permit

Dear Chairwoman McCarthy:

My client, Surfside Drive, LLC (the "Applicant"), owns 5 Surfside Drive, Nantucket Town and County, Commonwealth of Massachusetts (the "Premises") and operates its' preexisting, nonconforming, commercial tent rental company thereon and stores and warehouses trade equipment in connection therewith, via a duly issued Preexisting, Nonconforming Special Permit.

The Applicant seeks to Amend the Preexisting, Nonconforming Special Permit to permit it to alter and extend the commercial tent rental use by constructing a new structure on the Premises, which includes additional storage and warehousing in the newly proposed building and a four (4) bedroom garage apartment on the second floor therein.



To that end, enclosed please find two (2) separate paper application packets including the following:

1. Complete application page;
2. Addendum;
3. Locus Plan from the Nantucket Tax Assessor's Map Book;
4. The Existing Conditions Plan;
5. The Proposed Conditions Plan;
6. The Complete Abutters Package, and
7. A check for \$450.00 made payable to the Town of Nantucket.

Please place this matter on the Zoning Board of Appeals agenda for its September 14, 2023, meeting. Please note that the Applicant reserves the right to supplement this application with additional materials at a later time.

Thank you for your attention to this matter, please do not hesitate to call me should you have any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Beaudette", written in a cursive style.

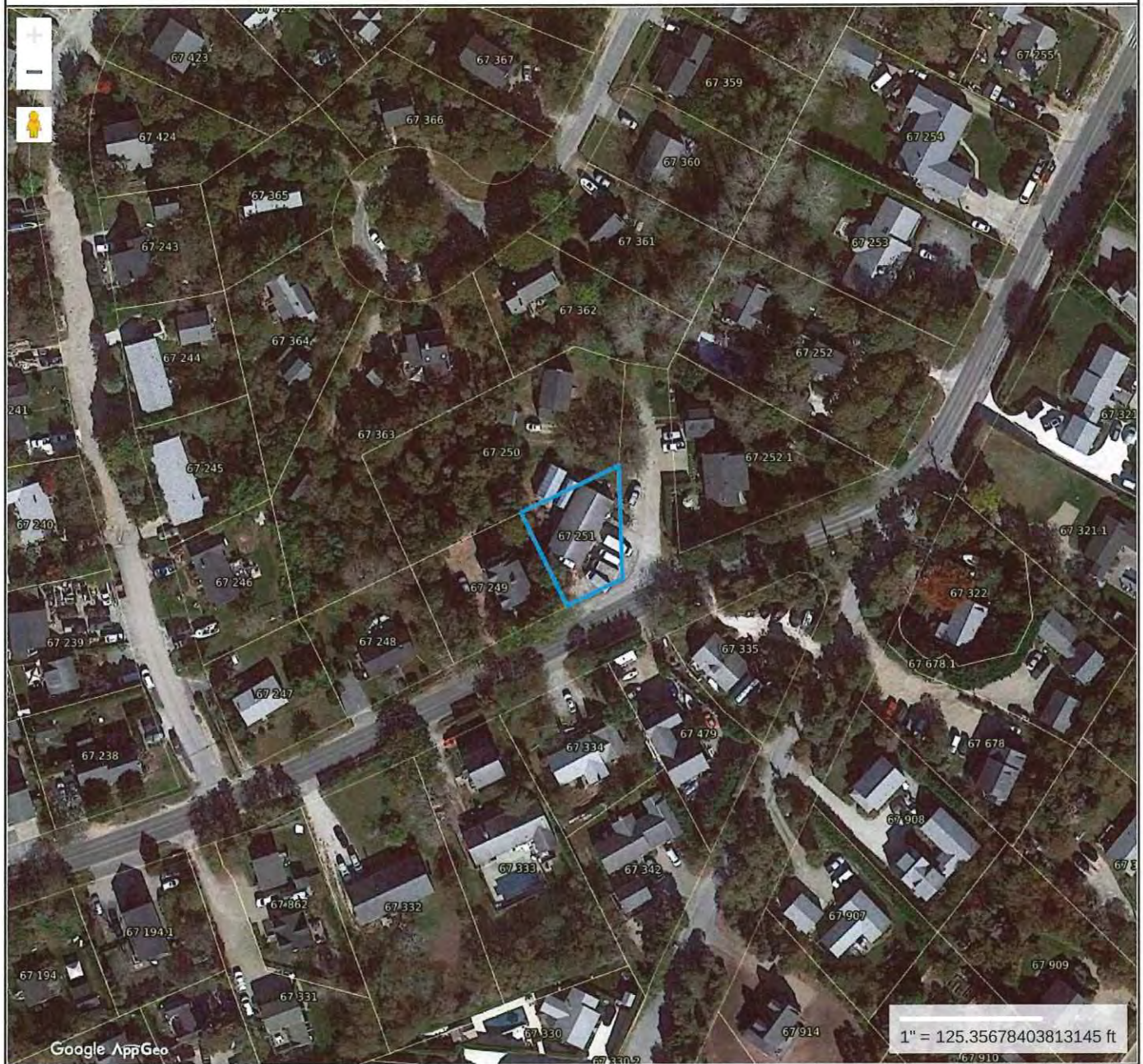
Richard Beaudette, Esq.

RPB/BJS

Encs.

cc:

Surfside Drive, LLC



Property Information

Property ID 67 251
Location 5 SURFSIDE DR
Owner SURFSIDE DRIVE 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 08/02/2023
Data updated Jan. 2021

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



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

2023 MAR 15 PM 2:31
TOWN CLERK

A P P L I C A T I O N

Fee: \$450.00

File No. 13-23

Owner's name(s): Surfside Drive, LLC

C/O Beaudette and Swain, LLC

Mailing address: 35 Old South Road, STE D, Nantucket, MA 02254

Phone Number: 508-228-4455 E-Mail: rick@nantucketlawfirm.com

Applicant's name(s): Surfside Drive, LLC

Mailing Address: same as above

Phone Number: same as above E-Mail: same as above

Locus Address: 5 Surfside Drive Assessor's Map/Parcel: 67 / 251

Land Court Plan/Plan Book & Page/Plan File No.: Lot 29, LC Plan No. 26439-H

Deed Reference/Certificate of Title: 27168 Zoning District R-10

Uses on Lot- Commercial: None ☐ Yes (describe) Yes, storage and warehousing related to Tent Company

Residential: Number of dwellings ☐ Duplex ☐ Apartments ☐

Date of Structure(s): all pre-date 7/72 ☐ or 1 (commercial)

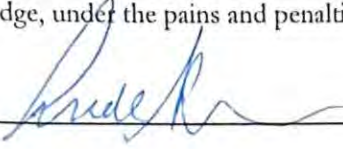
Building Permit Numbers: On file at PLUS

Previous Zoning Board Application Numbers: 61-01, 35-02

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

See 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

I. INTRODUCTION

The Applicant, Surfside Drive, LLC (the “Applicant”), is the owner of the improved real property located at 5 Surfside Drive, Nantucket Town and County, Commonwealth of Massachusetts, identified as Parcel 251 on Nantucket Tax Assessor’s Map 251, and further identified as Lot 29 on Nantucket Land Court Plan No. 26439-H (the “Premises”), by virtue of Certificate of Title No. 27,168 on file at the Nantucket Registry District of the Land Court.

II. EXISTING CONDITIONS

The Premises is located in the Residential - 10 (R-10) Zoning District and is preexisting, nonconforming as to having multiple curb cuts on the Premises, driveway access within 25 feet of an intersection, not having and on-site turnaround, its Lot Area (8,687 $\pm$ s.f.), and rear lot setback requirement, and currently complies with its Frontage, Front Yard setback, and Side Yard setback requirements.

As shown on the Existing Conditions Plan (attached hereto as Exhibit “A”), the Premises is currently improved with a 1,810 $\pm$ s.f. single story, wood frame commercial structure, which the Applicant uses for storage and warehousing associated with its commercial tent rental company, a preexisting, nonconforming use in the R-10 Zoning District.

The Premises is benefitted by two (2) Nantucket Zoning Board of Appeals Decisions, ZBA File Nos. 61-01¹, and 35-02² (the “Special Permits”), in which the Board issued a variance to validate the Premises as a separately marketable undersized lot, and a Special Permit to permit the

¹ Registered as Document Nos. 94614 and 96673.

² Registered as Document No. 97714.

Applicant to operate its preexisting, nonconforming tent rental storage on the Premises and to store and warehouse the trade equipment related thereto.

III. **PROPOSAL TO ALTER A PREEXISTING NONCONFORMING STRUCTURE**

The Applicant seeks to Amend the Special Permits and to alter and expand the preexisting, nonconforming use by tearing down the existing commercial structure on the Premises and replacing it with a new two (2) story, four (4) garage bay, wood frame structure, containing approximately 3,840 $\pm$ s.f. of storage and warehousing, allocated between the basement and first floor of the proposed structure, that will continue to be used in the same nature and purpose of the existing commercial tent rental use.

The Applicant also proposes to construct a four (4) bedroom garage apartment on the second floor of the structure, which is allowed by right in the R-10 Zoning District. The proposed expansion of the Premises and the floor plans related thereto, can be seen on the Proposed Conditions Plan (annexed hereto as Exhibit "B").

While performing the proposed work, the Applicant will remove the existing shed and two (2) hoop tents, that are either encroaching onto the neighbor's property and/or are encroaching into the rear lot setback. Additionally, the proposed work will cure the existing structure's rear lot line setback intrusion and result in the Premises being compliant with all zoning setback requirements.

The Applicant does not propose to change the quality or character of its preexisting nonconforming commercial tent storage use on the Premises, and desires to continue to operate such business in the same manner that it has for the past 20 years. The newly proposed structure will not be open to the general public and only the Applicant, its staff and residents of the building

will be allowed therein. Therefore, such continued use will not have a different effect on the neighborhood than what currently exists.

As the Applicant is proposing to alter a preexisting, nonconforming use, it therefore requests a Special Permit, pursuant to Nantucket Zoning Bylaw Ch. 139-33.

IV. **PARKING CALCULATION TABLE**

<u>USE</u>	<u>PARKING CALCULATION</u>	<u>NUMBER OF REQUIRED SPACES</u>
Storage and Warehousing: 3,840 s.f.	1 space per 900 s.f. of Use	4 spaces (3,840 / 900 = 4.26)
Garage Apartment: 4 bedrooms	1 space per bedroom	4 Spaces (4 Bedrooms)
Total Required Spaces:		8 Spaces

As shown on the Proposed Conditions Plan, the Applicant can provide eight (8) parking spaces and therefore no parking relief is necessary.

V. **VEGETATIVE SCREENING FROM NEIGHBORS**

As shown on the Proposed Conditions plan, the Applicant will install evergreen vegetative screening along portions of the perimeter of the Premises that will reduce visibility of the structure, and its' parking areas, from the neighboring properties.

VI. **REQUESTED RELIEF**

Therefore, the Applicant hereby request that the Board issue the Applicant the Special Permit requested herein, and find the following:

1. That the Applicant's proposal is in harmony with the general purpose and intent of the Zoning Bylaw, and
2. That the extension, expansion and alteration, or change of the preexisting non-conforming use is not substantially more detrimental than the existing non-conforming use to the neighborhood.
3. The Board modify Condition (d) of Nantucket Zoning Board of Appeals File No. 35-02, to allow the Applicant to construct the four (4) bedroom garage apartment, as presented.

EXHIBIT “A”

ZONING DISTRICT: RESIDENTIAL 10 (R-10)

MINIMUM LOT SIZE: 10,000 S.F.
MINIMUM FRONTAGE: 75 FT.
FRONT YARD SETBACK: 20 FT.
REAR/SIDE SETBACK: 10 FT.
GROUND COVER % : 25%

REFERENCE:
ZONING VARIANCE DOC. No. 94614
ZONING DECISION DOC. No. 96673
SPECIAL PERMIT DOC. No. 97714

LOT AREA=8,687± S.F.

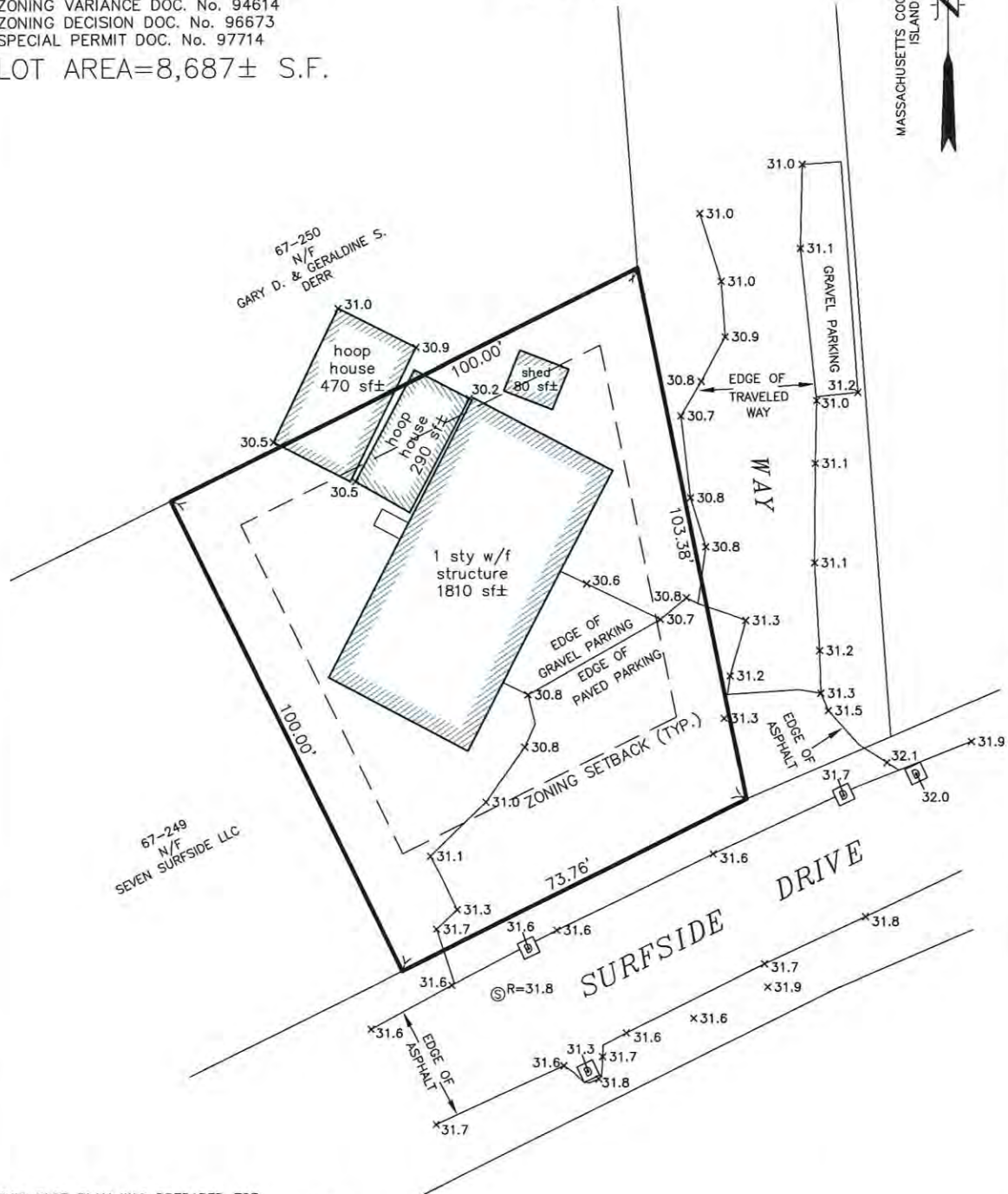
LEGEND

□ = CATCHBASIN

⊙ = SEWER MANHOLE

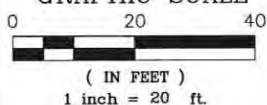
x31.0 = SPOT ELEVATION
1988 NAVD

MASSACHUSETTS COORDINATE SYSTEM
ISLAND ZONE



THIS PLOT PLAN WAS PREPARED FOR PLANNING AND DISCUSSION PURPOSES 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.

GRAPHIC SCALE



OWNER INFORMATION

SURFSIDE DRIVE LLC
CERT. 27,168
LCPL 26439-H, LOT 29
ASSESSOR'S MAP 67 PARCEL 251
5 SURFSIDE DRIVE

**EXISTING CONDITIONS
PLAN OF LAND**

in Nantucket, MA
Prepared For
SURFSIDE DRIVE LLC

5 SURFSIDE DRIVE
MAP 67 PARCEL 251

Scale: 1"=20' SEPTEMBER 19, 2022

NANTUCKET
ENGINEERING
& SURVEY, PC
30 Mary Ann Drive Nantucket, MA 02554
NantucketEngineering.com 508-625-4882

EXHIBIT “B”

MASSACHUSETTS COORDINATE SYSTEM
ISLAND ZONE



ZONING DISTRICT: RESIDENTIAL 10 (R-10)

MINIMUM LOT SIZE: 10,000 S.F.
MINIMUM FRONTAGE: 75 FT.
FRONT YARD SETBACK: 20 FT.
REAR/SIDE SETBACK: 10 FT.
GROUND COVER % : 25%

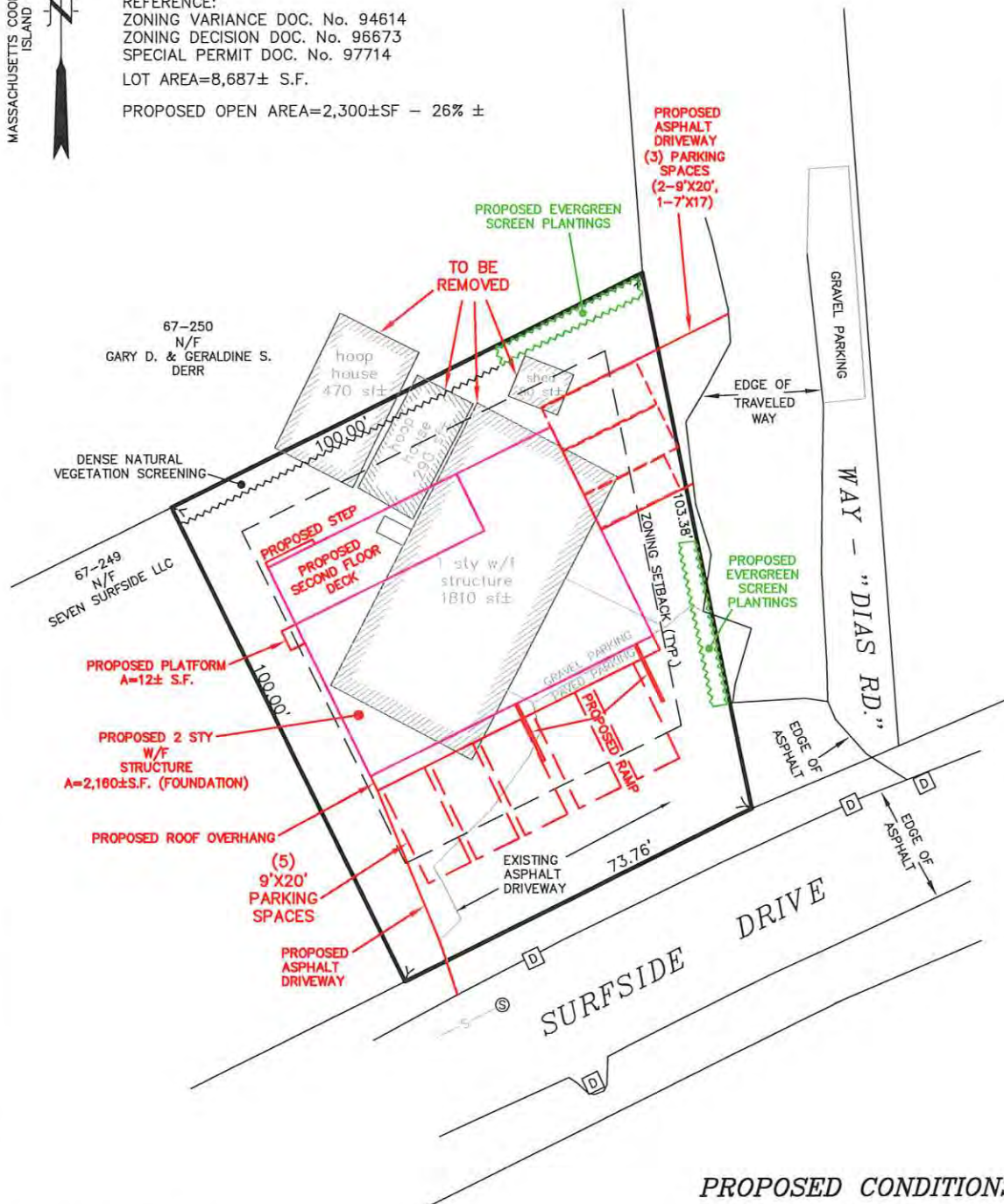
REFERENCE:
ZONING VARIANCE DOC. No. 94614
ZONING DECISION DOC. No. 96673
SPECIAL PERMIT DOC. No. 97714
LOT AREA=8,687± S.F.

PROPOSED OPEN AREA=2,300±SF - 26% ±

LEGEND

[D] = CATCHBASIN

[S] =SEWER MANHOLE



OWNER INFORMATION

SURFSIDE DRIVE LLC
CERT. 27,168
LCPL 26439-H, LOT 29
ASSESSOR'S MAP 67 PARCEL 251
5 SURFSIDE DRIVE

THIS PLOT PLAN WAS PREPARED FOR PLANNING PURPOSES ONLY AND IS NOT TO 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.

GRAPHIC SCALE

0 20 40



(IN FEET)

1 inch = 20 ft.

PROPOSED CONDITIONS

SITE PLAN

in Nantucket, MA

Prepared For

SURFSIDE DRIVE LLC

5 SURFSIDE DRIVE

MAP 67 PARCEL 251

Scale: 1"=20' AUGUST 5, 2023

NANTUCKET
ENGINEERING
& SURVEY, PC
20 Mary Ann Drive Nantucket, MA 02554
NantucketEngineer.com 508-826-5053

CERTIFICATE NO: _____

DATE ISSUED: 5/19/23

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

CERTIFICATE OF APPROPRIATENESS

for structural work.

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°: 107 PARCEL N°: 251
 Street & Number of Proposed Work: 5 CARPENTER DRIVE
 Owner of record: NANTUCKET TRUST COMPANY
 Mailing Address: PO BOX 9244
NANTUCKET, MA 02544
 Contact Phone #: _____ E-mail: _____

AGENT INFORMATION (if applicable)

Name: VAL OVIKIAN DESIGN INC.
 Mailing Address: PO BOX 3057
NANTUCKET, MA 02544
 Contact Phone #: (508) 776-4319 E-mail: val@valovikian.com

FOR OFFICE USE ONLY

Date application received: 5/12/23 Fee Paid: \$ 210.00
 Must be acted on by: 6/12/23
 Extended to: _____
 Approved: [Signature] Disapproved: _____
 Chairman: _____
 Member: _____
 Member: [Signature]
 Member: _____
 Member: _____

Notes - Comments - Restrictions - Conditions

Notice to approve subject to more typical, traditional Nantucket-type overhead garage doors.

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 COMMERCIAL - REPAIRS (WATERHORN)
 Size of Structure or Addition: Length: 100' Sq. Footage 1st floor: 2400 Decks/Patio: Size: 12x10 ☒ 1st floor ☐ 2nd floor None
 Width: 47' Sq. Footage 2nd floor: 1920 Size: 8.4x10 ☐ 1st floor ☒ 2nd floor None
 Sq. Footage 3rd floor: _____

Difference between existing grade and proposed finish grade: North _____ South _____ East _____ West _____
 Height of ridge above final finish grade: North 24'-0" ± South 24'-0" ± East 24'-0" ± West 24'-0" ±

Additional Remarks**REVISIONS***

Historic Name: _____ (describe) _____
 Original Date: _____
 Original Builder: _____

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 8"-36" ☐ Block ☐ Block Parged ☐ Brick (type) _____ ☒ Poured Concrete ☐ Piers
 Masonry Chimney: ☐ Block Parged ☐ Brick (type) _____ ☐ Other _____
 Roof Pitch: Main Mass 9/12 Secondary Mass 4/12 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 BOARDS + BUTTER (like historic) NTW

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

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

C. Dimensions: Fascia 6" Rake 1x8 Soffit (Overhang) 12"-8" Corner boards 1x6 Frieze _____

Window Casing 1x4 Door Frame 1x6 Columns/Posts: Round _____ Square 6"x8"

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

☐ True Divided Lights (muntins), single pane ☒ SDL's (Simulated Divided Lights) Manufacturer ANDERSON 400

Doors* (type and material): ☐ TDL ☐ SDL Front N/A Rear 9 LIGHT Side 9 LIGHT

Garage Door(s): Type OVERHEAD Material PAINTED WHITE

Hardscape materials: Driveways _____ Walkways _____ Walls _____

* Note: Complete door and window schedules are required.

COLORS

Sidewall NPW Clapboard (if applicable) _____ Roof BLACK
 Trim WHITE Sash WHITE Doors WHITE
 Deck NPW Foundation GRAY 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 5/23/23

Signature of owner of record _____

Signed under penalties of perjury

44

TOP OF ROOF



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

DRAWN BY: VO

DATE: 4-23-23

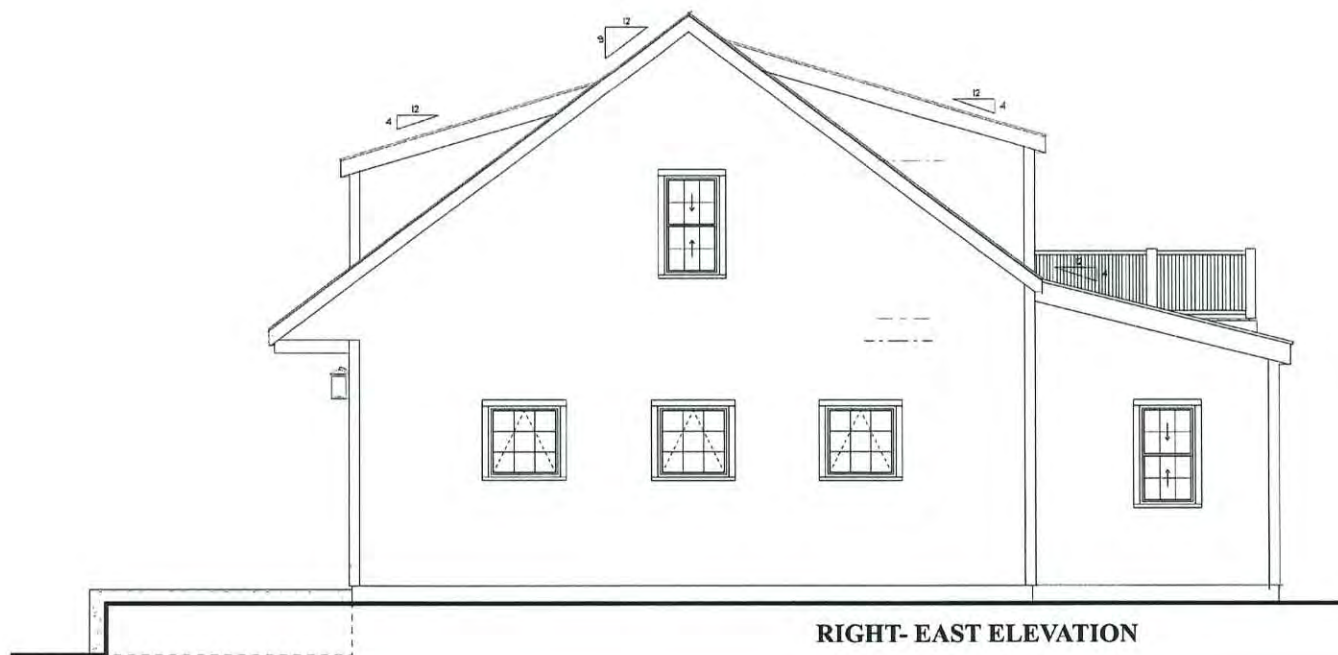
SURFSIDE DRIVE LLC-5 SURFSIDE RD
NEW STORAGE BUILDING

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





REAR- NORTH



RIGHT- EAST ELEVATION

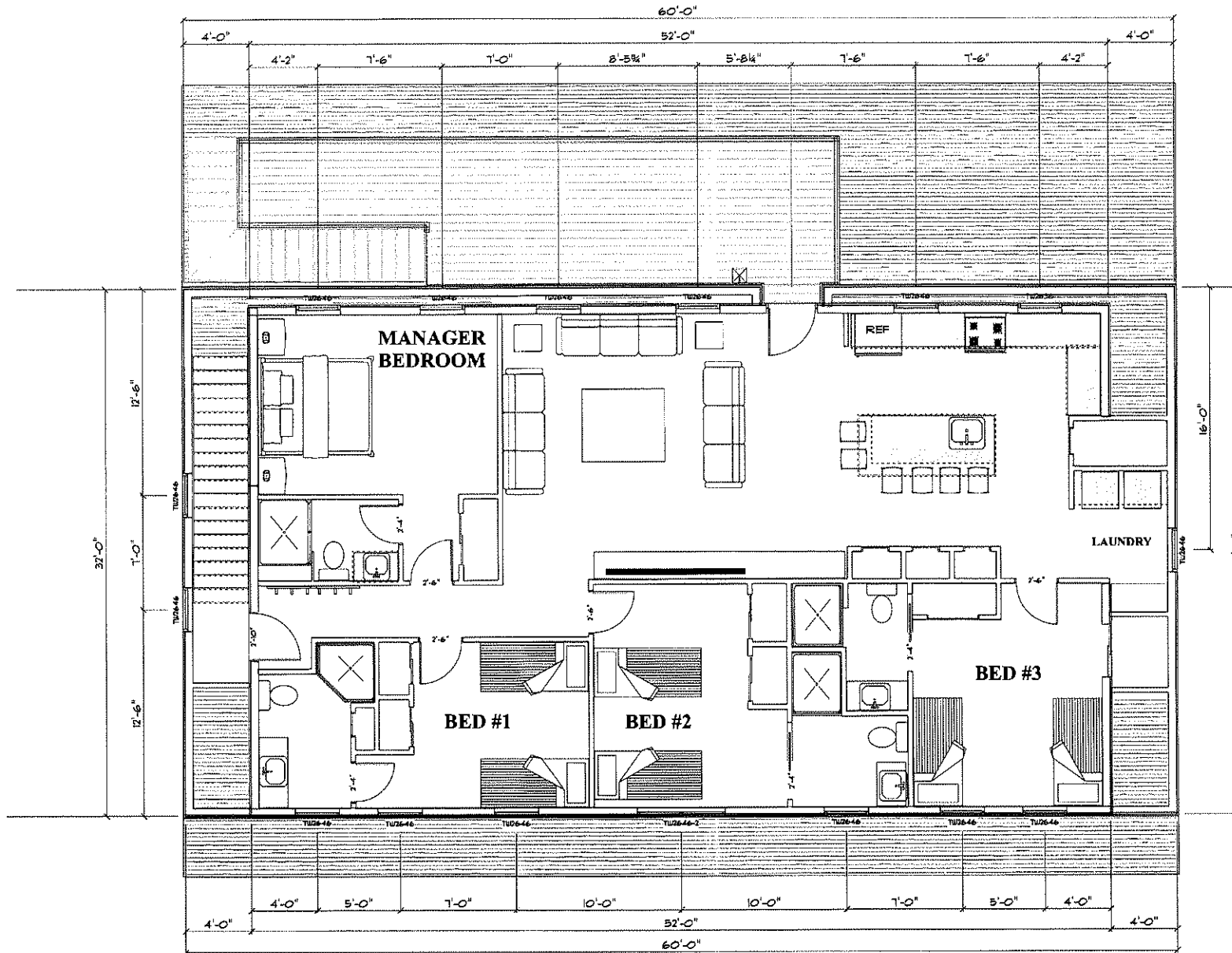
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DRAWN BY: VO
DATE: 4-23-23

SURFSIDE DRIVE LLC-5 SURFSIDE RD
NEW STORAGE BUILDING

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



SECOND FLOOR PLAN-1920SF



NANTUCKET TENT COMPANY- NEW BUILDING
5 SURFSIDE DRIVE

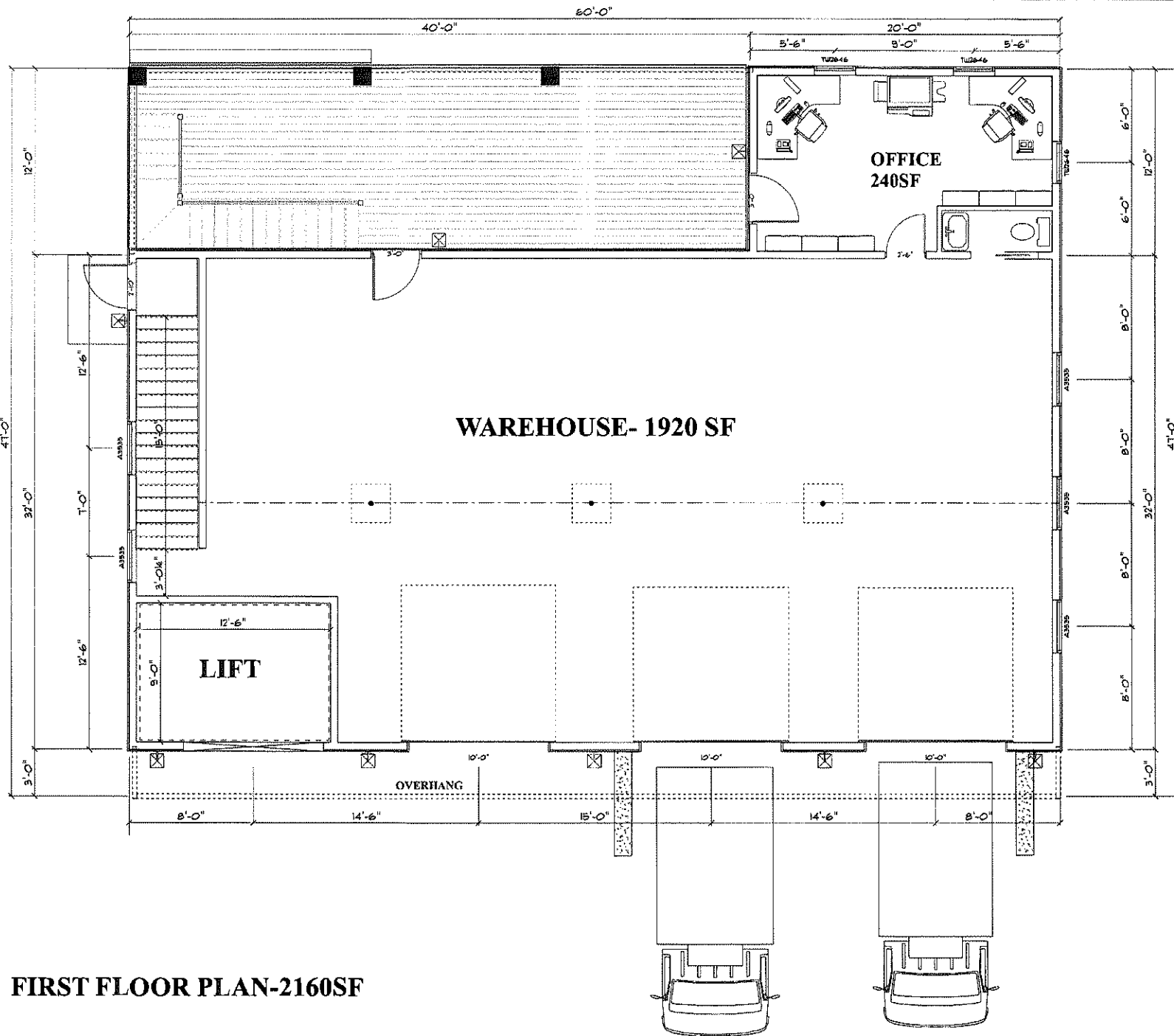
VAL OLIVER DESIGN, INC
PO BOX 3057
NANTUCKET, MA 02584



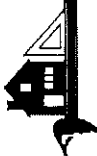
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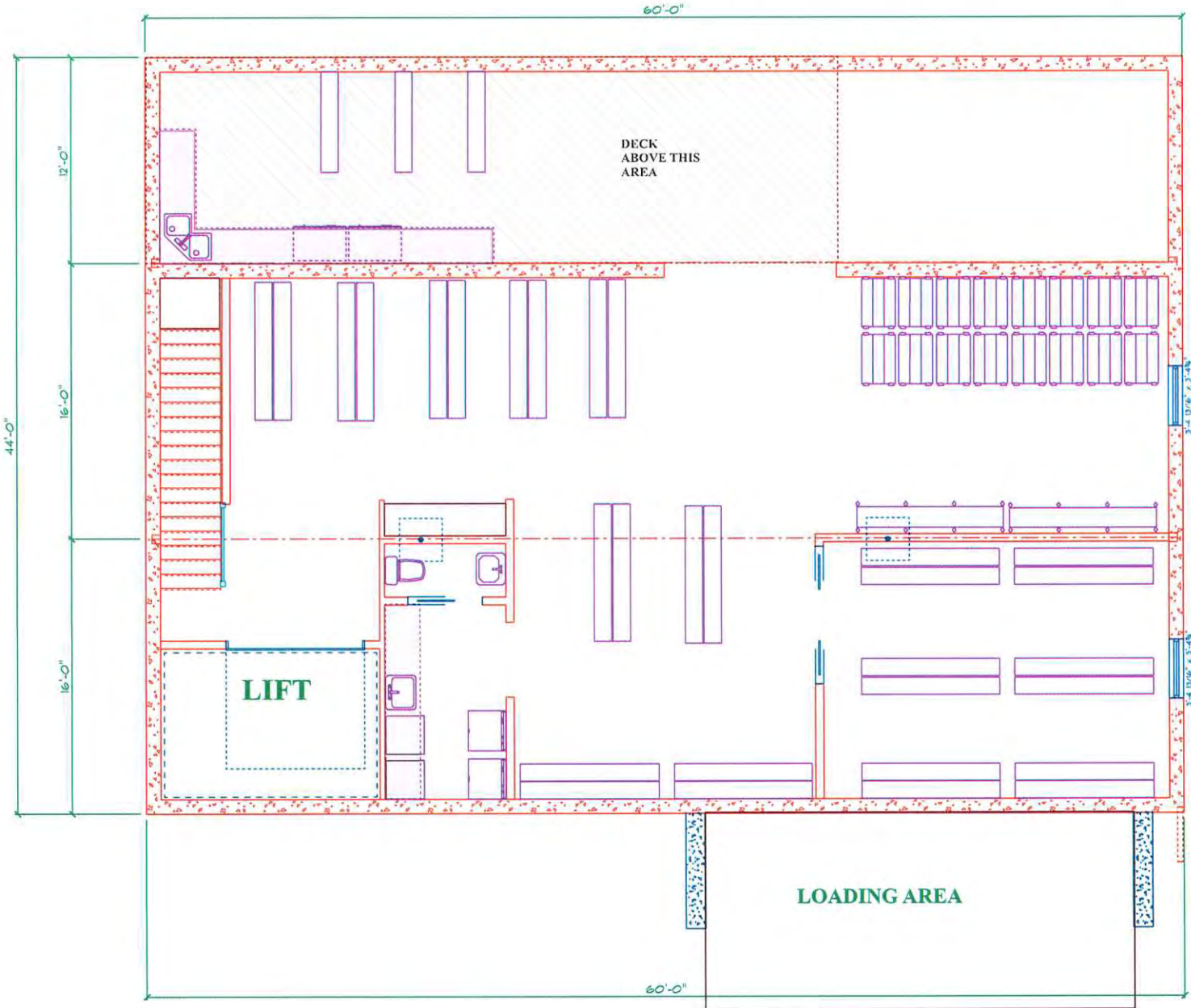
DATE: 4-23-23



FIRST FLOOR PLAN-2160SF

 VAL OLIVER DESIGN, INC PO BOX 3657 NANTUCKET, MA 02584	NANTUCKET TENT COMPANY- NEW BUILDING 5 SURFSIDE DRIVE		SCALE: 1/4"=1'-0"
			DRAWN BY: VO
			DATE: 4-23-23

BASEMENT FLOOR PLAN- 44' X 60'



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

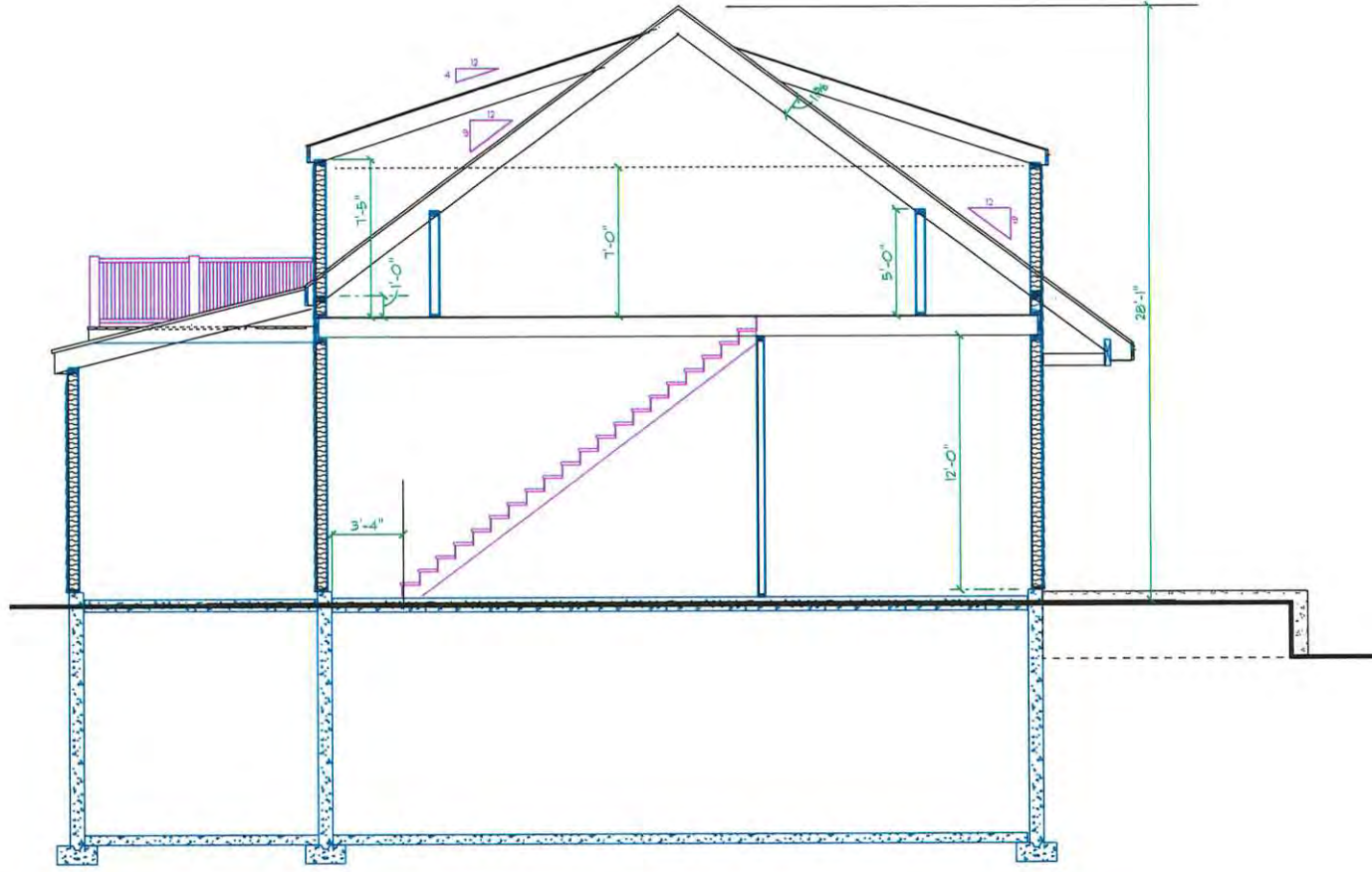
DRAWN BY: VO

DATE: 2-26-23

NANTUCKET TENT COMPANY- NEW BUILDING
5 SURFSIDE DRIVE

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





SCALE: 1/4"=1'-0"
 DRAWN BY: VO
 DATE: 2-26-23

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



Town of Nantucket

Zoning Board of Appeals

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

PROPERTY OWNER.....**SURFSIDE DRIVE LLC**
C/O Beaudette and Swain, LLC 35(D) Old South Road
MAILING ADDRESS.....**Nantucket, MA 02554**
PROPERTY LOCATION.....**5 SURFSIDE DR**
ASSESSOR MAP/PARCEL.....**67/251**
SUBMITTED BY.....**Bryan J. Swain**

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)).

July 27, 2023

DATE

Mary L. Digitally signed
Haley by Mary L. Haley
Date: 2023.07.27
11:35:47 -04'00'

ASSESSOR'S OFFICE
TOWN OF NANTUCKET

Abutters Listing

MBLU	Lot	Lot Cut	Name Line 1	Name Line 2	Address Line 1	City	State	Zip	Location
67	244		LINEMAN JOHN A		PO BOX 3826	NANTUCKET	MA	02584	7 PINE GROVE RD
67	245		MURPHY PAUL G & PATRICIA		28 HOOPER FARM RD	NANTUCKET	MA	02554	5 PINE GROVE RD
67	246		RAAB MATHEW T & THEA L		3 PINE GROVE RD	NANTUCKET	MA	02554	3 PINE GROVE RD
67	247		DUARTE DOMINIC A		3 CEDAR CIRCLE	NANTUCKET	MA	02554	11 SURFSIDE DR
67	248		HERRICK RICHARD R & DORIS A		9 SURFSIDE DR	NANTUCKET	MA	02554	9 SURFSIDE DR
67	249		SEVEN SURFSIDE LLC		PO BOX 5244	NANTUCKET	MA	02554	7 SURFSIDE DR
67	250		DERR GARY D & GERALDINE S		PO BOX 635	NANTUCKET	MA	02554	4 DIAS RD
67	252		CONRAD IRENE E		PO BOX 3294	NANTUCKET	MA	02584	65 HOOPER FARM RD
67	252	1	MISURELLI MICHAEL & CHRISTIE L		3 SURFSIDE DRIVE	NANTUCKET	MA	02554-4147	3 SURFSIDE DR
67	253		MILLER COURTNEY L ETAL		63 HOOPER FARM RD	NANTUCKET	MA	02554	63 HOOPER FARM RD
67	321	1	64 HRF LLC		4 MICHEME LANE	NANTUCKET	MA	02554	64 HOOPER FARM RD
67	322		WIGGIN KRIS JARED & ELIZABETH GRACE		66 HOOPER FARM RD	NANTUCKET	MA	02554	66 HOOPER FARM RD
67	332		REEL KEEPER LLC		PO BOX 3528	NANTUCKET	MA	02584	10 SURFSIDE DR
67	333		8 SURFSIDE DRIVE LLC		8 SURFSIDE DRIVE	NANTUCKET	MA	02554	8 SURFSIDE DR
67	334		SURFSIDE 6 ACK LLC		1636 3RD AVE STE 134	NEW YORK	NY	10128	6 SURFSIDE DR
67	335		MAYO JOSEPH M ETAL		2 SURFSIDE DRIVE	NANTUCKET	MA	02554	2 SURFSIDE DR
67	342		HF1 ACK LLC	C/O PLATT GEOFFREY	1636 3RD AVE SUITE 314	NEW YORK	NY	10128	71 HOOPER FARM RD
67	359		RYDER DONALD L & SUSAN E TR	S RYDER REALTY TRUST	6 DENNIS DR	NANTUCKET	MA	02554	6 DENNIS DR
67	360		MEDEIROS IRENE		8 DENNIS DR	NANTUCKET	MA	02554	8 DENNIS DR
67	361		HARNISHFEGGER CRAIG E		10 DENNIS DRIVE	NANTUCKET	MA	02554	10 DENNIS DR
67	362		SYLVIA PETER E & SUSAN		PO BOX 637	NANTUCKET	MA	02554	12 DENNIS DR
67	363		SANDERS BARRIE FEE & GRANT M TRS		14 DENNIS DR	NANTUCKET	MA	02554	14 DENNIS DR
67	364		PERRY MARY JANE		13 DENNIS DR	NANTUCKET	MA	02554	13 DENNIS DR
67	365		PYKOSZ JENNIFER F		P O BOX 2216	NANTUCKET	MA	02584	11 DENNIS DR
67	366		MORRIS MARTHA S		110 CHARLES ST #3	BOSTON	MA	02114	9 DENNIS DR
67	367		JONES TANIA H		7 DENNIS DRIVE	NANTUCKET	MA	02554	7 DENNIS DR
67	479		MAYO MATTHEW JOHN		2 SURFSIDE DRIVE	NANTUCKET	MA	02554	69 HOOPER FARM RD
67	678		HF2 ACK LLC		1324 LEXINGTON AVE STE 245	NEW YORK	NY	10128	68 HOOPER FARM RD
67	678	1	HF3 ACK LLC		1324 LEXINGTON AVE STE 245	NEW YORK	NY	10128	68R HOOPER FARM RD
67	862		AGUIAR LINDA & MATTHEW J		12 SURFSIDE DR	NANTUCKET	MA	02554	12 SURFSIDE DR
67	907		RYDER HAROLD B III		PO BOX 3442	NANTUCKET	MA	02584	72 HOOPER FARM RD
67	908		MERRILL ROBERT A TRS ETAL		500 REGENT PARK	PALM BEACH	FL	33480	70 HOOPER FARM RD
67	914		MARTUCCI JASON A		11 DOVER DR	WALPOLE	MA	02184	74 HOOPER FARM RD

Count: 33

LINEMAN JOHN A
PO BOX 3826
NANTUCKET, MA 02584

MURPHY PAUL G & PATRICIA
28 HOOPER FARM RD
NANTUCKET, MA 02554

RAAB MATHEW T & THEA L
3 PINE GROVE RD
NANTUCKET, MA 02554

DUARTE DOMINIC A
3 CEDAR CIRCLE
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64 HRF LLC
4 MICHEME LANE
NANTUCKET, MA 02554

WIGGIN KRIS JARED & ELIZABETH
GRACE
66 HOOPER FARM RD
NANTUCKET, MA 02554

REEL KEEPER LLC
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NANTUCKET, MA 02554

SURFSIDE 6 ACK LLC
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NEW YORK, NY 10128

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10 DENNIS DRIVE
NANTUCKET, MA 02554

SYLVIA PETER E & SUSAN
PO BOX 637
NANTUCKET, MA 02554

SANDERS BARRIE FEE & GRANT M TRS
14 DENNIS DR
NANTUCKET, MA 02554

PERRY MARY JANE
13 DENNIS DR
NANTUCKET, MA 02554

PYKOSZ JENNIFER F
P O BOX 2216
NANTUCKET, MA 02584

MORRIS MARTHA S
110 CHARLES ST #3
BOSTON, MA 02114

JONES TANIA H
7 DENNIS DRIVE
NANTUCKET, MA 02554

MAYO MATTHEW JOHN
2 SURFSIDE DRIVE
NANTUCKET, MA 02554

HF2 ACK LLC
1324 LEXINGTON AVE STE 245
NEW YORK, NY 10128

HF3 ACK LLC
1324 LEXINGTON AVE STE 245
NEW YORK, NY 10128

AGUIAR LINDA & MATTHEW J
12 SURFSIDE DR
NANTUCKET, MA 02554

RYDER HAROLD B III
PO BOX 3442
NANTUCKET, MA 02584

MERRILL ROBERT A TRS ETAL
500 REGENT PARK
PALM BEACH, FL 33480

MARTUCCI JASON A
11 DOVER DR
WALPOLE, MA 02184

LETTERS



September 6, 2023

Dear Chairperson McCarthy and Board members,

We are writing in opposition to the applicant Surfside Drive, LLC 's request to amend the preexisting, nonconforming special permit for its 5 Surfside Drive location. We are direct abutters to the property, residing at 3 Surfside Drive, our year-round home of the past 25 years. Our objection is to the density/intensity proposed in this location. Although the tent company and various other businesses have operated out of this location for longer than our time in the neighborhood non have operated at the scale of commercial and residential this applicant is seeking. Surfside Drive and the surrounding area is a neighborhood comprised of mostly year round residents and a few small businesses.

The application seeks to combine storage facilities, four bays for operation of its business enterprises, and a four-bedroom residence on its 8700 square foot lot.

Over the past 20 years, Surfside Drive, LLC has not been good stewards in the neighborhood - Operating well outside of their current permit, encroaching onto abutting properties, and showing a general disregard for neatness on their property. Please see attached photos.

In closing we don't oppose the applicant seeking to better their property but would like to see the zoning permit better reflect the neighborhood and what is sustainable on an 8700 square foot lot in respect to the long list of abutting properties.

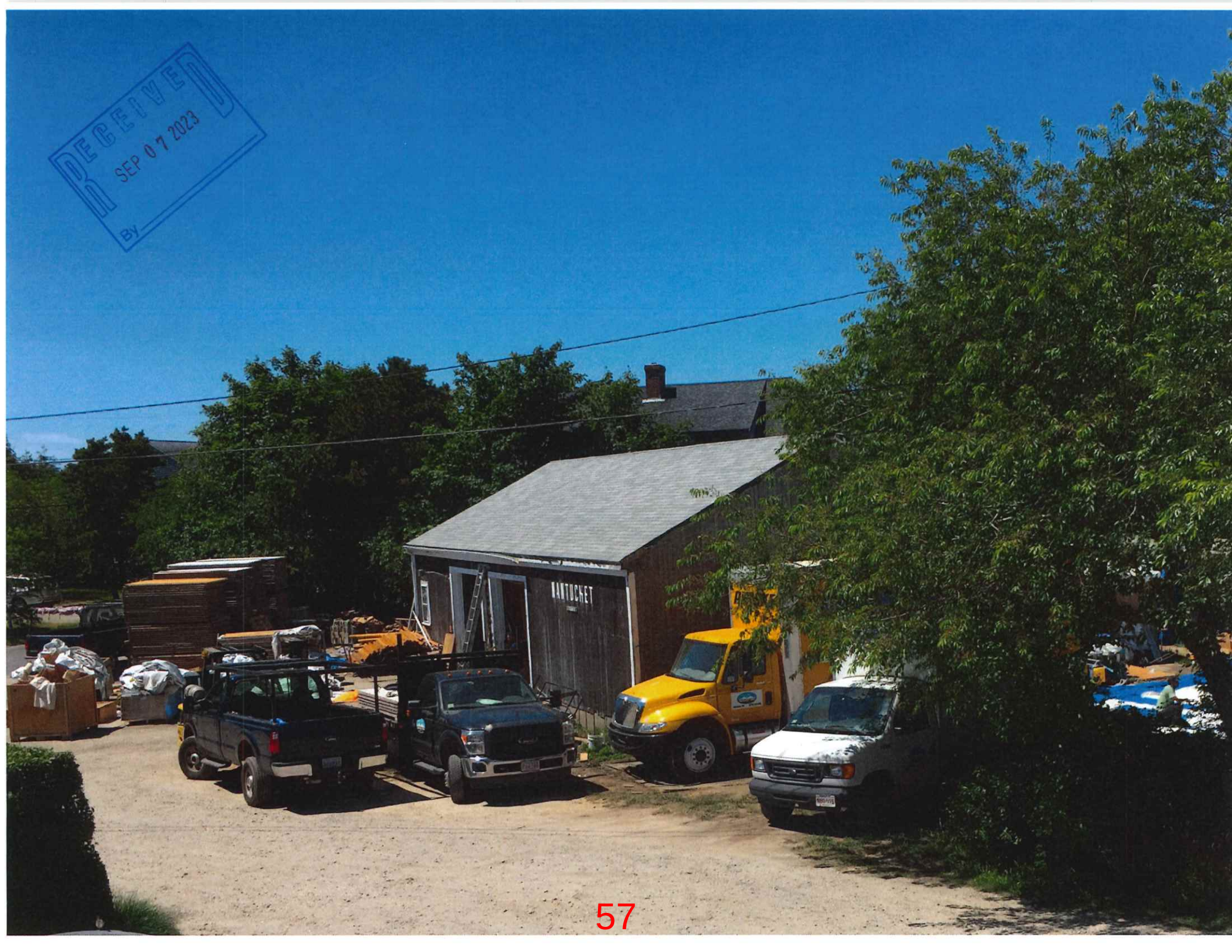
Sincerely,

Christie and Michael Misurelli

3 Surfside Drive

Nantucket, MA 02554

RECEIVED
SEP 07 2023
By



RECEIVED
SEP 07 2023
By _____



RECEIVED
SEP 07 2023
By _____





GRANT & BARRIE SANDERS

[I attended the September 14 ZBA meeting that was canceled and continued until October, so I am submitting my comments prepared for that meeting and will attend in October if possible with additional thoughts. GS.]

September 20, 2023

Zoning Board of Appeals Members:

I'm writing today regarding the proposed changes and special permit requested by the owners of the Nantucket Tent Company at 5 Surfside Drive. My hope is that the permit is denied, at least until a plan is offered that poses less of a disruption to the neighborhood.

The situation.

As you are aware, this structure is a pre-existing, non-conforming use in a neighborhood that is solidly residential. The lot and building on it predates zoning and the lot is nearly 20% undersized for the R-10 district. Our neighborhood has scarcely changed since we moved here in 1997. Nearly everyone on my street, except one neighbor, has lived here for the past 20 years. But this proposed special permit represents a seismic change for the neighborhood.

A too-intensive use.

A busy three-season business on this undersized lot with eight adults living above it and parking eight+ vehicles is more than this neighborhood should have to endure, in our opinion.

Proximity to the proposed property

Our home is at 14 Dennis Drive which is separated from the proposed structure by one lot owned by Jerry Derr at 4 Dias Road. In the summer, when the leaves are on the trees, we cannot see the structure, but it is clearly visible in the winter after the leaves fall. The lots here are not large and it is approximately 100 feet from our back window to the current structure. Whether we can see the structure or not, we can certainly hear what's going on there. The applicant owns the property next door to the proposed property and while we have never met the people who live there, we can hear them clearly when they are on their deck and we also hear them calling their dog every day. When someone lived there who smoked (perhaps 12-18 months ago), we could hear them coughing and smell the cigarette and pot smoke coming from the deck area.

Eight residents

I note that the staff comment on this property states that a garage apartment is allowed by right in the R-10 district. And that's true. But this commercial use is not a one- or two-car garage — it's a four-bay warehouse that stores, loads and unloads tents — and room for eight beds is not an apartment — it's a dormitory. (It fits the definition of a dormitory in the zoning code, which is not allowed in the R-10 district, not even by special permit.) My lot is more than double the size of this property and we only have four people living here (two dwellings, four vehicles). The average person-to-dwelling ratio on our street is a fraction more than two to one.

Eight-plus vehicles

There are some spots on the island and even within this neighborhood where there are more than four cars parked outside a home. But there are none in this neighborhood that house eight adults and have spaces for eight vehicles. If this were an oversized lot, having spaces for eight vehicles might be workable, but on an undersized lot, it becomes an eyesore and a burden to the neighbors. And it begs the question: If there are eight adults living there and each one has their own personal vehicle, where will the oversized panel trucks that deliver the tents be parked?

Added noise

From our kitchen window, we can easily hear (and sometimes smell) what is going on at the applicant's properties, and with the addition of a 30-foot deck 100 feet from our kitchen window, I worry a great deal about our privacy and solitude. Again, this is a dense neighborhood and for the most part, it is quiet and peaceful. One would hope it can stay that way. Eight adults hanging out on that deck every night after work is a nightmare scenario for us.

Poor track record

The applicant has not been a good neighbor. They have continually violated the conditions of the permit they received in 2002 by storing materials outside the structure. They have violated the setbacks and even the lot lines of their properties by erecting temporary structures on the abutter's property and even dumping dirt over their lot line on our property. They have not made any effort to improve the neighborhood's curb appeal — quite the opposite. We feel bad for our friends and neighbors, the Misurellis, who have had to live across Dias Road from this business for the past two decades. The pictures and their letter to the board speak volumes.

Sincerely,

Grant & Barrie Sanders

14 Dennis Drive
508-826-1334

Benjamin and
Jacqueline deRuyter

File No. 14-23

12 Academy Lane

Special Permit

BEAUDETTE AND SWAIN
PROFESSIONAL LIMITED LIABILITY COMPANY
ATTORNEYS AT LAW
35 OLD SOUTH ROAD, SUITE D
P.O. BOX 2049
NANTUCKET, MASSACHUSETTS 02584

RICHARD P. BEAUDETTE
BRYAN J. SWAIN

PHONE: (508) 228-4455
FAX: (508) 228-3070
WWW.NANTUCKETLAWFIRM.COM

OF COUNSEL
KEVIN F. DALE
WILLIAM F. HUNTER

September 13, 2023

VIA HAND DELIVERY AND EMAIL

Susan McCarthy, Chairwoman
Nantucket Zoning Board of Appeals
Planning and Land Use Building
2 Fairgrounds Road
Nantucket, MA 02554

Re: Benjamin deRuyter and Jacqueline deRuyter
12 Academy Lane, Nantucket, MA 02554 (the "Premises")
Application to Nantucket Board of Appeals

Dear Chairwoman McCarthy:

My clients, Benjamin deRuyter and Jacqueline deRuyter (the "Applicant"), own 12 Academy Lane, Nantucket Town and County, Commonwealth of Massachusetts (the "Premises").

The Applicant seeks a Special Permit to change the use of a preexisting, nonconforming structure on the Premises. To that end, enclosed please find two (2) separate paper application packets including the following:

1. Complete application page;
2. Addendum;
3. Locus Plan from the Nantucket Tax Assessor's Map Book;

4. An applicable site plan;
5. The Complete Abutters Package, with 2 separate sets of addressed mailing labels based on the abutter list provided by the Tax Assessor's office, and
6. A check for \$450.00 made payable to the Town of Nantucket.

Please place this matter on the Zoning Board of Appeals agenda for its October 12, 2023, meeting. Please note that the Applicant reserves the right to supplement this application with additional materials at a later time.

Thank you for your attention to this matter, please do not hesitate to call me should you have any questions or concerns.

Sincerely,

A handwritten signature in blue ink, appearing to read "Richard Beaudette".

Richard Beaudette, Esq.

RPB/BJS

Encs.

cc:

Benjamin deRuyter and Jacqueline DeRuyter



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

2020 SEP 13 PM 2:37

NANTUCKET
TOWN CLERK

APPLICATION

Fee: \$450.00

File No. 14-23

Owner's name(s): Benjamin deRuyter and Jacqueline deRuyter

C/O Beaudette and Swain, LLC, PO BOX 2049

Mailing address: 35 Old South Road, STE D, Nantucket, MA 02554

Phone Number: 508-228-4455 E-Mail: rick@nantucketlawfirm.com

Applicant's name(s): Benjamin deRuyter and Jacqueline deRuyter

Mailing Address: same as above

Phone Number: same as above E-Mail: same as above

Locus Address: 12 Academy Lane Assessor's Map/Parcel: 42.4.3 / 87

Land Court Plan/Plan Book & Page/Plan File No.: See metes and bounds in Deed recorded in Book 1789, Page 243 at Nantucket Registry of Deeds

Deed Reference/Certificate of Title: Book 1789 Page 243 Zoning District ROH

Uses on Lot- Commercial: None X Yes (describe) _____

Residential: Number of dwellings 1 Duplex 0 Apartments 0

Date of Structure(s): all pre-date 7/72 1 or _____

Building Permit Numbers: On file at Planning and Land Use

Previous Zoning Board Application Numbers: ZA Decision No. 01-22

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

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*

Richard P. Beaudette, Esq.

*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 TO ZONING BOARD OF APPEALS APPLICATION
BENJAMIN DERUYTER AND JACQUELINE DERUYTER
12 ACADEMY LANE, NANTUCKET, MA 02554
NANTUCKET TAX ACCESSOR'S MAP: 42.4.3, PARCEL: 87**

INTRODUCTION

The Applicants, Benjamin deRuyter and Jacqueline deRuyter (hereinafter the “Applicants”), are the owners of 12 Academy Lane, Nantucket Town and County, Commonwealth of Massachusetts, identified as Parcel 87 on Nantucket Tax Assessor’s Map 42.4.3 (the “Premises”), which is located in the Residential Old Historic (ROH) Zoning District.

EXISTING CONDITIONS

As shown on Exhibit “A”, the Premises is preexisting, nonconforming as to its Lot Area, as it contains 4,105 ± s.f. in a district that requires 5,000 s.f. minimum lot areas. The Premises is improved with a single-family dwelling and a garage, both of which have preexisting, nonconforming side yard setback intrusions. The Premises complies with the ROH zoning district’s ground-cover ratio requirement.

2022 ZONING ADMINISTRATOR DECISION

The Applicant applied to the Nantucket Zoning Administrator (“ZA”), pursuant to Nantucket Zoning Bylaw Ch. 139-33 (a)(1)(b), to extend and alter the preexisting, nonconforming garage on the Premise, by extending said structure three feet (3’) northerly, towards Academy Lane. The ZA Decision noted that the proposed alteration of the garage did not increase its existing nonconformity, and therefore, the Applicant received Zoning Administrator approval to make such alterations (See ZA Decision attached hereto as “Exhibit “B”).

PROPOSED CHANGE OF USE

The Applicant desires to change the use of the Garage, after it is duly altered and extended, pursuant to the ZA Decision, to a mixed use “Shed” and “Outbuilding – Other”, both of which are permitted uses as a matter of right in the ROH Zoning District (See Use Chart / 139-7-A). The rear portion of the Outbuilding-Other will be used as a home office.

Nantucket Bylaw Chapter 139 § 33 (a)(1)(b) provides that “preexisting, nonconforming structures or uses may be extended, altered, or changed, provided that the special permit granting authority finds that the alteration, extension, or change to a structure does not increase its nonconforming nature and does not create any new nonconformities, or is not substantially more detrimental to the neighborhood.

As the proposed change of uses are permitted as a matter of right, pursuant to Ch. 139-7(a) of the Zoning Bylaw, there will no new nonconformities on the Premises.

REQUEST FOR RELIEF

Therefore, the Applicant respectfully request that the Board approve this change of use application and find that:

1. That the Applicant’s proposal is in harmony with the general purpose and intent of the Zoning Bylaw, and
2. The change of use from a Garage to a mixed use Shed and Outbuilding – Other, is not substantially more detrimental to the neighborhood than the existing Garage on the Premises.

Exhibit “A”

Exhibit “B”



2022 00001694

Bk: 1898 Pg: 277 Page: 1 of 4
Doc: DECISIO 06/09/2022 11:31

NANTUCKET
TOWN CLERK

2022 MAY 11 AM 11:53



**TOWN OF NANTUCKET
ZONING ADMINISTRATOR
NANTUCKET, MASSACHUSETTS 02554**

Date: May 10, 2022

To: Parties in Interest and Others concerned with the Decision of
The Zoning Administrator in the Application of the following:

Application No: ZA 01-22

Owner / Applicant: Benjamin deRuyter and Jacqueline deRuyter

Property Description: 12 Academy Lane
Map 42.4.3 Parcel 87

Enclosed is the Decision of the Zoning Administrator which has
this day been filed with the office of the Nantucket Town Clerk.

An Appeal from this Decision to the Zoning Board of Appeals may
be taken pursuant to Nantucket Zoning Bylaw Section 139-29.C. (3)

Any action appealing the Decision must be brought by filing a
notice of appeal, specifying the grounds thereof, with the Town
Clerk, pursuant to Nantucket Zoning Bylaw Section 139-29.C. (6)



Leslie Woodson Snell, AICP
Zoning Administrator

cc: Town Clerk
Building Commissioner/Zoning Enforcement Officer

**TOWN OF NANTUCKET
NANTUCKET ZONING ADMINISTRATOR
2 Fairgrounds Road
Nantucket, Massachusetts 02554**

Assessor's Map 42.4.3, Parcel 87
12 Academy Lane
Residential Old Historic ("ROH")

Registry of Deeds Book 1789, Page 243
ZA Decision No. 01-22

DECISION:

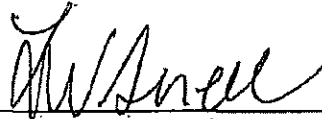
1. Upon review of the Application submitted by the Applicants, **BENJAMIN DERUYTER AND JACQUELINE DERUYTER**, the Zoning Administrator determined, pursuant to Nantucket Zoning By-Law (the "By-law") §139-33.A(1)(b), that the proposed extension, alteration, and change to the pre-existing, nonconforming structure will not increase the nonconforming nature of the structure and will not create any new nonconformities.
2. The Applicant proposes to alter the pre-existing nonconforming structure by extending the garage three (3) feet in a northerly direction towards Academy Lane. The height and ridge line of the structure will not be increased.
3. Existing and Proposed conditions are shown on a plan entitled "Site Plan to Accompany Zoning Board of Appeals Application" dated March 25, 2022 and prepared by Blackwell & Associates, Inc., a reduced copy of which is attached herewith as "Exhibit A". The pre-existing, nonconforming Locus contains approximately 4,105 square feet of area in the Residential Old Historic (ROH) district where a minimum lot size of 5,000 square feet is required. The lot, located at the corner of Westminster Street and Academy Lane, exceeds the minimum required frontage of 50 feet.
4. The structure is validly pre-existing nonconforming as to setback, being constructed as close as 1.8 feet to the easterly side yard lot line where 5 feet is required. The proposed garage extension will be no closer than the existing structure. Proposed ground cover ratio is proposed to be 39.3% where a maximum of 40% is permitted. The existing structure height will not be increased as a result of this proposal.
5. Based upon the above-referenced information and the proposed conditions site plan, the Zoning Administrator finds that the proposed work will not increase the nonconforming nature of the structure upon the Locus and will not create any new nonconformities and hereby issues the permit as requested.

Assessor's Map 42.4.3, Parcel 87
12 Academy Lane
Residential Old Historic ("ROH")

Registry of Deeds Book 1789, Page 243
ZA Decision No. 01-22

6. This approval is subject to the following condition:

- a. That no exterior construction take place in any given year starting the Friday immediately prior to Memorial Day and ending the Tuesday immediately following Labor Day;
- b. The proposed alterations shall be performed in substantial compliance with the proposed conditions attached herewith as "Exhibit A".

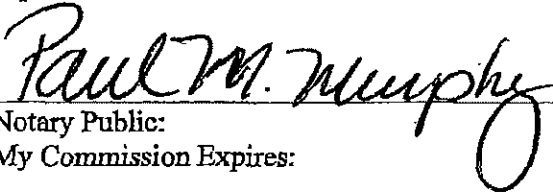


Leslie Woodson Snell, AICP
Zoning Administrator

COMMONWEALTH OF MASSACHUSETTS

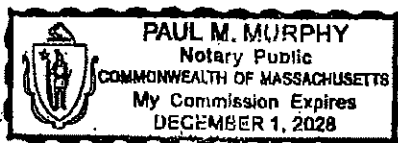
Nantucket, SS

On the 10 day of May, 2022, before me, the undersigned notary public, personally appeared Leslie Woodson Snell, the above-named Zoning Administrator of Nantucket, Massachusetts, personally known to me to be the person whose name is signed on the preceding document, and acknowledged that she signed the foregoing instrument voluntarily for the purposes therein expressed.

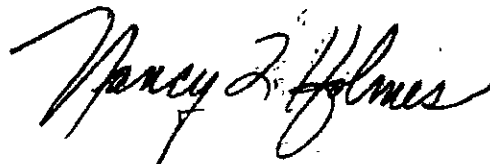


Notary Public:

My Commission Expires:



ATTEST: TRUE COPY



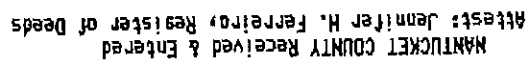
NANTUCKET TOWN & COUNTY CLERK

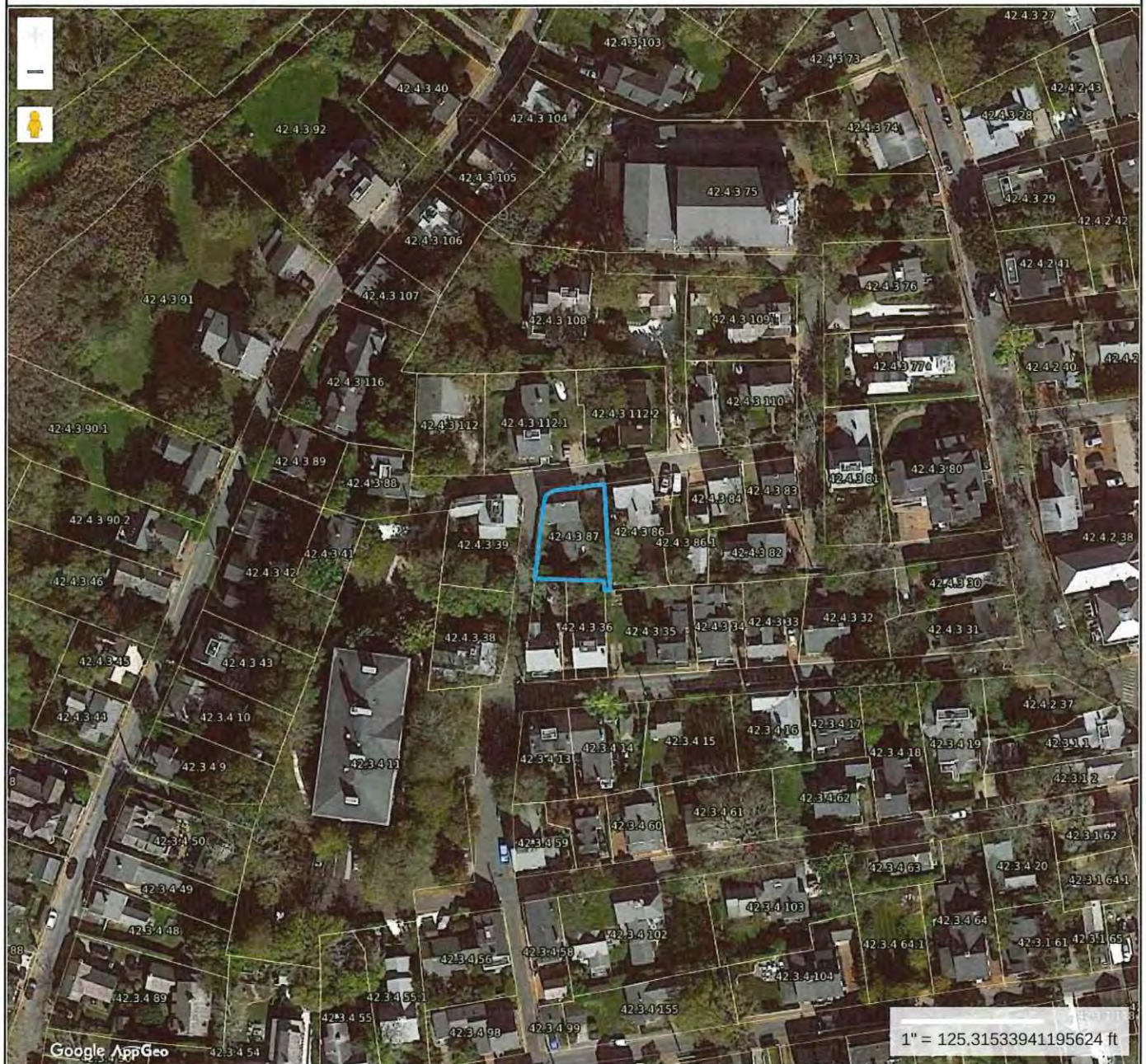
I CERTIFY THAT 20 DAYS HAVE ELAPSED AFTER
THE DECISION WAS FILED IN THE OFFICE OF THE
TOWN CLERK, AND THAT NO APPEAL HAS BEEN
FILED, PURSUANT TO GENERAL LAWS 40A, SECTION 11

3

JUN - 9 2022

TOWN CLERK





Property Information

Property ID 42.4.3 87
 Location 12 ACADEMY LN
 Owner DERUYTER BENJAMIN & JACQUELINE



**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 08/02/2023
 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...DERUYTER BENJAMIN & JACQUELINE.....
C/O Beaudette and Swain, LLC, 35 Old South Road, STE D
MAILING ADDRESS...PO BOX 2049, Nantucket, MA 02554.....
PROPERTY LOCATION...12 ACADEMY LANE, Nantucket, MA 02554.....
ASSESSOR MAP/PARCEL...42.4.3 / 87.....
SUBMITTED BY...Bryan J. Swain, Esq.....

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)).

September 11, 2023

DATE

Mary L.
Haley

Digitally signed
by Mary L. Haley
Date: 2023.09.11
14:30:57 -04'00'

ASSESSOR'S OFFICE
TOWN OF NANTUCKET

Abutters Listing

MBLU	Lot	Lot Cut	Name Line 1	Name Line 2	Address Line 1	City	State	Zip	Location
4234	9		KNUTTI KENNETH & AUDYCKI JILL		PO BOX 685	NANTUCKET	MA	02554	13 LILY ST
4234	10		TURTLE BEACH LLC		C/O 4 NORTH WATER ST	NANTUCKET	MA	02554	15 LILY ST
4234	11		ACADEMY HILL ASSC LP	C/O HALLKEEN MANAGEMENT INC	1400 PROVIDENCE HIGHWAY STE 1000	NORWOOD	MA	02062	4 WESTMINSTER ST
4234	13		FARRELL RICHARD G TRST	RGF REVOCABLE TRUST	1403 MEADOW RIDGE	REDDING	CT	06896	12 GAY ST
4234	14		10 GAY STREET LLC	ATTN: FINANCE	1140 RESERVOIR AVE	CRANSTON	RI	02920	10 GAY ST
4234	15		ALLEN NATHAN R JR TRST ETAL	ALLEN NATHAN R JR REV TRUST	14 GOMEZ ROAD	HOBE SOUND	FL	33455	8 GAY ST
4234	16		KALES PAUL A & JUDITH F TRS	KALES FAMILY 2022 REVOC TR	PO BOX 179	NANTUCKET	MA	02554	6 GAY ST
4234	17		RELIHAN ROBERT J & CYNTHIA B		932 BALDWIN RD	WOODBIDGE	CT	06515	4- GAY ST
4234	18		SEVEN FARMER LLC		287 ISLAND CREEK DRIVE	VERO BEACH	FL	32963	3 QUINCE ST
4234	19		HELLMAN NINA		21 SHERBURNE COMMONS	NANTUCKET	MA	02554	4 GAY ST
4234	55	1	WATERCOLORS LLC		28 RENKER DRIVE	SOUTH EASTON	MA	02375	21- HUSSEY ST
4234	56		GLIDDEN RICHARD J TRST	4 CROWN CT REALITY TRUST	37 CENTER STREET	NANTUCKET	MA	02554	4 CROWN CT
4234	58		MARMELO LLC		1205 N ORANGE ST	WILMINGTON	DE	19801-1120	16 QUINCE ST
4234	59		BARNEY NATHANIEL		15 QUINCE ST	NANTUCKET	MA	02554	15 QUINCE ST
4234	59	1	LUCIANI TERRENCE & PAULA TRSTS		108 GREEN FARM RD	WESTPORT	CT	06880	13 QUINCE ST
4234	60		EINBINDER JOEL R & SUSAN C		63 WENSLEY DRIVE	GREAT NECK	NY	11020	11 QUINCE ST
4234	61		ALLEN NATHAN R JR TRST ETAL	ALLEN NATHAN R JR REV TRUST	14 GOMEZ ROAD	HOBE SOUND	FL	33455	9 QUINCE ST
4234	62		PORTER CLARISSA ETAL LIFE EST		2026 DARTMOUTH PLACE	CHARLOTTE	NC	28207	5 QUINCE ST
4234	63		PENCE SCHOOL LLC		1205 N ORANGE ST	WILMINGTON	DE	19801	8 QUINCE ST
4234	102		FOX ESTHER G		1820 RITTENHOUSE SQ APT 601	PHILADELPHIA	PA	19103	14 QUINCE ST
4234	103		BOLTHOLE LLC		1205 N ORANGE ST 4TH FL	WILMINGTON	DE	19801	10 QUINCE ST
4243	30		MARGARET COFFIN LLC		687 OENOKE RIDGE	NEW CANAAN	CT	06840	54 CENTER ST
4243	31		WHALLEY ELIZABETH S TR	WHALLEY E S REVOC LIVING TRUST	52 CENTER ST	NANTUCKET	MA	02554	52 CENTER ST
4243	32		TERRY HENRY R JR & ANNE		5 GAY ST	NANTUCKET	MA	02554	5 GAY ST
4243	33		WILLIAMS PAULA K TRUST		7 GAY ST	NANTUCKET	MA	02554	7 GAY ST
4243	34		BUCKLEY DAVID J TR	9 GAY STREET NOM TR	PO BOX 5027	NANTUCKET	MA	02554	9 GAY ST
4243	35		11 GAY STREET LLC	C/O PARDO GEORGIANA M	309 SOUTH MILDRED ST	CHARLES TOWN	WV	25414	11 GAY ST
4243	36		FREED CARLA DE CRENY		15 GAY ST	NANTUCKET	MA	02554	15 GAY ST
4243	37		SOLOMON NEAL & ERIC & MARK		64 BROOKVILLE HOLLOW RD	STOCKTON	NJ	08559	17 GAY ST
4243	38		ELLICOTT ANN GOULD TRST		2779 BUSH STREET	SAN FRANCISCO	CA	94115	8 WESTMINSTER ST
4243	39		MORTENSON W C JR TRST		PO BOX 617	OLD WICK	NJ	8858	12 WESTMINSTER ST
4243	40		LAWRENCE JOANNE T		37 BEACON ST UNIT 61	BOSTON	MA	02108	32 LILY ST
4243	41		COHEN JENNIFER TR		SOJOURN REALTY TRUST	NANTUCKET	MA	02554	17 ACADEMY LN
4243	42		PAGNAM ELIZABETH B		19 LILY ST	NANTUCKET	MA	02554	19 LILY ST
4243	43		17 LILY STREET LLC	C/O COPLEY MANGNT & DEVELOPMENT CORP	896 BEACON STREET	BOSTON	MA	02215	17 LILY ST
4243	46		16 LILY STREET LLC		1010 WISCONSIN AVE STE 550	WASHINGTON	DC	20007	16 LILY ST
4243	75		FIRST CONGREGATIONAL CHURCH		BOX 866	NANTUCKET	MA	02554	62 CENTER ST
4243	76		60 CENTER STREET LLC		44 BUTLER HILL ROAD	SOMERS	NY	10589	60 CENTER ST
4243	77		NESTO RICHARD & BICKIMER KATHLEEN		58 CENTER ST	NANTUCKET	MA	02554	58 CENTER ST
4243	80		MIDDLE C LLC	C/O PHILBRICK MELISSA	PO BOX 868	NANTUCKET	MA	02554	56 CENTER ST

4243	81	ONE ACADEMY LANE LLC		13309 MANOR STONE DRIVE	GERMANTOWN	MD	20874	1 ACADEMY LN	
4243	82	ACADEMY REALTY LLC		PO BOX 82	WAYNE	PA	19087	4 ACADEMY LN	
4243	83	ACADEMY REALTY LLC		PO BOX 82	WAYNE	PA	19087	6 ACADEMY LN	
4243	84	OWEN ALICE A & EMELINE TRS		6038 STONEY HILL ROAD	NEW HOPE	PA	18938	8 ACADEMY LN	
4243	86	WYTRZES WAYNE J & LESLIE HARLOW		444 SEABREEZE AVENUE	PALM BEACH	FL	33480	10 ACADEMY LN	
4243	86	1	WYTRZES LESLIE H & WAYNE J	444 SEABREEZE AVE	PALM BEACH	FL	33480	10 R ACADEMY LN	
4243	88	LANES END LIMITED PARTNERSHIP		200 SIGNAL HILL ROAD	WILTON	CT	06897	15 ACADEMY LN	
4243	89	NEW DIMENSIONS DEVELOPMENT LLC		266 SHADYSIDE AVE	CONCORD	MA	01742	21 LILY ST	
4243	90	1	KAISER JOHN H & MARY ANN	114 THIRD ST	GARDEN CITY	NY	11530	20 LILY ST	
4243	90	2	WARECK BARBARA C ETAL TRUSTEES	C/O CHAPEL INVESTMENTS LLC	41 HIGH STREET	NEW HAVEN	CT	06510	18 LILY ST
4243	91	BENNETT DOUGLAS L		1956 MAPLEWOOD CIRCLE	ALLENTOWN	PA	18103	22 LILY ST	
4243	92	28 LILY STREET LLC		28 LILY ST	NANTUCKET	MA	02554	28 LILY ST	
4243	104	BISCHOF ELEANOR CONSTANCE TRS		29 BRINKER ROAD	BARRINGTON	IL	60010	31 LILY ST	
4243	105	ANDREWS VINCENT F III		1133 PARK AVENUE # 1W	NEW YORK	NY	10128	29 LILY ST	
4243	106	DAMMIN ANITA JUNE COFFIN &	CAMP ABIGAIL	27 LILY ST	NANTUCKET	MA	02554	27 LILY ST	
4243	107	PERELMAN A STEVEN & ABBY S TRST		PO BOX 1254	NANTUCKET	MA	02554	25 LILY ST	
4243	108	HANSON ALEXANDER D & LAURA F		189 WOOSAMONSA RD	PENNINGTON	NJ	08534	7 ACADEMY LN	
4243	109	NANTUCKET HEAVEN LLC ETAL		C/O 27 GENEVA POINT RD	MOULTONBOROUGH	NH	03254	2 CHURCH CT	
4243	110	SULLIVAN PETER M TRST ETAL	SULLIVAN KRUEGER FAMILY TRUST	250 RAMELTO RD	SANTA BARBARA	CA	93108	3 ACADEMY LN	
4243	111	TASHMOO PROPERTIES LLC		790 ANDREWS AVE #202A	DELRAY BEACH	FL	33483	5 ACADEMY LN	
4243	112	FERNANDEZ JONATHAN C & CAROLINE M		450 BRETT ROAD	FAIRFIELD	CT	06824	13 ACADEMY LN	
4243	112	1	11 ACADEMY LLC	11 ACADEMY LANE	NANTUCKET	MA	02554	11 ACADEMY LN	
4243	112	2	ROGGEVEEN DIRK GARDINER	P.O. BOX 1827	NANTUCKET	MA	02554	9 ACADEMY LN	
4243	116	HANAN C ADDISON & RENEE M		23 LILY ST	NANTUCKET	MA	02554	23 LILY ST	

Count: 64

KNUTTI KENNETH & AUDYCKI JILL
PO BOX 685
NANTUCKET, MA 02554

TURTLE BEACH LLC
C/O 4 NORTH WATER ST
NANTUCKET, MA 02554

ACADEMY HILL ASSC LP
C/O HALLKEEN MANAGEMENT INC
1400 PROVIDENCE HIGHWAY STE 1000
NORWOOD, MA 02062

FARRELL RICHARD G TRST
RGF REVOCABLE TRUST
1403 MEADOW RIDGE
REDDING, CT 06896

10 GAY STREET LLC
ATTN: FINANCE
1140 RESERVOIR AVE
CRANSTON, RI 02920

ALLEN NATHAN R JR TRST ETAL
ALLEN NATHAN R JR REV TRUST
14 GOMEZ ROAD
HOBE SOUND, FL 33455

KALES PAUL A & JUDITH F TRS
KALES FAMILY 2022 REVOC TR
PO BOX 179
NANTUCKET, MA 02554

RELIHAN ROBERT J & CYNTHIA B
932 BALDWIN RD
WOODBIDGE, CT 06515

SEVEN FARMER LLC
287 ISLAND CREEK DRIVE
VERO BEACH, FL 32963

HELLMAN NINA
21 SHERBURNE COMMONS
NANTUCKET, MA 02554

WATERCOLORS LLC
28 RENKER DRIVE
SOUTH EASTON, MA 02375

GLIDDEN RICHARD J TRST
4 CROWN CT REALITY TRUST
37 CENTER STREET
NANTUCKET, MA 02554

MARMELO LLC
1205 N ORANGE ST
WILMINGTON, DE 19801-1120

BARNEY NATHANIEL
15 QUINCE ST
NANTUCKET, MA 02554

LUCIANI TERRENCE & PAULA TRSTS
108 GREEN FARM RD
WESTPORT, CT 06880

EINBINDER JOEL R & SUSAN C
63 WENSLEY DRIVE
GREAT NECK, NY 11020

ALLEN NATHAN R JR TRST ETAL
ALLEN NATHAN R JR REV TRUST
14 GOMEZ ROAD
HOBE SOUND, FL 33455

PORTER CLARISSA ETAL LIFE EST
2026 DARTMOUTH PLACE
CHARLOTTE, NC 28207

PENCE SCHOOL LLC
1205 N ORANGE ST
WILMINGTON, DE 19801

FOX ESTHER G
1820 RITTENHOUSE SQ APT 601
PHILADELPHIA, PA 19103

BOLTHOLE LLC
1205 N ORANGE ST 4TH FL
WILMINGTON, DE 19801

MARGARET COFFIN LLC
687 OENOKE RIDGE
NEW CANAAN, CT 06840

WHALLEY ELIZABETH S TR
WHALLEY E S REVOC LIVING TRUST
52 CENTER ST
NANTUCKET, MA 02554

TERRY HENRY R JR & ANNE
5 GAY ST
NANTUCKET, MA 02554

WILLIAMS PAULA K TRUST
7 GAY ST
NANTUCKET, MA 02554

BUCKLEY DAVID J TR
9 GAY STREET NOM TR
PO BOX 5027
NANTUCKET, MA 02554

11 GAY STREET LLC
C/O PARDO GEORGIANA M
309 SOUTH MILDRED ST
CHARLES TOWN, WV 25414

FREED CARLA DE CRENY
15 GAY ST
NANTUCKET, MA 02554

SOLOMON NEAL & ERIC & MARK
64 BROOKVILLE HOLLOW RD
STOCKTON, NJ 08559

ELLICOTT ANN GOULD TRST
2779 BUSH STREET
SAN FRANCISCO, CA 94115

MORTENSON W C JR TRST
PO BOX 617
OLD WICK, NJ 8858

LAWRENCE JOANNE T
37 BEACON ST UNIT 61
BOSTON, MA 02108

COHEN JENNIFER TR
SOJOURN REALTY TRUST
NANTUCKET, MA 02554

PAGNAM ELIZABETH B
19 LILY ST
NANTUCKET, MA 02554

17 LILY STREET LLC
C/O COPLEY MANGNT & DEVELOPMENT
CORP
896 BEACON STREET
BOSTON, MA 02215

16 LILY STREET LLC
1010 WISCONSIN AVE STE 550
WASHINGTON, DC 20007

FIRST CONGREGATIONAL CHURCH
BOX 866
NANTUCKET, MA 02554

60 CENTER STREET LLC
44 BUTLER HILL ROAD
SOMERS, NY 10589

NESTO RICHARD & BICKIMER KATHLEEN
58 CENTER ST
NANTUCKET, MA 02554

MIDDLE C LLC
C/O PHILBRICK MELISSA
PO BOX 868
NANTUCKET, MA 02554

ONE ACADEMY LANE LLC
13309 MANOR STONE DRIVE
GERMANTOWN, MD 20874

ACADEMY REALTY LLC
PO BOX 82
WAYNE, PA 19087

ACADEMY REALTY LLC
PO BOX 82
WAYNE, PA 19087

OWEN ALICE A & EMELINE TRS
6038 STONEY HILL ROAD
NEW HOPE, PA 18938

WYTRZES WAYNE J & LESLIE HARLOW
444 SEABREEZE AVENUE
PALM BEACH, FL 33480

WYTRZES LESLIE H & WAYNE J
444 SEABREEZE AVE
PALM BEACH, FL 33480

LANES END LIMITED PARTNERSHIP
200 SIGNAL HILL ROAD
WILTON, CT 06897

NEW DIMENSIONS DEVELOPMENT LLC
266 SHADYSIDE AVE
CONCORD, MA 01742

KAISER JOHN H & MARY ANN
114 THIRD ST
GARDEN CITY, NY 11530

WARECK BARBARA C ETAL TRUSTEES
C/O CHAPEL INVESTMENTS LLC
41 HIGH STREET
NEW HAVEN, CT 06510

BENNETT DOUGLAS L
1956 MAPLEWOOD CIRCLE
ALLENTOWN, PA 18103

28 LILY STREET LLC
28 LILY ST
NANTUCKET, MA 02554

BISCHOF ELEANOR CONSTANCE TRS
29 BRINKER ROAD
BARRINGTON, IL 60010

ANDREWS VINCENT F III
1133 PARK AVENUE # 1W
NEW YORK, NY 10128

DAMMIN ANITA JUNE COFFIN &
CAMP ABIGAIL
27 LILY ST
NANTUCKET, MA 02554

PERELMAN A STEVEN & ABBY S TRST
PO BOX 1254
NANTUCKET, MA 02554

HANSON ALEXANDER D & LAURA F
189 WOOSAMONSA RD
PENNINGTON, NJ 08534

NANTUCKET HEAVEN LLC ETAL
C/O 27 GENEVA POINT RD
MOULTONBOROUGH, NH 03254

SULLIVAN PETER M TRST ETAL
SULLIVAN KRUEGER FAMILY TRUST
250 RAMELTO RD
SANTA BARBARA, CA 93108

TASHMOO PROPERTIES LLC
790 ANDREWS AVE #202A
DELRAY BEACH, FL 33483

FERNANDEZ JONATHAN C & CAROLINE M
450 BRETT ROAD
FAIRFIELD, CT 06824

11 ACADEMY LLC
11 ACADEMY LANE
NANTUCKET, MA 02554

ROGGEVEEN DIRK GARDINER
P.O. BOX 1827
NANTUCKET, MA 02554

HANAN C ADDISON & RENEE M
23 LILY ST
NANTUCKET, MA 02554

Allan and Darina
McKelvie

File No. 15-22

6 Candle House Lane

Special Permit

0



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

2023 SEP 14 AM 11:59
NANTUCKET
TOWN CLERK

APPLICATION

Fee: \$450.00

File No. 15-23

Owner's name(s): ALLAN AND DARINA MCKELVIE

Mailing address 3901 Fordham Road, NW Washington DC 20016

Phone Number: _____ E-Mail: _____

Applicant's Representative: Linda Williams

Mailing Address: PO Box 1446, Nantucket, MA 02554

Phone Number: 508-221-0432 E-Mail: ackczarina1@gmail.com

Locus Address: 6 CANDLE HOUSE LANE

Assessor's Map/Parcel: 55.4.4 - 52.1

Plan Book & Page/Plan File No.: LOT 1, Plan Book 20, Page 107

Deed Reference/Certificate of Title: 1352 - 235 Zoning District ROH

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

Residential: Number of dwelling: 1

Date of Structure(s): all pre-date 7/72: 1987 (house) and by 1949 (garage)

Building Permit Numbers: _____

Previous Zoning Board Application Numbers: 031-17

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 re-issuance of a previous grant of relief in the Zoning Board of Appeals ("ZBA") Decision ("Decision") in File No. 031-17. Relief was granted pursuant to Zoning Bylaw Section 139-33A to alter and extend a pre-existing nonconforming garage. Applicants did not activate the Special Permit by obtaining a building permit and starting construction within the statutorily required 3-year period from the filing of the Decision with the Town Clerk. Therefore the relief granted in the Decision has expired and needs to be reissued.

Section 139-30 Special Permits

I. Expiration of special permits. Special permits shall expire after three years from the date of issuance if a substantial use thereof has not commenced, except for good cause, or, in the case of construction, if construction has not begun by such date except for good cause. Such expiration date shall be automatically extended to include time required to pursue or await the determination of an appeal from the action of the special permit granting authority.

Relief was granted to expand a pre-existing nonconforming garage structure that was (and still is) sited as close as 0.33 feet from the easterly side yard lot line (minimum of five feet is required in the Residential Old Historic district). A second floor was to be added to the garage to be used as a studio. Other than the increase in height, there would have been no further intrusion into that side yard setback area as part of the alteration and expansion of the garage structure. Other alterations, such as second floor access steps and a condenser, were to take place outside of the required setback areas. The lot also contains a single-family dwelling that was constructed in 1987. Other than the setback intrusion into the required 5-foot easterly side yard setback area by the garage structure, the Lot is conforming to all other dimensional requirements.

Applicants propose to alter and extend the garage structure as previously approved and are therefore seeking the same relief by Special Permit pursuant to Bylaw Section 139-33A. related to the design of the structure. However, clarification is necessary to complete the project as proposed. Historic District Commission ("HDC") approval in COA No. 68559 for the project has also expired. Two (2) new applications have been submitted to the HDC for approval. One application was for reissuance of the original approval without alteration to the design. The ZBA

approval involved extensive alteration to the garage structure. According to the now retired design professional, said extensive alterations would have involved in effect a total demolition of the wooden structure without demolition of the foundation. Upon current review of the application for alteration and extension of the garage structure, HDC staff has requested that a separate demolition application for the wooden structure be submitted this time to eliminate any question that the alteration and expansion of the garage structure actually would result in complete demolition of the wooden structure in order to complete the project as proposed in 2017 and today.

As part of the reissuance of the relief granted in the Decision, Applicants are seeking language that would reflect accurately that the wooden structure, without removal of the foundation which protects the pre-existing nonconforming setback location, would be demolished and rebuilt pursuant to new HDC approvals. Once the wooden structure is removed from the foundation, work will have to be done to repair the foundation in preparation for the new garage/studio to be placed on it as it has cracked in some locations. No major excavation will be necessary as part of that repair.

Special Permit relief could be re-issued pursuant to Bylaw Section 139-33A as the alteration and expansion of the pre-existing nonconforming garage structure, with the addition of the studio on the second floor as previously approved, would not be substantially more detrimental to the neighborhood than the existing nonconformity. The foundation would remain in the present location to protect the setback nonconformity and the new structure would be completed as it was originally designed and approved. A further clarification is necessary in the Decision in order to track the HDC approval of two separate permits, i.e., the re-issuance of the expired approval, and separate demolition approval of the wooden structure. It would result in the same garage studio as approved in 2017 and again in the new approvals. The two (2) conditions contained in the Decision would remain intact in the new decision.



Property Information

Property ID 55.4.4 52.1
Location 6 CANDLE HOUSE LN
Owner MCKELVIE ALLAN & DARINA C



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 08/02/2023
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 55.4.4 52.1
 Location 6 CANDLE HOUSE LN
 Owner MCKELVIE ALLAN & DARINA C



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 08/02/2023
 Data updated Jan. 2021

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



2017 00003423
Bk: 1618 Pg: 26 Page: 1 of 8
Doc: SP 11/03/2017 10:29 AM

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

Date: October 12, 2017

2017 OCT 13 AM 11:10
NANTUCKET
TOWN CLERK

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

Application No.: 31-17

Owner/Applicant: ALLAN D. McKELVIE and DARINA C. McKELVIE

Property Description: 6 Candle House Lane
Map 55.4.4 Parcel 52.1

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

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

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


Eleanor W. Antonietti,
Zoning Administrator

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

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

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

Assessor's Map 55.4.4, Parcel 52.1
6 Candle House Lane
Residential Old Historic (ROH)

Plan Book 20, Page 107
Lot 1
Deed, Book 1152, Page 235

DECISION:

1. At a public hearing of the Nantucket Zoning Board of Appeals, on Thursday, September 14, 2017, at 1:00 P.M., at 4 Fairgrounds Road, Nantucket, Massachusetts, the Board made the following decision on the application of **ALLAN D. McKELVIE and DARINA C. McKELVIE**, c/o Reade, Gullicksen, Hanley & Gifford, LLP, Post Office Box 2669, Nantucket, Massachusetts 02584, **File No. 31-17**:

2. The applicants propose to alter the pre-existing, nonconforming garage upon locus, which is situated in the easterly side yard setback area with the closest point being about 0.33 foot from the property line (5 feet being minimum side yard setback in this ROH zoning district), by adding a second floor to be used as a studio. The footprint of the structure within the setback area will not be changed. All other changes, including steps for second story access and a second story deck with condenser below, will be outside the setback area. Applicants request a Special Permit pursuant to Nantucket Zoning By-law § 139-33.A for the alteration of the pre-existing, nonconforming structure. The single-family dwelling upon locus was built in 1987 and conforms to all zoning requirements. The present and proposed conditions upon locus are shown upon two plans by Blackwell & Associates, Inc., dated August 10, 2017, reduced copies of which are attached hereto as "Exhibit A" and "Exhibit B", respectively. Locus is situated at 6 Candle House Lane, Assessor's Parcel 55.4.4-52.1, is shown upon plan recorded with Nantucket Deeds in Plan Book 20, Page 107, as Lot 1, and is situated in a Residential Old Historic (ROH) zoning district.

3. Our decision is based upon the application and accompanying materials, and representations and testimony received at our public hearing. There was no Planning Board recommendation, on the basis that there was no matter of planning concern. There was no support nor opposition presented at the public hearing.

4. As explained by the applicant's representative at the public hearing, there is no proposed change to the footprint of the garage structure within the setback area; the only change will be vertical expansion, including addition of a dormer. The Board expressed concern that because of the proximity of the structure to the lot line, no work could be done on the foundation without affecting the adjacent property. The applicant's representative concurred that no work on the foundation was proposed.

5. Based upon the foregoing presentation, the Board of Appeals, by **UNANIMOUS** vote, found that the proposed alteration to the pre-existing, nonconforming garage structure upon locus and its conversion to contain a studio, as shown upon the Blackwell plans attached hereto, would

not be substantially more detrimental to the neighborhood than the existing nonconformities, and **GRANTED** relief by **SPECIAL PERMIT** pursuant to Nantucket Zoning By-law § 139-33.A to authorize the proposed work, subject to the following conditions:

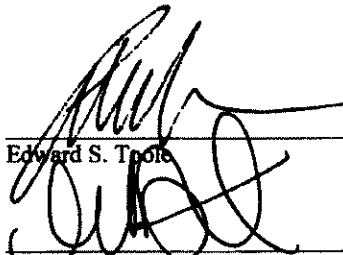
- (a) There shall be no major excavation when renovating the foundation of the structure; and
- (b) No exterior work shall be performed between Memorial Day and Labor Day in any year.

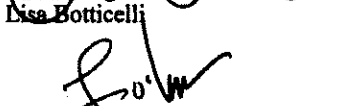
SIGNATURE PAGE TO FOLLOW

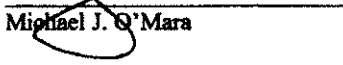
Assessor's Map 55.4.4, Parcel 52.1
6 Candle House Lane
Residential Old Historic (ROH)

Plan Book 20, Page 107
Lot 1
Deed, Book 1152, Page 235

Dated: September 14, 2017


Edward S. Toole


Lisa Botticelli


Michael J. O'Mara


Mark Poor


James Mondani

COMMONWEALTH OF MASSACHUSETTS

County of Nantucket, ss

On the 12th day of October, 2017, before me, the undersigned notary public, personally appeared Edward S. Toole, one of the above-named members of the Zoning Board of Appeals of Nantucket, Massachusetts, personally known to me to be the person whose name is signed on the preceding document, and acknowledged that he signed the foregoing instrument voluntarily for the purposes therein expressed.


Official Signature and Seal of Notary Public
My commission expires: 10/9/2020

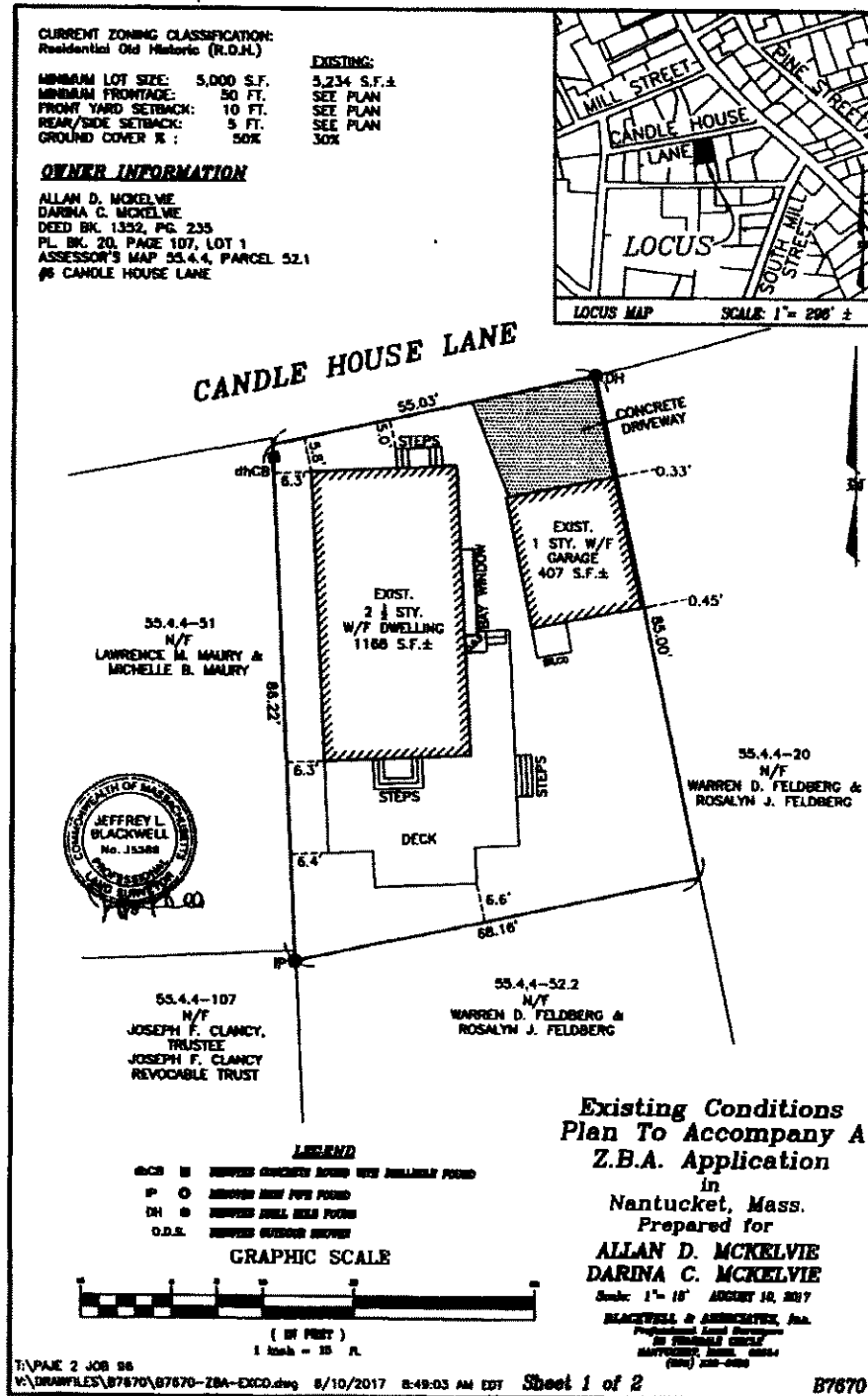


I CERTIFY THAT 20 DAYS HAVE ELAPSED AFTER THE DECISION WAS FILED IN THE OFFICE OF THE TOWN CLERK, AND THAT NO APPEAL HAS BEEN FILED, PURSUANT TO GENERAL LAWS 40A, SECTION 11

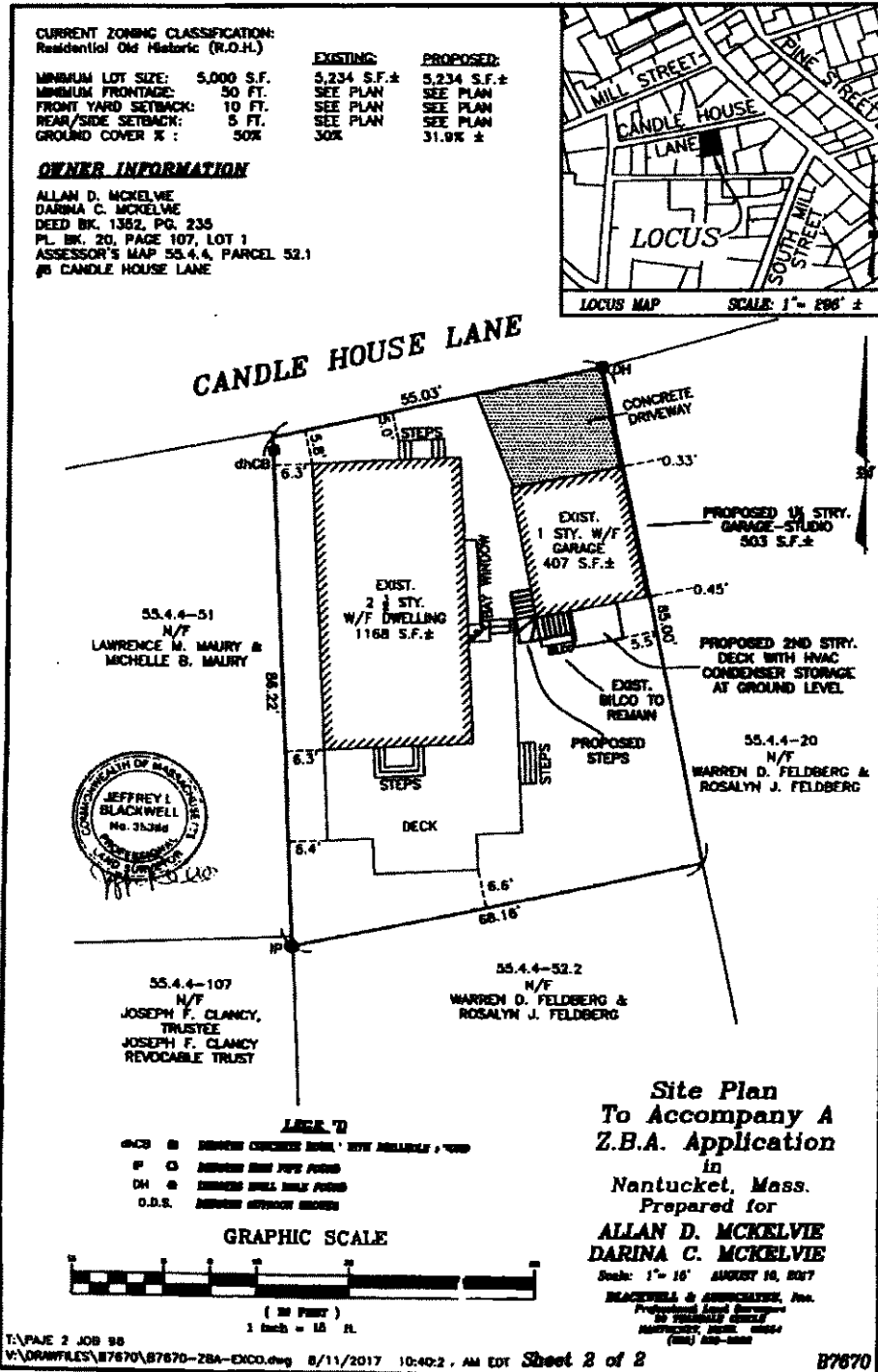
 TOWN CLERK
NOV 03 2017

ATTEST: A TRUE COPY


NANTUCKET TOWN CLERK

"EXHIBIT A"

"EXHIBIT B"

NANTUCKET COUNTY Received & Entered
Attest: Jennifer H. Ferreira, Register of Deeds

Proposed Minutes for August 8, 2017

33. Wilcox, George	101 Low Beach Road	Addition to main house	75-32	Val Oliver
34. Evans, Susan	6 Wall Street	Addition/move on site	82-78	Val Oliver
35. Urban, Scott	8 White Tail Circle	New dwelling	71-25	Val Oliver
36. Viano, Frank	49 Pine Street	Rev. 68192: hardscaping	55.4.1-183	Val Oliver
37. Brooks, Seth	65 West Chester Street	New garage	44-221	Shelter 7

Voting Pohl, Coombs, Oliver, Welch, Watterson

Alternates None

Recused None

Documentation None

Representing None

Public None

Concerns (time) No comments at this time.

Motion **Motion to Hold for Thursday, August 10 meeting. (Welch)**

Vote Carried 5-0

Certificate #

38. Arashonkani, Aliaksandr 9 Greglen Avenue New tertiary dwelling 68-190

Voting Pohl, Coombs, Oliver, Welch, Watterson

Alternates None

Recused None

Documentation Architectural elevation plans, site plan, and photos.

Representing Aliaksandr Arashonkani

Public None

Concerns (9:08) No concerns.

Motion **Motion to Approve as submitted. (Oliver)**

Vote Carried 5-0

Certificate #

68560



VI. VIEWS

Property owner name	Street Address	Scope of work	Map/Parcel	Agent
---------------------	----------------	---------------	------------	-------

1. McKelvie, Allan 6 Candle House Lane Addition to garage 55.4.4-52.1 McMullen & Assoc

Voting Pohl, Coombs, Oliver, Welch, Watterson

Alternates None

Recused None

Documentation Architectural elevation plans, site plan, photos, correspondence, historic documentation, and advisory board comments.

Representing Nathan McMullen, McMullen & Associates – Presented project.

Public None

Concerns (8:58) **Pohl** – Read HSAB comments: fully visible; proposed 2nd-floor addition too high; stairs facing street not appropriate; all lattice on re not appropriate; dormers need to be reduced especially on east elevation. East elevation dormer windows are too small.

Watterson – Asked about the south elevation lattice; suggested vertical board.

Discussion about types of windows; must be true-divided light (TDL).

Motion **Motion to Approve through staff with the east elevation dormer to have three windows; vertical board on the back; and with TDL windows. (Watterson)**

Vote Carried 5-0

Certificate #

68559

Motion to go back and hear 9 Greglen Avenue. (Welch) Carried unanimously

2. Packer, Rebecca 12 North Liberty Street New dwelling 42.3.4-171 Deb Timmerman

3. Breed, Michael 1 Ellior's Way Hardscape: pool/deck & patio 92.4-319 Mark Lombardi

4. Williams, Sarah 10 Trotters Lane New dwelling 67-136 Val Oliver

Voting Pohl, Coombs, Oliver, Welch, Watterson

Alternates None

Recused None

Documentation None

Representing None

Public None

Concerns (time) No comments at this time.

Motion **Motion to Hold for Thursday, August 10 meeting. (Welch)**

Vote Carried 5-0

Certificate #

CERTIFICATE NO: _____

DATE ISSUED: _____

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

CERTIFICATE OF APPROPRIATENESS for structural work.

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 approved application. Violation may impede issuance of Certificate of Occupancy.

PROPERTY DESCRIPTION

TAX MAP N°: 55.4.4 PARCEL N°. 52.1
Street & Number of Proposed Work: 6 CANALE HOUSE LANE
Owner of record: ALLAN & DARINA MCKELVIE
Mailing Address: 21001 SYCOLIN RD., STE. 340
ASHBURN, VA 20147
Contact Phone #: - E-mail: d.d.c.201.com

AGENT INFORMATION (If applicable)

Name: McMULLAN & ASSOCIATES
Mailing Address: 8 AUSTIN FARM DR.
NANTUCKET, MA
Contact Phone #: 228-5984 E-mail: nathan@mcnullanandassociates.com

FOR OFFICE USE ONLY

Date application received: _____ Fee Paid: \$ _____
Must be acted on by: _____
Extended to: _____
Approved: _____ Disapproved: _____
Chairman: _____
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 ☐ Landscaping ☐ Move Building ☐ Demolition ☐ Revisions to previous Cert. No. _____
☐ Pool (Zoning District _____) ☐ Roof ☐ Other _____
Size of Structure or Addition: Length: 22'-0" Sq. Footage 1st floor: 98 SF New Decks/Patio: Size: 8'x6' ☐ 1st floor ☒ 2nd floor
EXIST'G. Width: 19'-0" Sq. footage 2nd floor: 396 SF New Size: _____ ☐ 1st floor ☐ 2nd floor
Sq. footage 3rd floor: _____

Difference between existing grade and proposed finish grade: North EXIST'G. South EXIST'G. East EXIST'G. West EXIST'G.
Height of ridge above final finish grade: North 20'-0" South 23'-10" East 23'-10" West 20'-0"

Additional Remarks

His' Name: _____

Original Date: @ 1959

Original Builder: _____

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

NON-CONTRIBUTING

REVISIONS*

1. East Elevation Window rev's/add (1) #3 window
2. South Elevation change 45° Lattice to vert.
3. West Elevation cedar boards w/ 3/8" gap.
4. North Elevation

*Cloud on drawings and submit photographs of existing elevations.

DETAIL OF WORK TO BE PERFORMED

Foundation: Height Exposed 3'-3 1/2" ☒ 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 4/12 Other _____
Roofing material: ☒ Asphalt: ☐ 3-Tab ☐ Architectural Match EXIST'G.
☐ Wood (Type: Red Cedar, White Cedar, Shakes, etc.) _____
Skylights (flat only): Manufacturer _____ Rough Opening _____ Size _____ Location _____
Gutters: ☒ Wood ☐ Aluminum ☐ Copper ☐ Leaders (material) _____
Leaders (material and size): Match EXIST'G.
Siding: ☒ 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 1x8 Soffit (Overhang) 4" Corner boards 5/4x6 Frieze _____
Window Casing 5/4x4 Door Frame 5/4x4 Columns/Posts: Round _____ Square 4x4 posts _____
Windows*: ☒ Double Hung ☐ Casement ☐ All Wood ☐ Other _____
☒ True Divided Lights (muntins), single pane ☒ SPL's (Simulated Divided Lights) Manufacturer Anderson A-Series Green Mountain
Doors* (type and material): ☒ TDL ☒ SDL Front (2) New OHD Rear _____ Side 9-Light
Garage Door(s): Type New OHD Material 1x6, Vert. V. green Cedar
Hr _____ Driveways EXIST'G CONC Walkways EXIST'G Walls _____

*1. Complete door and window schedules are required.

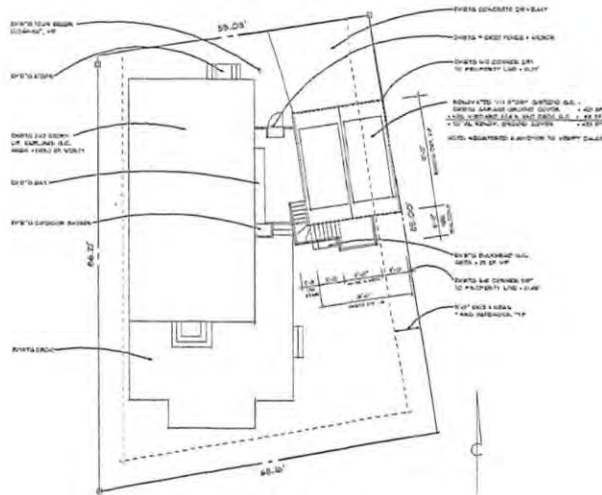
COLORS

Sidewall To Weather Clapboard (If applicable) _____ Roof Grey to match existing Dwelling
Trim Grey to match existing Sash Dove Grey Doors Grey to match existing
Deck To Weather Foundation EXIST'G Fence _____ Shutters _____

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



2 LOCUS PLAN
A-1 NTS



1 RENOVATED SITE PLAN
A-1 SCALE: 1" = 10' - 0"

THIS SITE PLAN FROM "BUILDING LOCATION PLAN" ADDRESS: 8 CANDLE HOUSE LANE BY BLACKWELL & ASSOCIATES, INC. NO. 01710 DATED: OCTOBER 23, 2019 ADDRESS: MAP 35.4.4, PARCEL 52.1 DEED BK 125, PG. 239 PLAN BK 20, PG. 101

CURRENT ZONING CLASSIFICATION: R-OH			
	Req'd/Allowed	Existing	Proposed
MIN LOT SIZE	5,000 SF	5,234 SF	5,234 SF
MIN FRONTAGE	50 FT	55.03 FT	55.03 FT
FRONT YD SETBACK	0 FT	4.5 FT	4.5 FT
SIDE/REAR SETBACKS	5 FT	0.33 FT	0.33 FT
GROUND COVER RATIO	50%	30%	30 %
1ST FLOOR AREA	2,617 SF	1970.2 SF	1636.2 SF
2ND FLOOR AREA	2,617 SF	1,108.0 SF	1,456.0 SF
HEIGHT ABOVE GRADE	30 FT	26 FT	28 FT
OFF-STREET PARKING	2 SPACES	4 SPACES	4 SPACES

3 ZONING ANALYSIS
A-1 ADDRESS: MAP 35.4.4, PARCEL 52.1

NOTE: ALL NEW WINDOWS ARE "GREEN MOUNTAIN", MILSTONE SERIES CLEAR PINE OR MAHOAGANY FIRM CUNTER, SINGLE-GLAZED, TRIPLE-COATED LIGHT, DP-40 WITH HISTORIC MOUNTAIN PROFILES. ALL NEW WINDOWS ARE TILT-TYPE W/ ALL HEAD HEIGHTS + 8'-6" AFF. CASING MATERIAL + 5/4"X4" CLEAR CEDAR TO MATCH EXISTG AT MAIN BUILDING. PROVIDE COORDINATION STORY/GREENH UNIT.

No.	PG.	SERIES	MODEL	TYPE	SASH DIM.	R.G. DIM.	LTG.	JAMB	MATERIAL	REMARKS
1	EXISTG	VERIFY	VERIFY	D. HUNG	VP	VP	VP	VP	EXISTG	EXISTG WINDOW VP
2	NEW	MILSTONE	VERIFY	D. HUNG	2'-0" X 4'-4"	48 REGD	8/8	VP	PINE	NOTE: VERIFY FOR PIN. EGRESS DIMS
3	NEW	MILSTONE	VERIFY	D. HUNG	2'-4" X 2'-6"	48 REGD	3/8	VP	PINE	

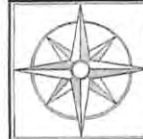
5 WINDOW SCHEDULE
A-1

No.	PG.	SERIES	MODEL	TYPE	DOOR DIM.	R.G. DIM.	LTG.	JAMB	MATERIAL	REMARKS
1	EXISTG	VERIFY	VERIFY	D. HUNG	VP	VP	VP	VP	EXISTG	EXISTG DOOR VP
2	NEW	VERIFY	VERIFY	CHD	8'-0" X 7'-0"	48 REGD	-	VP	CEDAR	CUSTOM CHD 8' VERT 6" CEDAR V-GROOVE
3	EXISTG	VERIFY	VERIFY	CHD	8'-0" X 7'-0"	48 REGD	8	VP	PANES	ACK SLIGHT/PANEL
4	NEW	VERIFY	VERIFY	CHD	8'-0" X 7'-0"	48 REGD	-	VP	CEDAR	CUSTOM CEDAR BOARD/BATTEN 3/8" GAP
5	NEW	VERIFY	VERIFY	CHD	8'-0" X 7'-0"	48 REGD	-	VP	CEDAR	CUSTOM CEDAR BOARD/BATTEN 3/8" GAP
6	NEW	VERIFY	VERIFY	CHD	8'-0" X 7'-0"	48 REGD	-	VP	PINE	VERIFY AVAL DIMENS BEFORE PURCHASE
7	NEW	VERIFY	VERIFY	CHD	8'-0" X 7'-0"	48 REGD	-	VP	PINE	VERIFY AVAL DIMENS BEFORE PURCHASE
8	NEW	VERIFY	VERIFY	CHD	8'-0" X 7'-0"	48 REGD	-	VP	T. GLASS	VERIFY STYLE W/ OWNER BEFORE PURCHASE

6 DOOR SCHEDULE
A-1

1. ALL WORK SHALL CONFORM TO ALL STATE & LOCAL CODES.
2. THE CONTRACTOR SHALL VERIFY ALL EXISTING DIMENSIONS IN THE FIELD.
3. IF ANY WORK IS UNCLEAR OR AMBIGUOUS, CONTACT THE DESIGNER BEFORE PROCEEDING WITH THAT ASPECT OF THE WORK.
4. WORK INCLUDED IS ALL WORK ON THE DRAWINGS AND IN THE SPECIFICATIONS.
5. WORK NOT INCLUDED IS NOTED "NOT IN CONTRACT" OR "N.A.C."
6. THE OWNER IS RESPONSIBLE FOR OBTAINING HDC, ZBA, PLANNING APPROVALS & BUILDING PERMIT.
7. CONTRACTOR IS RESPONSIBLE FOR SECURING ALL ADD'L PERMITS & APPROVALS REQUIRED FOR CONSTRUCTION.
8. ALL NEW DIMENSIONS ARE TO ROUGH FRAMING UNLESS NOTED OTHERWISE.
9. EACH SUBCONTRACTOR SHALL BE RESPONSIBLE TO COORDINATE WITH THE WORK OF OTHER SUB-CONTRACTORS.
10. DO NOT SCALE DRAWINGS.
11. THE DRAWINGS HAVE BEEN COMPILED FROM THE BEST AVAILABLE INFORMATION & ARE NOT INTENDED TO LIMIT THE SCOPE OF WORK. THE CONTRACTOR MAY ENCOUNTER HIDDEN OR UNCOVERED CONDITIONS NOT SHOWN IN THIS CONTRACT SET. IT WILL BE ASSUMED THAT THE CONTRACTOR HAS INSPECTED THE SITE PRIOR TO BIDDING & VERIFIED THE INFORMATION CONTAINED WITHIN.

4 GENERAL NOTES
A-1

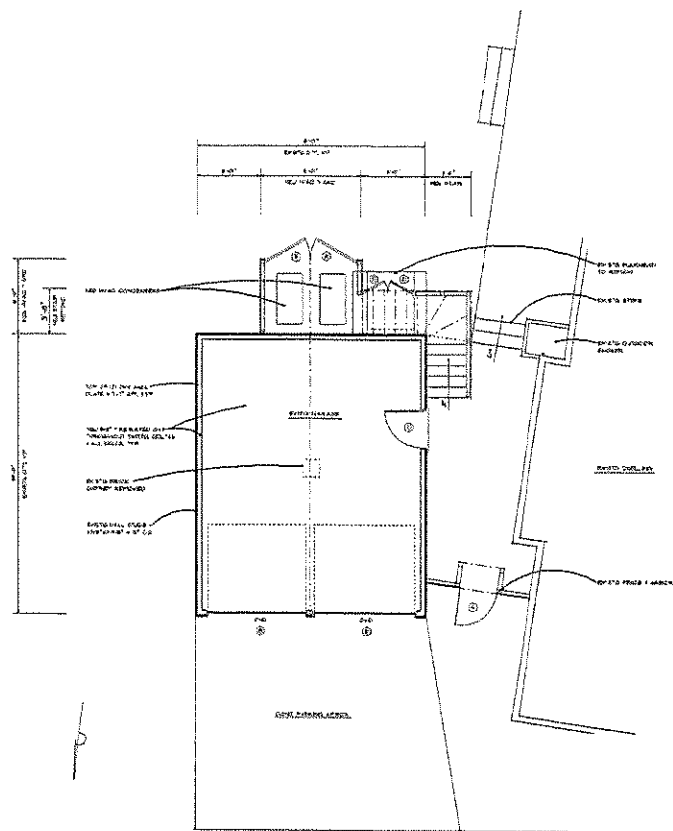


McMULLEN
& ASSOCIATES
- NANTUCKET -
508-228-5984

ALTERATIONS & ADDITIONS TO:
THE MCKELVIE RESIDENCE
6 CANDLE HOUSE LANE
NANTUCKET

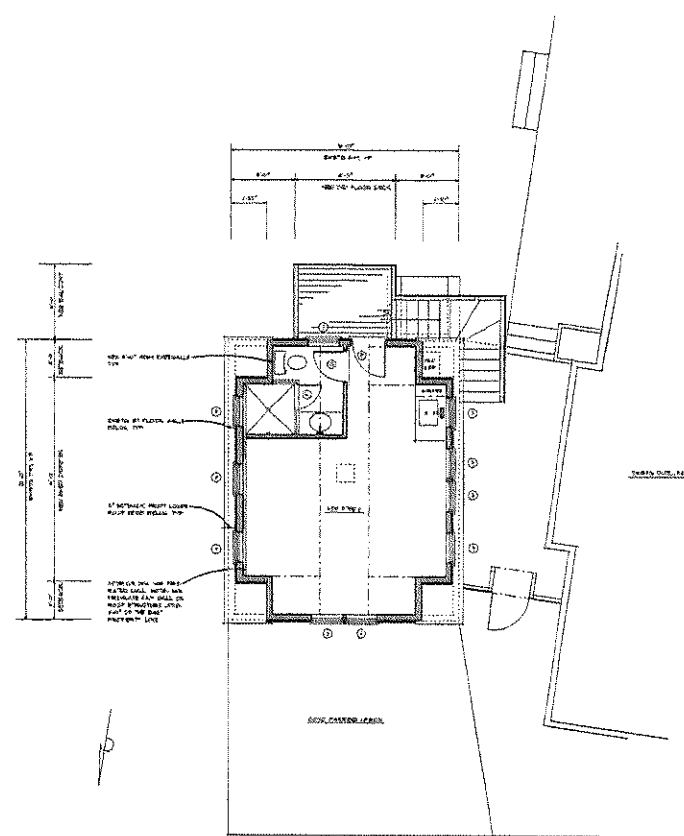
Issue #	Revisions
1	1.0

SITE PLAN, ZONING & SCHEDULE
A-1

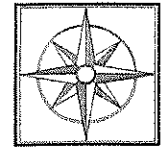


① GARAGE-STUDIO RENOVATED 1ST FLOOR PLAN
A-3 14' x 17' - 0"

PARTITION LEGEND	
	EXISTING TO REMAIN
	EXISTING REMOVED
	NEW



② GARAGE-STUDIO RENOVATED 2ND FLOOR PLAN
A-3 14' x 17' - 0"



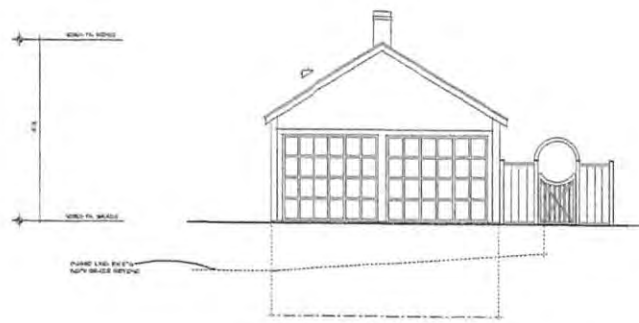
**McMULLEN
& ASSOCIATES**
- NANTUCKET -
308-228-5984

ALTERATIONS & ADDITIONS TO:
THE MCKELVIE RESIDENCE
6 CANDLE HOUSE LANE
NANTUCKET

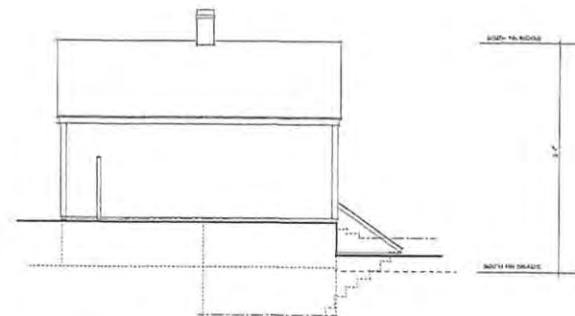
Issues & Revisions	
NO.	DESCRIPTION

RENOVATED FLOOR PLANS	

A-3



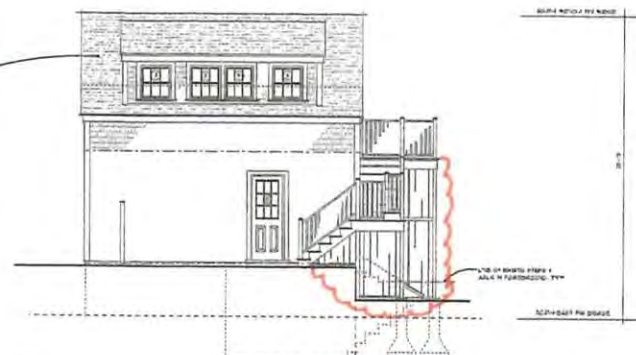
1 GARAGE EXISTG NORTH ELEVATION
A-4 1/4" x 1'-0"



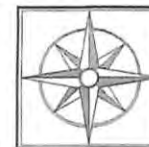
2 GARAGE EXISTG WEST ELEVATION
A-4 1/4" x 1'-0"



3 GARAGE-STUDIO RENOV NORTH ELEVATION
A-4 1/4" x 1'-0"



4 GARAGE-STUDIO RENOV WEST ELEVATION
A-4 1/4" x 1'-0"



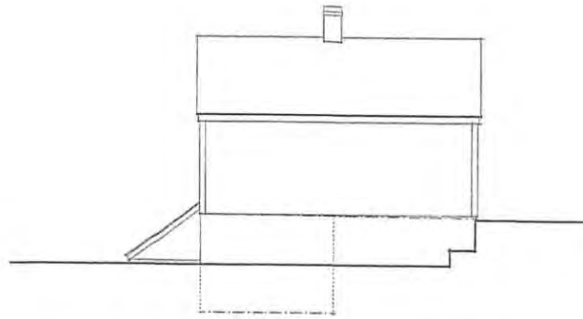
McMULLEN
& ASSOCIATES
- NANTUCKET -
508-228-5984

ALTERATIONS & ADDITIONS TO:
THE MCKELVIE RESIDENCE
6 CANDLE HOUSE LANE
NANTUCKET

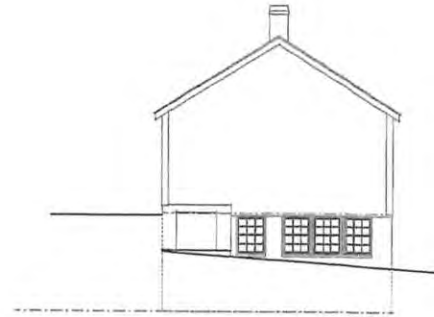
Issues & Revisions	
1	ISSUE
2	REVISION
3	
4	
5	
6	
7	
8	
9	
10	

RENOVATED
NORTH & WEST ELEVATIONS

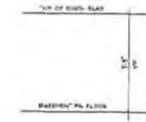
A-4



1 GARAGE EXISTG EAST ELEVATION
A-5 1/4" x 1" = 0"



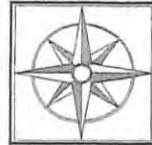
2 GARAGE EXISTG SOUTH ELEVATION
A-5 1/4" x 1" = 0"



3 GARAGE-STUDIO RENOV EAST ELEVATION
A-5 1/4" x 1" = 0"



4 GARAGE-STUDIO RENOV SOUTH ELEVATION
A-5 1/4" x 1" = 0"



**McMULLEN
& ASSOCIATES**
- NANTUCKET -
508-228-9984

ALTERATIONS & ADDITIONS TO:
THE MCKELVIE RESIDENCE
6 CANDLE HOUSE LANE
NANTUCKET

Issues & Revisions	
NO.	DESCRIPTION

RENOVATED
EAST & SOUTH ELEVATIONS
A-5

AUG 10 2017

APPROVED
AUG 03 2017 # 611554

NORTH ELEVATION



WEST ELEVATION



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

EAST ELEVATION



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

SOUTH ELEVATION - REAR



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

Town of Nantucket
Zoning Board of Appeals

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

PROPERTY OWNER ALLAN MCKELVIE

MAILING ADDRESS 3901 FORDHAM ROAD, NW, WASHINGTON DC
20016

PROPERTY LOCATION 6 CANDLE HOUSE LANE

ASSESSOR MAP/PARCEL 55.4.4 – 52.1

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 11 and Zoning Code Chapter 40A, Section 139-29B (2).

September 11, 2023

DATE

**Mary L.
Haley** Digitally signed
by Mary L. Haley
Date: 2023.09.11
11:38:34 -04'00'

ASSESSOR'S OFFICE
TOWN OF NANTUCKET

50

Abutters Listing

MBLU	Lot	Lot Cut	Name Line 1	Name Line 2	Address Line 1	City	State	Zip	Location
4232	48		COWHERD J ANDREW & CAROL H		4 HOWLAND TERRACE	MORRISTOWN	NJ	07960	25B PINE ST
4232	48	1	RICH GEORGE M & REGINA M TRST	RICH GEORGE M & REGINA M REV LIVING TRUSTS	231 BEDFORD RD	GREENWICH	CT	06831	25C PINE ST
4232	49		CHASIN CHARLES & ELIZABETH L		11 LYONS PL	LARCHMONT	NY	10538	24 PLEASANT ST
4232	50		LEFFLER JOSHUA A & MARGARET M		4 LIME STREET	BOSTON	MA	02108	22 PLEASANT ST
4232	51		SANDRAS NANTUCKET LLC		P O BOX 15101	BALTIMORE	MD	21282	20 PLEASANT ST
4232	52		SOLOMON STEPHEN J & LAURA		125 EAST 84TH ST APT 3A	NEW YORK	NY	10028-0902	21 PINE ST
4232	101		SCHOEN PATRICIA OHAGAN		1 JO BARN WAY	NORWALK	CT	06835	49 FAIR ST
4232	112		25A PINE STREET LLC		11 DAVISON LANE WEST	WEST ISLIP	NY	11795-5203	25A PINE ST
4232	113		ASH DIANE M		23 PINE ST	NANTUCKET	MA	02554	23 PINE ST
4233	28		METSOLA LLC		3 KENLEY LANE	SOUTHBOROUGH	MA	01772	19 PINE ST
4233	30		FIRST BRICK LLC	C/O WHITNEY ANN P	959 CITRUS AVE	SARASOTA	FL	34236	19 PLEASANT ST
4233	30	1	FIRST BRICK LLC	C/O WHITNEY ANN P	959 CITRUS AVE	SARASOTA	FL	34236	9 CANDLE HOUSE LN
4233	75		GROOME WILLIAM WORTHAM & KELSEY L		225 E 81ST # 2	NEW YORK	NY	10028	14 PLEASANT ST
4233	76		DOWNEASTER ALEXSOVICH LLC		1327 GREENWICH ST	SAN FRANCISCO	CA	94109	16 PLEASANT ST
4233	77		BENCH LAURA A TRUSTEE	BENCH LAURA A TRUST	26 FAIR STREET	NANTUCKET	MA	02554	17 PLEASANT ST
4233	78		THREE MILL STREET NOM TRUST		3 MILL ST	NANTUCKET	MA	02554	3 MILL ST
4233	79		DWZ LLC		888 LORIMER ST APT 3	BROOKLYN	NY	11222	5 MILL ST
4233	123		BERRY PLEASANT LLC		3800 NORTH LAMAR BLVD STE 350	AUSTIN	TX	78756	15 PLEASANT ST
4233	194		LIDDLE EDMUND W TR ETAL	PIPPA REALTY NOM TRUST	PO BOX 1317	NANTUCKET	MA	02554	7 MILL ST
5541	3		26 PLEASANT STREET LLC	C/O COPLEY MNGT & DEV CORP	896 BEACON STREET	BOSTON	MA	02115	26 PLEASANT ST
5541	4		GIFFORD WHITNEY A TR	C/O TWENTY-SEVEN PINE ST NOM TRUST	PO BOX 444	NEW VERNON	NJ	07976	27 PINE ST
5541	22	2	SUGARY LEMON LLC	C/O LEMMO JASON & KAREN	31 RAMSEY DR	SUMMIT	NJ	07901	4 ANGOLA ST
5541	22	3	LESELECT PROPERTIES LLC	C/O MILLER CANDICE & BERNARD EDWARD	61 OLD SOUTH RD #205	NANTUCKET	MA	02554	5 S MILL ST
5541	58		HARTMAN RELLA M TR	C/O JOE HARTMAN	444 OCAMPO DR	PACIFIC PALISADES	CA	90272	8 S MILL ST
5541	59		ANDRADE SUSANNE & JOEL		12 BEECHWOOD CIRCLE	BRIDGEWATER	MA	02324	4 S MILL ST
5541	61		BARTLETT BERNARD A TR	BARTLETT BERNARD A REV TRUST	3620 W EL PRADO BLVD	TAMPA	FL	33629	1 S MILL ST
5541	62		WESTCOTT NADINE B TRST	C/O 5 SEAGATE MANOR	400 SEAGATER DR U 606	DELRAY BEACH	FL	33483	3 ANGOLA ST
5541	63		CATINO DIANE TRS ETAL	C/O CHERYL GILBERT	3620 W EL PRADO BLVD	TAMPA	FL	33629	23 PLEASANT ST
5541	65		CRAIG RYAN P & LINDSAY		5930 WARM MIST LN	DALLAS	TX	75248	28 PLEASANT ST
5541	110		HADDY ALAN	C/O ANNIE BURNS	2549 ESCEDA CT	NAPLES	FL	34109	2 S MILL ST
5541	111		25 ACK LLC		1502 HAMPTON RD	CHARLESTON	WV	25314	25 PLEASANT ST
5541	213		LESELECT PROPERTIES LLC	C/O MILLER CANDICE & BERNARD EDWARD	61 OLD SOUTH RD #205	NANTUCKET	MA	02554	5B S MILL ST
5544	16		KARGMAN ROBERT M		151 TREMONT ST	BOSTON	MA	02111	8 MILL ST
5544	17		FRASCATI C FLORENCE & J MICHAEL TRST ETA	FLORENCE C FRASCATI REV TRUST	515 BORDEN ROAD	LEXINGTON	VA	24450	2 N MILL ST
5544	18		NANTUCKET HISTORICAL ASSN		PO BOX 1016	NANTUCKET	MA	02554	4 MILL ST
5544	19		FIRST BRICK LLC	C/O WHITNEY ANN	959 CITRUS AVE	SARASOTA	FL	34236	11 CANDLE HOUSE LN
5544	20		FELDBERG WARREN D & ROSALYN J TRS		282 BEACON ST UNIT 10	BOSTON	MA	02116	4 CANDLE HOUSE LN
5544	22		BULKLEY DEBORAH W TRST ETAL	WB ANGOLA REALTY TRUST	136 LINCOLN ROAD	SUDBURY	MA	01776	6 ANGOLA ST
5544	22	1	MARTIN ROBERT B & ROBIN K		11329 TURTLE BEACH ROAD	N PALM BEACH	FL	33408	3 S MILL ST
5544	51		DRULEY DAVID R & MELISSA ANN		339 COMMONWEALTH AVE # 10	BOSTON	MA	02115	10 CANDLE HOUSE LN
5544	52	2	FELDBERG WARREN D & ROSALYN J TRS		282 BEACON ST UNIT 10	BOSTON	MA	02116	5 ANGOLA ST

5544	78	1	METRI GEORGE & ZEINA		18 WEATHERDECK DR	BOURNE	MA	02532	12 ANGOLA ST
5544	78	2	SARKISIAN MINAS ROBERT		24 MACYS LANE	NANTUCKET	MA	02554	8 N MILL ST
5544	79		MIGNONE MARCUS & AMY		38 WILLOW CREEK AVE	SUFFIELD	CT	06078	10B ANGOLA ST
5544	79	1	CHAPMAN JAMES N & PAMELA		14 ALPINE RD	GREENWICH	CT	06830-3435	10A ANGOLA ST
5544	80	2	DEMICHELE DARLENE MURPHY TR		2358 ALEXANDER PALM DR	NAPLES	FL	34105	2 BIRDSONG LN
5544	101		FELDBERG ROSALYN J TRUSTEE	EIGHT ANGOLA STREET	282 BEACON ST 10TH FLR	BOSTON	MA	02116	8 ANGOLA ST
5544	104		NANTUCKET ISLANDS LAND BANK		22 BROAD ST	NANTUCKET	MA	02554	16 CANDLE HOUSE LN
5544	105		NANTUCKET ISLANDS LAND BANK		22 BROAD ST	NANTUCKET	MA	02554	14 CANDLE HOUSE LN
5544	106		CLARK PAMELA VAN HOVEN		21 HARSTROM PL	ROWAYTON	CT	06583	12 CANDLE HOUSE LN
5544	107		CLARK CAITLIN R TRST	9 ANGOLA ST NOM TRUST	21 HARSTROM PL	ROWAYTON	CT	06853	9 ANGOLA ST
5544	108		CHAPMAN JAMES & PAMELA		14 ALPINE RD	GREENWICH	CT	06830	7 ANGOLA ST
Count:		52							

COWHERD J ANDREW & CAROL H
4 HOWLAND TERRACE
MORRISTOWN, NJ 07960

RICH GEORGE M & REGINA M TRST
RICH GEORGE M & REGINA M REV LIVING
TRUSTS
231 BEDFORD RD
GREENWICH, CT 06831

CHASIN CHARLES & ELIZABETH L
11 LYONS PL
LARCHMONT, NY 10538

LEFFLER JOSHUA A & MARGARET M
4 LIME STREET
BOSTON, MA 02108

SANDRAS NANTUCKET LLC
P O BOX 15101
BALTIMORE, MD 21282

SOLOMON STEPHEN J & LAURA
125 EAST 84TH ST APT 3A
NEW YORK, NY 10028-0902

SCHOEN PATRICIA OHAGAN
1 JO BARN WAY
NORWALK, CT 06835

25A PINE STREET LLC
11 DAVISON LANE WEST
WEST ISLIP, NY 11795-5203

ASH DIANE M
23 PINE ST
NANTUCKET, MA 02554

METSOLA LLC
3 KENLEY LANE
SOUTHBOROUGH, MA 01772

FIRST BRICK LLC
C/O WHITNEY ANN P
959 CITRUS AVE
SARASOTA, FL 34236

FIRST BRICK LLC
C/O WHITNEY ANN P
959 CITRUS AVE
SARASOTA, FL 34236

GROOME WILLIAM WORTHAM & KELSEY L
225 E 81ST # 2
NEW YORK, NY 10028

DOWNEASTER ALEXSOVICH LLC
1327 GREENWICH ST
SAN FRANCISCO, CA 94109

BENCH LAURA A TRUSTEE
BENCH LAURA A TRUST
26 FAIR STREET
NANTUCKET, MA 02554

THREE MILL STREET NOM TRUST
3 MILL ST
NANTUCKET, MA 02554

DWZ LLC
888 LORIMER ST APT 3
BROOKLYN, NY 11222

BERRY PLEASANT LLC
3800 NORTH LAMAR BLVD STE 350
AUSTIN, TX 78756

LIDDLE EDMUND W TR ETAL
PIPPA REALTY NOM TRUST
PO BOX 1317
NANTUCKET, MA 02554

26 PLEASANT STREET LLC
C/O COPLEY MNGT & DEV CORP
896 BEACON STREET
BOSTON, MA 02115

GIFFORD WHITNEY A TR
C/O TWENTY-SEVEN PINE ST NOM
TRUST
PO BOX 444
NEW VERNON, NJ 07976

SUGARY LEMON LLC
C/O LEMMO JASON & KAREN
31 RAMSEY DR
SUMMIT, NJ 07901

LESELECT PROPERTIES LLC
C/O MILLER CANDICE & BERNARD
EDWARD
61 OLD SOUTH RD #205
NANTUCKET, MA 02554

HARTMAN RELLA M TR
C/O JOE HARTMAN
444 OCAMPO DR
PACIFIC PALISADES, CA 90272

ANDRADE SUSANNE & JOEL
12 BEECHWOOD CIRCLE
BRIDGEWATER, MA 02324

BARTLETT BERNARD A TR
BARTLETT BERNARD A REV TRUST
3620 W EL PRADO BLVD
TAMPA, FL 33629

WESTCOTT NADINE B TRST
C/O 5 SEAGATE MANOR
400 SEAGATER DR U 606
DELRAY BEACH, FL 33483

CATINO DIANE TRS ETAL
C/O CHERYL GILBERT
3620 W EL PRADO BLVD
TAMPA, FL 33629

CRAIG RYAN P & LINDSAY
5930 WARM MIST LN
DALLAS, TX 75248

HADDY ALAN
C/O ANNIE BURNS
2549 ESCEDA CT
NAPLES, FL 34109

25 ACK LLC
1502 HAMPTON RD
CHARLESTON, WV 25314

LESELECT PROPERTIES LLC
C/O MILLER CANDICE & BERNARD
EDWARD
61 OLD SOUTH RD #205
NANTUCKET, MA 02554

KARGMAN ROBERT M
151 TREMONT ST
BOSTON, MA 02111

FRASCATI C FLORENCE & J MICHAEL TRST
ETA
FLORENCE C FRASCATI REV TRUST
515 BORDEN ROAD
LEXINGTON, VA 24450

NANTUCKET HISTORICAL ASSN
PO BOX 1016
NANTUCKET, MA 02554

FIRST BRICK LLC
C/O WHITNEY ANN
959 CITRUS AVE
SARASOTA, FL 34236

FELDBERG WARREN D & ROSALYN J TRS
282 BEACON ST UNIT 10
BOSTON, MA 02116

BULKLEY DEBORAH W TRST ETAL
WB ANGOLA REALTY TRUST
136 LINCOLN ROAD
SUDBURY, MA 01776

MARTIN ROBERT B & ROBIN K
11329 TURTLE BEACH ROAD
N PALM BEACH, FL 33408

DRULEY DAVID R & MELISSA ANN
339 COMMONWEALTH AVE # 10
BOSTON, MA 02115

FELDBERG WARREN D & ROSALYN J TRS
282 BEACON ST UNIT 10
BOSTON, MA 02116

METRI GEORGE & ZEINA
18 WEATHERDECK DR
BOURNE, MA 02532

SARKISIAN MINAS ROBERT
24 MACYS LANE
NANTUCKET, MA 02554

MIGNONE MARCUS & AMY
38 WILLOW CREEK AVE
SUFFIELD, CT 06078

CHAPMAN JAMES N & PAMELA
14 ALPINE RD
GREENWICH, CT 06830-3435

DEMICHELE DARLENE MURPHY TR
2358 ALEXANDER PALM DR
NAPLES, FL 34105

FELDBERG ROSALYN J TRUSTEE
EIGHT ANGOLA STREET
282 BEACON ST 10TH FLR
BOSTON, MA 02116

NANTUCKET ISLANDS LAND BANK
22 BROAD ST
NANTUCKET, MA 02554

NANTUCKET ISLANDS LAND BANK
22 BROAD ST
NANTUCKET, MA 02554

CLARK PAMELA VAN HOVEN
21 HARSTROM PL
ROWAYTON, CT 06853

CLARK CAITLIN R TRST
9 ANGOLA ST NOM TRUST
21 HARSTROM PL
ROWAYTON, CT 06853

CHAPMAN JAMES & PAMELA
14 ALPINE RD
GREENWICH, CT 06830

Lee and Priscilla
Saperstein

File No. 16-23

20 New Street

**Modification of
Special Permit**



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

A P P L I C A T I O N

2009 SEP 14 AM 11:56

NANTUCKET
TOWN CLERK

Fee: \$450.00

File No. **16-23**

Owner's name(s): LEE AND PRISCILLA SAPERSTEIN

Mailing address PO Box 1408, Nantucket, MA 02554

Phone Number: _____ E-Mail: saperste@mst.edu

Applicant's Representative: Linda Williams

Mailing Address: PO Box 1446, Nantucket, MA 02554

Phone Number: 508-221-0432 E-Mail: ackczarina1@gmail.com

Locus Address: 20 NEW STREET

Assessor's Map/Parcel: 55 - 337

Plan Book & Page/Plan File No.: N/A

Deed Reference/Certificate of Title: 943 - 342 Zoning District ROH

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

Residential: Number of dwelling: 1

Date of Structure(s): all pre-date 7/72: -1850 - house and former garage by 1909

Building Permit Numbers: _____

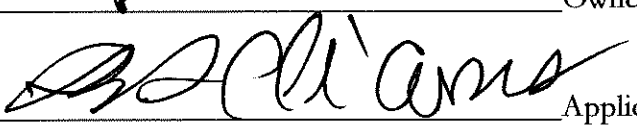
Previous Zoning Board Application Numbers: 014-05; 083-06; 043-08; 013-09

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 a MODIFICATION of Special Permit relief granted in the Zoning Board of Appeals ("ZBA") Decision ("Decision") in File No. 014-05, as modified in subsequent decisions in File Nos. 083-06, 043-08 and 013-09. Relief was granted pursuant to Zoning Bylaw Sections 139-33A and 139-33E(2)(a) to alter and extend a pre-existing nonconforming studio and expand the primary dwelling on the lot. Though relief to expand the nonconforming groundcover was requested and granted at that time in 2006, such relief is no longer necessary as the Zoning Bylaw now states the following:

139-33E(1)(a) Preexisting (sic) nonconforming uses, structures and lots

In the case of a lot containing less than 5,000 square feet, 30% of the area of the lot or the amount determined in accordance with the maximum ground cover ratio requirement for the zoning district in which the lot is situated, whichever is greater;

Relief was granted to expand a pre-existing nonconforming studio located to the rear of the property without intruding further into the required easterly side or southerly rear yard five-foot setback area. Relief was granted pursuant to several conditions "(a)" through "(i)".

Applicants are now seeking to convert the studio to a separate cottage as their family situation has changed since 2005. There is a need to be able to have family members or caregivers live in the one-room cottage. The second floor of the studio will remain uninhabitable space. The first floor contains one (1) studio room, a bathroom and a storage closet.

Applicants are seeking to modify or eliminate two (2) of the conditions with the other conditions in the Decision remaining in full force and effect. Condition "(d)" states the following:

The rear studio structure shall not be used for human habitation without further relief from this Board;

Applicants are now seeking further relief from the ZBA to convert the studio to human habitation. At the time the relief was granted, the ZBA left the option open for the Applicants to return to modify relief should the need arise.

In addition, Applicants seek to eliminate Condition “(f)” in its entirety, which states the following:

There shall be no shower or tub in the bathroom of the studio;
Applicants now propose to provide full bathroom facilities for the inhabitant of the cottage.

There will be no alteration of the exterior of the studio other than to provide a second means of egress as may be required by the building code to convert the studio to habitable space. The required two (2) parking spaces will be provided on site. However, should the dimensions of the spaces be less than 9’ x 20” and 7’ x 17’, the Applicants are seeking Special Permit relief pursuant to Zoning Bylaw Section 139-18. The Decision notes that the existing parking space is nonconforming. There is sufficient space to accommodate a smaller second stacked space as allowed by the Zoning Bylaw. In the alternative, Applicants are asking to waive the second space required due to the change in use. There is substantial on-street parking as well. The cottage and the primary dwelling meet the required 10-foot scalar separation as well as the 20% differential between the two dwelling units.

The Decision in ZBA File No. 083-06 modified the previous Special Permit and allowed alteration of the primary dwelling by raising the ridge height. The Decision in ZBA File No. 043-08 further modified the original Special Permit and allowed demolition and reconstruction of the rear studio with “substantially the same configuration, groundcover, siting and use as shown on prior plans.” During the course of construction the Building Department determined that in order to complete the project as approved by the Historic District Commission and approved in the Decision in ZBA File No. 014-05 the work was more extensive than renovation and “constituted demolition and reconstruction”. The conditions noted in the Decision were carried over by reference in both subsequent Decisions. The Decision in ZBA File No. 013-09 modified the previous Special Permits and validated the siting of a generator in the rear of the property that was sited within the required five-foot setback area.

Further Modification of the Special Permit relief granted in the Decision in File No. 014-05 could be made without substantially more detriment to the neighborhood than the existing

nonconforming situation. There would be no exterior expansion of the 252 SF studio upon conversion to a one-room cottage and thus not increase in the nonconforming nature of the structure. A secondary dwelling use is allowed by right. However, as the structure is sited within the required five-foot side and rear yard setback areas, Special Permit relief is required to change the use.

There are several similar properties proximate to the Locus with cottages in the rear with most in violation of the required setbacks. The property abutting the Locus at 22 New Street contains a primary dwelling fronting on the street and a larger 560 SF cottage in the rear of the property that is also sited inside the required five-foot easterly and southerly setback areas. The property at 11 Back Street abutting the Locus to the rear, contains a primary dwelling and a rear 470 SF cottage that directly abuts the studio on the Locus. The property at 15 Back Street contains two larger dwellings. The property at 9 ½ Back Street contains a primary dwelling and a rear 576 SF (at grade). Immediately across New Street from the Locus is a property that contains four (4) cottages. The property at 12 New Street has a primary dwelling and a 224 SF bunk house. The property at 7 New Street has three (3) 1 ½ story dwellings. The property at 6 New Street contains a primary dwelling and a 564 SF cottage in the rear that is sited inside both of the five-foot required side yard setback areas and inside the rear as well. The property at 3 New Street contains a primary dwelling and a 296 SF cottage.

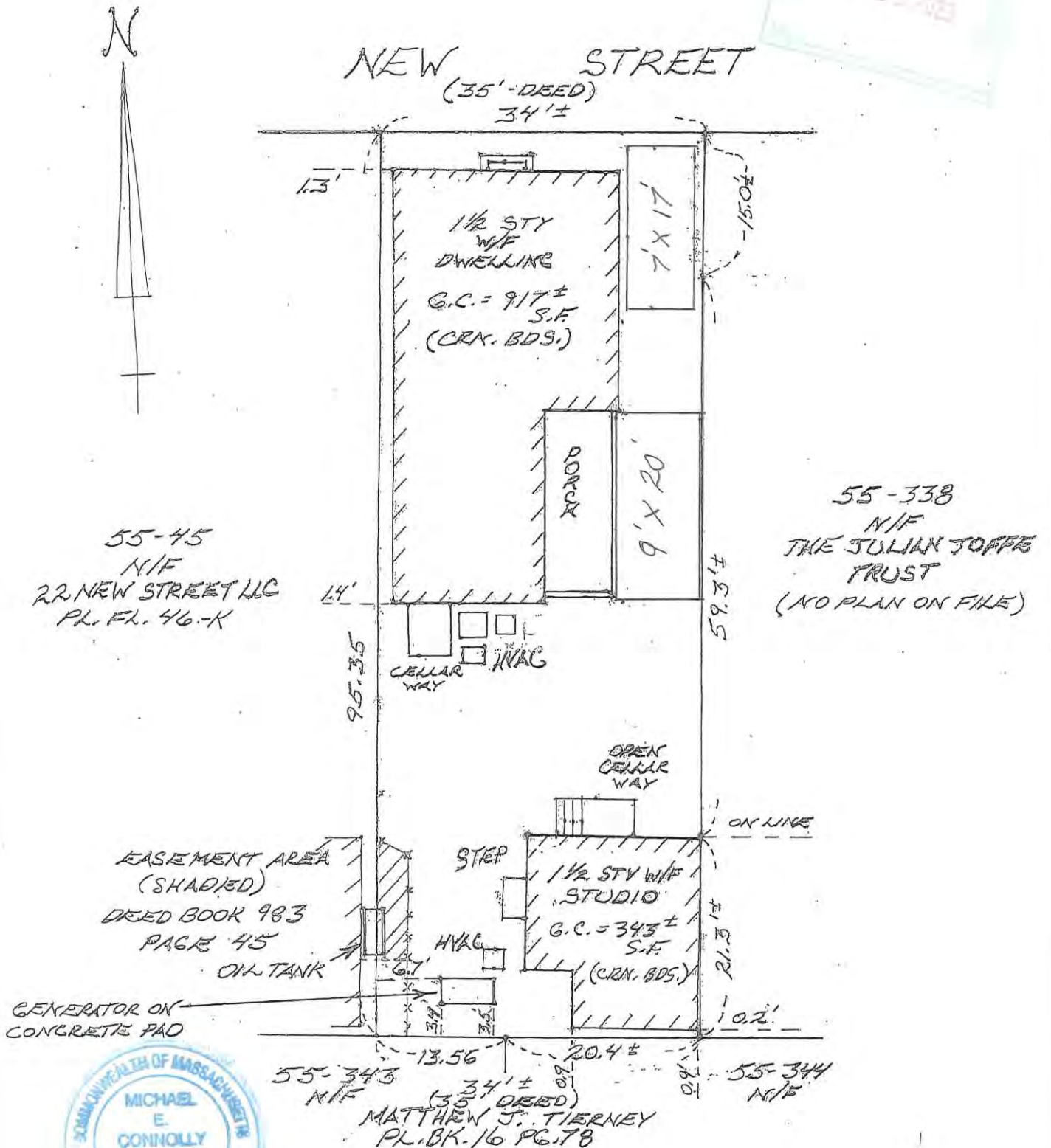
ZONING CLASSIFICATION: *ROH*

MIN. AREA: *5000 S.F.*
MIN. FRONTAGE: *50 FT.*
FRONT YARD S.B.: *0 FT.*
REAR & SIDE S.B.: *5 FT.*
GROUND COVER (%): *40 %*

EXISTING:

INDETERMINATE (SUGGEST RECORDABLE PLAN)
SEE PLAN
" "
" "

OCT 12 2023



I CERTIFY, AS OF *10/12/2023* THAT
THE BUILDING(S) IS/ARE LOCATED ON THE
GROUND AS SHOWN HEREON.
Michael E. Connolly
PROFESSIONAL LAND SURVEYOR

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

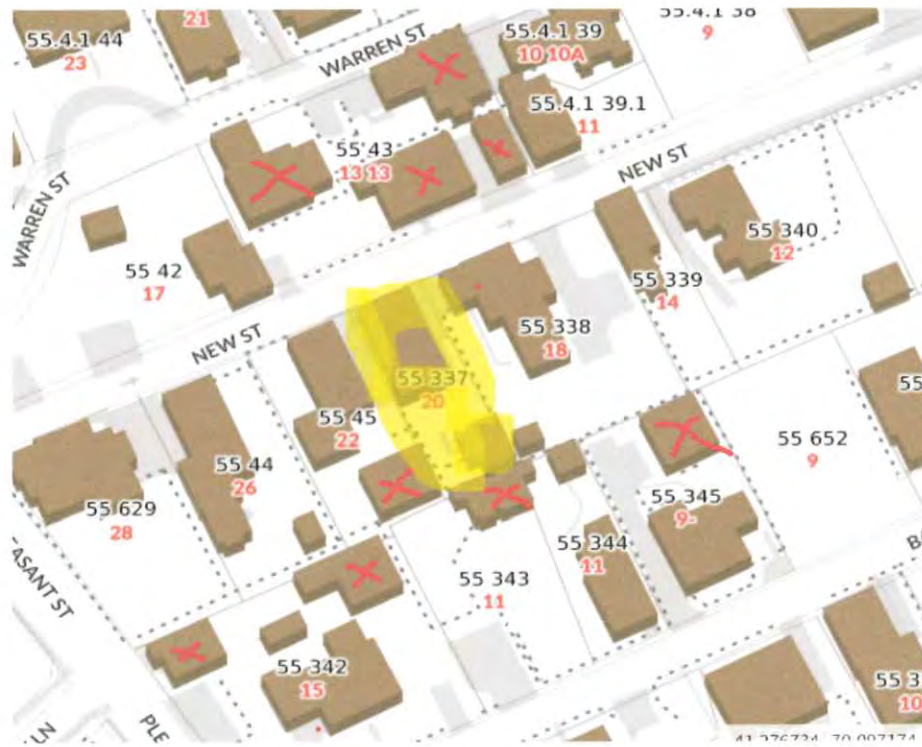
BUILDING LOCATION PLAN OF LAND IN NANTUCKET, MA.

SCALE: *1"=15'* DATE: *OCT. 12, 2023*
Owner: *THE JULIAN W. SAPERSTEIN TRUST*
BR. 943 PG. 349
Deed/Cert.: *BR. 943 PG. 350* Plan: *NONE FOUND*
Tax Map: *55-337* Locus: *20 NEW STREET*

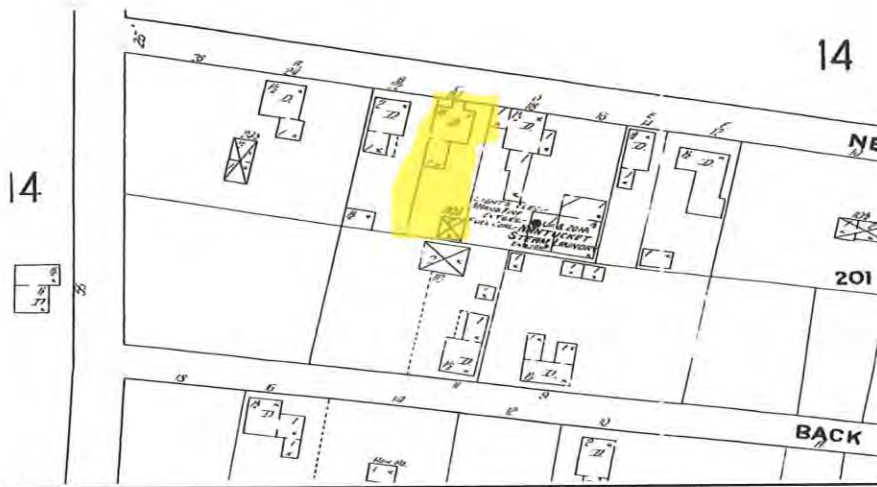
MICHAEL CONNOLLY & ASSOC. INC.
PROFESSIONAL LAND SURVEYORS
150 SURFSIDE ROAD
NANTUCKET, MASSACHUSETTS 02554
508-228-8910

C-4081

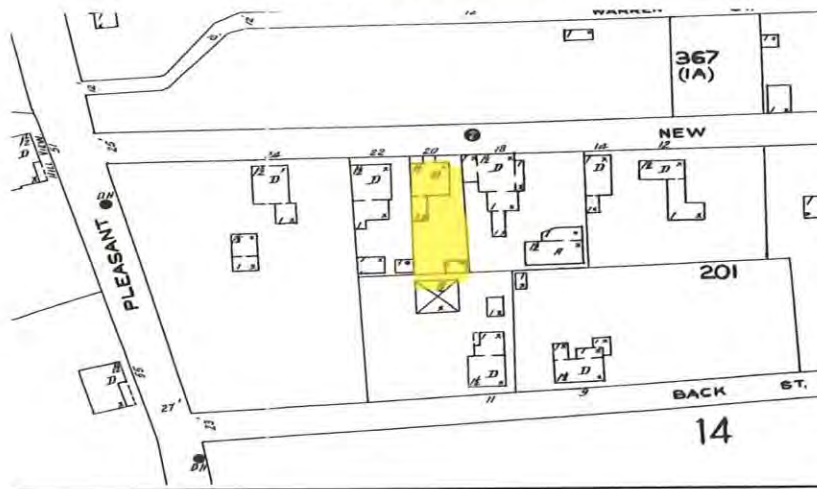
REDACTED GIS MAP – “X” INDICATES SIMILAR COTTAGES PROXIMATE TO THE LOCUS



1909 NHA SANBORN MAP



1923 SANBORN MAP



1949 SANBORN MAP





BOOK 945 PAGE 0296

TOWN OF NANTUCKET

BOARD OF APPEALS

NANTUCKET, MASSACHUSETTS 02554

Date: February 23, 2005

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

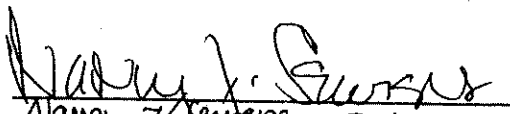
Application No.: 014-05

Owner/Applicant: Lee W. and Priscilla F. Saperstein

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

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

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


Nancy J. Stevens, Chairman

cc: Town Clerk
Planning Board
Building Commissioner

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

BOOK 945 PAGE 0297
NANTUCKET ZONING BOARD OF APPEALS
1 East Chestnut Street
Nantucket, Massachusetts 02554

Assessor's Map 55, Parcel 337
20 New Street
ROH

No plan on record
Deed Ref.170, Page 37

DECISION:

1. At a public hearing of the Nantucket Zoning Board of Appeals, on Friday, February 11, 2005, at 1:00 P.M., in the Conference Room, in the Town Annex Building, 37 Washington Street, Nantucket, Massachusetts, **LEE W. AND PRISCILLA F. SAPERSTEIN**, of 801 Laurel Drive, Rolla, MO 65401, File No. 014-05:

2. The Applicants seek relief by Special Permit under Nantucket Zoning By-law Section 139-33E(2)(a). Applicant proposes to increase ground cover on a lot said to be pre-existing nonconforming by constructing an about 110 square-foot addition. The existing Lot contains about 3,231 square feet of lot area per a plan dated January 12, 2005. The current owners' Deed recorded in 1979 recites a lot area of about 3,395 square feet. The existing ground cover is about 1,142 square feet, for a ground cover ratio of about 35%. The proposed ground cover would be about 1,252 square feet or approximately 38%. An increase above the maximum ground cover allowed for subminimum lots in the ROH district may be allowed by a grant of Special Permit relief by this Board for up to 50%. The Applicants also seek relief by SPECIAL PERMIT under Nantucket Zoning By-law Section 139-33A(5) to allow the extension/expansion of both structures, a primary dwelling unit and a separate studio to the rear of the lot, by constructing second story space along pre-existing non-conforming rear and/or side setback lines without coming any closer to the lot lines than the existing structures. There is one nonconforming grandfathered parking space on site, which would be maintained. The Locus is nonconforming as to lot size with the Lot containing about 3,135 square feet of lot area occupation in a district that requires a minimum of 5,000 square feet; as to side and rear yard setback with the primary structure sited as close as zero feet from the westerly side yard lot line, and with the studio structure to the rear being sited as close as about zero feet from the easterly side yard lot line and less than one foot from the southerly rear yard lot line, in a district that requires a minimum of five feet; and as to frontage with the Lot having about 33 feet of frontage along New Street in a district that requires a minimum frontage of 50 feet; as to parking with one nonconforming space provided on site; and as to ground cover ratio with the Lot containing about

35% in a district that allows a maximum of 30% for undersized lots. The Premises is located at 20 NEW STREET, Assessor's Map 55, Parcel 337, Plan Book 170, Page 37. The property is zoned Residential-Old-Historic.

3. Our decision is based upon the application and accompanying materials, and representations and testimony received at our public hearing. There was no Planning Board recommendation, as the matter did not present any issues of planning concern. There was one email from the current owner of the property detailing the history of the rear structure's use and that indicated that it was placed in its current location prior to 1972. Except for the presentation by the applicant through its representative, there was no support or opposition presented at the public hearing.

4. Applicants, through their representative, stated that the single-family dwelling on the locus and the rear studio were undergoing renovation. Applicants proposed to construct a new conforming addition onto the easterly side of the dwelling and raise the rear el ridge height to provide additional second floor living space, without coming any closer to the westerly side yard lot line. Applicant also proposed to construct a conforming addition onto the rear studio structure and raise the overall ridge height from about 11 feet to about 17 feet without coming any closer to the southerly rear and easterly side yard lot lines. As the Lot contained less lot area than the required minimum of 5,000 square feet, the maximum ground cover allowed was 30%. The Lot currently contained about 35% ground cover ratio and the new additions would increase the ratio to about 38%. Both the dwelling and separate studio were clearly visible on the 1938 and 1957 aerials in the Town records substantially in the current locations, with the orientation of the studio with a larger structure attached to it at one point, sited at a different angle in relationship to the rear and side yard lot lines, making the siting and ground cover grandfathered for zoning purposes. Applicant represented that the appropriate approvals had been obtained from the Historic District Commission for the project as described.

5. Accordingly, the Board of Appeals finds that the additions and expansion of ground cover as proposed would increase the nonconforming ground cover ratio and would increase the massing of both the dwelling and studio structure within the westerly side yard setback area and rear and easterly side yard setback areas, respectively, without coming any closer to said lot lines. The Board further finds that no new nonconformity would be created and the proposed alterations and expansions would be consistent with previous relief granted by this Board in the same district, and would be in harmony with the general purpose and intent of the Zoning By-law, and would not be

substantially more detrimental to the neighborhood than the pre-existing nonconformities.

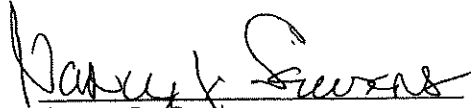
6. Therefore, by a UNANIMOUS vote, the Board of Appeals GRANTS the requested relief by SPECIAL PERMIT under Zoning By-law \$139-33A and \$139-33E(2)(a) to allow the alteration and expansion of both of the structures and increase of the ground cover as described above, subject to the following conditions:

- (a) The maximum ground cover ratio allowed for this lot without further relief from this Board shall be about 38%;
- (b) The siting of the structures shall be done in substantial conformity with the "Plan", dated January 6, 2004, done by Charles W. Hart & Associates, Inc., as marked up, a reduced copy of which is attached hereto as Exhibit A;
- (c) The renovations shall be done in substantial conformance with Certificate of Appropriateness Nos. 45,088 and 45,258, as approved by the Nantucket Historic District Commission, as may be amended;
- (d) The rear studio structure shall not be used for home habitation without further relief from this Board;
- (e) The garbage bin that is currently sited over the westerly side yard lot line shall be removed;
- (f) There shall be no shower or tub in the bathroom of the studio;
- (g) The maximum height of the studio shall be about 17 feet;
- (h) There shall be no exterior construction related to this project between June 1 and October 1 of any given year; and
- (i) The studio shall not be used for a "home occupation" as defined in the Zoning By-law.

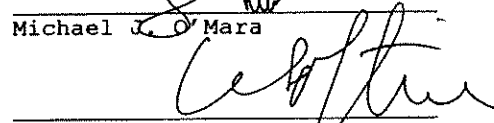
(ZBA 014-05)

BOOK 945 PAGE 0300

Dated: February 23, 2005


Nancy J. Sevens

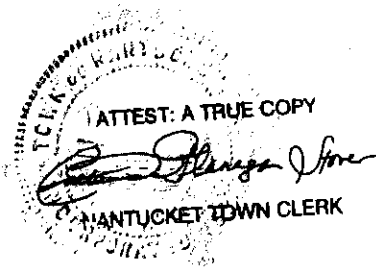

Michael J. O'Mara


C. Richard Loftin


Edward Sanford

Edward Murphy

TOWN CLERK
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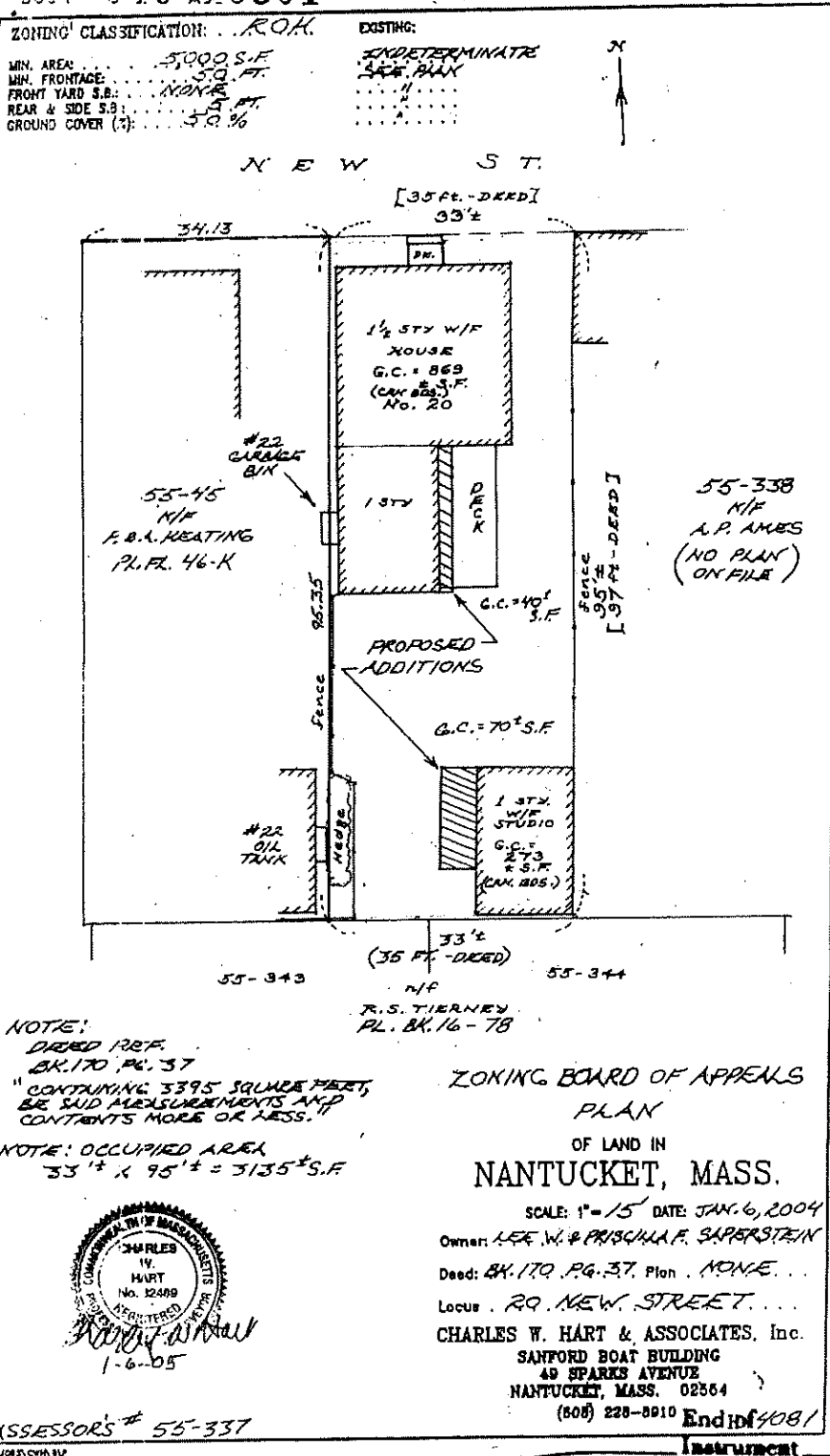


I CERTIFY THAT 20 DAYS HAVE ELAPSED AFTER
THE DECISION WAS FILED IN THE OFFICE OF THE
TOWN CLERK, AND THAT NO APPEAL HAS BEEN
FILED, PURSUANT TO GENERAL LAWS 40A, SECTION 11


TOWN CLERK

MAR 1 6 2005

Exch. A.



Nantucket County Received & Entered
Date: MAR 16 2005 Time: 1:00 PM
Attest: [Signature] Register of Deeds



TOWN OF NANTUCKET
BOARD OF APPEALS

RECEIVED

NANTUCKET, MASSACHUSETTS 02554

06 NOV -6 P3:45



2006 00003338

Bk: 1052 Pg: 64 Page: 1 of 4
Doc: MSP 11/28/2006 09:55 AM

Date: November 6, 2006
NANTUCKET
TOWN CLERK

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

Application No.: 083-06

Owner/Applicant: LEE W. and PRISCILLA F.
SAPERSTEIN

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

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

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

Nancy J. Swens
Nancy J. Swens, Chairman

cc: Town Clerk
Planning Board
Building Commissioner

PLEASE NOTE: MOST SPECIAL PERMITS AND VARIANCES HAVE A TIME
LIMIT AND WILL EXPIRE IF NOT ACTED UPON ACCORDING TO NANTUCKET
ZONING BY-LAW §139-301 (SPECIAL PERMITS); §139-321 (VARIANCES)
ANY QUESTIONS, PLEASE CALL THE NANTUCKET ZONING BOARD OF APPEALS.

TOWN OF NANTUCKET
ZONING BOARD OF APPEALS
2 FAIRGROUNDS ROAD
NANTUCKET, MA 02554

Assessor's Map 55, Parcel 337
20 New Street
ROH

No Plan on record
Deed Ref: Book 170, Page 37

DECISION:

1. At a Public Hearing of the Nantucket Zoning Board of Appeals held at 1:00 P.M., Friday, October 13, 2006, in the Conference Room, 2 Fairgrounds Road, Nantucket, MA on the Application of LEE W. AND PRISCILLA F. SAPERSTEIN, with a mailing address of 801 Laurel Drive, Rolla, MO 65401, Board of Appeals File No. **083-06**, the Board made the following Decision:

2. Applicants are seeking a Modification of the Decision in BOA File No. 014-05 that granted relief by Special Permit pursuant to Nantucket Zoning By-law Section 139-33E(2)(a) allowing an increase in groundcover of about 110 square feet for a new addition; and under Section 139-33A(5) allowing the extension/expansion of a primary dwelling unit and a separate studio to the rear of the lot, by constructing second story space along pre-existing non-conforming rear and/or side setback lines without coming any closer to the lot lines than the existing structures. In the alternative, Applicants are seeking new relief by Special Permit pursuant to By-law Section 139-33A to complete the project as proposed. The Applicants now propose to increase the height of the existing primary dwelling on both the main portion of the structure and the rear addition by about four inches in order to alter the type of construction of the roof system with the resulting maximum height not to exceed 21 feet. There would be no other change in the ground cover or extension of the structure other than what was previously approved. The one nonconforming grandfathered parking space on site would be maintained. The Locus is nonconforming as to lot size with the Lot containing about 3,231 square feet of lot area occupation in a district that requires a minimum of 5,000 square feet; as to side and rear yard setback with the primary structure sited as close as zero feet from the westerly side yard lot line, and with the studio structure to the rear being sited as close as about zero feet from the easterly side yard lot line and less than one foot from the southerly rear yard lot line, in a district that requires a minimum of five feet; and as to frontage with the Lot having about 33 feet of frontage along New Street in a district that requires a minimum frontage of 50 feet; as to parking with one nonconforming space provided on site; and as to groundcover with the Lot

previously containing about 35% and 38% per the previous Decision, in a district that allows a maximum of 30% for undersized lots.

The Premises is located at **20 NEW STREET**, Assessor's Map 55, Parcel 337, Book 170, Page 37. The property is zoned Residential-Old-Historic.

2. Our Decision is based upon the application and accompanying materials, and representations and testimony received at our public hearing. There was no Planning Board recommendation, as the matter did not present any issues of planning concern. There were no letters received regarding this matter on file. Except for the presentation of the Applicants through their representative, there was no support or opposition presented at the public hearing.

3. Applicants, through their representative, stated that as part of the renovation of the main dwelling it was determined that the "sistering" of 2" x 8" rafters to the existing rafters would improve the structural integrity of the roof system and allow for additional insulation. The height of the primary dwelling and rear el ridge would increase by approximately four (4") inches. The current height of the structure is approximately 19'8". Applicants have requested relief for an increase from the existing ridge height to a ridge height that would not exceed 21 feet within the existing footprint to allow for some variation in the height of the structure. Relief is necessary to raise the roof ridge higher than was previously proposed and approved in the Decision in BOA File No. 024-05, since the westerly side of the building does not conform to the minimum side yard setback requirement of five (5') feet. No additional changes from the prior relief are requested. Applicants represented that the appropriate approval in Certificate of Appropriateness No. 48,694 had been obtained from the Historic District Commission for the project as described.

4. Therefore, based upon the foregoing, the Board of Appeals finds that the increase in the ridge height of the primary dwelling unit and rear el as proposed would increase the nonconformity of the structure within the required westerly side yard setback area but to a *diminimus* degree, but said increase would not be substantially more detrimental to the neighborhood than the pre-existing nonconformities. The Board further finds that the proposed height increase would be consistent with previous relief granted by this Board in the same district, and would be in harmony with the general purpose and intent of the Zoning By-law.

5. Accordingly, by UNANIMOUS vote, this Board GRANTS a MODIFICATION of the prior Special Permit relief granted in the Decision in BOA File No. 014-05 and to the extent necessary, GRANTS relief by Special Permit under Nantucket Zoning By-law Section 139-33A(5) to allow the extension/expansion of the primary dwelling unit by the increase of the roof ridge height of the dwelling and the rear el as proposed. The grant of relief is hereby conditioned upon the following, with the previous conditions contained in the

Decision in BOA File no. 014-05 incorporated herein by reference and to remain in full force:

- a. The ridge height of the primary dwelling unit and rear el shall not exceed twenty-one (21') feet; and
- b. The alterations to the height shall be done in substantial conformance with Certificate of Appropriateness No. 48,694 as approved by the Nantucket Historic District Commission, as it may be amended from time to time.

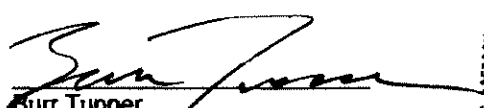
Dated: November 6, 2006


Nancy J. Sevrans


Michael J. O'Mara


Edward S. Toole


Kerim Koseatac

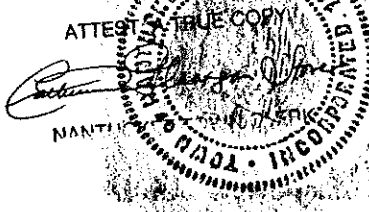

Burr Tupper

NANTUCKET COUNTY Received & Entered
Attest: Jennifer H. Ferreira, Register of Deeds

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



NANTUCKET
TOWN CLERK

06 NOV -6 P 3:45

RECEIVED



2008 00002410

Bk: 1151 Pg: 334 Page: 1 of 5
Doc: MSP 09/02/2008 03:04 PM

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

Date: August 11 2008

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

Application No.: 043-08

Owner/Applicant: Lee W. and Priscilla F. Saperstein

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.

Michael J. O'Mara (368)

Michael J. O'Mara, 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.

TOWN OF NANTUCKET
ZONING BOARD OF APPEALS
2 FAIRGROUNDS ROAD
NANTUCKET, MA 02554

Assessor's Map 55, Parcel 337
20 New Street
ROH

No Plan on record

Deed Ref: Book 170, Page 37

DECISION:

1. At a Public Hearing of the Nantucket Zoning Board of Appeals held at 1:00 P.M., Friday, July 11, 2008, 2 Fairgrounds Road, Nantucket, MA on the Application of Lee W. and Priscilla F. Saperstein with a mailing address of 20 New Street, Nantucket, MA 02554, Board of Appeals File No. 043-08 the Board made the following Decision:

2. Applicants are seeking a Modification of the Decision in BOA File No. 014-05 that granted relief by Special Permit pursuant to Nantucket Zoning By-law Section 139-33E(2)(a) allowing an increase in groundcover of about 110 square feet for a new addition; and under Section 139-33A(5) allowing the extension/expansion of a primary dwelling unit and a separate studio to the rear of the lot, by constructing second story space along pre-existing non-conforming rear and/or side setback line without coming any closer to the lot lines than the existing structures and a Modification of the Decision in BOA File No. 086-06 that granted relief to increase the ridge height of the main dwelling. In the alternative, Applicants are seeking new relief by Special Permit pursuant to By-law Section 139-33 D. (1) to allow the demolition and reconstruction of an accessory building with substantially the same configuration, ground cover, siting and use.

In the course of construction the Building Department determined that the scope of the work on the studio was more extensive than renovation and constituted demolition and reconstruction.

The Premises are located at 20 New Street, Assessor's Map 55, Parcel 337, Book 170, Page 37. The property is zoned Residential – Old Historic.

2. Our Decision is based upon the application and accompanying materials, and representations and testimony received at our public hearing. There was no Planning Board recommendation, as the matter did not present any issues of planning concern. There were no letters received regarding this matter. Except for the presentation of the Applicants through their representative, there was no support or opposition presented at the public hearing, except for the owners who were present and in support of the Application.

3. Applicants, through their representative, stated that the Building Department requested a Modification of the prior Special Permit(s) to approve what they deemed to be a demolition and reconstruction of an accessory building with substantially the same configuration, ground cover, siting and use. Applicants submitted a July 1, 2008 "Building Location Plan" by Charles W. Hart and Associates, Inc. showing the location of the studio as constructed has substantially the same configuration, ground cover and siting as shown on the plans submitted with the prior Board of Appeals Applications.

4. Accordingly, the Board of Appeals finds that the demolition and reconstruction of the studio has substantially the same configuration, ground cover, siting and use as shown on prior plans.

5. Accordingly, by UNANIMOUS vote, this Board GRANTS a MODIFICATION of prior Special Permit No. 014-05 and 086-06 to allow the demolition and reconstruction of the studio with substantially the same configuration, ground cover, siting and use as shown on the July 1, 2008 "Building Location Plan" by Charles W. Hart and Associates, Inc. attached hereto as Exhibit A. The grant of relief is subject to the conditions set forth in prior Decisions No. 014-05 and 086-06.

SIGNATURE PAGE TO FOLLOW

Dated: August 8, 2008

[Signature]
Dale Waine

[Signature]
Edward Toole

[Signature]
Kerim Koseofac

[Signature]
Carol Cross

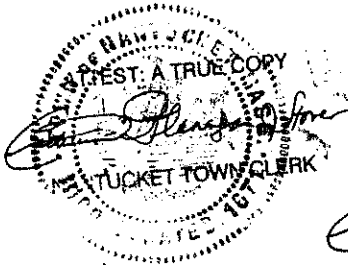
[Signature]
Lisa Botticelli

COMMONWEALTH OF MASSACHUSETTS

Nantucket, ss

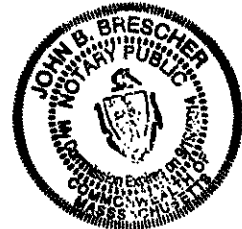
On this 8th day of August, 2008, before me, the undersigned notary public, personally appeared Edward Toole proved to me through satisfactory evidence of identification, which were personally known to me to be the person(s) whose name(s) is are signed on the preceding or attached document, and acknowledged to me that he she/they signed it voluntarily for its stated purpose.

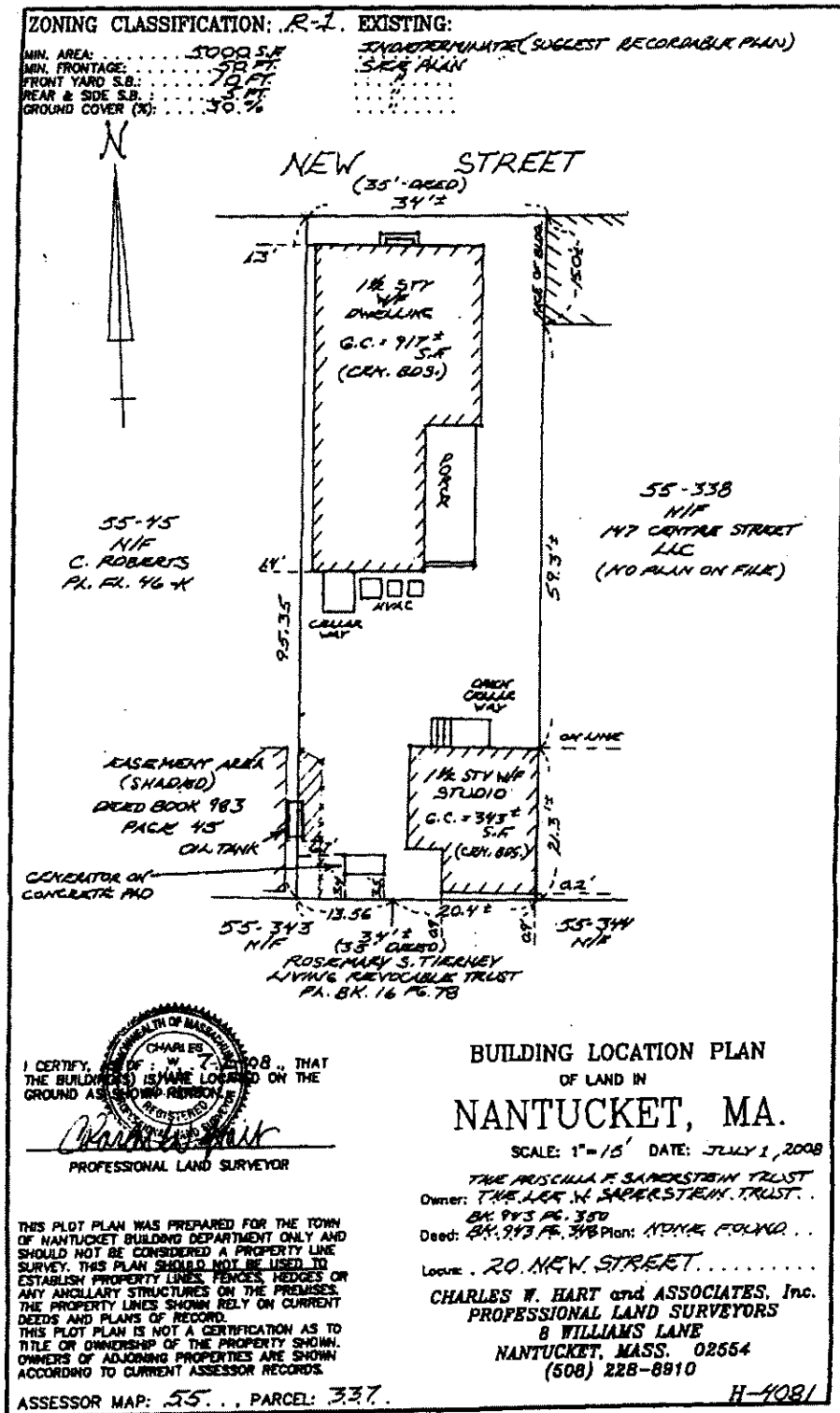
[Signature]
Notary Public John B. Brescher
My Commission Expires: 9/19/2014



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

[Signature]
TOWN CLERK
SEP 2 2008





WANTUCKET COUNTY Received & Entered
Attest: Jennifer H. Ferreira Register of Deeds



2009 00001522
Bk: 1186 Pg: 72 Page: 1 of 6
Doc: 8P 06/27/2009 01:01 PM



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

109 MAY 5 2009

Date: May 5, 2009

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

Application No.: 013-09

Owner/Applicant: Lee W. and Priscilla F. Saperstein

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.

Michael J. O'Mara

Michael J. O'Mara, 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**

20 New Street
Assessor's Map 55, Parcel 337

Book 170, Page 37
Residential Old Historic

DECISION:

1. At a public hearing of the Nantucket Zoning Board of Appeals on Thursday, April 9, 2009, at 1:00 P.M., at 2 Fairgrounds Road, Nantucket, Massachusetts, the Board made the following Decision on the Application in Zoning Board of Appeals File No. 013-09 of Lee W. Saperstein and Priscilla F. Saperstein, of PO Box 1408, Nantucket, MA 02554.

2. Applicants are requesting a Modification of the previously granted Special Permit in File No. 014-05, which was further modified in File No. 086-06 and File No. 043-08; or, in the alternative, Applicants are requesting Special Permit relief pursuant to Nantucket Zoning Bylaw Section 139-16.C.(2) (unintentional setback intrusion) in order to validate the location of a generator sited in the rear of their property. The generator is sited as close as 3.4 feet from the rear boundary line in a zoning district that requires a five (5) foot rear yard setback. The site is located at 20 New Street, is shown on Nantucket Tax Assessor's Map 55 as Parcel 337, and is recorded at the Nantucket County Registry of Deeds in Book 170, Page 37. The site is zoned Residential Old Historic.

3. Our Decision is based upon the Application and accompanying materials, representations and testimony received at our public hearing. The Planning Board made no recommendation finding that the Application did not present any issues of planning concern. No abutter comment was received either in favor of or against the Application.

4. The Applicants represented themselves at the hearing. Mr. Saperstein informed the Board that he and his wife had been before the Board of

Appeals three separate times - the most recent being in 2008. The reason why he and his wife were before the Board this time involved the location of a generator. Mr. Saperstein stated that due to an assumption by the builder, the generator was sited in the rear yard setback, specifically as close as 3.4 feet from the rear yard setback in a zoning district that require a five (5) foot rear yard setback. The builder did not stake out the area and ascertain the location of the southerly boundary line. In doing so, the builder inadvertently sited the generator in the rear yard setback.

Subsequently, Mr. Saperstein stated that he is requesting a modification of his existing Special Permit to allow the siting of the generator; or, in the alternative, applying for a Special Permit pursuant to Nantucket Zoning Bylaw Section 139-16C.(2) because the intrusion is not greater than five (5) feet and that the burden of correcting the intrusion substantially outweighs any benefit to an abutter of eliminating the intrusion.

Mr. Saperstein informed the Board that, having believed the generator to be sited in the correct location, the generator is now connected to a propane gas supply and that portions are embedded in the concrete pad upon which the generator sits. Additionally, the rear abutting house has no windows or opening facing the rear yard where the generator is located. Mr. Saperstein stated that he believes that the burden of correcting this intrusion substantially outweighs any benefit to an abutter.

5. Therefore, the Board finds that the burden of correcting the intrusion substantially outweighs any benefit to an abutter of eliminating the intrusion, and that the intrusion occurred even though the Applicant relied on a survey prepared by a licensed survey firm. The Board also finds that the issuance of a special permit to validate the siting of the generator under these circumstances is in harmony with the general purpose and intent of the Zoning Bylaw.

6. Accordingly, by a motion made and duly seconded to GRANT the requested relief by SPECIAL PERMIT pursuant to Nantucket Zoning Bylaw Section 139-16(C)(2) to validate the siting of the generator as shown on the plan attached as Exhibit A, there were four (4) votes in favor and one (1) opposed (Toole).

SIGNATURE PAGE TO FOLLOW

Dated: May 5, 2009

[Signature]
Michael J. O'Mara

[Signature]
Dale Waine

[Signature]
Ed Toole

[Signature]
Lisa Botticelli

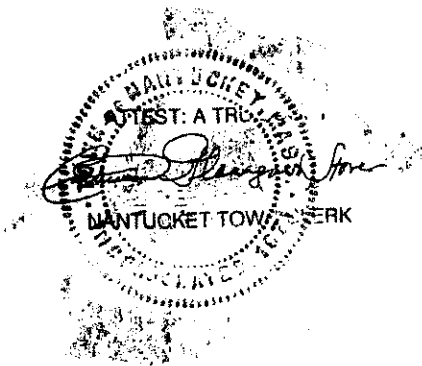
[Signature]
Kerim Koseatac

COMMONWEALTH OF MASSACHUSETTS

Nantucket, ss.

May
April 5, 2009

On this 5 day of May, 2009, before me, the undersigned Notary Public, personally appeared Ed Toole, who is personally known to me, and who is the person whose name is signed on the preceding or attached document, and who acknowledged to me that he/she signed it voluntarily for its stated purpose.



[Signature]
Notary Public: Vanessa K. Mori
My commission expires: March 22, 2013

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 MA, SECTION 11.

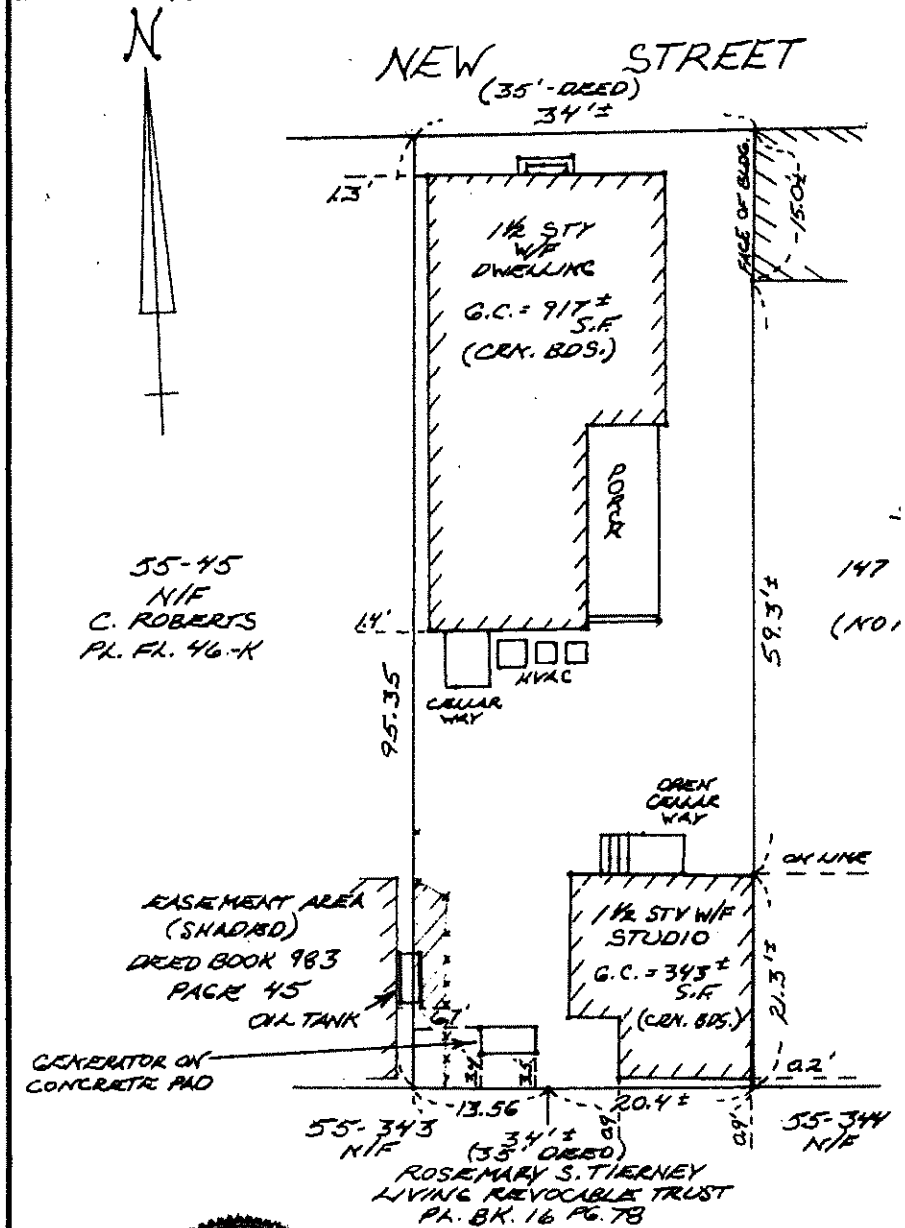
[Signature] TOWN CLERK
MAY 27 2009

NANTUCKET COUNTY Received & Entered
Attest: Jennifer H. Ferreira, Register of Deeds

ZONING CLASSIFICATION: *R-1*. **EXISTING:**

MIN. AREA: 5,000 S.F.
MIN. FRONTAGE: 50 FT.
FRONT YARD S.B.: 70 FT.
REAR & SIDE S.B.: 5 FT.
GROUND COVER (%): 30 %

INDETERMINATE (SUGGEST REC
SER PLAN



I CERTIFY, AS OF HART, 7-13-88. THAT
THE BUILDING(S) IS/ARE LOCATED ON THE
GROUND AS SHOWN HEREON.

BUILDING LOCA
OF LAND II
NANTUCKET

Town of Nantucket
Zoning Board of Appeals

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

PROPERTY OWNER.....SAPERSTEIN,PRISCILLA F. TRST. ET AL.....
MAILING ADDRESS...PO BOX 1408, NANTUCKET, MA 02554.....
PROPERTY LOCATION.....20 NEW STREET.....
ASSESSOR MAP/PARCEL...55-337.....
APPLICANT...LINDA WILLIAMS 508-221-0432.....

SEE ATTACHED PAGES

I certify that the foregoing is a list of 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, all as they appear on the most recent applicable tax list (M.G.L. c. 40A, Section 11 Zoning Code Chapter 40A Section 139-2

SEPTEMBER 12, 2023

DATE

Mary L.
Haley

ASSESSOR'S OFFICE
Town of Nantucket

Digitally signed
by Mary L. Haley
Date: 2023.09.12
11:11:22 -04'00'

Abutters Listing

MBLU	Lot	Lot Cut	Name Line 1	Name Line 2	Address Line 1	City	State	Zip	Location
55	17		GLIDDEN JESSIE M TRST	47 PLEASANT ST REALTY TRST	37 CENTER STREET	NANTUCKET	MA	02554	47 PLEASANT ST
55	17	1	SULLY JOHN S TR ET AL	SULLY JOHN S TRUST	8 HARBOR LIGHT DR	HARWICH	MA	02645	47 PLEASANT ST
55	19		MOONSTRUCK LLC		35 ALDEN ROAD	SWAMPSCOTT	MA	01907	49 PLEASANT ST
55	19	1	PALERMO JOHN J & JULIE A		8 HILLSIDE RD	BOXFORD	MA	01921	49A PLEASANT ST
55	20		PERRY MANUEL J JR &	MARK S & LOPEZ VIRGINIA P	10 ATLANTIC AVE	NANTUCKET	MA	02554	10 ATLANTIC AV
55	29		WILSON C LEO & DONNA N		9 WEST 18TH ST	OCEAN CITY	NJ	08226	4 GARDNER PERRY LN
55	30		OROURKE PAUL M & ELISABETH O		PO BOX 2951	NANTUCKET	MA	02584	53 PLEASANT ST
55	32	5	SALTARELLI FRANK VINCENT		33 UNION ST	CAMDEN	ME	04943	51B PLEASANT ST
55	32	2	WILSON CHARLES LEO & DONNA N		9 WEST 18TH ST	OCEAN CITY	NJ	08226	3 GARDNER PERRY LN
55	32	3	WASIL DEBORAH ANN		21 RAILWAY BLUFFS	W YARMOUTH	MA	02673	51 PLEASANT ST
55	32	4	NANTUCKET ART HOUSE LLC		28 RENKER DRIVE	SOUTH EASTON	MA	02375	1 GARDNER PERRY LN
55	33		BALDASSANO WILLIAM V & BONNIE		1825 TOWNSHIP LINE RD	BLUE BELL	PA	19422	2 GARDNER PERRY LN
55	36	1	PHELAN SAMUEL P ETAL	C/O ROBERT PHELAN	9906 LAS CASAS DR	FORT MYERS	FL	33919	57 PLEASANT ST
55	40		PHELAN PATRICIA E & JOSEPH W 59 LLC	C/O PHELAN JOSEPH W	P O BOX 573	GERMANTOWN	NY	12526	61 PLEASANT ST
55	41		MURPHY KAREN L LIFE ESTATE	60 PLEASANT REALTY TRUST	60 PLEASANT STREET	NANTUCKET	MA	02554	60 PLEASANT ST
55	42		GRENNAN EDWARD S JR ETAL		BOX 1829	NANTUCKET	MA	02554	17 NEW ST
55	43	1	FELDBERG ELAINE Z	C/O REPO PRODUCTS	4485 ATLANTA RD	SMYRNA	GA	30080	13 NEW ST
55	43	2	FAHRENKOPF AMY M		318 SPEAR ST #5L	SAN FRANCISCO	CA	94105	14 WARREN ST
55	43	3	IAN JAMES J & DANA		19 BENTONS KNOLL	GUILFORD	CT	6437	16 WARREN ST
55	44		GROVES LINDA J TR		551 LOCHLYN HILL DR	CHARLOTTESVILLE	VA	22902	26 NEW ST
55	45		22 NEW STREET LLC		5 C STREET	NANTUCKET	MA	02554	22 NEW ST
55	338		JOFFE JULIAN TRST		689 EAGLE WATCH LN	OSPREY	FL	34229	18 NEW ST
55	339		BERNARD ALFRED E		74 ORANGE ST	NANTUCKET	MA	02554	14 NEW ST
55	340		IORIO LAURA		263 WEST 139 ST	NEW YORK	NY	10030	12 NEW ST
55	341		OUELLETTE EILEEN M		10 NEW ST	NANTUCKET	MA	02554	10 NEW ST
55	342		SOUZA ALFRED J & KATHLEEN		628 BELMONT STREET	MANCHESTER	NH	03104	15 BACK ST
55	343		TIERNEY MATTHEW J ETAL		33 FAIRVIEW LANE	PLYMOUTH	MA	02360	11 BACK ST
55	344		TIERNEY MATTHEW J		33 FAIRVIEW LANE	PLYMOUTH	MA	02630	11 BACK ST
55	345		BACK STREET ACK LLC		159 W NEWTON ST	BOSTON	MA	02118	9- BACK ST
55	346		ROSE DAVID E TRUSTEE	ROSE IRRV INCOME TRUST	54 RODNEY ST APT #2	NEW BEDFORD	MA	02744	7 BACK ST
55	347		YOUNG JULIE TR	YOUNG JULIE TRUST 2018	PO BOX 474	NANTUCKET	MA	02554	5 BACK ST
55	349		JELS NANTUCKET REALTY LLC		77 CLIFTON ROAD	NEWTON CENTER	MA	02459	18 BACK ST
55	350		MCCOLLUM ANNE E	C/O	1248 THOMAS RD	WAYNE	PA	19087	16 BACK ST
55	351		SULZER JAMES S & ELDER BARBARA L TRST		12 BACK STREET	NANTUCKET	MA	02554	14 BACK ST
55	352		SULZER JAMES B & ELDER BARBARA L TRST		12 BACK STREET	NANTUCKET	MA	02554	12 BACK ST
55	353		MILLER ELIZABETH M ETAL		10 BACK ST	NANTUCKET	MA	02554	10 BACK ST
55	354		CROSS ROBERT F & SHEILA L		977 WASHINGTON AVE	ALBANY	NY	12206	8 BACK ST
55	355		SAWYER CHARLES H TR	CHARLES H SAWYER LIVING TRUST	95 OXFORD AVENUE	CAMBRIDGE	MA	02138	8R BACK ST
55	356		MILIAS ELIZABETH A		PO BOX 4662	ASPEN	CO	81612	6 BACK ST
55	358	1	HANNA DARYL	REILLY SHANNON	76 CHANDLER ST APT 1-2	BOSTON	MA	02116	4B BACK ST

55	358	2	AUSTIN THOMAS W & JEAN A TRST	AUSTIN TRUST AGREEMENT	14500 FRUITVALE AVE #6128	SARATOGA	CA	95070	4A BACK ST
55	367		CORDTS-PEACE CRAIG & SAMANTHA		585 MOUNTAIN LAUREL DR	ASPEN	CO	81611	76 PLEASANT ST
55	367	1	2 CAMELIA LANE LLC	C/O RICH GILLIS	211 CLAYBROOK RD	DOVER	MA	02030	2 CAMELIA LN
55	367	2	HOLLAND ELIZABETH W TR		PO BOX 3510	NANTUCKET	MA	02584	4 CAMELIA LN
55	629		WEINER PETER & JILL		4740 SOUTH OCEAN BLVD APT 101	HIGHLAND BEACH	FL	33487	28 NEW ST
55	652		LIEB KATHRYN C		PO BOX 187	VALLEY FORGE	PA	19481	9 BACK ST
55	653		KOORENNY MARK		32123 LINDERO CANYON RD STE 204A	WESTLAKE VILLAGE	CA	91361	7- BACK ST
5541	35		8 NEW STREET LLC	C/O ANDERSON MOLLY C	PO BOX 1258	NANTUCKET	MA	02554	8 NEW ST
5541	36		MURRAY ELIZABETH & JOHN TRSTS	C/O MURRAYS TOGGERY	62 MAIN ST	NANTUCKET	MA	02554	5 NEW ST
5541	37		7 NEW STREET LLC		55 JAFFRAY PARK	IRVINGTON	NY	10533	7 NEW ST
5541	38		BERNARD ALFRED E	BERNARD ALFRED E TRUST	74 ORANGE ST	NANTUCKET	MA	02554	9 NEW ST
5541	39	1	MORGAN LEE	C/O ELISABETH FONDRIEST	1318 N CAROLINA AV NE	WASHINGTON	DC	20002	11 NEW ST
5541	39	2	SACKETT TERRI B		14111 LEWISDALE RD	CLARKSBURG	MD	20871	10 WARREN ST
5541	40		WINKLER WILLIAM C TRST ETAL	WINKLER KUBIE 2010 FAMIL REV TRST	48 HOLMAN ROAD	AUBURNDALE	MA	02466	13 WARREN ST
5541	40	1	MAS REALTY TRUST		75 GLEZEN LANE	WAYLAND	MA	01778	11 WARREN ST
5541	41		BOGAN LAWRENCE SR & PAULINE A TRST		PO BOX 2173	NANTUCKET	MA	02584	15 WARREN ST
5541	42		DEY PENELOPE		17 WARREN ST	NANTUCKET	MA	02554	17 WARREN ST
5541	43		GARASIC JOSEPH M & MARCHANT KATHRYN		225 WOODLAND RD	CHESTNUT HILL	MA	02130	21 WARREN ST
5541	44		AXT GEORGIA A		23 WARREN ST	NANTUCKET	MA	02554	23 WARREN ST
5541	45		SCHNITZEL LLC		2140 SOUTH DUPONT HWY	CAMDEN	DE	19943	58 PLEASANT ST
5541	93		DUTY STUART M		1612 SOTUH 3RD ST	AUSTIN	TX	78704	5 WARREN ST
5541	94		TRUFFINI STANLEY J & CAROL B		12 PARSONS LN	REDDING	CT	06896	7 WARREN ST
5541	95		CARTER ROBERT D & CAROL M TRST		172 HAVERHILL ST UNIT 211	ANDOVER	MA	01810	9 WARREN ST
5541	96		TIME AND TIDE ACK LLC		5 BOYERS ALLEY WY	NANTUCKET	MA	02554	5 BOYERS ALLEY WY
5541	97		DICK DAVID F & PATRICIA S REV TRUST		14 WOODCOCK RD	N DARTMOUTH	MA	02747	52 PLEASANT ST
5541	143	1	BRADLEY JAMES		175 EAST 2ND ST APT 5A	NEW YORK	NY	10009	1 WARREN ST
5541	144	1	SHERMAN LORI & FOLGER GORDON M		18 YORK ST	NANTUCKET	MA	02554	18A YORK ST
5541	145	1	ROSENTHAL JOHN JUSTON & WHITNEY		3128 P STREET NW	WASHINGTON	DC	20007	20A YORK ST
5541	148		HABEL JAMES & MICHELLE		1600 MARLAY DR	LOS ANGELES	CA	90069	26 YORK ST
5541	149		28 YORK ACK LLC		PO BOX 2234	NANTUCKET	MA	02584	28 YORK ST
5541	211		BOYERS WAY LLC		C/O HUTCHISON KENDRA L	CHARLESTOWN	MA	02129	1 BOYERS ALLEY WY

Count: 71

GLIDDEN JESSIE M TRST
47 PLEASANT ST REALTY TRST
37 CENTER STREET
NANTUCKET, MA 02554

SULLY JOHN S TR ET AL
SULLY JOHN S TRUST
8 HARBOR LIGHT DR
HARWICH, MA 02645

MOONSTRUCK LLC
35 ALDEN ROAD
SWAMPSCOTT, MA 01907

PALERMO JOHN J & JULIE A
8 HILLSIDE RD
BOXFORD, MA 01921

PERRY MANUEL J JR &
MARK S & LOPEZ VIRGINIA P
10 ATLANTIC AVE
NANTUCKET, MA 02554

WILSON C LEO & DONNA N
9 WEST 18TH ST
OCEAN CITY, NJ 08226

OROURKE PAUL M & ELISABETH O
PO BOX 2951
NANTUCKET, MA 02584

SALTARELLI FRANK VINCENT
33 UNION ST
CAMDEN, ME 04943

WILSON CHARLES LEO & DONNA N
9 WEST 18TH ST
OCEAN CITY, NJ 08226

WASIL DEBORAH ANN
21 RAILWAY BLUFFS
W YARMOUTH, MA 02673

NANTUCKET ART HOUSE LLC
28 RENKER DRIVE
SOUTH EASTON, MA 02375

BALDASSANO WILLIAM V & BONNIE
1825 TOWNSHIP LINE RD
BLUE BELL, PA 19422

PHELAN SAMUEL P ETAL
C/O ROBERT PHELAN
9906 LAS CASAS DR
FORT MYERS, FL 33919

PHELAN PATRICIA E & JOSEPH W 59 LLC
C/O PHELAN JOSEPH W
P O BOX 573
GERMANTOWN, NY 12526

MURPHY KAREN L LIFE ESTATE
60 PLEASANT REALTY TRUST
60 PLEASANT STREET
NANTUCKET, MA 02554

GRENNAN EDWARD S JR ETAL
BOX 1829
NANTUCKET, MA 02554

FELDBERG ELAINE Z
C/O REPO PRODUCTS
4485 ATLANTA RD
SMYRNA, GA 30080

FAHRENKOPF AMY M
318 SPEAR ST #5L
SAN FRANCISCO, CA 94105

IAN JAMES J & DANA
19 BENTONS KNOLL
GUILFORD, CT 6437

GROVES LINDA J TR
551 LOCHLYN HILL DR
CHARLOTTESVILLE, VA 22902

22 NEW STREET LLC
5 C STREET
NANTUCKET, MA 02554

JOFFE JULIAN TRST
689 EAGLE WATCH LN
OSPREY, FL 34229

BERNARD ALFRED E
74 ORANGE ST
NANTUCKET, MA 02554

IORIO LAURA
263 WEST 139 ST
NEW YORK, NY 10030

OUELLETTE EILEEN M
10 NEW ST
NANTUCKET, MA 02554

SOUZA ALFRED J & KATHLEEN
628 BELMONT STREET
MANCHESTER, NH 03104

TIERNEY MATTHEW J ETAL
33 FAIRVIEW LANE
PLYMOUTH, MA 02360

TIERNEY MATTHEW J
33 FAIRVIEW LANE
PLYMOUTH, MA 02630

BACK STREET ACK LLC
159 W NEWTON ST
BOSTON, MA 02118

ROSE DAVID E TRUSTEE
ROSE IRRV INCOME TRUST
54 RODNEY ST APT #2
NEW BEDFORD, MA 02744

YOUNG JULIE TR
YOUNG JULIE TRUST 2018
PO BOX 474
NANTUCKET, MA 02554

JELS NANTUCKET REALTY LLC
77 CLIFTON ROAD
NEWTON CENTER, MA 02459

MCCOLLUM ANNE E
C/O
1248 THOMAS RD
WAYNE, PA 19087

SULZER JAMES S & ELDER BARBARA L
TRST
12 BACK STREET
NANTUCKET, MA 02554

SULZER JAMES B & ELDER BARBARA L
TRST
12 BACK STREET
NANTUCKET, MA 02554

MILLER ELIZABETH M ETAL
10 BACK ST
NANTUCKET, MA 02554

CROSS ROBERT F & SHEILA L
977 WASHINGTON AVE
ALBANY, NY 12206

SAWYER CHARLES H TR
CHARLES H SAWYER LIVING TRUST
95 OXFORD AVENUE
CAMBRIDGE, MA 02138

MILIAS ELIZABETH A
PO BOX 4662
ASPEN, CO 81612

HANNA DARYL
REILLY SHANNON
76 CHANDLER ST APT 1-2
BOSTON, MA 02116

AUSTIN THOMAS W & JEAN A TRST
AUSTIN TRUST AGREEMENT
14500 FRUITVALE AVE #6128
SARATOGA, CA 95070

CORDTS-PEACE CRAIG & SAMANTHA
585 MOUNTAIN LAUREL DR
ASPEN, CO 81611

2 CAMELIA LANE LLC
C/O RICH GILLIS
211 CLAYBROOK RD
DOVER, MA 02030

HOLLAND ELIZABETH W TR
PO BOX 3510
NANTUCKET, MA 02584

WEINER PETER & JILL
4740 SOUTH OCEAN BLVD APT 101
HIGHLAND BEACH, FL 33487

LIEB KATHRYN C
PO BOX 187
VALLEY FORGE, PA 19481

KOORENNY MARK
32123 LINDERO CANYON RD STE 204A
WESTLAKE VILLAGE, CA 91361

8 NEW STREET LLC
C/O ANDERSON MOLLY C
PO BOX 1258
NANTUCKET, MA 02554

MURRAY ELIZABETH & JOHN TRSTS
C/O MURRAYS TOGGERY
62 MAIN ST
NANTUCKET, MA 02554

7 NEW STREET LLC
55 JAFFRAY PARK
IRVINGTON, NY 10533

BERNARD ALFRED E
BERNARD ALFRED E TRUST
74 ORANGE ST
NANTUCKET, MA 02554

MORGAN LEE
C/O ELISABETH FONDRIEST
1318 N CAROLINA AV NE
WASHINGTON, DC 20002

SACKETT TERRI B
14111 LEWISDALE RD
CLARKSBURG, MD 20871

WINKLER WILLIAM C TRST ETAL
WINKLER KUBIE 2010 FAMIL REV TRST
48 HOLMAN ROAD
AUBURNDALE, MA 02466

MAS REALTY TRUST
75 GLEZEN LANE
WAYLAND, MA 01778

BOGAN LAWRENCE SR & PAULINE A
TRST
PO BOX 2173
NANTUCKET, MA 02584

DEY PENELOPE
17 WARREN ST
NANTUCKET, MA 02554

GARASIC JOSEPH M & MARCHANT
KATHRYN
225 WOODLAND RD
CHESTNUT HILL, MA 02130

AXT GEORGIA A
23 WARREN ST
NANTUCKET, MA 02554

SCHNITZEL LLC
2140 SOUTH DUPONT HWY
CAMDEN, DE 19943

DUTY STUART M
1612 SOTUH 3RD ST
AUSTIN, TX 78704

TRUFFINI STANLEY J & CAROL B
12 PARSONS LN
REDDING, CT 06896

CARTER ROBERT D & CAROL M TRST
172 HAVERHILL ST UNIT 211
ANDOVER, MA 01810

TIME AND TIDE ACK LLC
5 BOYERS ALLEY WY
NANTUCKET, MA 02554

DICK DAVID F & PATRICIA S TR
DICK DAVID F & PATRICIA S REV TRUST
14 WOODCOCK RD
N DARTMOUTH, MA 02747

BRADLEY JAMES
175 EAST 2ND ST APT 5A
NEW YORK, NY 10009

SHERMAN LORI & FOLGER GORDON M
18 YORK ST
NANTUCKET, MA 02554

ROSENTHAL JOHN JUSTION & WHITNEY
3128 P STREET NW
WASHINGTON, DC 20007

HABEL JAMES & MICHELLE
1600 MARLAY DR
LOS ANGELES, CA 90069

28 YORK ACK LLC
PO BOX 2234
NANTUCKET, MA 02584

BOYERS WAY LLC
C/O HUTCHISON KENDRA L
15 CHESTNUT STREET
CHARLESTOWN, MA 02129

LETTERS

William Saad

From: Tierney, Matthew <mtierney@bidplymouth.org>
Sent: Sunday, October 8, 2023 2:26 PM
To: saperste@mst.edu
Cc: William Saad
Subject: 20 New street

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Lee and Priscilla,

Thank you for reaching out directly in regards to the addition/conversion. Trish and I recently bought the house behind you from my family. As I am sure you are aware, we also have a studio directly behind your studio. We rent it year-round to one of the island firefighters. We have no problem with you converting yours to a second dwelling. My only hope would be that you support us if we ever decide to do the same.
Good luck with the board and the construction.

I would hope that we could meet in person someday.

Very truly yours,

Matt and Trish Tierney
508-364-4007

Sent from my iPhone

PLEASE NOTE: This message is intended for the use of the person to whom it is addressed. It may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended recipient, your use of this message for any purpose is strictly prohibited. If you have received this communication in error, please delete the message and notify the sender so that we may correct our records. See our web page at <http://www.bilh.org> for a full directory of Beth Israel Lahey Health sites, staff, services and career opportunities.

This email was scanned by Bitdefender

William Saad

From: Kerry Joffe <kjoffe53@icloud.com>
Sent: Tuesday, September 26, 2023 2:41 PM
To: William Saad; Lee Saperstein
Subject: Conversion of 20 New Street Cottage to a Second Dwelling

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

This email was scanned by Bitdefender

From: Kerry Joffe kjoffe53@icloud.com
Subject: 20 New Street Studio Conversion
Date: Sep 26, 2023 at 2:35:45 PM
To: Kerry Joffe kjoffe53@icloud.com, Lee Saperstein
saperste@mst.edu

Zoning Board of Appeals

Our neighbors ,Lee & Priscilla Saperstein , are requesting change of use to their existing cottage next to our property on 18 New St.

We have NO objections to this conversion and support their future use .

Please feel free to contact us for further details in regard to this matter .

Sincerely ,



Kerry & Julian Joffe

Summer ; 18 New St .
Nantucket , MA 02554
802 236-5558

Kerry Joffe
689 Eagle Watch Ln
Osprey FL 34229
(Cell) 802-2365558

**C. Gail Greenwald and Roy F. Greenwald,
Trustees of the Roy F. Greenwald Revocable
Trust – 1994 and of the C. Gail Greenwald
Revocable Trust - 1994**

File No. 17-23

**6 & 6A Washington
Avenue**

VARIANCE



PAID

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

2009 OCT 17 AM 11:32
NANTUCKET
TOWN CLERK

APPLICATION

Fee: \$450.00

File No. 17-23

Owner's name(s): C. Gail Greenwald and Roy F. Greenwald, Trustees of The
Roy F. Greenwald Revocable Trust – 1994 and of the C. Gail Greenwald
Revocable Trust - 1994

Mailing address: c/o Cohen & Cohen Law PC, 34 Main Street, P.O. Box 786

Phone Number: 508-228-0337 E-Mail: Steven@Cohenlegal.net

Applicant's name(s): Same

Mailing Address: 34 Main Street, P.O. Box 786, Nantucket, MA 02554

Phone Number: 508-228-0337 E-Mail: Steven@Cohenlegal.net

Locus Address: 6+6A Washington Ave Assessor's Map/Parcel: 60.2.4 / 66 + 66.1

Plan: Lots 896 +897 on LC Plan 3092-120 Certificate of Title: 27237

Zoning District: VR

Uses on Lot- Commercial: None

Residential: Number of dwellings 2, 1 per lot Duplex Apartments

Date of Structure(s): all pre-date 1972 yes 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:

Please 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: / / __

ATTORNEYS

Jennifer Cohen
Steven L. Cohen

The Applicant is the owner of the properties now known and numbered as 6 and 6A Washington Avenue in the village of Madaket, in the Town of Nantucket, Massachusetts. This application is to seek permission to merge those lots. Doing so will create a zoning nonconformity related to ground cover, which requires a Variance from the Zoning Board of Appeals under Section 139-32, as below.

As background, prior to 2013, these properties were a single lot of 13,040 SF in the R-20 Zoning District which required a lot area of 20,000 SF. Also prior to 2013, the lot contained a dwelling dating to 1928 of about 616 SF, a garage of about 311 SF, and a shed of about 64 SF, for a total ground cover of 927 SF where the greater of a 12.5% ground cover ratio or 1500 SF of ground cover was allowed. The dwelling is as close as 5.7 feet, the garage is as close as 3.7 feet, and the shed is as close as 2.6 feet to the side yard lot line where the setback is 10 feet. The dwelling is also as close as 22 feet to the front yard lot line where the setback was 30 feet. The area has since been rezoned into the Village Residential (VR), which allows for a lower ground cover ratio of 10% instead of 12.5%, but still provides for the 1500 SF alternative. The VR district also has a more permissive 20-foot front yard setback instead of 30 feet required in the R-20 district. The above nonconformities predate the adoption of Nantucket's zoning bylaw in 1972 and the property is otherwise dimensionally conforming.

At that time, the Applicant also owned property at 336 Madaket Road, which at the time was the last lot on Madaket Road at the waterfront, which contained a 1960 dwelling of about 1010 of ground cover. Due to significant erosion, it became necessary to move the house off of that lot, and the Applicant obtained permits to move it to 6 Washington Street, and donated the remaining land to the Town of Nantucket as a beach in 2013.

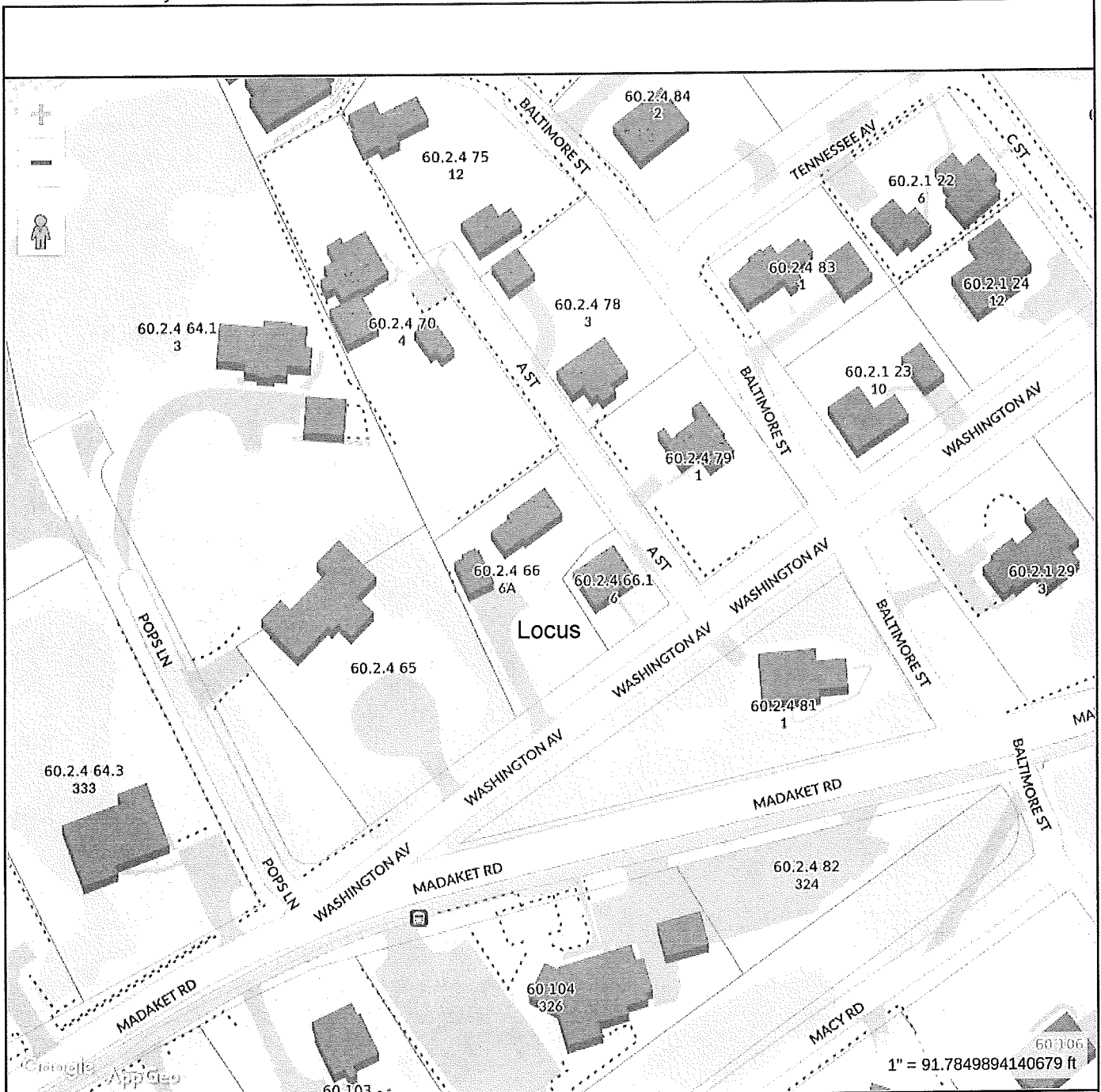
Applicant's initial plan was to move the house from 336 Madaket Road to the rear of 6 Washington Avenue and to demolish the garage and shed at that time. This ground cover of 1626 SF would have been compliant with the 1630 SF allowed under 12.5% ground cover ratio calculated under the R-20 district, but was slightly over the ground cover allowance when the zoning in the area changed to VR. Addressing this required removing about 300 SF from portion of the house that was moved to the lot, which was reduced down to 713 SF of ground cover.

With the original house containing 616 SF of ground cover, the moved-on house containing 713 SF, and the garage containing 311 SF, retaining all three structures would have created a slight ground cover overage, with a total of 1640 SF of ground cover where 1500 SF was allowed. To address this, the Applicant obtained approval for a so-called 4181-L subdivision, which created separate rear and front lots. Creating two lots, each with alternative minimum ground cover allowances, provided for the lots to now be well under the ground cover allowance. The rear lot of 10,345 SF contained the 713 SF dwelling and the 311 SF garage, for a total ground cover of 1,024 SF where 1500 SF of ground cover is allowed, using up only 2/3 of the allowed ground cover. The front lot of 2,694 SF contained the 616 SF dwelling where 808 SF of ground cover was allowed (for lots less than 5,000 SF, the alternative minimum is 30% of the lot area instead of 1500 SF, see 139-33.E.1), using up only about 3/4 of the allowed ground cover. The 4181-L subdivision cured the ground cover issue. A portion of the deck of the moved-on house is as close as 9.4 feet to the side yard lot line, where 10 feet is the setback, however, this nonconformity is allowed to be created in the 4181-L process (see 139-33.A.3).

The current desire to merge the lots stems from a failure of the septic system and complications with having a shared septic system for these two lots based on septic regulations that would require a variance and have other impacts. If the lots are combined, the septic issues can be more simply resolved. Combining the two lots will decrease the lot area nonconformities by increasing the size of the single lot. This would also eliminate the setback encroachment created by the interior lot line, reduce the number of individual owners that can own these dwellings, and eliminate the additional 668 SF of ground cover currently available to be built out. However, the alternative minimum ground cover rules at 139-33.E.1 create an anomaly if the lots are combined. Even though the actual structures on the ground are the same, the property would go from having 668 SF of available ground cover to being over the ground cover allowance by 140 SF. That is, the separate lots have an aggregate ground cover allowance of 2,308 SF, with 668 SF of ground cover available, but if the lots are combined and contain the 713 SF house, 616 SF house and 311 SF garage, then that lot would have a total ground cover of 1640 where only 1,500 SF of ground cover would be allowed, and overage of 140 SF.

Applicant seeks a Variance under Section 139-32 for this ground cover overage in order to combine the lots as they are now laid out. See attached plans.

In the event that this relief is granted, the Applicant notes that the locus also needs relief from the 20% ground cover differential rule in the definition of second dwellings in 139-2, and also a second dwelling approval letter, both of which must be obtained from the Planning Board.



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 10/03/2023
Data updated Jan. 2021

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

TOWN OF NANTUCKET

BUILDING DEPARTMENT

Fee \$200.00

No. 116-13

Office of the Building Inspector

Jan. 30, 2013

BUILDING PERMIT

THIS PERMIT CERTIFIES THAT ROY & GAIL GREENWALD HAS

PERMISSION TO MOVE A 2 STORY 3 BEDROOM 721 SQ' 1DU TO THIS LOT; MOVED FROM 60-140

LOCATED ON 6 WASHINGTON AVE 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 8th 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 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
M.G.L. c142A

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

W. R. D.

RECEIVED
DEC 17 2012

116-13
1-30-2013
BUILDING PERMIT NUMBER

BY: _____

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): GREENWALD, Roy and C. GAIL
Last First Middle Initial
6 WASHINGTON Ave
No. Street
Assessor's Map No. 60-2-4 Assessor's Parcel No. 66

2. TYPE AND COST OF BUILDING - All applicants complete Parts A-E

A. TYPE OF IMPROVEMENT

- ☐ New Building
☐ Addition
☐ Alteration
☐ Repair, replacement
☐ Demolition
☒ Moving

B. OWNERSHIP

- ☒ Private
☐ Public

C. COST

TOTAL COST OF IMPROVEMENT

50000

D. DIMENSIONS

Dimensions of Structure

First Floor Area: 721

Second Floor Area: 721

Third Floor Area: _____

Total Floor Area: 1442

Full Cellar Area: 800 sq ft

E. PROPOSED USE

Residential

☒ One Family

☐ Studio

☐ Two or more family - Enter number of units 2

☐ Hotel, Motel, Dormitory enter number of units

☐ Second Dwelling

☐ Garage

☐ Pool

☐ Other - Specify _____

Detail scope of work by floor & provide the square footage.

House Move ON

MOVED FROM 60-140

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 _____

H. TYPE OF SEWAGE DISPOSAL

- ☐ Public
☒ Private (septic tank, etc.)

K. ACCESSORY HEAT SOURCE

No. of fireplaces 1 LR

No. of Wood Stoves 0

Other: 0

G. PRINCIPLE TYPE OF HEATING

- ☐ Gas ☒ Electricity
☐ Oil ☐ Heat Pump
☐ Other - Specify _____

I. TYPE OF WATER SUPPLY

- ☐ Public
☒ Private (well)

J. SMOKE DETECTORS

No. of Detectors 4
See Plan for Location

L. RESIDENTIAL BUILDINGS

Number of Bedrooms 3

Number of Bathrooms 2

Full 2 Partial 0

3. Continued

M. ENERGY CONSERVATION

Type 2" Radon Thickness 2 R Value R 10
 Foundation or Floor insulation Fib BATS
 Wall Insulation Fib BATS 5.50 R 20
 Ceiling or Roof Insulation Fib BATS 11.25 R 35
 Window Glazing: Insulated Glass _____ Double Glass _____ Storm _____ Existing
 Doors: Insulated Yes _____ No _____ Weatherstripped: Yes _____ No _____
 Percentage of Window Area to Wall Area: _____

N. STRUCTURAL CHARACTERISTICS OF BUILDING

Applicant is required to submit complete structural framing plans with application due to the complexity of the structure, if the following information is insufficient for proper plan review.

Foundation

Footing size: 12x20w Footing reinforcing: (3) - #5 Re Bars cont
 Wall material: Concrete Wall thickness: 10"
 Wall height: 9' Wall reinforcing: 2 #5 Re Bar Top & Bottom
 Pier or column size: 3.5 Steel Pier or column spacing: 7-6 AS NECESSARY
 Pier or column footing size: _____ Pier or column reinforcing: _____
 No. of crawl space vents: _____ Crawl space: ☐ Full ☐ Partial

FRAMING: Main Carrying members: Size: 3 / 1 3/4 x 16" LVL Support Spacing: 2x12 2400
 First Floor Framing Joist size: _____ Maximum Span: _____ Maximum Spacing: System exist
 Second Floor Framing Joist size: Existing Maximum Span: _____ Maximum Spacing: _____
 Ceiling Framing Joist size: Existing Maximum Span: _____ Maximum Spacing: _____
 Roof Framing Joist size: Existing Maximum Span: _____ Maximum Spacing: _____
 Roof Truss Applicant must submit design calculations for all wood trusses stamped by a Registered Professional Engineer.

SKETCH OF PROPOSED WORK (minor projects)

See Plan

NOTES AND DATE (For Department Use)

owner called 1/30/13

FEE CALCULATIONS

4. ZONING COMPLIANCE To be completed by all applicants

Applicant is required to submit a registered plot plan with application, showing location of all structures.

Zoning District: R-20 Total Land Area: 13040 S² Ft
Frontage on Street: 120' Lot No.: _____
Plan Book No. and Page: C00 223 58 Land Court Plan No.: 3092-R
Date Lot Purchased: 9-21-2006 Certificate No.: 24626
Name of Previous Owner: Henson Carol

SUBDIVISION INFORMATION

Name of Owner: _____
Date of Plan Approval: _____
Type of Approval: ANR _____ AR _____
Planning Board File No.: _____
Is the Subdivision subject to a Covenant: YES _____ NO _____
Is a Release required: YES _____ NO _____
Has Plan been filed with the Registry of Deeds? YES _____ NO _____
If YES: Plan Book and Page No.: _____ Date _____

TIME SHARING INFORMATION

Is there a declaration of
Covenants and Restrictions of
Interval Ownership noted on
your Title or Deed?

Yes _____ No _____

DIMENSIONS

Distance from Property Lines: FRONT 72' REAR 16.8 LEFT 12.2 RIGHT 29.4
Distance between Principal and Secondary Dwelling: 35' (12ft. minimum)
Height of structure above finish grade: N 24-6 E 24-6 S 24-6 W 20
Number of off-street parking spaces: Enclosed 1 On-site 3

GROUND COVER

Principal Dwelling: 1010 50 F
Secondary Dwelling: 616 1'
Addition: 64 1'
Garage: 300 11
Accessory Building: 0
Swimming Pool: 0
Other: 0

Total: 1990 SF.
Allowable: _____ SF.

MISCELLANEOUS

Was a request to "Determine Applicability of the Protection Act" filed with the Nantucket Conservation Committee? YES _____ NO _____
If answered YES, include "Order of Conditions" with application.
What date was the "Order of Conditions" with application.
What date was the "Order of Conditions" filed with the Registry of Deeds? _____
Is the property located within a Flood Hazard district? YES _____ NO _____
Was a Variance or Special Permit granted by the Board of Appeals? YES _____ NO _____
If answered YES, what date was the decision filed with the Town Clerk? _____

FOR ZONING OFFICER

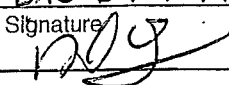
Minimum Lot Size: _____ Ground Cover Ratio: _____
Frontage on Street: _____ Side and Rear Setback: _____
Front Yard: _____ Secondary Dwelling approval _____
Additional Comments: _____ Board of Appeals _____
Lot Release Form _____

Date: 11/4/13

APPROVED BY: [Signature]

Zoning Officer

5. IDENTIFICATION - To be completed by all applicants

Name		Mailing address - Number, street, city and state	Zip Code	Telephone No.
1. Owner or Lessee	ROYAL C. GAIL	23 MYOPIA RD	01890	781-729-7049
	GREENWALD	WINCHESTER, MA		
2. Contractor	Print Name DAVID FINERTY	P.O. Box 203	Builder's License	97708
	Signature 	FORESTDALE MA 02644	Date 5-6-13	506
3. Contact Person	DAVID FINERTY		Date	737 4933

Works Compensation Insurance Certificate or Affidavit must be submitted with this application.

I hereby certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and we agree to conform to all applicable laws of this jurisdiction.

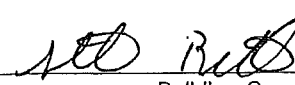
Signature of applicant 	Address 23 Myopia Rd Winchester, MA 01890	Telephone # 781-729-7049
Print name Roy and Gail Greenwald	E-Mail Address: roy_greenwald@denspartners.com	

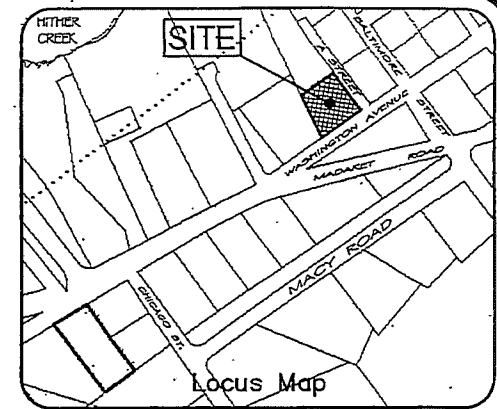
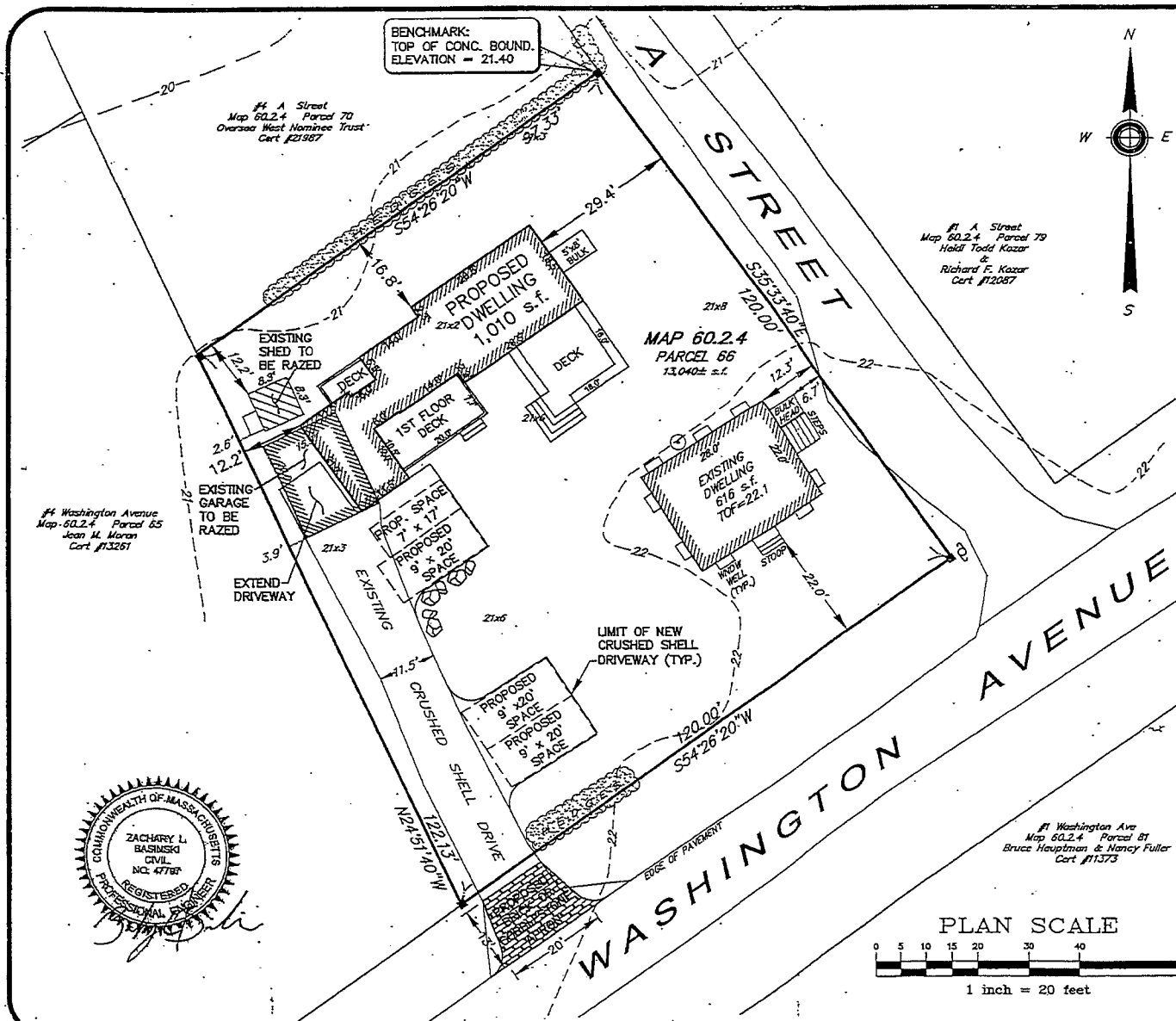
DO NOT WRITE BELOW THIS LINE

6. PLAN REVIEW RECORD - For Office Use

Plans Review Required				
HISTORIC DISTRICTS COMMISSION	OK	56032	2-3-11	
SEPTIC	sanitary upli and septic for 3 b/r - 3/20/12 OK R.P. 12-21-12			
SEWER				
WATER WELL COMPLETION REPORT				
CONSERVATION COMMISSION				
FIRE CHIEF				
OVER-THE-ROAD (Board of Selectmen)				
ROAD OPENING PERMIT (DPW)				
PLUMBING				
ELECTRICAL				

7. VALIDATION

Building Permit Issued _____ Building Permit Fee 200.00 Date of Issuance of Certificate of Occupancy _____	FOR DEPARTMENT USE ONLY Use Group _____ Occupancy Load _____ Census No. 151 Approved by:  1-22-13 Building Commissioner
--	--



1. LOCUS: #6 WASHINGTON AVENUE
MAP 60.2.4 PARCEL 66
2. OWNER: C. GAIL GREENWALD
#23 MYOPIA ROAD
WINCHESTER, MA 01890
3. DEED REF: CERT #24026
4. PLAN REF: LCC #3092-R
5. ZONE: R-20

**PROPOSED SITE PLAN
IN NANTUCKET, MA**

Prepared For:

C. GAIL GREENWALD

#6 WASHINGTON AVENUE
MAP 60.2.4 PARCEL 66

Date: JANUARY 10, 2012	Job No.: 534-01
Drawn By: BEI	Checked By: ZLB Scale: 1" = 20'
Drawing Name: 6 Washington Ave_site.dwg	

Prepared By:

RACKEN ENGINEERING, INC. Engineering - Surveying
Environmental Permitting

19 Old South Road
Nantucket, MA 02554
tel: 508-325-0044 fax: 508-833-2282



Nantucket Planning Board

February 23, 2012

Mr. Steve Butler, Building Commissioner
37 Washington Street
Nantucket, MA 02554

Re: 6 Washington Avenue (Map 60.2.4, Parcel 66)
Ray and Gail Greenwald

Dear Mr. Butler:

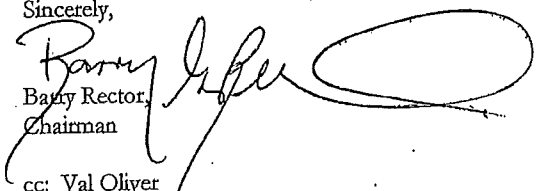
Please be advised that the Planning Board, at its meeting on February 13, 2012, considered the above application for adequate access, as per §139-20.1 of the *Nantucket Code*, and granted a secondary dwelling approval, conditional upon the following:

- (1) That the driveway be cleared free of vegetation and obstruction to a width of twelve (12) feet and a height of thirteen (13) feet;
- (2) That any landscaping at the driveway entrance be limited to low growing plant material not to exceed three (3) feet in height;
- (3) That an apron shall be constructed to a minimum depth of ten (10) feet and a maximum flared width of fifteen (15) feet and shall be constructed to the requirements of Nantucket Zoning Bylaw Section 139-20.1B.(2)(g);
- (4) That the Applicant shall submit a revised site plan with the correct zoning district; and,
- (5) 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.

The approval is also **conditional** upon adherence to the site plan submitted by the applicant and endorsed by the Chairman, showing the relative locations of proposed or existing dwellings and driveways or parking areas.

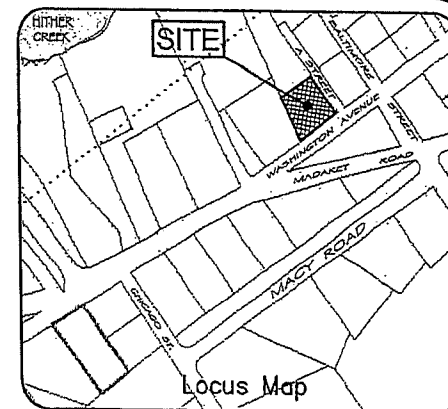
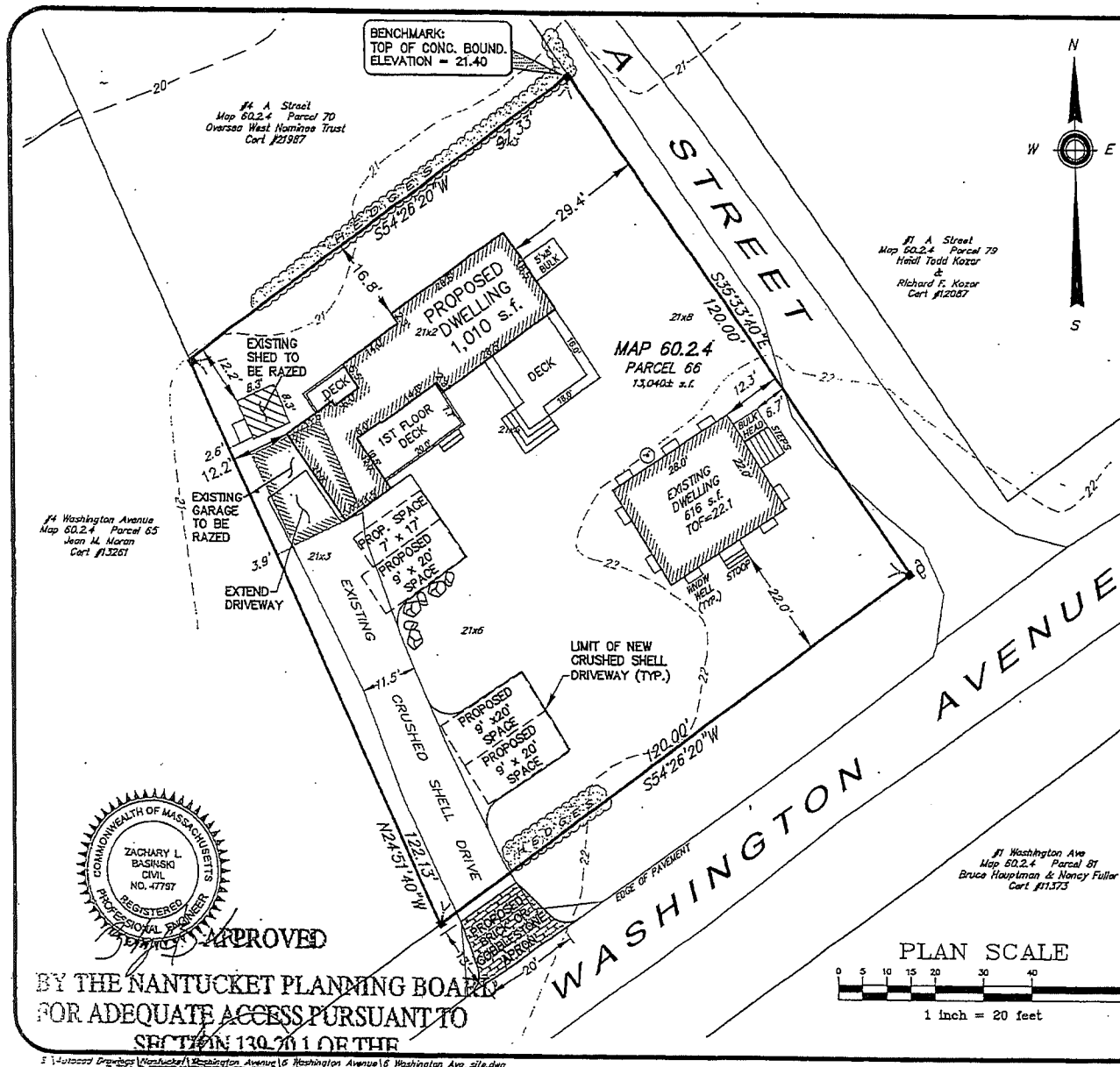
As per Section 139-2 of the *Nantucket Zoning Code*, the approval referenced herein is valid for a period of two years only, calculated from the date of site plan endorsement by the Planning Board. If you have any questions regarding this approval, please contact the Planning Office at 508-228-7233.

Sincerely,


Barry Rector,
Chairman

cc: Val Oliver
Marcus Silverstein - Zoning Enforcement Officer

NOTE TO APPLICANTS: Please note that a copy of the plan you submitted to the Board, which has been endorsed by the Chairman, is enclosed and must be presented to the Building Department when applying for a building permit. There will be a \$25 administrative fee to re-issue an endorsed site plan.



1. LOCUS: #6 WASHINGTON AVENUE
MAP 60.2.4 PARCEL 66
2. OWNER: C. GAIL GREENWALD
#23 MYOPIA ROAD
WINCHESTER, MA 01890
3. DEED REF: CERT #24026
4. PLAN REF: LOC #3092-R
5. ZONE: VR

PROPOSED SITE PLAN IN NANTUCKET, MA

Prepared For:

C. GAIL GREENWALD

#6 WASHINGTON AVENUE
MAP 60.2.4 PARCEL 66

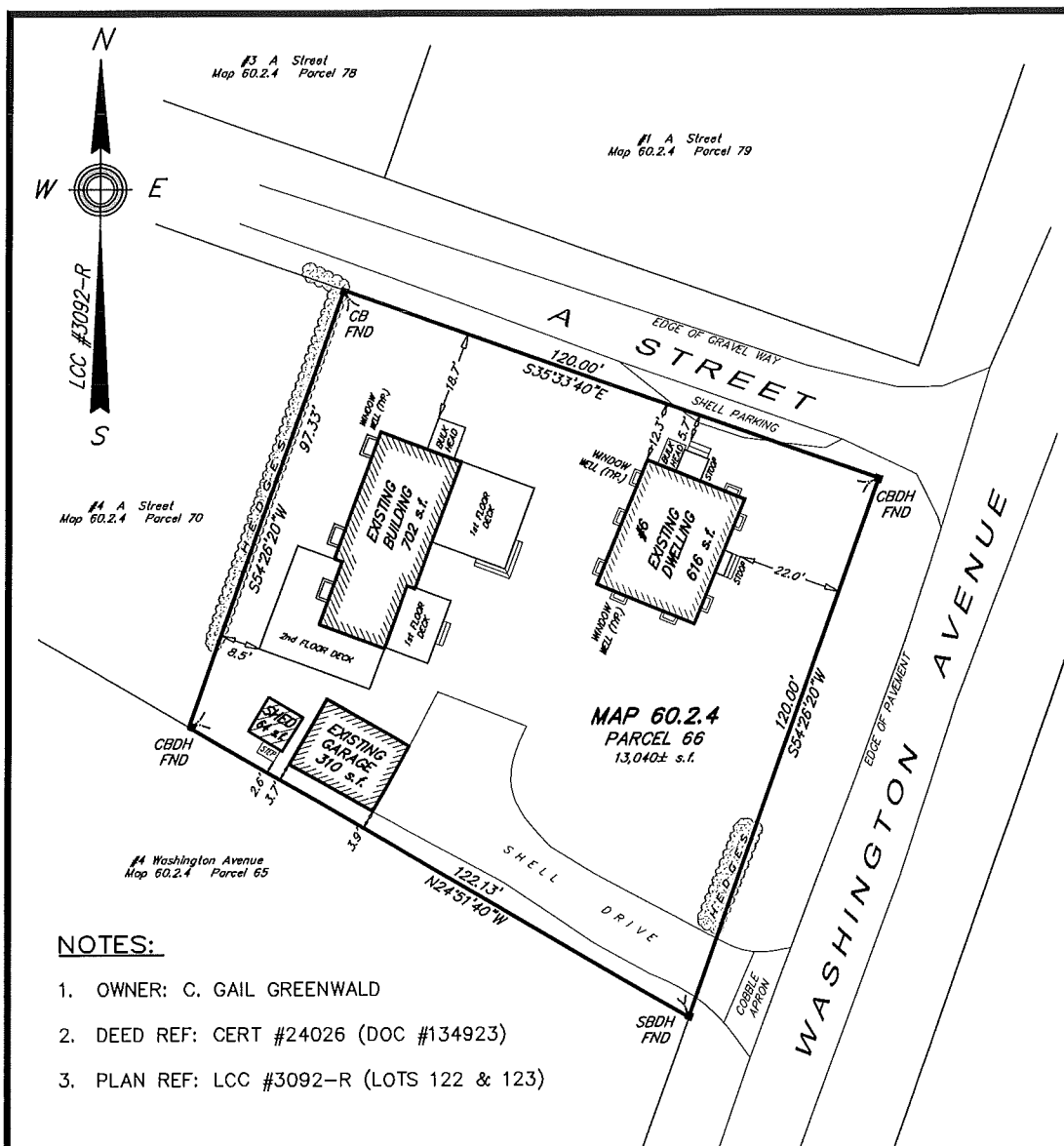
Date: JANUARY 10, 2012 Job No.: 534-01
Drawn By: BB Checked By: ZLB Scale: 1" = 20'
Drawing Name: 6 Washington Ave_site.dwg

Prepared By:

BRACKEN ENGINEERING, INC. Engineering - Surveying
Environmental Permitting

19 Old South Road
Nantucket, MA 02554

tel: 508-325-0044 fax: 508-833-2282



TO THE TOWN OF NANTUCKET:

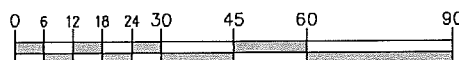
"I CERTIFY THAT THE BUILDING AND IMPROVEMENTS SHOWN WERE LOCATED BY AN ACTUAL FIELD SURVEY AND THE DIMENSIONS SHOWN ARE ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF."

ZONE: VR

	REQUIRED	EXISTING
LOT AREA:	20,000 s.f.	13,040± s.f.
FRONTAGE:	100'	120.00'
FRONT YARD:	20'	22.0'
SIDE/REAR YARD:	10'	2.6'
GROUND COVER:	1,500 s.f. (MAX)	1,628 s.f.

* ZONING BYLAW 139-33 E (2)(b)

PLAN SCALE



1 inch = 30 feet

PROFESSIONAL LAND SURVEYOR



49 HERRING POND ROAD
BUZZARDS BAY, MA 02532

(tel) 508.833.0070
(fax) 508.833.2282

19 OLD SOUTH ROAD
NANTUCKET, MA 02554

(tel) 508.325.0044
www.brackeneng.com

**FINAL AS-BUILT PLAN
IN NANTUCKET, MASSACHUSETTS**

Prepared for:

C. GAIL GREENWALD
#6 WASHINGTON AVENUE
MAP 60.2.4 PARCEL 66

Date: 07/28/14
Scale: AS SHOWN
Drawn By: BEI/RMM/DLH
Checked By: AMG
Job No: 534-01

I CERTIFY THAT THIS PLAN WAS DRAWN FROM AN ACTUAL SURVEY MADE ON THE GROUND IN ACCORDANCE WITH THE LAND COURT INSTRUCTIONS OF 2006 ON OCTOBER 16, 2015.

DATE ALAN M. GRADY, PLS #37732

- CBDH CTR.** ■ CENTER OF CONCRETE BOUND FOUND
- CBDH FND.** ■ CONCRETE BOUND WITH DRILL HOLE FOUND
- SDOH FND.** ■ STONE BOUND WITH DRILL HOLE FOUND

TRAVERSE CLOSURE

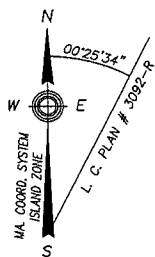
ANGULAR ERROR: 00° 00' 06"
 LINEAR ERROR: 0.005'
 DIRECTION OF ERROR: S 59° 49' 35" E
 PRECISION: 1:88,316

EDM ACCURACY

±(2mm + 2ppm x D) m.s.e.

NOTES:

- LOCUS: #6 WASHINGTON AVENUE
 MAP 60.2.4 PARCEL 66
- OWNER: C. GAIL GREENWALD
 23 MYOPIA ROAD
 WINCHESTER, MA 01890
- DEED REF: CERT #24026 (DOC #134923)
- PLAN REF: LCC #3092-R (LOTS 122 and 123)
 LCC #3092-12
 LCC #14672-G
 Road Plan #229-B
- LOCUS DOES NOT FALL WITHIN A SPECIAL FLOOD HAZARD ZONE AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP No. 25019C-0064-G dated 06/09/2014.
- THE PLANNING BOARD'S ENDORSEMENT UNDER THE SUBDIVISION CONTROL LAW IS NOT A DETERMINATION THAT THE LOTS COMPLY WITH ZONING REGULATIONS AND SHOULD NOT BE CONSTRUED AS AN APPROVAL THAT THE LOTS DEPICTED ON THIS PLAN ARE ENTITLED TO A BUILDING PERMIT.
- ENDORSEMENT UNDER MGL CHAPTER 41 ~ SECTION 81L. THE STRUCTURES ON THIS PLAN PREDATE THE ADOPTION OF THE SUBDIVISION CONTROL LAW IN THE TOWN OF NANTUCKET.
- LOTS TO BE SERVED BY INDIVIDUAL WELLS AND SEPTIC SYSTEMS.



#4 A Street Parcel 70
 Map 60.2.4 N/F
 TODD D. MANNING and
 KATHLEEN A. MANNING
 CERT #24507

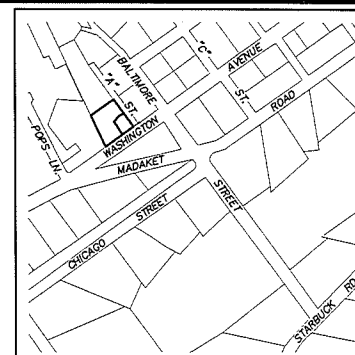
#3 A Street Parcel 78
 Map 60.2.4 N/F
 STREET REALTY TRUST
 CERT #19447

#1 A Street Parcel 79
 Map 60.2.4 N/F
 HEIDI TODD KOZAR and
 RICHARD F. KOZAR
 CERT #12087

#1 WASHINGTON AVENUE
 Map 60.2.4 N/F
 BRUCE HAUPPMAN and
 NANCY FULLER
 CERT #11373

THE PLANNING BOARD DETERMINES THAT:

- LOTS "A" and "B" 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 BY-LAWS. DETERMINATION OF APPLICABILITY MAY BE OBTAINED THROUGH APPLICATION TO THE CONSERVATION COMMISSION.
- LOTS "A" and "B" CONTAIN INADEQUATE LOT AREA, AS DEFINED IN THE NANTUCKET ZONING BY-LAW, TO COMPLY WITH MINIMUM AREA REQUIREMENTS APPLICABLE UNDER SUCH BY-LAW.



LOCUS MAP

SCALE: 1" = 300'
 ZONE: VR
 REQUIRED

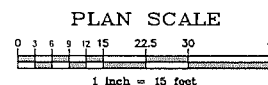
LOT AREA: 20,000 s.f.
 FRONTAGE: 100'
 FRONT YARD: 20'
 SIDE YARD: 10'
 REAR YARD: 10'
 GROUND COVER: 10% (MAX.)
 REG. FACTOR: 0.55 (MIN.)

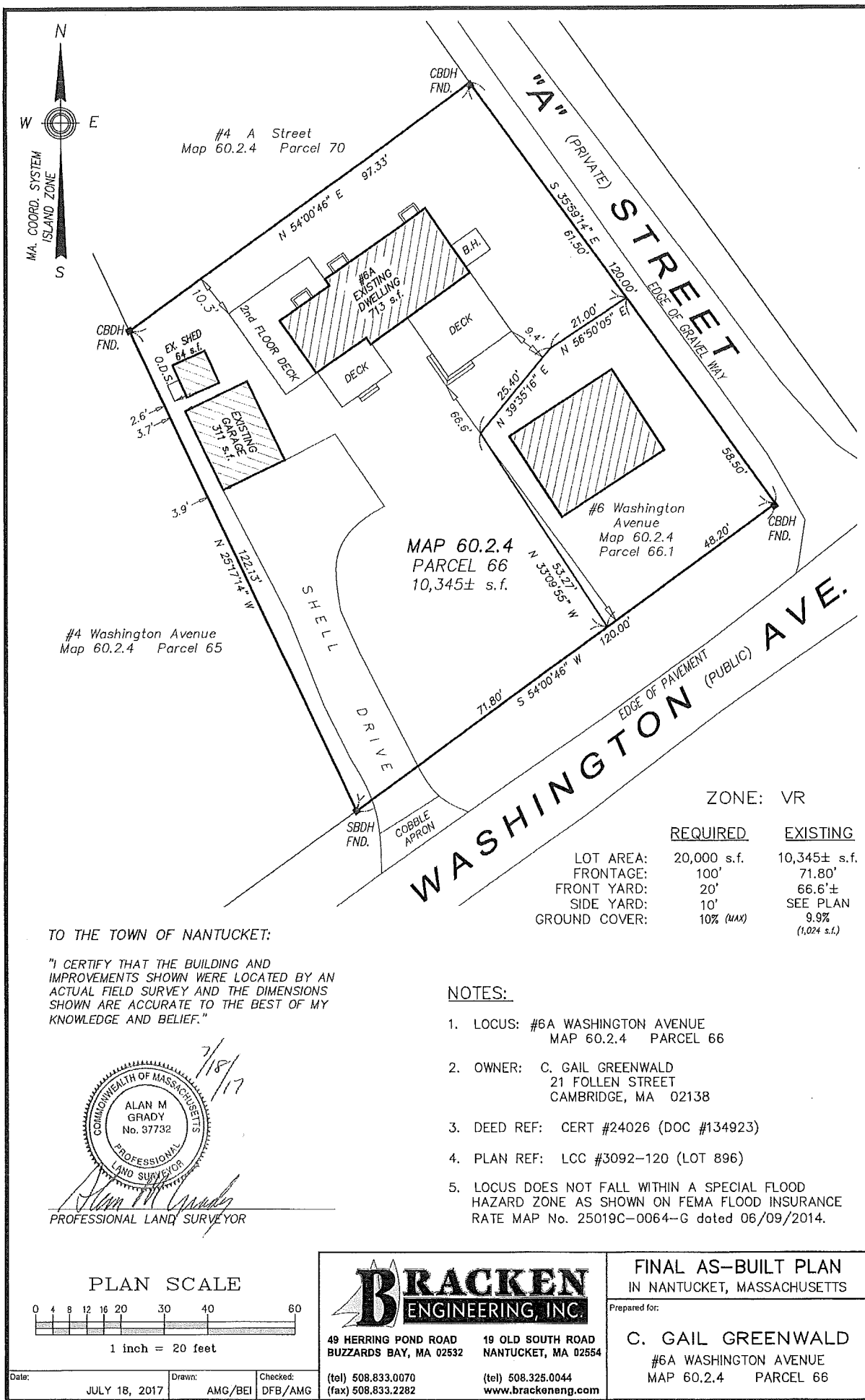
PLAN OF LAND IN NANTUCKET, MASS.

PREPARED FOR
C. GAIL GREENWALD
 BEING A SUBDIVISION OF
 LOTS 122 & 123 ON
 L.C. PLAN #3092-R
 #6 WASHINGTON AVENUE
 MAP 60.2.4 PARCEL 66
 PREPARED BY
BRACKEN ENGINEERING, INC.
 19 OLD SOUTH ROAD
 NANTUCKET, MA 02584
 tel: (508) 325-0044
 fax: (508) 833-2282
 SCALE: 1" = 10' JULY 29, 2016

APPROVAL UNDER SUBDIVISION
 CONTROL LAW NOT REQUIRED
 NANTUCKET PLANNING BOARD

FILE NUMBER :
 DATE ENDORSED :





Town of Nantucket

Zoning Board of Appeals

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

PROPERTY OWNER..... Gail Greenwald
MAILING ADDRESS..... 21 Follen Street, Cambridge, MA 02138
PROPERTY LOCATION..... 6 Washington Avenue
ASSESSOR MAP/PARCEL..... 6024/66.1
APPLICANT..... Cohen and Cohen Law PC

SEE ATTACHED PAGES

I certify that the foregoing is a list of 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, all as they appear on the most recent applicable tax list (M.G.L. c. 40A, Section 11 Zoning Code Chapter 40A Section 139-2

October 10, 2023

DATE

Mary L.
Haley

Digitally signed by
Mary L. Haley
Date: 2023.10.10
11:34:22 -04'00'

ASSESSOR'S OFFICE
Town of Nantucket

Abutters Listing

Name Line 1	Name Line 2	Address Line 1	City	State	Zip	Location
ACK ATLAS LLC		328 MADAKET RD	NANTUCKET	MA	02554	328 MADAKET RD
ERSON GRENNAN TRUSTEE	ANDERSON NOMINEE TRUST	P O BOX 5244	NANTUCKET	MA	02554	326 MADAKET RD
NICHOLSON LAURA TR	4 MACY RD REALTY TRUST	88 STRAWBERRY HILL ROAD	ACTON	MA	01720	4 MACY RD
PICCIRILLO PAUL A ETAL		PO BOX 16	NANTUCKET	MA	02554-0016	6 BALTIMORE ST
TOWN OF NANTUCKET		16 BROAD ST	NANTUCKET	MA	02554	MACY RD
AN PETER & CYNTHIA TRST	6C STREET REALTY TRUST	155 MONTGOMERY ST STE 1600	SAN FRANCISCO	CA	94104	6 C ST
NKIN SCOTT M & JESSICA L		66 MOHAWK PATH	HOLLISTON	MA	01746	10 WASHINGTON AV
MOONEY MICHAEL E TRST	C/O JAMES AND DENISE PEDROTTY	18 BROOKSHIRE LN	FARMINGTON	CT	06032	12 WASHINGTON AV
ODELL ROBIN S & DEREK C		32 BRETTON RIDGE RD	MOUNT KISCO	NY	10549	3 WASHINGTON AV
PCM LLC		43 BEL AIR RD	HINGHAM	MA	02043	321 MADAKET RD
PP JENNIFER KING & PETER		40 RICE RD	WAYLAND	MA	01778	5 BALTIMORE ST
BURKE MATTHEW TR		POPS LANE HOLDINGS TRUST	ENCINO	CA	91316	3 POPS LN
333 MADAKET LLC		33 TAYLOR CROSS WY	BROOKLINE	MA	02445	333 MADAKET RD
GREENWALD C GAIL		21 FOLLEN ST	CAMBRIDGE	MA	02138	6A WASHINGTON AV
ING TODD D & KATHLEEN A		OLD MILL HOUSE	MILL LANE ASCOT		5L57RU	4 A ST
CARROLL JOHN T		566 HANCOCK STREET	WRENTHEM	MA	20293	12 BALTIMORE ST
HMIDT GEORGE L TRUSTEE	3 A STREET REALTY TRUST	510 SOUTHSIRE DR	BENNINGTON	VT	05201	3 A ST
R RICHARD F & HEIDI TODD		235 QUARRY RD	LATROBE	PA	15650	1 A ST
TURNER GEORGE M III TR	TURNER MICHELLE J TRUST	27 SPYGLASS LN	PLYMOUTH	MA	02360	1 WASHINGTON AV
ERSON GRENNAN TRUSTEE	ANDERSON NOMINEE TRUST	P O BOX 5244	NANTUCKET	MA	02554	324 MADAKET RD
1 TENNESSEE STREET LLC	C/O FRANCIS DISCALA	10 WALL ST	NORWALK	CT	06850	1 TENNESSEE AV
2 TENN ZEN LLC	C/O PATRICIA M STOLTE	PO BOX 2858	NANTUCKET	MA	02584	2 TENNESSEE AV
F ROGER F & PATRICIA TRS	C/O STOLTE ROGER	PO BOX 2858	NANTUCKET	MA	02584	19 BALTIMORE ST
RAY BONNIE S TR	RAY FAMILY TRUST	10 C STREET	NANTUCKET	MA	02554	10 C ST

ALFORD EDWARD L & PATRICIA
PO BOX 537
SOUTH HADLEY, MA 01075-0537

ACK ATLAS LLC
328 MADAKET RD
NANTUCKET, MA 02554

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

PICCIRILLO PAUL A ETAL
PO BOX 16
NANTUCKET, MA 02554-0016

TOWN OF NANTUCKET
16 BROAD ST
NANTUCKET, MA 02554

SULLIVAN PETER & CYNTHIA TRST
6C STREET REALTY TRUST
155 MONTGOMERY ST STE 1600
SAN FRANCISCO, CA 94104

RANKIN SCOTT M & JESSICA L
66 MOHAWK PATH
HOLLISTON, MA 01746

MOONEY MICHAEL E TRST
C/O JAMES AND DENISE PEDROTTY
18 BROOKSHIRE LN
FARMINGTON, CT 06032

ODELL ROBIN S & DEREK C
32 BRETTON RIDGE RD
MOUNT KISCO, NY 10549

PCM LLC
43 BEL AIR RD
HINGHAM, MA 02043

HAMMOND HENRY P III & JANICE S
20 LENAPE LANE
COLTS NECK, NJ 07722

BURKE MATTHEW TR
POPS LANE HOLDINGS TRUST
ENCINO, CA 91316

OVERCREEK LLC
C/O SARA HENDRICKSON
1248 ZIMMER DR
ATLANTA, GA 30306

333 MADAKET LLC
33 TAYLOR CROSS WY
BROOKLINE, MA 02445

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
WRENTHAM, MA 02093

SCHMIDT GEORGE L TRUSTEE
3 A STREET REALTY TRUST
510 SOUTHSIDE DR
BENNINGTON, VT 05201

KOZAR RICHARD F & HEIDI TODD
235 QUARRY RD
LATROBE, PA 15650

TURNER GEORGE M III TR
TURNER MICHELLE J TRUST
27 SPYGLASS LN
PLYMOUTH, MA 02360

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

Town of Nantucket

Zoning Board of Appeals

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

PROPERTY OWNER..... Gail Greenwald
MAILING ADDRESS..... 21 Follen Street, Cambridge, MA 02138
PROPERTY LOCATION..... 6A Washington Avenue
ASSESSOR MAP/PARCEL..... 6024/66
APPLICANT..... Cohen and Cohen Law PC

SEE ATTACHED PAGES

I certify that the foregoing is a list of 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, all as they appear on the most recent applicable tax list (M.G.L. c. 40A, Section 11 Zoning Code Chapter 40A Section 139-2

October 10, 2023

DATE

Mary L.
Haley

ASSESSOR'S OFFICE
Town of Nantucket

Digitally signed by
Mary L. Haley
Date: 2023.10.10
11:36:34 -04'00'

Abutters Listing

Name Line 1	Name Line 2	Address Line 1	City	State	Zip	Location
LFORD EDWARD L & PATRICIA		PO BOX 537	SOUTH HADLEY	MA	01075-0537	330 MADAKET RD
ACK ATLAS LLC		328 MADAKET RD	NANTUCKET	MA	02554	328 MADAKET RD
ANDERSON GRENNAN TRUSTEE	ANDERSON NOMINEE TRUST	P O BOX 5244	NANTUCKET	MA	02554	326 MADAKET RD
NICHOLSON LAURA TR	4 MACY RD REALTY TRUST	88 STRAWBERRY HILL ROAD	ACTON	MA	01720	4 MACY RD
PICCIRILLO PAUL A ETAL		PO BOX 16	NANTUCKET	MA	02554-0016	6 BALTIMORE ST
TOWN OF NANTUCKET		16 BROAD ST	NANTUCKET	MA	02554	MACY RD
LIVAN PETER & CYNTHIA TRST	6C STREET REALTY TRUST	155 MONTGOMERY ST STE 1600	SAN FRANCISCO	CA	94104	6 C ST
RANKIN SCOTT M & JESSICA L		66 MOHAWK PATH	HOLLISTON	MA	01746	10 WASHINGTON AV
MOONEY MICHAEL E TRST	C/O JAMES AND DENISE PEDROTTY	18 BROOKSHIRE LN	FARMINGTON	CT	06032	12 WASHINGTON AV
ODELL ROBIN S & DEREK C		32 BRETTON RIDGE RD	MOUNT KISCO	NY	10549	3 WASHINGTON AV
PCM LLC		43 BEL AIR RD	HINGHAM	MA	02043	321 MADAKET RD
IMOND HENRY P III & JANICE S		20 LENAPE LANE	COLTS NECK	NJ	07722	313 MADAKET RD
BURKE MATTHEW TR		POPS LANE HOLDINGS TRUST	ENCINO	CA	91316	3 POPS LN
OVERCREEK LLC	C/O SARA HENDRICKSON	1248 ZIMMER DR	ATLANTA	GA	30306	341 MADAKET RD
333 MADAKET LLC		33 TAYLOR CROSS WY	BROOKLINE	MA	02445	333 MADAKET RD
GREENWALD C GAIL		21 FOLLEN ST	CAMBRIDGE	MA	02138	6 WASHINGTON AV
NNING TODD D & KATHLEEN A		OLD MILL HOUSE	MILL LANE ASCOT		5L57RU	4 A ST
EN HAROLD R & COLLEEN S TR	WHELDEN REALTY TRUST	14 BALTIMORE ST	NANTUCKET	MA	02554	14 BALTIMORE ST
TAYLOR R SCOTT TRST ETAL		1333 WEST 11TH AVE	ANCHORAGE	AK	99501	16 BALTIMORE ST
CARROLL JOHN T		566 HANCOCK STREET	WRENTHEM	MA	20293	12 BALTIMORE ST
SCHMIDT GEORGE L TRUSTEE	3 A STREET REALTY TRUST	510 SOUTHSIRE DR	BENNINGTON	VT	05201	3 A ST
AZAR RICHARD F & HEIDI TODD		235 QUARRY RD	LATROBE	PA	15650	1 A ST
TURNER GEORGE M III TR	TURNER MICHELLE J TRUST	27 SPYGLASS LN	PLYMOUTH	MA	02360	1 WASHINGTON AV
ANDERSON GRENNAN TRUSTEE	ANDERSON NOMINEE TRUST	P O BOX 5244	NANTUCKET	MA	02554	324 MADAKET RD
1 TENNESSEE STREET LLC	C/O FRANCIS DISCALA	10 WALL ST	NORWALK	CT	06850	1 TENNESSEE AV
2 TENN ZEN LLC		C/O PATRICIA M STOLTE	NANTUCKET	MA	02584	2 TENNESSEE AV
LTE ROGER F & PATRICIA TRS	C/O STOLTE ROGER	PO BOX 2858	NANTUCKET	MA	02584	19 BALTIMORE ST
MAN THEODORE P TRST ETAL	CHOATE HALL/SILVENA GINER	2 INTERNATIONAL PLACE	BOSTON	MA	02110	12 C ST
RAY BONNIE S TR	RAY FAMILY TRUST	10 C STREET	NANTUCKET	MA	02554	10 C ST

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MOUNT KISCO, NY 10549

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HINGHAM, MA 02043

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COLTS NECK, NJ 07722

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2024
Zoning Board of Appeals
Meeting Schedule



TOWN OF NANTUCKET
ZONING BOARD OF APPEALS
NANTUCKET, MA 02554

2024 Meeting Schedule

1:00 PM *

4 Fairgrounds Road in the Public Safety Facility Community Room & Remote Participation Via Zoom Webinar

Meeting Dates: Thursdays

January 11, 2024

February 8, 2024

March 14, 2024

April 11, 2024

May 9, 2024

June 13, 2024

July 11, 2024

August 8, 2024

September 12, 2024

October 10, 2024

November 14, 2024

December 12, 2024

Filing Deadline: Mondays

December 11, 2024

January 8, 2024

February 5, 2024

March 11, 2024

April 8, 2024

May 6, 2024

June 10, 2024

July 8, 2024

August 5, 2024

September 9, 2024

October 7, 2024

November 11, 2024

Meeting times and dates are subject to change, if you have any questions please contact the ZBA office at 508-325-7587 Extension 7071.

End of Packet