

ZBA MEETING PACKET

01/11/2024



MEETING POSTING

TOWN OF NANTUCKET

Pursuant to MGL Chapter 30A, § 18-25

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



Committee/Board/s	Zoning Board of Appeals
Day, Date, and Time	Thursday, January 11, 2024, 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	William Saad, Zoning Administrator and Land Use Specialist

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_NDz-Ln8VSTObYwFVgfWHUg#/registration

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

[HTTPS://WWW.YOUTUBE.COM/LIVE/BD7UOKOF63M?si=L1I04R3QIIGGfJGv](https://www.youtube.com/live/BD7UOKOF63M?si=L1I04R3QIIGGfJGv)

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:**
 - NOVEMBER 10, 2023
 - DECEMBER 8, 2023

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

09-22 Harris on Weweeder, LLC

50 Weweeder Avenue

Brescher

Request for Withdrawal

The 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

The 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).

20-23 5 Amelia Drive, LLC

5 Amelia Drive

Reade

The Applicant is seeking a Modification to the previously issued Variance in ZBA File No. 025-06. Pursuant to Nantucket Zoning Bylaw Section 139-32 to allow the construction of a permanent roof over the patio area. Locus is situated at 5 Amelia Drive, shown on Assessor's Map 67, Parcel 435, and shown as Lot 24 upon Plan File 30-D. Evidence of owner's title is recorded in Book 1906, Page 49 on file at the Nantucket Country Registry of Deeds. The site is zoned Commercial Neighborhood (CN).

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

21-23 Carl and Sharon Nielsen

2 Cabot Lane

Cohen

The Applicants are seeking a Special Permit pursuant to Zoning Bylaw Section 139-33 A, to alter the preexisting, nonconforming cottage structure, which is nonconforming as to side and rear yard setbacks. Additionally, the Applicants seek zoning relief to allow for the house to be temporarily lifted from its foundation to allow for construction of the basement. Locus is situated at 2 Cabot Lane, shown on Assessor's Map 30 as Parcel 254 and upon Land Court Plan No 2023-38, Unit 2. Evidence of owner's title is recorded in Book 1945 and Page 40 with the Nantucket County Registry of Deeds. The site is zoned Residential-1 (R-1).

23-23 William M. Murphy, Trustee of 89 Easton Street Nominee Trust

89 Easton Street

Santos

The Applicant is seeking a Special Permit pursuant to Zoning Bylaw Section 139-33 A, to alter the preexisting, nonconforming structure by relocation upon the lot. Locus is situated at 89 Easton Street, shown on Assessor's Map 42.4.4 as Parcel 21. Evidence of owner's title is recorded in Book 1944 and Page 118 with the Nantucket County Registry of Deeds. The site is zoned Residential Old Historic (ROH).

VI. OTHER (VOTES MAY BE TAKEN)

VII. ADJOURNMENT (VOTE WILL BE TAKEN)

MINUTES

11/9/23



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, November 9, 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 1:04 pm and Announcements made by Ms. McCarthy

Staff in attendance: Nicky Sheriff, Administrative Specialist; William Saad, Land Use Specialist
Attending Members: McCarthy, O'Mara, Brescher, Marcklinger, Botticelli, Poor, Mondani
Remote attendance: None
Absent: Allen
Late Arrivals: -
Early Departures: -
Town Counsel: -

APPROVAL OF AGENDA

Agenda adopted by unanimous consent

Motion: **Motion to Approve the agenda.** (made by: Brescher) (seconded by: O'Mara)
Vote: Carried unanimously

I. APPROVAL OF MINUTES

1. April 13, 2023; May 30, 2023; June 13, 2023; October 19, 2023

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

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

1. 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).

2. 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).

Motion: **Motion to grant continuance.** (made by: Botticelli) (seconded by: Marcklinger)
Vote: Carried unanimously

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

1. **13-23 Surfside Drive, LLC** **5 Surfside Drive** **Beaudette**
- Voting: McCarthy, Brescher, O'Mara, Marcklinger, Botticelli
Representing: **Richard Beaudette**, Esq., Beaudette and Swain
- Public: Michael Misurelli, 3 Surfside Drive
Grant Sanders, 14 Dennis Drive
- Discussion: **Beaudette** – Presented an application, 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).
- McCarthy** - Raised concerns about the balance between adding living space and reducing commercial space.
- Raised concerns about the potential lack of privacy in shared living spaces and the unpredictability of occupants.
 - Questioned the contradiction between designating residential parking spaces and the suggestion that employees may not have cars.
 - Sought clarification on the definition of "residential only" and whether it applied to commercially licensed vehicles.
 - Inquired about the possibility of management or owners using residential parking spaces versus employees.
- Beaudette** – Emphasized the decision to designate the rear parking as residential only to protect neighbors from having trucks parked there.
- Proposed solutions to address concerns about employee parking, including providing bus passes or bike racks, indicating a willingness to work with the community and the board on this matter.
 - Highlighted that dormitories are typically on sites with commercial use and are often allowed in outlying districts.
 - Defined apartments as having broader residential uses and not necessarily restricted to employee housing.
 - Responded to a query about the primary use of the dwelling, indicating that it could have multiple uses, including potential winter occupancy or affordable rentals for non-employees.
- Andy Grennan, Applicant** - Described the routine of multiple jobs during the week, with drop-offs and pick-ups on Thursday through Sunday.
- Addressed the question about the frequency of truck departures and returns on average per day, indicating that it's typically two to three times a day.
 - Clarified that this routine involves three trucks and sometimes two trucks and a van.
 - Confirmed that the current use of the property has followed a similar pattern with two to three trips a day involving trucks and a van.
- Beaudette** - Confirmed that the proposed building is within the allowed square footage limits based on a percentage of the existing space (25% of 86,87, covering 2100 square feet).
- Noted that the existing building is one story, and the new building is planned to be 28 feet tall.
 - Responded to concerns about the lack of screening for garage doors facing Surfside Drive, acknowledging the potential visual impact on the residential area.
- Botticelli** - Expressed concern about the perceived significant change in scale, moving from two garage bays to four and adding four bedrooms, resulting in a substantial increase in density.
- Acknowledged the need for a solution and expressed a desire for more options to screen the four garage bays.
 - Suggested exploring alternatives to the four-bedroom apartment, considering its size and potential impact on the overall scale of the structure.
 - Recommended designing the apartment in a way that reduces the visual impact, potentially reconsidering the width and height of the structure to avoid it looking like a warehouse in a residential area.
- Grennan** - Emphasized the positive aspect of offering an apartment and expressed excitement about the potential addition, highlighting the value of having noise ordinance conditions in place.

Brescher - Expressed the opinion that the property meets the prongs of the Powers test, considering it as a non-conforming use that is allowed to expand.

- Mentioned concerns about potential parking challenges and suggested that, practically, there might be people parking on the street.
- Acknowledged the property's compliance with the bylaw definition for parking but expressed skepticism about avoiding street parking.
- Agreed with the assessment that the expansion is reasonable but expressed a limit on further expansion, emphasizing the importance of avoiding a more detrimental impact.

Board discussion ensued during which they spoke of possible conditions.

Motion:

Motion to approve the relief as requested to modify the existing decision of the Board of Appeals for the removal and construction of existing and new buildings as per the attached site plan. Conditions A, B, and C from the previous decision to remain in full force. Additional conditions include:
Adherence to the housing management plan, attached to the decision.
Hours of operation: Monday through Saturday from 7 to 7, 9 to 5 on Sundays.
Replacement of Evergreen screening with hornbeam screening on the site plan.
Requirement for screening all trash from the road.
Parking details are delineated on the attached plan.
Air conditioning with closed windows on the first floor during working hours.
Garage bays are to be closed when not in use.
Purchase of bus passes for employees.

(made by: Brescher) (seconded by: O'Mara)

Vote:

Carried 5-0// McCarthy, Brescher, O'Mara, Marcklinger, Botticelli (Aye)

2. 14-23 Benjamin and Jacqueline deRuyter

12 Academy Lane

Beaudette

Voting: McCarthy, Brescher, O'Mara, Marcklinger, Botticelli

Alternates: Mondani, Poor

Recused: None

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

Representing: **Richard Beaudette, Esq.,** Beaudette and Swain

Public: Sarah Alger, representative of neighbors Leslie and Wayne Wyrzes
Leslie Wyrzes, 10 Academy Lane

Discussion: **Beaudette** presented an application 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).

Board discussion ensued during which they spoke of possible conditions.

Motion:

Motion to approve the proposed change of use, asserting that the change from a garage structure to a shed outbuilding is not substantially more detrimental to the neighborhood. The conditions include:

- **Prohibition of air conditioning units on the east side of the structure.**
- **Specification that the home office is not for human habitation.**
- **Requirement for closed windows when the office is in use.**
- **Abandonment of the curb cut on Academy Lane.**
- **Stipulation that the home office is for the use of the owners and not commercially rented out.**
- **Prohibition of exterior lighting on the east side of the structure.**

(made by: Brescher) (seconded by: Marcklinger)

Vote:

Carried 5-0// McCarthy, Brescher, Marcklinger, O'Mara, Botticelli (Aye)

3. 15-23 Allan and Darina McKelvie

6 Candle House Lane

Williams

Voting: McCarthy, Brescher, O'Mara, Marcklinger, Botticelli

Alternates: Mondani, Poor

Recused: None

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

Representing: **Linda Williams**

Public: None

Discussion: **Williams** presented an application 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).

Motion: **Board** discussion ensued during which they reviewed the prior approved application and conditions A and B. **Motion to approve the requested relief with the conditions within the staff memo, which include:**

- **Demolition of the existing garage.**
- **Proposed reconstruction to be in substantial conformity with plans approved by the Nantucket Historic District Commission (COA numbers HTC 20239 9140 and HDC 20239 9147).**
- **Project completion in accordance with the site plan dated August 16, 2017, prepared by Black Bon Associates.**
- **No further alterations within the 5-foot required side setback without additional relief from the Zoning Board of Appeals.**
- **Adherence to existing conditions from the original decision.**

(made by: Brescher) (seconded by: O'Mara)

Vote: Carried 5-0// McCarthy, Brescher, O'Mara, Marcklinger, Botticelli (Aye)

4. 16-23 Lee and Priscilla Saperstein 20 New Street Williams

Voting: Brescher, O'Mara, Marcklinger, Botticelli, Mondani

Brescher disclosed that he filled out a conflict-of-interest form because the Saperstein's, who are his wife's clients, asked for advice regarding whether the application needed to go before the Board of Appeals. Despite this connection, Brescher believed there was no conflict of interest and nevertheless submitted a disclosure for the appearance of a conflict-of-interest. He expressed a willingness to recuse himself if anyone on the board or in the audience disagreed with his assessment.

Alternates: Poor

Recused: McCarthy

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

Representing: **Linda Williams**

Public: None

Discussion: **Williams** presented an application 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).

Motion: **Motion to approve as submitted, including the existing conditions with the exception of D and F** (made by: Marcklinger) (seconded by: O'Mara)

Vote: Carried 5-0// Brescher, Marcklinger, O'Mara, Botticelli, Mondani (Aye)

5. 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).

Voting: McCarthy, Brescher, O'Mara, Marcklinger, Botticelli

Alternates: Mondani, Poor

Recused: None

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

Representing: **Steven Cohen** presented an application 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). **Cohen** mentioned that in order to get to a Board of Health solution, it would be better if it were just one lot as opposed to two.

- Public: **Don Bracken, Bracken Engineering**, provided the following history and insight:
- Board of Health approved a gray water system using the existing septic system when it was initially considered one lot.
 - During the 4181L process, the property was unintentionally made non-compliant from a Title 5 standpoint.
 - Lack of documentation for a shared system or easement caused compliance issues, despite being under the same ownership.
 - The gray water system failed, prompting the need for a solution.
 - The speaker realized they had to seek a variance from the Board of Health for a shared system or an easement.
 - Due to limited space and a well in the neighborhood, having separate systems was impractical.
 - A plan was developed, including reducing the cottage's bedrooms and implementing an advanced IA system for shared use.
 - The shared system, under single ownership, was seen as environmentally preferable and more manageable.
 - The goal was to address compliance issues created inadvertently during the 4181L process and improve the overall situation.
- Discussion: **Marcklinger** – stated that the Board of Health doesn't require an easement if both lots have the same owner.
- Suggested that the process could proceed independently without permission but acknowledged potential challenges with zoning ground cover variance.
- Motion: **Motion to grant the requested variance relief at 2:43:08 due to the unique shape, structures on the lot, and soil conditions, as discussed. It is acknowledged that literal enforcement of the provisions of the chapter would cause substantial hardship. This relief can be granted without substantial detriment to the public good or without nullifying or deviating from the intent of the bylaw. It is proposed that this relief is granted with the condition that there shall be no further subdivision of this lot without additional relief from the Zoning Board of Appeals.** (made by: Brescher) (seconded by: Marcklinger)
- Vote: Carried 5-0// McCarthy, Brescher, Marcklinger, O'Mara, Botticelli (Aye)

IV. OTHER (VOTES MAY BE TAKEN)

1. 2024 Zoning Board of Appeals Meeting Schedule

- Discussion:
- The suggestion was made to move the October meeting to the 17th next year, aligning with the proposed change to the filing date, which is September 15th.
 - The December meeting's filing date, originally set for November 11th (Veterans Day), was discussed. It was proposed to move it to November 4th, allowing for the required two weeks of legal notice and accommodating the preference for Monday meetings.

V. ADJOURNMENT (VOTES WILL BE TAKEN)

- Motion: **Motion to adjourn.** (made by: Brescher) (seconded by: O'Mara)
- Vote: Carried 5-0// McCarthy, Brescher, Marcklinger, O'Mara, Botticelli (Aye)

MINUTES

12/14/23



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, December 14, 2023

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

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

I. CALL TO ORDER:

Called to order at 1:06 pm and Announcements made by Ms. McCarthy

Staff in attendance: Nicky Sheriff, Administrative Specialist; William Saad, Land Use Specialist

Attending Members: McCarthy, Allen, O'Mara, Brescher, Marcklinger, Poor, Mondani

Remote attendance: None

Absent: Botticelli

Late Arrivals: -

Early Departures: -

Town Counsel: -

II. APPROVAL OF AGENDA

Motion: Motion to Approve the agenda, as drafted. (made by: O'Mara) (seconded by: Brescher)

Vote: Carried unanimously

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

03-22 9 Thirty Acres LLC

9 Thirty Acres Lane

Alger

The Applicant is required to review with the Board all conditions set forth in the Decision in Zoning Board of Appeals File No. 03-22 at a Public Hearing pursuant to condition 19 of the Employee Dormitory Management Plan attached to the Decision as "Exhibit I". This review may result in additional conditions and or requirements being imposed by the Board. Locus is situated at 9 Thirty Acres Lane, shown on Assessor's Map 67, Parcel 115.7, and as Lot 3 upon Plan File 48-G. Evidence of owner's title is recorded in Book 1894, Page 54 on file at the Nantucket Country Registry of Deeds. The site is zoned Commercial Neighborhood (CN).

Voting:	McCarthy, Allen, Brescher, Marcklinger, O'Mara
Alternates:	Mondani, Poor
Recused:	None
Documentation:	File with associated plans, photos, correspondence and required documentation
Representing:	Sarah Alger / Jaime Strobino, Partner with Brotherhood of Thieves
Public:	-
Discussion: (13:10)	Strobino - Provided update to the Board on current conditions of the employee dormitory. Santamaria - Affirmed the accuracy of Mr. Strobino's statements regarding the on-site meeting to discuss property issues. - Expressed appreciation for the efforts and progress in addressing the issues at the property. - Acknowledged the planned installation of a fence and expressed gratitude for its implementation. - Noted the high usage of bike racks and commended the innovative use of hoverboards for transportation. - Appreciated the collaborative efforts and positive direction towards a compromise. - Requested the completion of the pending task, which is the relocation of the trash can to address concerns about odor and proximity.

	- Highlighted the impact of the trash bin's current location, especially in the summer. - Conveyed gratitude for the progress made in addressing the community's concerns. Strobino - Confirmed that the recycle bin (trash can) will be moved to the opposite side and not near any property. Allen (16:22) - Critiqued the current recycling system, emphasizing the confusion for those unfamiliar with recycling concepts. - Suggested labeling the recycling bin explicitly as "recycling only" for clarity. - Proposed a larger recycling bin, as the existing one is insufficient and results in issues like an open lid when items are forced in. - Highlighted problems with the current setup, including the risk of crows and seagulls spreading litter due to the inadequate size and security of the recycling bin. - Asserted the need for a more secure lid, even if the bin is relocated near a dumpster, as the current arrangement is deemed ineffective. - Noted concerns about the material and placement of trash bins impacting the likelihood of rats getting into them. - Suggested that a trash bin made of pine and sitting on the ground is more susceptible to rat access. - Emphasized the effectiveness of containers on casters, particularly those made of metal, in preventing rats from gaining access. - Encouraged careful consideration of the material and design of trash bins to address potential rat-related issues effectively. Board discussion ensued during which they: - Proposed proactive measures to address potential issues with garbage handling at the beginning of the season. - Suggested issuing photographs showcasing how the garbage is managed to abutters, ensuring transparency and early awareness. - Emphasized the importance of informing abutters promptly rather than waiting for complaints to arise. - Recommended a deadline of May 1st for providing documentation on garbage management to avoid delays in addressing any concerns. - Speculated that handling this issue administratively may be sufficient, with no need to return to the board unless problems persist.
Motion:	Motion to conclude the review with the condition that the applicant submits a report to staff with photos of the trash, fence, and parking, by May 1, 2024, and setting another meeting to review the status in November 2024. (made by: Brescher) (seconded by: Allen) (26:19)
Vote:	Carried 5-0 // McCarthy, Allen, Brescher, Marcklinger, O'Mara

Continued to January 11, 2024

The 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).

Voting:	McCarthy, Allen, O'Mara, Mondani, Poor
Alternates:	-
Recused:	None
Documentation:	File with associated plans, photos, correspondence and required documentation
Representing:	-
Public:	-
Discussion:	-
Motion:	Motion to continue to January 11, 2024. (made by: Allen) (seconded by: Mondani) (32:56)
Vote:	Carried 5-0 // McCarthy, Allen, O'Mara, Mondani, Poor

Continued to January 11, 2024

The 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).

Voting:	McCarthy, Allen, Brescher, Mondani, O'Mara
Alternates:	Poor
Public Comment:	Arthur Reade , Represents Joanne Bennet - Abutter - Shared the client's perspective on the ongoing case, having followed it since its original placement on the agenda in June. - Noted the inconvenience faced by the clients due to the continuous postponements, especially without apparent explanations. - Expressed agreement with the suggestion for a new notification and notice to abutters. - Described the irregularity of the case being continued multiple times without clear presentations or explanations to the board. - Acknowledged the willingness to allow the case to be continued today but supported the idea of imposing a shorter timeline and a more proactive approach from the applicant moving forward.
Discussion: (27:34)	Saad - Noted that the applicants had requested a continuance, and an extension until the end of January 2024 was granted for the action deadline. - Expressed the original intention to have the applicants present at the current meeting to discuss matters with the board. - Mentioned the representative's communication about being unable to attend the current meeting. - Highlighted the board's usual practice of granting continuances upon request.

	- Opened the possibility of the board being more assertive about attendance in January, based on their preference. McCarthy - Advocated for revisiting the discussed matters in January. - Acknowledged the historical practice of granting continuances but pointed out the extended duration of these cases. - Expressed agreement with the view that these cases have been lingering for an extended period and occupying agenda space. - Proposed a reassessment in January to address the extended timeline and potential resolutions for the pending matters. Saad - Referenced past board discussions on the matter from a few years ago, as found in the minutes. - Noted the original plan to require re-noticing abutters if the applicants sought a decision from the board. - Highlighted the prolonged period of being on hold, deeming it unfair without adequate progress or resolution. - Indicated a commitment to fairness in the process and a consideration for the rights of all involved parties.
Motion:	Motion to continue. (made by: Brescher) (seconded by: Allen)
Vote:	Carried 5-0 // McCarthy, Allen, Brescher, Mondani, O'Mara

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

18-23 7 I Street, LLC

7 I Street

Thornewill

The Applicant is seeking a Modification to the previously issued Special Permit in ZBA File No. 077-12. Pursuant to Nantucket Zoning Bylaw Section 139-33.A.(1)(a) to change the use of the preexisting nonconforming garage to a secondary dwelling. Locus is situated at 7 I Street, shown on Assessor's Map 59.4, Parcel 74, and shown as Lots 46, 57, and 68 on Land Court Plan 3092-S. Evidence of owner's title is registered on Certificate Title No. 28515 with the Nantucket County District of the Land Court. The site is zoned Village-Residential (VR).

Voting:	McCarthy, O'Mara, Marcklinger, Poor
Alternates:	Mondani
Recused:	Brescher
Documentation:	File with associated plans, photos, correspondence and required documentation
Representing:	Luke Thornewill – Agent, Maureen Dunphy - Homeowner
Public:	Maureen Dunphy , Homeowner -
Discussion: (37:44)	The Board - Pointed out the perception that the structure is being used as a bedroom and for overnight stays during the summer, constituting human habitation. - Noted the contradiction with the permit, which specifies that the structure is not intended for human habitation. - Recognized the need for clarification on the actual usage of the space and suggested a potential need for forgiveness or understanding based on the perceived discrepancy. Poor - Provided clarification on the bedroom cap, stating that the Board of Health typically considers any structure with a full bath as having one bedroom. - Explained that the determination is based on the presence of a full bathroom rather than the overall space. - Emphasized the importance of septic capacity in relation to the number of bedrooms when considering the Board of Health's perspective on such structures.

	Allen - Questioned if there are two storage trailers on the property. Dunphy - Confirmed the presence of trailers on the property. - Identified the purpose of each trailer, including one for the boat, and one open trailer for transporting items between home and the property. Marcklinger - Questioned the use of the shed and if there is an outdoor shower. Dunphy - Confirmed that the shed is for storage and that there is no plumbing in the shed. McCarthy - If supportive of the applicant's request, a finding could be made that the proposed change from a garage studio to a secondary dwelling aligns with the general purpose and intent of the bylaw. - Emphasized that the non-conforming setback distances are not increasing and would not be substantially more detrimental to the neighborhood than the existing non-conformity. - Suggested potential conditions, including no further expansion without additional relief from the ZBA. Poor - Proposed a condition that the proposed changes to the structure should conform to the certificate of appropriateness, specifying the relevant number. Allen - Stated a condition regarding the shed, clarifying that it should have no plumbing and no outdoor shower, even if shown on the plan.
Motion:	Motion to approve, with conditions. (made by: Poor) (seconded by: O'Mara) (53:20)
Vote:	Carried 4-1 // McCarthy, Allen, O'Mara, Poor // Marcklinger (Nay)

19-23 2 Easton Street LLC & Nantucket Boat House LLC

2 & 6 Easton Street

Hunton

The Applicants are seeking Special Permit Relief pursuant to Nantucket Zoning Bylaw Sections 139-33A(1), 139- 30, and 139-22(D) to reconfigure a preexisting nonconforming residential pier. Locus is situated at 2 & 6 Easton Street, shown on Assessor's Map 42.1.4, Parcels 8 & 9, and as Lot 2, Plan Book 18 Page 160 and Lot 1, Plan Book 18 Page 160. Evidence of owner's title is recorded in Book 1398, Page 329, and Book 1518, Page 251 on file at the Nantucket Country Registry of Deeds. The site is zoned Residential 1 (R-1).

Voting:	McCarthy, Brescher, O'Mara, Marcklinger
Alternates:	Mondani, Poor
Recused:	None
Documentation:	File with associated plans, photos, correspondence and required documentation
Representing:	Cole Bateman/Michele Hunton
Public:	
Discussion: (57:42)	Bateman - Affirmed that Coast Guard was notified during the abutter process for the licenses or permits. - Mentioned the need for two additional permits: one from the Army Corps and a minor modification to the Chapter 91 license. - Clarified that the Governor has already signed the license, and the request is for a minor modification, making it a simpler administrative process. Saad - Noted that there was no negative correspondence received from anyone, including abutters. - Clarified that there were no responses from the Natural Resources department. - Confirmed the absence of letters or communications from abutters expressing concerns. - Highlighted the multiple notifications provided to the Coast Guard regarding the matter.

	Mondani - Questioned the construction methods for installing the new pier. Bateman - Confirmed the existence of an existing bulkhead. - Clarified that the proposed action involves maintaining the existing bulkhead by installing an additional layer seaward of it. - Indicated that the purpose includes raising the bulkhead by 1 foot for considerations related to coastal resiliency. - Mentioned that despite the modifications, the area would still be accessible from the barge used for construction. - Clarified that the proposed modification does not extend in plan view. - Explained that while the appearance of the ramp may change due to raising, the flow remains at the same height. - Indicated that the purpose of the change is to provide safe access to the flow and maintain consistency with the Chapter 91 license. - Highlighted that the modification involves installing a 30-foot gateway, consistent with the existing footprint of 24 feet. McCarthy - Staff recommended approval based on specific findings. - Findings include that proposed alterations are not substantially more detrimental than the existing non-conforming structure and do not result in a net increase of the structure's existing footprint. - Emphasized that the alterations are not more detrimental to the marine environment than the existing structure. - Suggested condition for consideration: The project should be completed in accordance with the plan titled "Plan showing proposed dock improvements prepared for 2 Easton St. LLC," dated November 13th, 2023, and prepared by Coastal Engineering Co. - Reiterates Finding #2 regarding the lack of a net increase in the structure's existing footprint. - Clarification sought on who will be writing the decision, potentially Saad or the applicant's attorney. - Expresses the need for assurance that the decision will encompass all technical details and reference the decisions made by other boards and agencies. - Stresses the importance of the decision referencing the technical aspects that have been thoroughly reviewed by other relevant entities. - Indicates a desire for the decision to align with and acknowledge the comprehensive reviews carried out by other boards and agencies.
Motion:	Motion to approve the relief based off of findings and conditions. (made by: O'Mara) (seconded by: Allen) (1:08:00)
Vote:	Carried 5-0 // McCarthy, Allen, Brescher, O'Mara, Marcklinger

20-23 5 Amelia Drive, LLC

5 Amelia Drive

Reade

The Applicant is seeking a Modification to the previously issued Variance in ZBA File No. 025-06. Pursuant to Nantucket Zoning Bylaw Section 139-32 to allow the construction of a permanent roof over the patio area. Locus is situated at 5 Amelia Drive, shown on Assessor's Map 67, Parcel 435, and shown as Lot 24 upon Plan File 30-D. Evidence of owner's title is recorded in Book 1906, Page 49 on file at the Nantucket Country Registry of Deeds. The site is zoned Commercial Neighborhood (CN).

Voting:	McCarthy, Allen, Brescher, O'Mara, Marcklinger
Alternates:	Mondani, Poor
Recused:	None
Documentation:	File with associated plans, photos, correspondence and required documentation

Representing:	Arthur Reade / Jenn King
Public:	-
Discussion: (1:12:16)	McCarthy - Sought clarification on whether the proposed new structure would maintain proximity to the front yard lot line, staying approximately two feet away. - Inquired about the intended function of the structure, asking about the number of seats and whether it was planned as a restaurant or if it offered takeout food. Reade - Confirmed that the lot line was to remain in the same location and would not be moving. King - Stated that it was not going to be a restaurant of any form. What was allowed was essentially take-out and vending machines that were stocked by makers and the people using the kitchens. - Mentioned that a few tables would be allowed for meetings, where makers could sit down and individuals who purchased items from a food locker could eat. - Clarified that there was no table service planned. Allen - Suggested removing the awning and replacing it with a permanent roof. McCarthy - Addressed the previous structure, the awning was in place, extending over the concrete slab that nearly reached the edge of the sidewalk. - Wondered why the outdoor area, now devoid of the awning and permanent structures, couldn't have been made to conform with the front yard setback. The question revolved around the need to maintain the setback intrusion when the metal structures were no longer present. - Expressed confusion about the necessity to retain the setback intrusion on the flat slab surface after the removal of the awning and permanent structures. - Suggested an alternative approach where the outdoor space conforms to the front yard setback, allowing for benches or other amenities for people to enjoy their food locker lunches. Reade - Explained that it gave them a lot less room to operate, especially if it was cut back. - Emphasized the idea of having something over the heads of the people with the awning and now the roof. - Pointed out that the unpredictable and sometimes unpleasant weather necessitated having something over the area to enable its use. - Noted their entitlement to continue using the awning but expressed agreement with the suggestion that the roof is a better solution. McCarthy - Discussed the argument made in the original decision for having the awning, citing the need for parking spaces and the absence of an alternative space for people to sit. - Noted the potential change in how the building is used, focusing on creating a space for people to sit, talk, and meet, rather than table service. - Raised the possibility of utilizing the back of the building for this purpose, considering the potential change in the parking calculation with fewer people coming and going. - Questioned the necessity of maintaining the porch area and permanent structure in the front yard setback, suggesting that the original hardship might be minimized or lessened. Reade: - Mentioned the Planning Board review for the entire project, highlighting the need for all available parking spaces. - Asserted the limitations on adding the proposed structure to any other part of the building, explaining that it wouldn't work well elsewhere.

	- Argued that the addition was an improvement on the existing situation, with the existing awning being entitled to remain. - Referenced the Planning Board's favorable consideration of the project but acknowledged the need for a variance amendment, leading to the return to the current board. McCarthy - Clarified that the decision stated the awning should be located no closer than two feet from the front yard lot line or along Amelia Drive. - Pointed out the condition in the decision that required further relief from the board if the applicant proposed converting the cloth awning and framework into a more permanent overhanging structure. - Argued that the change from a seasonal awning to a permanent structure warranted reconsideration of the two-foot intrusion requirement and suggested that further relief might be necessary. Allen - Inquired about the depth of the proposed permanent covered porch from the edge of the road to the front door. - Expressing a preference for it to become a permanent architectural feature and covered area while also agreeing that it should comply with setbacks. - Requested information on the difference in footage if the porch were pulled back to conform to the setback. Reade - Examined the plan and estimated that the proposed depth, reduced by 8 feet, would be approximately 18 to 20 feet instead of the current 26 to 28 feet. Allen - Expressed the opinion that it's reasonable to ask the applicant to adhere to the setback with the new permanent structure. - Pointed out that 18 feet should be sufficient for meetings and other activities involving people inside the building. - Stated that conforming to the front yard setback with the permanent structure wouldn't impact parking or other aspects on other sides of the building. McCarthy - Emphasized the perspective that if there's an opportunity to alleviate zoning intrusion or nonconformity, it's the board's responsibility to consider it. - Acknowledged that the proposal for a permanent structure changes the context from the original awning. - Expressed support for the idea of conforming to the setback, considering it a better option for the neighborhood, particularly given the heavy traffic and burden on Amelia Drive during the summer. Allen - Commented on the design perspective, stating that it would still look great as a permanent structure with a 5-foot setback. - Expressed confidence in the ability of the designer to create an aesthetically pleasing structure within the specified setback. - Emphasized that 18 feet is a substantial amount of space, especially when compared to a smaller setback like three feet. Marcklinger - Considered the trade-off between what the applicant is losing in terms of space and what they are gaining with a permanent structure. Mondani - Although not voting on this item, stated that he would be in support of not granting the change as is. Reade
--	---

	- Proposed the idea of requesting a continuance to January 11, 2024, to allow the client time to reassess and decide how to proceed. - Acknowledged the impact of the current discussion on the previously obtained Planning Board approval.
Motion:	Motion to grant continuance. (made by: Allen) (seconded by: Marcklinger) (1:30:59)
Vote:	Carried 5-0 // McCarthy, Brescher, Allen, O'Mara, Marcklinger

V. OTHER (VOTES MAY BE TAKEN)

051-03 Paul and Louise Laudano 10 Fox Grape Lane/Rugged Scott a/k/a Beach Plum 40B

The Applicant seeks a determination that proposed changes to the architectural plans approved with the Comprehensive Permit, as amended, may be considered insubstantial pursuant to 760 CMR 56.05 (11)(a)(b), and as such, may be authorized by the Zoning Board of Appeals. The proposed changes consist of the installation of an inground swimming pool upon Market Rate Lot 6, also known as 10 Fox Grape Lane of the 40B development known as Beach Plum Village.

Voting:	McCarthy, Allen, O'Mara, Marcklinger, Mondani
Alternates:	Poor
Recused:	Brescher
Documentation:	File with associated plans, photos, correspondence and required documentation
Representing:	Paul Laudano
Public:	-
Discussion: (1:34:55)	Saad - Explained that the current situation involves a change to the overall site plan. - Referred to the Board's history of ruling on various changes within the context of a 40B development. - Emphasized that any change to a lot within the 40B structure will trigger a determination process. Mondani - Acknowledged that the change is substantial on an existential level. - Highlighted the approval of other similar changes within the development. McCarthy - Indicated that if deemed insubstantial, it doesn't involve a public hearing. - Mentioned HDC approval and past similar findings for pools and spas. - Supported the applicant's request, citing six previous instances of similar decisions. - Proposed a finding that the proposal, with the condition of compliance with setbacks, may be considered an insubstantial modification.
Motion:	Rollcall motion to determine if the request is insubstantial. (1:43:42)
Vote:	Carried 5-0 // McCarthy, Allen, O'Mara, Marcklinger, Mondani
Motion:	Rollcall motion to authorize the Chair to sign a letter memorializing the board's decision that the request and application for 10 Fox Gray Plane is an insubstantial modification to the comp permit and the plan. (1:44:19)
Vote:	Carried 5-0 // Allen, O'Mara, Marcklinger, Mondani, Poor

2024 Zoning Board of Appeals Meeting Schedule

- Discussion: McCarthy**
- Encouraged members to communicate any travel-related impacts on attendance.
 - Mentioned that as of now, there are no conflicts for herself, Joe, Mark, and Elisa.
 - Assumed that others, who did not respond, likely did not have conflicts with the existing calendar.
 - Clarified that the meeting schedule does not conflict with Veterans Day or Columbus Day.
 - Affirmed the assumption of continuing with hybrid meetings.

Motion:	Motion to approve the 2024 Zoning Board of Appeals Meeting Schedule. (made by: Allen) (seconded by: Marcklinger) (1:47:24)
Vote:	Carried 5-0 // McCarthy, Allen, Brescher, O'Mara, Marcklinger

VI. ADJOURNMENT (VOTES WILL BE TAKEN)

Motion: **Motion to adjourn. (1:49:13)**

Vote: Carried 5-0// McCarthy, Allen, Brescher, Marcklinger, O'Mara (Aye)

OLD BUSINESS

Harris on Weweeder LLC

File No. 09-22

50 Weweeder Ave

VARIANCE

Request for Withdrawal

STEVEN L. COHEN
&
CHRISTOPHER P.
CHOMA TRUST

File No. 20-22

29 MONOMOY ROAD

VARIANCE

From: [Steven Cohen](#)
To: [William Saad](#)
Subject: RE: ZBA file # 20-22, 29 Monomoy Road
Date: Tuesday, November 28, 2023 9:19:57 PM
Attachments: [image001.png](#)

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.

sure

From: William Saad <wsaad@nantucket-ma.gov>
Sent: Monday, November 27, 2023 10:37 AM
To: Steven Cohen <steven@cohenlegal.net>
Subject: RE: ZBA file # 20-22, 29 Monomoy Road

Do you think it's worth updating the Board at the December meeting and requesting a further continuance?

From: Steven Cohen <steven@cohenlegal.net>
Sent: Monday, November 27, 2023 10:30 AM
To: William Saad <wsaad@nantucket-ma.gov>
Subject: RE: ZBA file # 20-22, 29 Monomoy Road

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.

We have made some progress, but it involves buying land from the abutter that had to go through a land court process.

From: William Saad <wsaad@nantucket-ma.gov>
Sent: Monday, November 27, 2023 9:57 AM
To: Steven Cohen <steven@cohenlegal.net>
Subject: ZBA file # 20-22, 29 Monomoy Road

Hi Steven,

Has there been any progress with the application for 29 Monomoy Road? If not, I kindly request that you withdraw this application.

Best,

[Billy Saad](#)
Zoning Administrator/Land Use Specialist

wsaad@nantucket-ma.gov
Town of Nantucket

Planning & Land Use Services
2 Fairgrounds Road
Nantucket, MA 02554

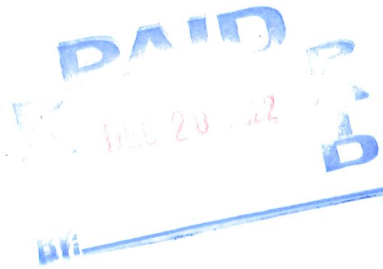
Tel: 508-325-7587 X 7071
Fax: 508-325-5346
www.nantucket-ma.gov



Town & County of
NANTUCKET, MA

PREVIOUS MATERIALS

2BA



NANTUCKET
TOWN CLERK

2022 DEC 20 AM 11:04

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

APPLICATION

Fee: \$450.00

File No. 20-22

Owner's name(s): Steven L. Cohen and Christopher P. Choma, Trs. of the 29

Monomoy Road Nominee Trust, U/D/T dated November 30, 2015

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: 29 Monomoy Road Assessor's Map/Parcel: 54/209

Plan: Lots 10 + 11 on LC Plan 10937-C Certificate of Title: 22883

Zoning District: LUG-1

Uses on Lot- Commercial: None

Residential: Number of dwellings One Duplex Apartments

Date of Structure(s): all pre-date 1972 No or 2016

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: Steve Chen Owner*

SIGNATURE: Steve Chen 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: / / __

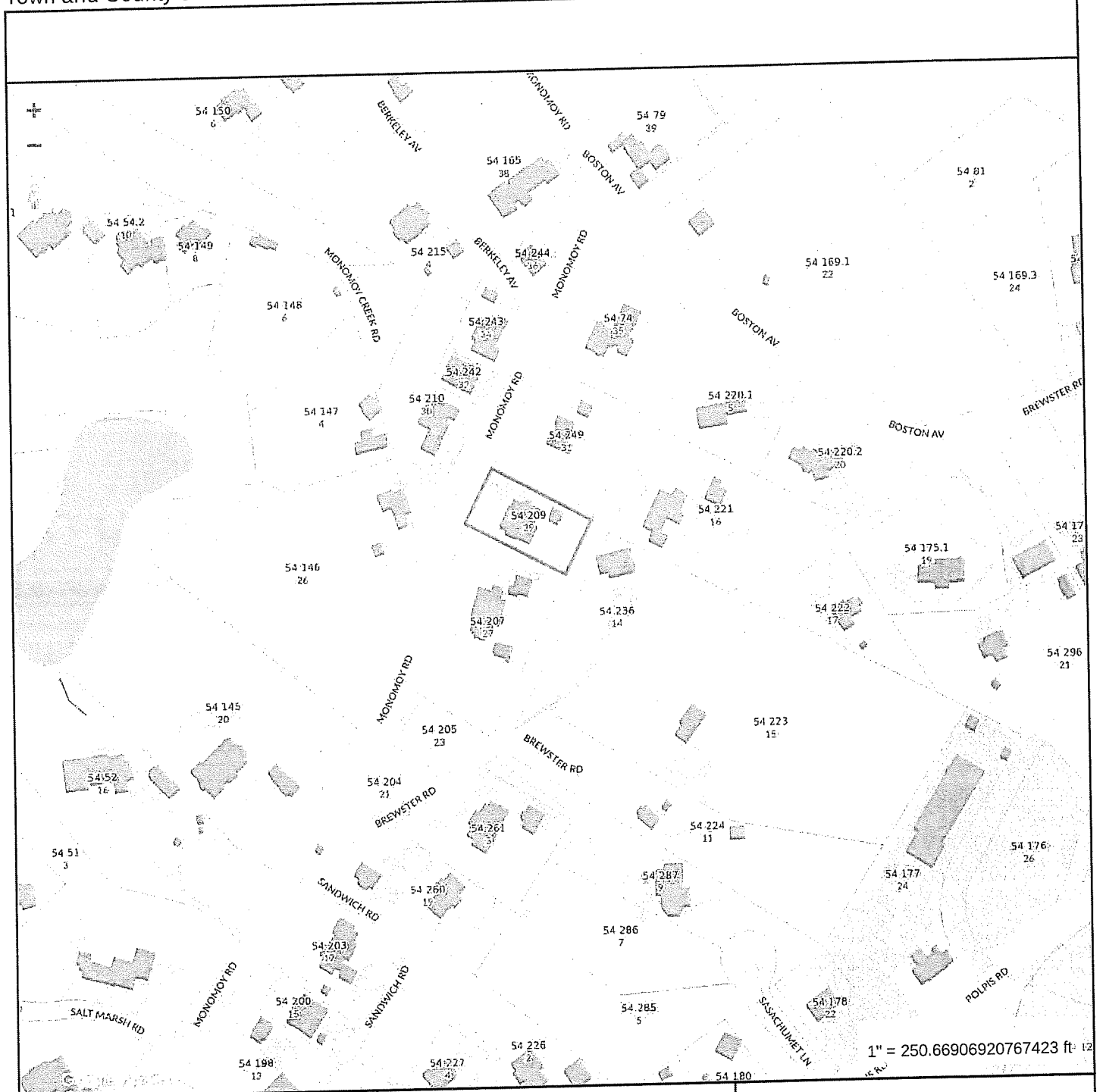
ADDENDUM:

The locus, 29 Monomoy Road, is an undersized lot of 20,000 SF in the Limited Use General - 1 (LUG-1) Zoning District. It is shown on Assessor's Map 54 as Parcel 209 and as Lots 10 and 11 on Land Court Plan No. 10937-C at the Nantucket Registry District of the Land Court. Evidence of Applicant's ownership is at Certificate of Title No. 22883. The premises contains a single-family dwelling with 1,496 SF of ground cover, where 1,500 SF is allowed by Zoning Bylaw Section 139-33.E.1.B, as an alternative to the 7% allowed under Section 139-16. The lot is preexisting nonconforming as to lot area, where 40,000 SF of lot area is required, but is otherwise dimensionally conforming.

The Applicant is a contract purchaser for 5,400 SF of land from the rear abutter to the south-east, 14 Brewster Road. However, 29 Monomoy Road and 14 Brewster Road are separated by a former paper road, the former Orleans Avenue, which was Taken by *Eminent Domain* by the Town in July of 2015, see Document No. 148654. The Yard Sale of this land to the Applicant has been stalled at the Land Court for seven years. As shown on Plan 2015-18, when the process is completed, the Applicant will be able to acquire 7,125 SF of land from the Town. When the private sale and the Yard sale acquisitions are completed, the Applicant will have a lot of 32,525 SF, with an allowed ground cover by right of 2,276.75 SF, a difference of 780.75 SF from the ground cover existing on the lot.

The Applicant is a certain acquirer of the Yard Sale land, as the *only* abutter. Applicant has delayed building an accessory structure on this lot for 7 years, waiting for the Yard Sale process to be completed. Due to the shape of the lot and the temporary non-contiguity of the abutting lots, Applicant seeks relief by Variance pursuant Zoning By-law Section 139-32 from the provisions of Section 139-16 to allow for the use of the ground cover that will be available by right when the Yard Sale is completed.

This Variance would allow the Applicant to move forward with long-delayed plans for a garage and storage structure, which has been a significant burden on the Applicant, and would be a benefit to the neighborhood by encouraging a significant reduction of the lot size nonconformity. Literal application of the ground cover ratio to the pre-Yard Sale lot line does not serve the intent of the bylaw, as the Applicant is attempting to substantially cure a nonconformity and is being delayed at the Land Court. Relief may therefore be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the bylaw.



Property Information

Property ID 54 209
Location 29 MONOMOY RD
Owner COHEN STEVEN L TR



MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

Town and County of Nantucket, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

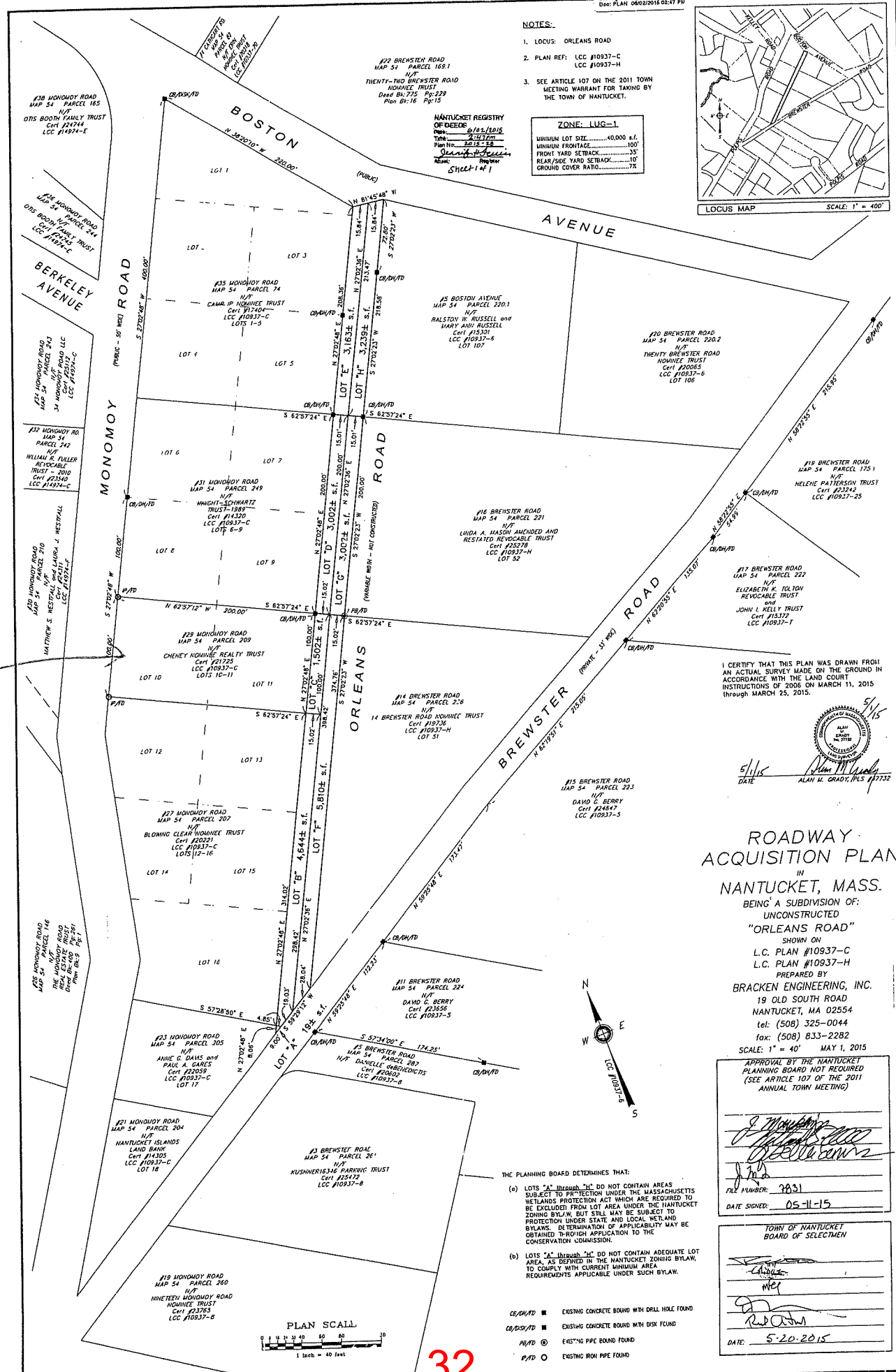
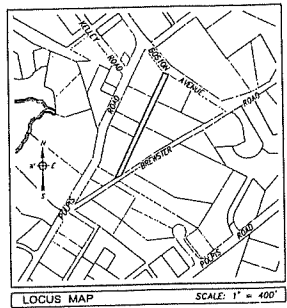
Geometry updated 11/14/2022
Data updated Jan. 2021

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

- NOTES:
1. LOCUS: ORLEANS ROAD
 2. PLAN REF: LCC #10937-C
LCC #10937-H
 3. SEE ARTICLE 107 ON THE 2011 TOWN MEETING WARRANT FOR TAKING BY THE TOWN OF NANTUCKET.

ZONE: LUG-1

MINIMUM LOT SIZE	40,000 s.f.
MINIMUM FRONTAGE	100'
FRONT YARD SETBACK	35'
REAR/SIDE YARD SETBACK	10'
GROUND COVER RATIO	7%



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 MARCH 11, 2015 THROUGH MARCH 25, 2015.

5/1/15
DATE

ALAN H. GRADY, PLS #17732

ROADWAY ACQUISITION PLAN IN NANTUCKET, MASS.

BEING A SUBDIVISION OF:
UNCONSTRUCTED
"ORLEANS ROAD"
SHOWN ON
L.C. PLAN #10937-C
L.C. PLAN #10937-H
PREPARED BY
BRACKEN ENGINEERING, INC.
19 OLD SOUTH ROAD
NANTUCKET, MA 02554
tel: (508) 325-0044
fax: (508) 833-2282
SCALE: 1" = 40' MAY 1, 2015

APPROVAL BY THE NANTUCKET PLANNING BOARD NOT REQUIRED (SEE ARTICLE 107 OF THE 2011 ANNUAL TOWN MEETING)

[Signature]
PLN NUMBER: 7831
DATE SIGNED: 05-11-15

TOWN OF NANTUCKET BOARD OF SELECTMEN

[Signature]
DATE: 5-20-2015

- THE PLANNING BOARD DETERMINES THAT:
- (a) LOTS "A" THROUGH "C" 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 BYLAW, BUT STILL MAY BE SUBJECT TO PROTECTION UNDER STATE AND LOCAL WETLAND BYLAWS. DETERMINATION OF APPLICABILITY MAY BE OBTAINED THROUGH APPLICATION TO THE CONSERVATION COMMISSION.
 - (b) LOTS "A" THROUGH "C" DO NOT CONTAIN ADEQUATE LOT AREA AS DEFINED IN THE NANTUCKET ZONING BYLAW, TO COMPLY WITH CURRENT MINIMUM AREA REQUIREMENTS APPLICABLE UNDER SUCH BYLAW.

- LEGEND:
- CR/DH/DT ■ EXISTING CONCRETE BOUND WITH DRILL HOLE FOUND
 - CR/BS/DT ■ EXISTING CONCRETE BOUND WITH DISK FOUND
 - PH/DT ○ EXISTING PPE BOUND FOUND
 - P/DT ○ EXISTING IRON PIPE FOUND

THIS PLOT PLAN WAS PREPARED FOR DISCUSSION PURPOSES ONLY & MAY NOT BE APPROVED. IT SHOULD NOT BE CONSIDERED A PROPERTY LINE SURVEY. THIS PLAN SHOULD NOT BE USED TO ESTABLISH PROPERTY LINES, FENCES, HEDGES OR ANY ANCILLARY STRUCTURES ON THE PREMISES. THE PROPERTY LINES SHOWN RELY ON CURRENT DEEDS AND PLANS OF RECORD.

THIS PLOT PLAN IS NOT A CERTIFICATION AS TO TITLE OR OWNERSHIP OF THE PROPERTY SHOWN. OWNERS OF ADJOINING PROPERTIES ARE SHOWN ACCORDING TO CURRENT ASSESSOR RECORDS. LAYOUT SHOWN HEREON DOES NOT IMPLY CONFORMANCE WITH ZONING BYLAWS OR REGULATIONS.

SITE CONDITIONS SHOWN AS OF DECEMBER 11, 2019

CURRENT ZONING CLASSIFICATION:

Limited Use General 1 (LUG-1)

MINIMUM LOT SIZE: 40,000 S.F.

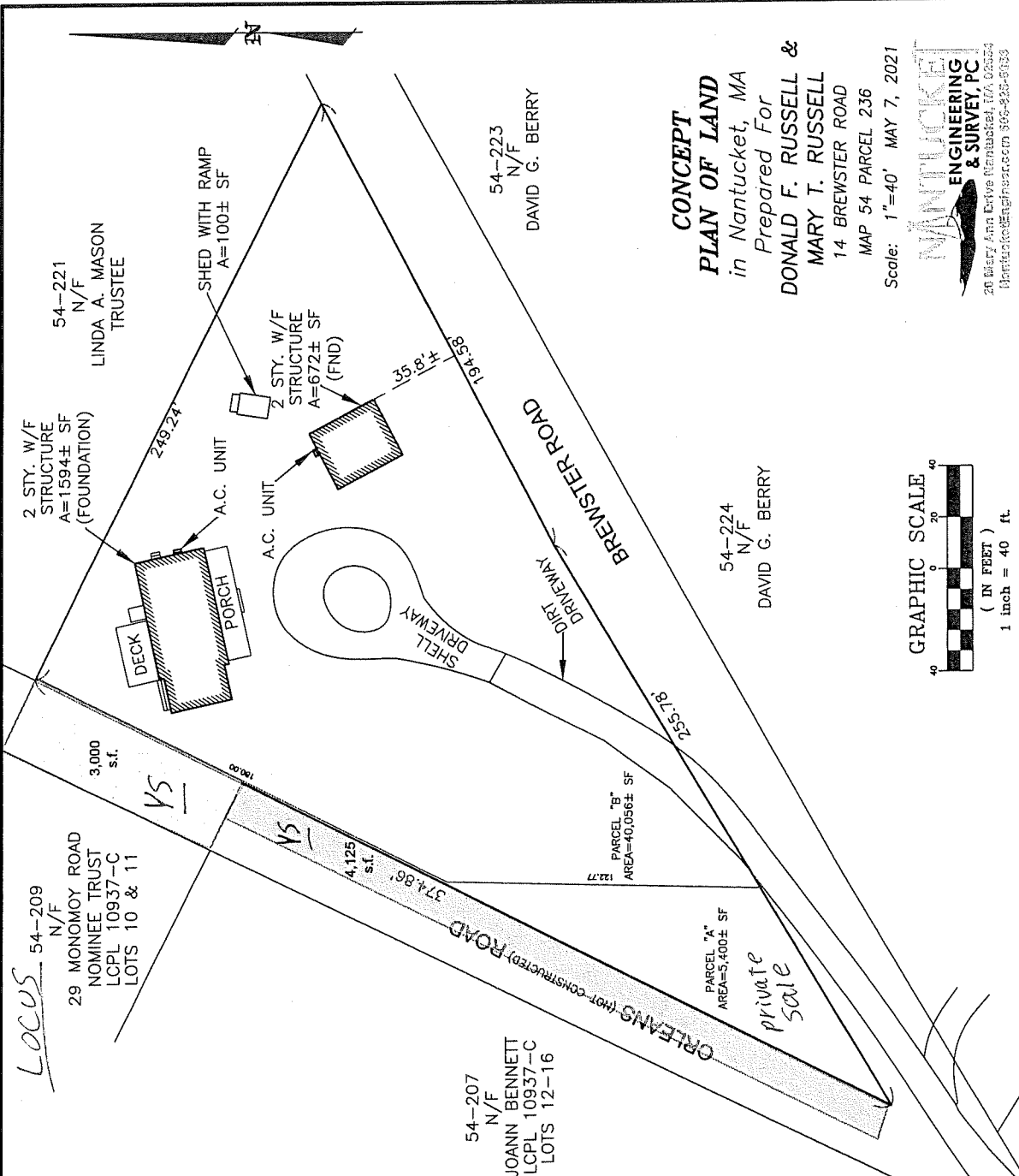
MINIMUM FRONTAGE: 100 FT.

FRONT YARD SETBACK: 35 FT.

REAR/SIDE SETBACK: 10 FT.

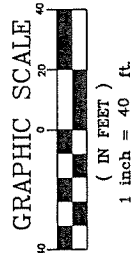
GROUND COVER % : 7%

LOT AREA = 45,456± SF



**CONCEPT
PLAN OF LAND**
in Nantucket, MA
Prepared For
**DONALD F. RUSSELL &
MARY T. RUSSELL**
14 BREWSTER ROAD
MAP 54 PARCEL 236

Scale: 1"=40' MAY 7, 2021



OWNER INFORMATION

DONALD F. RUSSELL &

MARY T. RUSSELL

CERT. 26,062

LC PLAN 10937-H, LOT 51

ASSESSOR'S MAP 54 PARCEL 236

14 BREWSTER ROAD

**NANTUCKET
ENGINEERING
& SURVEY, PC**
20 Biary Ann Drive Nantucket, MA 02554
NantucketEngineering.com 508-225-5133



2015 00148654

 Cert: 22059 Doc: OOT
 Registered: 07/23/2015 03:24 PM

COMMONWEALTH OF MASSACHUSETTS
 TOWN OF NANTUCKET
 BOARD OF SELECTMEN

ORDER OF TAKING BY EMINENT DOMAIN
 OF PORTIONS OF ORLEANS ROAD

The undersigned being the majority of the duly elected and serving members of the Board of Selectmen of the Town of Nantucket, a body politic and corporate and a political subdivision of the Commonwealth of Massachusetts, having a principal place of business at Town and County Building, 16 Broad Street, Nantucket, Massachusetts ("Town"), acting by authority of Massachusetts General Laws Chapter 40, § 14 and Chapter 79, as amended, Article III, Section 3.3 of the Town Charter, St. 1996, c. 289, § 1, and the vote adopted by the Town on Article 107 at its 2011 Annual Town Meeting, a certified copy of which is attached hereto, and by virtue of every other power and authority hereto enabling us, having complied with all the preliminary requirements prescribed by law, having determined that the taking of the fee in those certain parcels of land comprising portions of Orleans Road described below ("Parcels") is required for general municipal purposes and/or public access purposes, do hereby adopt and decree this Order of Taking on behalf of the Town and do hereby take from the supposed owners of the Parcels, those who hold easements and other rights to the Parcels, and all their successors, heirs and assigns, as their interests may appear, by the right of eminent domain, the fee in the Parcels, including but not limited to all rights of passage, if any, as follows:

The land shown on a plan of land entitled "Roadway Acquisition Plan in Nantucket, Mass., Being a Subdivision of Unconstructed "Orleans Road," prepared by Bracken engineering, Inc., dated May 1, 2015 recorded with Nantucket county Registry of Deeds as Plan No. 2015-28(the "Plan") and consisting of the following Parcels described on the Plan:

<u>Parcel</u>	<u>Address/Location</u>	<u>Area ±</u>
Lot A	Orleans Road	19 s.f.
<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 54, Parcel 205	Anne G. Davis and Paul A. Gares	Certificate of Title No. 22059

<u>Parcel</u>	<u>Address/Location</u>	<u>Area ±</u>
Lot B	Orleans Road	4,644 s.f.

<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 54 Parcel 207	Whitney A. Gifford, Trustee of Blowing Clear Nominee Trust u/d/t dated February 20, 2002 filed with Nantucket Registry District of the Land Court as Document No. 96048	Certificate of Title No.20221 ✓

<u>Parcel</u>	<u>Address/Location</u>	<u>Area ±</u>
Lot C	Orleans Road	1,502 s.f.

<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 54, Parcel 209	Wendy R. Cheney and Mack L. Cheney, Trustees of Cheney Nominee Realty Trust u/d/t dated February 4, 2005 evidenced by Trustee's Certificate Under G.L. c. 184, s. 35 filed with said Registry District as Document No. 111398	Certificate of Title No. 21725 ✓

<u>Parcel</u>	<u>Address/Location</u>	<u>Area ±</u>
Lot D	Orleans Road	3,002 s.f.

<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 54, Parcel 249	C. Ethelind Knight-Schwartz, Trustee of Knight-Schwartz Trust-1989 u/d/t dated November 20, 1989, filed as Document No. 49258 with said Registry District of the Land court, as amended by by trust agreement filed as Document No. 91598 filed with said Registry District	Certificate of Title No.14320 ✓

<u>Parcel</u>	<u>Address/Location</u>	<u>Area ±</u>
Lot E	Orleans Road	3,163 s.f.

<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 54, Parcel 74	Suzanne Rinfret Moore, Trustee of Camp IP Nominee Trust u/d/t dated June 26, 1996 evidenced by Trustee's	Certificate of Title No. 17404 ✓

Certificate Under M.G.L. c. 184, s.35 filed with
Said Registry district as Document No. 118352

<u>Parcel</u>	<u>Address/Location</u>	<u>Area±</u>
Lot F	Orleans Road	5,810 s.f.
<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 54, Parcel 236	Christopher Rich and John F. Rich, Trustees of the 14 Brewer Road Nominee Trust u/d/t dated October 16, 2000 filed as Document No. 91174 with said Registry District	Certificate of Title No. 19736 ~

<u>Parcel</u>	<u>Address/Location</u>	<u>Area±</u>
Lot G	Orleans Road	3,002 s.f.
<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 54, Parcel 221	<i>Linda A. Mason, Trustee</i> Linda A. Mason Amended and Restated Revocable Trust Agreement u/d/t Dated May 15, 2014 evidenced by a Trustee's Certificate Pursuant to M.G.L. c. 184, s. 35 filed as Document No. 145255 with said Registry District	Certificate of Title No. 25278 ~

<u>Parcel</u>	<u>Address/Location</u>	<u>Area±</u>
Lot H	Orleans Road	3,239 s.f.
<u>Assessor ID</u>	<u>Supposed Owner (s)</u>	<u>Title Reference</u>
Map 54, Parcel 220.1	Wynnemer, LLC	Certificate of Title No. 25622 ~

Any and all trees, vegetation, structures and improvements at the Parcels are included in this Order of Taking.

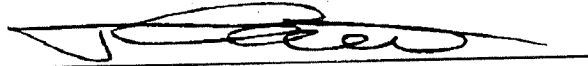
The damages sustained by the supposed owner(s) listed above by reason of this taking of the Parcels are valued and awarded in a resolution of even date adopted by the Board of Selectmen in accordance with Massachusetts General Laws Chapter 79, as amended.

If any party named hereinabove as an owner of any Parcels taken hereby is not a true owner of said Parcels, then the award is made only to the true owner(s) of said Parcels.

(Remainder of Page Intentionally Blank. Signatures Follow on Next Page.)

Adopted under seal this 22 day July, 2015

TOWN OF NANTUCKET
BY ITS BOARD OF SELECTMEN



Robert DeCosta



Matthew G. Fee



Rick Atherton



Tobias B. Glidden

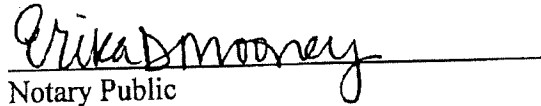


Dawn E. Hill Holdgate

COMMONWEALTH OF MASSACHUSETTS

Nantucket County, ss

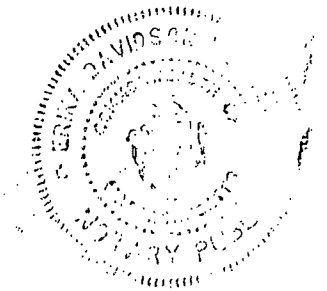
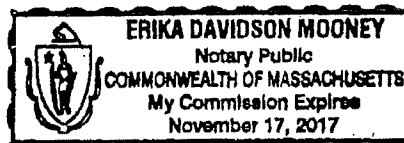
On this 22 day of July, 2015, before me, the undersigned notary public, personally appeared Robert DeCosta, Matthew G. Fee, Rick Atherton, Tobias B. Glidden and Dawn E. Hill Holdgate as members of the Board of Selectmen of the Town of Nantucket, proved to me through satisfactory evidence of identification, which was personal knowledge of the undersigned, to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose as the free act and deed of the Board of Selectmen of the Town of Nantucket.



Notary Public

My commission expires:

526544/NANTYDSALE/0001





Town of Nantucket

♦♦♦♦♦

OFFICE OF THE TOWN & COUNTY CLERK

16 Broad Street
NANTUCKET, MASSACHUSETTS 02554-3590

Catherine Flanagan Stover, MMC, CMMC
Town & County Clerk

(508) 228-7216

FAX (508) 325-5313

Home: (508) 228-7841

Email: cstover@nantucket-ma.gov

townclerk@nantucket-ma.gov

WEBSITE: <http://www.nantucket-ma.gov>

♦♦♦♦♦

April 19, 2011

TO WHOM IT MAY CONCERN:

I, Catherine Flanagan Stover, duly elected Clerk of the Town and County of Nantucket, hereby certify that the April 4, 2011 ANNUAL TOWN MEETING adopted **Article 107: "Real Estate Acquisition: Various "Paper" Streets"** at the April 4, 2011 adjourned session when ...the adoption of all articles not heretofore acted upon as recommended by the Finance Committee, or as recommended by the Planning Board was duly motioned and seconded.

VOTE: The vote on the motion pursuant to Article 107 as moved by the Finance Committee, was by Unanimous Voice Vote. The motion was adopted.

Catherine Flanagan Stover, MMC, CMMC
Town and County Clerk

ARTICLE 107

(Real Estate Acquisition: Various "Paper" Streets)

To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift or eminent domain, for public ways, open space and/or general municipal purposes the fee title or lesser interests, together with any public and private rights of passage, in all or any portions of the following unconstructed right of ways:

- Proprietors Road in the Shimmo area known as Gardner Road bounded by the northeastern lot line of Parcels 131, 132, 133, the northeastern sideline of South Valley Road, the northeastern lot line of Parcels 134 and 135, the southeastern sideline of North Road, the southwestern lot line of Parcels 85, 86, and 92, and the northwestern lot line of Parcel 96; all as shown on Assessor Map 43;
- Vestal Street bounded by the southern sideline of Dukes Road, the northern lot line of Parcels 244, 267 and 268, a line extending across Vestal Street from the northeastern corner of Parcel 268 to the southeastern corner of Parcel 246, and the southern sideline of Parcels 246 and 245; all as shown on Assessor Map 56;
- Pollock (a.k.a. Pollack) Avenue and High Street between the southern sideline of Morgan Square and the northern sideline of Western Avenue; Morgan Square bounded by a line extending the southern sideline of Brooks Avenue across Morgan Square, the western and southern lot lines of Parcel 3.4, the southern lot line of Parcel 3.3, a line extending the eastern lot line of Parcel 3.3 across Morgan Square; a northern lot line of Parcel 4, the northern sideline of High Street, the northern lot line of Parcel 91, the northern sideline of Pollock (aka) Pollack) Avenue and the western and a northern lot lines of Parcel 86; and Western Avenue bounded by the southern lot lines of Parcel 93, 4, and 91 and the southern sidelines of Pollock Avenue, Washington Street and High Street, northern and western lot lines of Parcel 36, and eastern by a line extending across Western Avenue extending from the western lot line of Parcel 84; all as shown on Assessor Map 87;
- Orleans Road between the southwestern sideline of Boston Avenue and the northern sideline of Brewster Road; all as shown on Assessor Map 54;
- Hulbert Avenue Extension between a line perpendicular to the western sideline at a point where the northeast corner of Assessor Map 30 Parcel 49 intersects Hulbert Avenue Extension to Nantucket Sound;
- Sherburne Turnpike-Lot P-5 as shown on a plan entitled "Proposed Modification of Sherburne Turnpike (a.k.a. Sherburne Avenue) dated February 2007, by Blackwell and Associates, Inc." and on file at the Nantucket Registry of Deeds at Plan No. 2008-62;

And, to see if the Town will vote to appropriate, borrow pursuant to applicable statute or transfer from available funds, a sum of money for such purposes.

All as shown on a map entitled "2011 Annual Town Meeting Warrant Article 107" dated January 2011 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

(Board of Selectmen)

FINANCE COMMITTEE MOTION: Moved that the Board of Selectmen be authorized to acquire by purchase, gift or eminent domain, for public ways, open space and/or general municipal purposes the fee title or lesser interests, together with any public and private rights of passage, in all or any portions of the following unconstructed right of ways identified in Article 107 of this Warrant, all as shown on a map entitled "2011 Annual Town Meeting Warrant Article 107" dated January 2011.

**Steven L. Cohen and Christopher P. Choma, Trs. 29 Monomoy Road
Nominee Trust, FILE NO. 22-xx**

Applicant is requesting relief by Variance pursuant to Zoning By-law 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. The property is located at 29 Monomoy Road, shown on Assessor's Map 54 as Parcel 209 and as Lots 10 + 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).

Abutters Listing

MBLU	Lot	Lot Cut	Owner Full Name	Cd-Owner Full Name	Address Line 1	City	State	Zip	Location
54	74		WILMOT MARK S		33-35 MONOMOY RD	NANTUCKET	MA	02554	35 MONOMOY RD
54	147		WILLET E CROSBY & WILLET AUGUSTA W TR		2400 INDIAN CREEK BLVD WEST	VERO BEACH	FL	32966	4 MONOMOY CREEK RD
54	205		CHEEVER CONSTANCE K & DAVID TR	CHEEVER CONSTANCE K REV TRUST	23 MONOMOY RD	NANTUCKET	MA	02554	23 MONOMOY RD
54	207		BENNETT JOANN		27 MONOMOY ROAD	NANTUCKET	MA	02554	27 MONOMOY RD
54	210		WESTFALL MATTHEW S & LAURA J		1342 LACHMAN LANE	PACIFIC PALISADES	CA	90272	30 MONOMOY RD
54	215		LANDRETH ROBERT E		1600 COUNTRY CLUB RD	MIDLAND	TX	79701	4 BERKELEY AV
54	220	1	WYNNEMER LLC		65 SPRING DELL ROAD	LANCASTER	PA	17601	5 BOSTON AV
54	220	2	STAPLES GARY S TRUSTEE	TWENTY BREWSTER RD NOM TRUST	305 MARYLAND AVENUE NE	WASHINGTON	DC	20002	20 BREWSTER RD
54	221		MASON LINDA A TRUSTEE		227 GARDEN ROAD	PALM BEACH	FL	33480	16 BREWSTER RD
54	223		BERRY DAVID G		PO BOX 1288	NANTUCKET	MA	02554	15 BREWSTER RD
54	224		BERRY DAVID G		P O BOX 1288	NANTUCKET	MA	02554	11 BREWSTER RD
54	236		RUSSELL DONALD & MARY T		6391 CAICOS CT	VERO BEACH	FL	32967	14 BREWSTER RD
54	242		COPLEY MONOMOY LLC		896 BEACON STREET	BOSTON	MA	02215	32 MONOMOY RD
54	243		REDAN MONOMOY HOLDINGS LLC		1111 CAROLINE ST #2306	HOUSTON	TX	77010	34 MONOMOY RD
54	249		KNIGHT-SCHWARTZ C ETHELIND TR &	SCHWARTZ DAVID A TR	104 TIFFANY LANE	SUMMERVILLE	SC	29485	31 MONOMOY RD
Count:	15								

WILMOT MARK S
33-35 MONOMOY RD
NANTUCKET, MA 02554

BENNETT JOANN
27 MONOMOY ROAD
NANTUCKET, MA 02554

WYNNEMER LLC
65 SPRING DELL ROAD
LANCASTER, PA 17601

BERRY DAVID G
PO BOX 1288
NANTUCKET, MA 02554

COPLEY MONOMOY LLC
896 BEACON STREET
BOSTON, MA 02215

WILLET E CROSBY & WILLET AUGUSTA W
TR
2400 INDIAN CREEK BLVD WEST
VERO BEACH, FL 32966

WESTFALL MATTHEW S & LAURA J
1342 LACHMAN LANE
PACIFIC PALISADES, CA 90272

STAPLES GARY S TRUSTEE
TWENTY BREWSTER RD NOM TRUST
305 MARYLAND AVENUE NE
WASHINGTON, DC 20002

BERRY DAVID G
P O BOX 1288
NANTUCKET, MA 02554

REDAN MONOMOY HOLDINGS LLC
1111 CAROLINE ST #2306
HOUSTON, TX 77010

CHEEVER CONSTANCE K & DAVID TR
CHEEVER CONSTANCE K REV TRUST
23 MONOMOY RD
NANTUCKET, MA 02554

LANDRETH ROBERT E
1600 COUNTRY CLUB RD
MIDLAND, TX 79701

MASON LINDA A TRUSTEE
227 GARDEN ROAD
PALM BEACH, FL 33480

RUSSELL DONALD & MARY T
6391 CAICOS CT
VERO BEACH, FL 32967

KNIGHT-SCHWARTZ C ETHELIND TR &
SCHWARTZ DAVID A TR
104 TIFFANY LANE
SUMMERVILLE, SC 29485

5 Amelia Drive,
LLC

File No. 20-23

5 Amelia Drive

Modification

PREVIOUS MATERIALS



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

A P P L I C A T I O N

Fee: \$450.00

File No. 20-23

Owner's name(s): 5 Amelia Drive, LLC

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

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

Applicant's name(s): Same

Mailing Address: Same

Phone Number: Same E-Mail: Same

Locus Address: 5 Amelia Drive Assessor's Map/Parcel: 67-435

Plan File No. 30-D, Lot 24

Deed Reference Book 1906, Page 49 Zoning District Commercial Neighborhood (CN)

Uses on Lot- Commercial: Yes; see description below.

Residential: Apartments Two

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

Building Permit Numbers:

Previous Zoning Board Application Numbers: 025-06

Planning Board Application Numbers: 04-06; PLSP-2022-02-0276; PLSP-2022-11-0209

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

The building upon locus, formerly the Cinco restaurant and later the Keepers restaurant, has the benefit of a 2022 amendment by the Planning Board to the Major Commercial Development special permit to which locus is subject, converting the use to multiple commercial kitchens and a take-out station. As part of that special permit, the Planning Board authorized placing a permanent roof over a patio area at the front of the building, the patio area, covered by a cloth awning, having been authorized by variance relief granted by the Board of Appeals in File No. 025-06. The variance provided, in subparagraph 5.c, that if the then-applicant proposes to convert the cloth awning and framework into a more permanent overhanging structure, further relief from the Board of Appeals would be required in order to permit such conversion.

The Planning Board, which has jurisdiction over all special permit relief relating to this commercial structure, has authorized the permanent roof as noted above. Accordingly, the present owner requests that the Board of Appeals modify the decision in File No. 025-06 to remove subparagraph 5.c therefrom.

In the alternative, the applicant requests a modification of the variance granted in File No. 025-06 to grant relief allowing construction of the roof over the patio area, in accordance with the provisions of the Planning Board decision in its File No. PLSP-2022-11-0209.

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.

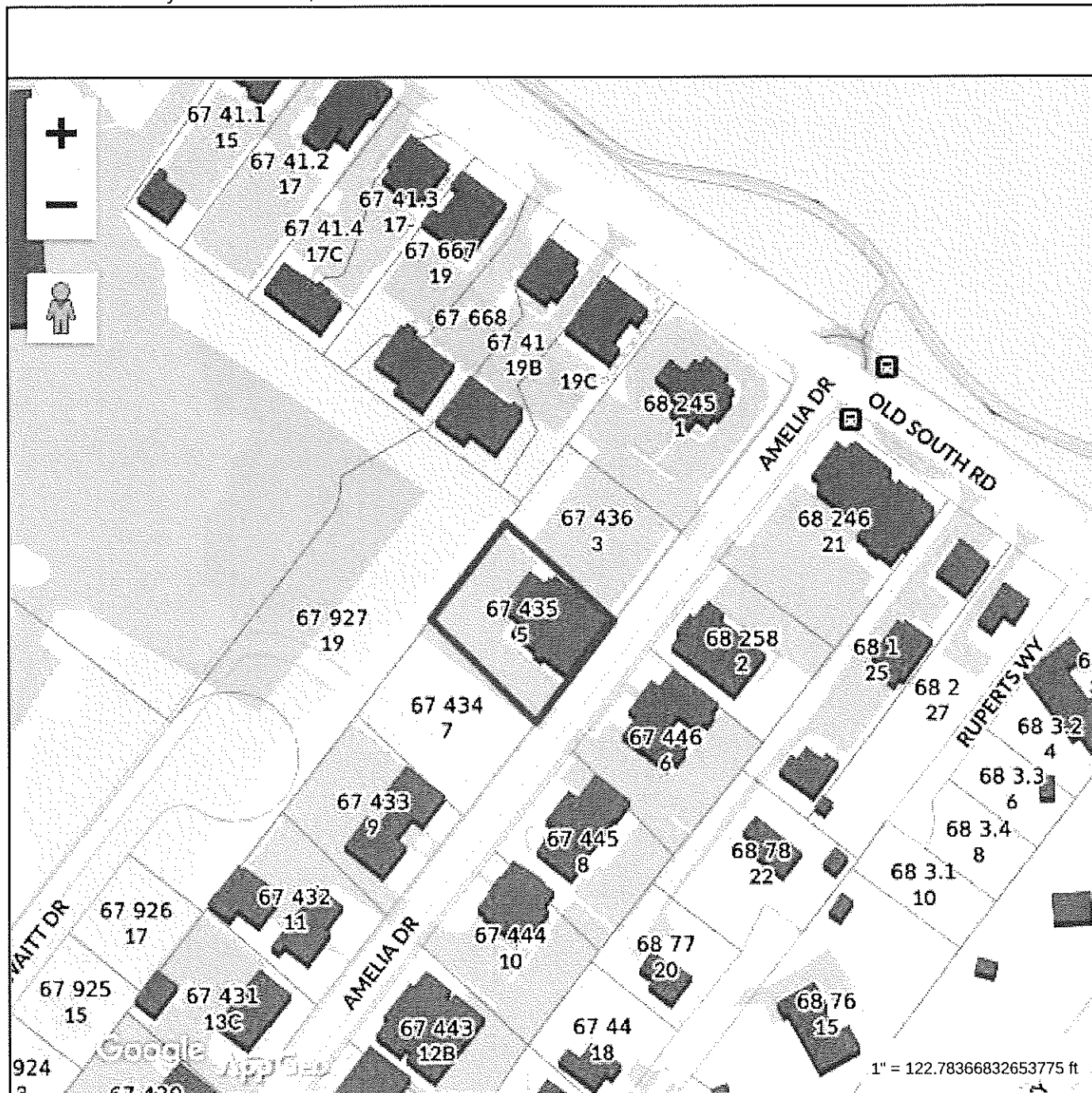
SIGNATURE: *5 Amelia Drive, LLC* Owner*

By:

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

OFFICE USE ONLY

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



Property Information

Property ID 67 435
Location 5 AMELIA DR
Owner 5 AMELIA DRIVE LLC

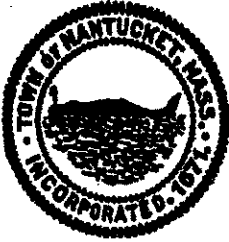


MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

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 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 BOARD OF APPEALS

NANTUCKET, MASSACHUSETTS 02554

mr
1896-73



2006 00001294

Bk: 1017 Pg: 1 Page: 1 of 4 ✓
Doc: 8P 04/13/2006 11:39 AM

Date: March 23, 2006

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

Application No.: 025-06

Owner/Applicant: Scotsam LLC

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.

[Signature]
Date Waive

Chairman
TOWN CLERK

RECEIVED
MAR 23 2 54

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.

**NANTUCKET ZONING BOARD OF APPEALS
1 East Chestnut Street
Nantucket, Massachusetts 02554**

Assessor's Map 67, Parcel 435
Book 888, Page 307
Residential-Commercial 2

Lot 24
Plan File 30-D
5 Amelia Drive

DECISION:

1. At a public hearing of the Nantucket Zoning Board of Appeals, on Friday, March 10, 2006, at 12:00 P.M., in the Selectmen's Meeting Room, in the Conference Room of the Town Building, 37 Washington Street, Nantucket, Massachusetts, the Board made the following decision on the application of **SCOOTSAM, LLC**, c/o Reade, Gullicksen, Hanley & Gifford, LLP, Post Office Box 2669, Nantucket, Massachusetts 02584, File No. **025-06**:

2. Applicant is seeking relief by **VARIANCE** pursuant to Nantucket Zoning By-law Section 139-16A (Intensity regulations - front yard setback) to allow placement of a seasonal awning over an outdoor dining area associated with the operation of the restaurant currently known as "Cinco", which would be located in the front of the structure and as close as two feet from the front yard lot line. Required front yard setback is a minimum of 20 feet. In the alternative, Applicant requests that the Board deny relief and make a finding that no such relief is necessary in that the awning is a temporary structure. The lot is conforming in all respects and the Applicant is before the Planning Board for a Major Commercial Development Special Permit due to the seating capacity sought.

The Premises is located at **5 AMELIA DRIVE**, Assessor's Map 67, Parcel 435, Plan File 30-D, Lot 24. The property is zoned Residential-Commercial-2.

3. Our decision is based upon the application and accompanying materials, and representations and testimony received at our public hearing. The Planning Board made no recommendation as there were no issues of planning concern, and the Applicant has also received favorable recommendations for the project from the Nantucket Historic District Commission and the Nantucket Board of Selectmen. There were several letters from immediate abutters and other neighbors in favor of the project on file. There was no opposition to the project, however the Zoning Enforcement Officer did state at the hearing that he felt that the awning should not be considered a temporary structure, and that variance relief, if granted, would be the appropriate form of relief.

4. Applicant, through counsel, stated that he proposes to install a cloth awning which would be attached to the front of the building along Amelia Drive, and be supported by a metal framework bolted to concrete footings. The awning would have

mesh sides, which can be lowered or raised, depending upon the weather conditions. Required awning lighting and fire safety equipment would also be included in the installation. The existing building, which is approximately eight years old, is sited about 21 feet from the front yard lot line, and the proposed awning would be sited as close as two feet from the front yard lot line. A large portion of the patio area lies unprotected within the path of the summertime prevailing southwesterly winds, and when the wind turns direction, the entire patio area is exposed and buffeted by cold northeasterly winds. Amelia Drive is a long, wide, straight roadway, with little buffering vegetation, and unlike most of the roadways outside of the downtown area, it has ample, open sidewalks on either side of it. The road is also substantially developed with commercial businesses. The Premises is currently surrounded by vacant dirt lots on either side, and another vacant dirt lot lies across the street, northeasterly from the Premises. Because of the placement of the structure in this extremely open, unprotected area, Applicant informs us that previous attempts to shelter patio seating with umbrellas and portable heating units have been unsuccessful, since the wind caused the units to topple over onto the ground or tables, causing a potential safety hazard. Given the current configuration of the structure and the parking layout to the westerly side of the structure, including handicapped parking immediately adjacent to the patio area, Applicant has no other area upon the Premises in which to reasonably accommodate the outdoor seating except in the front of the restaurant. Because of the wind conditions, Applicant's only alternative to provide a safe and convenient weather shelter for the patio area is an awning.

5. Given the somewhat permanent nature of the proposed awning, the Board was in agreement with the Zoning Enforcement Officer's position that the awning in questions did not truly constitute a "temporary structure". The Board did note that awnings by their very nature are a type of structure to provide convenient shelter from the elements, especially wind and moisture, and are structures that one would normally expect to intrude into the front yard setback and/or possibly overhang a sidewalk as is common in the downtown area. The Board also noted that there is currently pending a Town Meeting warrant article which would reduce required front yard setback in this R-C-2 zoning district from 20 feet to ten feet. The Board further notes that outdoor dining has become quite popular in the past few years, and that several restaurants scattered throughout the Island have similar awnings, in order to make outdoor dining more pleasurable for their patrons. Such structures comply with the purposes and intent of the By-law, in that they promote safety and convenience for the public, and to prohibit the Applicant from having such an awning would effectively act to prohibit Applicant's right to use its outdoor area on most evenings, causing substantial financial hardship to the Applicant. The Board therefore finds, that owing to the shape and topography of

the Premises and the structures thereon, especially affecting the Premises but not affecting generally the zoning district in which the Premises is located, a literal enforcement of the provisions of the Zoning By-law would involve substantial hardship to the Applicant, and that desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent and purpose of the By-law.

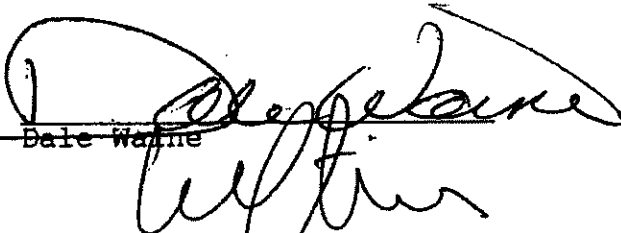
5. Accordingly, by UNANIMOUS vote, the Board GRANTS the requested relief by VARIANCE from the provisions of Zoning By-law Section 139-16A to allow the front yard setback reduction with the placement of the awning as proposed, based upon the following conditions:

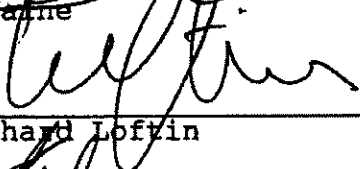
a. The awning shall be located no closer than two feet from the front yard lot line along Amelia Drive;

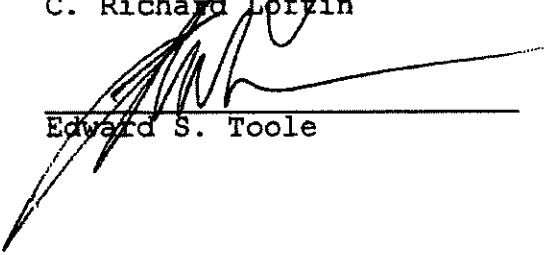
b. The awning shall be constructed in accordance with Certificate of Appropriateness No.47,634 as approved by the Nantucket Historic District Commission, and may be amended from time to time; and

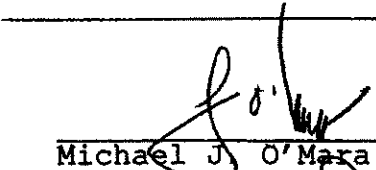
c. If at any point in the future the Applicant proposes to convert the cloth awning and framework into a more permanent overhanging structure, such as a porch or deck, further relief from this Board shall be required to permit such conversion.

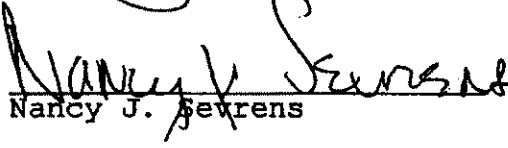
Dated: March 23 2006


Dale Wainne


C. Richard Loffin

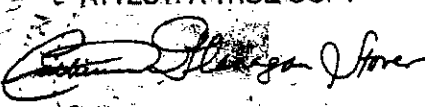

Edward S. Toole


Michael J. O'Mara


Nancy J. Sevens

NANTUCKET COUNTY Received & Entered
Attest: Joanne L. Kelleys, Register of Deeds

ATTEST: A TRUE COPY


NANTUCKET TOWN CLERK

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


TOWN CLERK

APR 13 2006



Bk: 1017 Pg: 5 Page: 1 of 4
Doc: 6P 04/13/2006 11:39 AM



4329 SCOOTSAM, LLC
(CINCO)
5 AMELIA DRIVE
3/22/2006 DECISION / SPECIAL
PERMIT

Nantucket Planning Board

APPROVAL OF A SPECIAL PERMIT FOR A MAJOR COMMERCIAL DEVELOPMENT

CINCO

Special Permit #04-06

Owner/Applicant: Scootsam, LLC
Nantucket Registry of Deeds Plan File 30D, Lot 24
Tax Assessors Map 67 Parcel 435

March 13, 2006

NANTUCKET
TOWN CLERK

06 MAR 22 P3:14

RECEIVED

PROPOSAL

The Nantucket Planning Board at its February 27, 2006 meeting considered the application of Scootsam, LLC for a Major Commercial Development (MCD) Special Permit pursuant to section 139-11 of the Nantucket Zoning Bylaw. The plans were also considered pursuant to the following sections of the Nantucket Zoning Bylaw:

- 139-9 Residential Commercial-2 (RC-2) zoning district;
- 139-18 Off-Street Parking Requirements;
- 139-19 Screening of Parking Areas; Driveways; Lighting;
- 139-20 Off-Street Loading Facilities;
- 139-23 Major Site Plan Review;

The site is located in the RC-2 zoning district, as are all of the abutting properties. These properties are generally commercial in character.

DESCRIPTION OF THE PROPOSED PROJECT

The existing building is approximately 2,741 square feet with a restaurant on the first floor and an employee apartment on the second floor. The applicant is proposing to increase the occupancy of the existing facility, expand the existing patio and to construct a seasonal awning over the patio. The total amount of seats for the restaurant will be one hundred and four (104). No additional parking or infrastructure is proposed.

Parking

The parking requirement for the existing and proposed uses are thirty (30) spaces as follows:

- 1 space per 4 seats for the restaurant (26)
- 1 space per dwelling unit (1)
- 1 space for each 3 peak shift employees (3)

The applicant is seeking a special permit to waive eleven (11) of the required spaces. Only nineteen (19) spaces exist on the site and even without the proposed expansion, no additional parking spaces could be constructed. Although there is no on-street parking on Amelia Drive, this is an area where existing businesses have opposite hours of operation and parking areas are commonly shared.

1 East Chestnut Street Nantucket Massachusetts 02554
508.228.7233 telephone 508.228.7298 facsimile

Landscaping and Open Space

An existing privet hedge exists along the northeast and southeast sides of the property. The applicant is proposing to increase the existing landscaping along the front of the site as indicated on a plan prepared by D.T.E. and dated January 25, 2006. Additional landscaping will need to be provided along the rear of the site to ensure that the parking area is adequately screening from the abutting property.

The MCD requirement for open space is 30%. The applicant is providing 10.2% open space and is requesting a waiver for the remaining 19.8%.

Traffic

Due to the location of the site, the intensity of the use, and the number of recent traffic studies along the Old South Road corridor, the Board waived the requirement for a traffic study.

Engineering

The site is a portion of an Approval Required (AR) subdivision which was approved in 1987. The drainage system approved for that subdivision was designed to handle the stormwater runoff for all of the lots within the subdivision after build-out. Therefore, the applicant is not required to install additional drainage structures to mitigate stormwater runoff.

BASIS OF THE FINDINGS

The Board's findings and decision refer to the following plans and reports submitted by the applicant:

- Plan entitled "Planning Board Site Plan of Land in Nantucket, Massachusetts" pages 1 of 1, prepared for Scootsam LLC, prepared by Charles W. Hart & Associates, Inc, dated February 17, 2006;
- An untitled landscape plan prepared by D.T.E. dated January 25, 2006;

Findings were also based upon:

- An application to the Planning Board for a Special Permit dated January 26, 2006;
- A staff memorandum dated February 27, 2006;
- Representation, and testimony received in connection with the public hearing held on February 27, 2006;
- Other letters and assorted documents that are on file with the Planning Board.

FINDINGS

Based on review of this application in accordance with the Nantucket Zoning Bylaw, plans and other materials submitted by the applicant, and testimony received at the public hearings, the Planning Board finds that:

- The proposal complies with the local bylaws of the Town of Nantucket and/or applicable provisions of the Massachusetts General Laws;
- Public amenities and abutting properties have been adequately protected by:
 - The creation of buffers between the site and surrounding properties;
 - The increased landscaping along the frontage of the site minimize the impact to surrounding properties and enhance the streetscape of Amelia Drive;
- Safety and convenience of pedestrian and vehicular movement within the site and in relation to rights-of-way and properties in proximity will not be significantly impacted:
 - The driveway and the parking area for the proposed MCD currently exist, therefore there will be no additional impacts.
- Sewage and refuse disposal, drainage of surface and subsurface water is adequate;
- Off-street parking and loading are adequate:
 - The site plan indicates a loading zone which meets the standards of Zoning Bylaws section 139-20B(2);
 - Although the applicant is requesting a waiver for eleven (11) parking spaces, this is an area where businesses have varying hours of operation and the parking areas are shared;
- Traffic and safety upon public and private public rights-of-way have been minimized by the following measures:
 - On-site employee housing reduces vehicle trips to the site;

- The applicant has agreed to provide Nantucket Regional Transit Authority (NRTA) passes to his employees;
- The water supply system is adequate:
 - The existing water connection to the site will not need to be altered as a result of this MCD;
- The project will not place excessive demands on Town services or infrastructure:
 - The site is located on a private road which is maintained by a Homeowners/Business Owners Association;
 - This MCD is an expansion of business and based on the representations made by the applicant, should have no significant impact on Town services

DECISION

The Planning Board is required to render a decision on the application based on Zoning Bylaw section 139-11 and the following:

- 139-9 Residential Commercial 2 (RC-2) zoning district;
- 139-18 Off-Street Parking Requirements;
- 139-19 Screening of Parking Areas; Driveways; Lighting;
- 139-20 Off-Street Loading Facilities;
- 139-23 Major Site Plan Review;

Based on the foregoing description, findings, and the above referenced documents, the Nantucket Planning Board hereby **APPROVES** this application based on a 5-0 vote in favor of approval.

The Board's approval is conditioned upon compliance with the "Description of Proposed Project" and "Findings" as set forth in this decision, and as shown on the plans referenced herein. The Planning Board also sets forth the following conditions:

1. That the applicant be granted special permits from the following sections of the Zoning Bylaw:

- | | |
|------------|--|
| 139-11G(3) | Open Area for Major Commercial Developments
Waiver GRANTED – the applicant is proposing a substantial amount of landscaping along the frontage of the site. The streetscape of Amelia Drive will be enhanced by the proposal; |
| 139-18B(2) | Parking Requirements
Waiver GRANTED – the site is located in an area where parking areas are shared and hours of operation vary; |
| 139-19.1.1 | Screening
Waiver PARTIALLY GRANTED – the applicant is proposing sufficient screening along the front of the site and it would be impossible for the applicant to screen the parking spaces adjacent to the shared driveway. However, no screening is proposed along the rear of the site where approximately eleven (11) parking spaces are located. The applicant shall provide screening which meets the requirements of the Zoning Bylaw; |
| 139-23 | Major Site Plan Review
Waiver GRANTED – the site is already developed and the proposal will have a minimal impact to the existing infrastructure. |

2. That one (1) bike rack shall be permitted to the rear of the building for the use of the employees;
3. That all employees be issued Nantucket Regional Transit Authority (NRTA) passes annually;
4. That the employee housing unit be subject to use restrictions limiting occupancy to a maximum of five (5) employees of the restaurant operator. This shall be secured by a covenant filed with the Registry of Deeds, a copy of which shall be presented to the Planning Board within ninety (90) days from issuance of a Building Permit;

5. That the Board reserves the right to reopen the public hearing at any time and impose additional conditions, such as a reduction of seating either interior or exterior, if the Board finds that the use of the site is more intense than the parking can accommodate; and
6. That a final as-built of all site improvements be submitted by the applicant prior to the issuance of a Certificate of Occupancy.

RECORD OF VOTE

On February 27, 2006 the Planning Board voted 5-0 to **APPROVE** this Major Commercial Development Special Permit. On March 13, 2006 the Planning Board voted 4-0 to **ENDORSE** this decision and the plan entitled "Planning Board Site Plan of Land in Nantucket, Massachusetts" prepared for Scootsam LLC, prepared by Charles W. Hart & Associates., dated February 17, 2006.

Francis T. Spriggs *3/14/06*
Francis T. Spriggs APPROVED

Sylvia Howard
Sylvia Howard APPROVED

John McLaughlin
John McLaughlin APPROVED

Barry G. Bector
Barry G. Bector APPROVED

Charity Benz *3/14/06*
Charity Benz APPROVED

COMMONWEALTH OF MASSACHUSETTS

Nantucket, SS

March 14, 2006

On the 14 day of March, 2006, before me, the undersigned notary public,

personally appeared Francis Spriggs, one of the above-named members of the Planning Board of Nantucket, Massachusetts, personally known to me to be the person whose name is signed on the preceding document, and acknowledged that he/she signed the foregoing instrument voluntarily for the purposes therein expressed.

Leslie Erin Woodson
Notary Public



LESLIE ERIN WOODSON
Notary Public
Commonwealth of Massachusetts
My Commission Expires
December 22, 2011

My Commission Expires

ATTEST: A TRUE COPY

Christine Blum
NANTUCKET TOWN CLERK

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

Christine Blum
TOWN CLERK

4 of 5

APR 13 2006

NANTUCKET COUNTY Received & Entered
Attest: Joanne L. Kelley, Register of Deeds

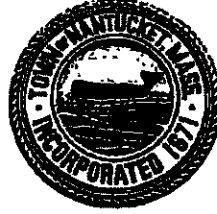


2022 00001503

Bk: 1896 Pg: 73 Page: 1 of 3
Doc: SP 05/20/2022 01:43 PM

NANTUCKET
TOWN CLERK

2022 MAR 30 PM 2:45



Nantucket Planning Board

**APPROVAL OF A SPECIAL PERMIT FOR A
MODIFICATION (#1) TO AN EXISTING
MAJOR COMMERCIAL DEVELOPMENT "MCD"
Planning Board File #PLSP-2022-02-0176**

Applicants:

Sabrina Dawson and Gaven Norton, owners of "Keepers Restaurant"

Owner:

Amelia Drive, LLC

5 Amelia Drive

Nantucket Tax Assessors Map 67, Parcel 435
Commercial Neighborhood ("CN") zoning district

Deed Book 1281, Page 331

Lot 24, Plan File 30-D

Nantucket Registry of Deeds

Previously Granted Special Permits Shown As:

Planning Board File #04-06, Book 1017, Page 5

Zoning Board of Appeals File #025-06, Book 1017, Page 1

Nantucket Registry of Deeds

March 14, 2022

Proposal and Description of Project

The Nantucket Planning Board held a public hearing on March 14, 2022, to consider the application of Sabrina Dawson and Gaven Norton (the "Applicants") to modify an existing Major Commercial Development ("MCD") Special Permit pursuant to Sections 139-11 ("Major Commercial Development"), 139-30 ("Special Permits"), and 139-33A ("Pre-Existing Non-Conforming") of the Zoning Bylaw. The Applicant proposes to eliminate an existing interior take out space and increase the existing allowable seating capacity by 31 interior seats, from 104 total seats to 135 total seats. It is noted that the use of a "Large Restaurant" is pre-existing non-conforming, as the site used to be located within the Residential-Commercial-2 ("RC-2") district.

Sabrina Dawson and Gaven Norton "Keepers Restaurant" – Special Permit "MCD" Modification #1 – 5 Amelia Drive

Pursuant to section 139-18, one (1) on-site parking space per three (3) seats is required. This would require an increase of ten (10) additional parking spaces. The Applicant is requesting that the Board grant a waiver of the on-site parking requirements due to the close proximity of a public, Town-owned, parking lot.

Basis of the Findings

A public hearing was held on March 14, 2022, at which time the Planning Board heard testimony from the Applicant. The Planning Board based their decision on the following documents:

- An Application for an Amendment to a Previously Granted Special Permit, received by the Planning Office on February 17, 2022;
- An interior seating plan prepared by Chip Webster;
- Staff Report dated March 11, 2022;
- Representation and testimony received in connection with the public hearing held March 14, 2022; and
- Other assorted documents and plans on file with the Planning Board.

The Planning Board closed the public hearing on March 14, 2022. Minutes from the March 14, 2022 Planning Board meeting are on file with Planning and Land Use Services.

Findings

At the March 14, 2022 public hearing, the Board found that the proposed MCD modification is in harmony with the purposes and intent of the Zoning Bylaw and meets the intent of the MCD Guidelines as amended through July 29, 2002 and adopted by the Planning Board. Additionally, the Board found that granting relief of the parking requirement is not contrary to sound traffic and safety considerations due to the site abutting a public parking lot.

Decision

Based on the foregoing proposal, findings, and the above referenced documents, the Nantucket Planning Board hereby APPROVES this application as proposed and GRANTS the above Special Permit Modification. The Planning Board's approval is conditioned upon compliance with the "Proposal and Description of Project" and "Findings" as set forth in this Decision, and as shown in the Site Plan referenced herein. The Board sets forth the following condition:

- 1) That with the elimination of the indoor take-out space, the seating capacity shall be increased to a total of 135 seats.

SIGNATURE PAGE TO FOLLOW

Record of Vote:

On March 14, 2022, the Planning Board voted 5-0 to **APPROVE** the request for a Modification to an existing Major Commercial Development "MCD" Special Permit and voted 5-0 to **ENDORSE** this decision.

John Trudel, III APPROVE

David Iverson APPROVE

Fredrick McClure APPROVE

Nathaniel Lowell APPROVE

Barry Rector APPROVE

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

MAY 20 2022

Nancy Z. Holmes

COMMONWEALTH OF MASSACHUSETTS

Nantucket, SS

March 24, 2022

On the 24th day of March, 2022, before me, the undersigned notary public,

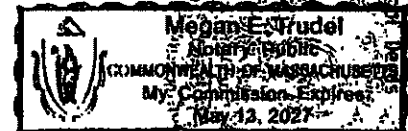
personally appeared Nathaniel Lowell, one of the above-named members of the Planning Board of Nantucket, Massachusetts, personally known to me to be the person whose name is signed on the preceding document, and acknowledged that he/she signed the foregoing instrument voluntarily for the purposes therein expressed.

Megan Trudel

Notary Public

May 13, 2027

My Commission Expires



NANTUCKET COUNTY Received & Entered
Attest: Jennifer H. Ferreira, Registrar

Sabrina Dawson and Gavin Norton "Keepers Restaurant" - 5 Amelia Drive - Modification to an Existing "MCD" (Mod #1) Special Permit

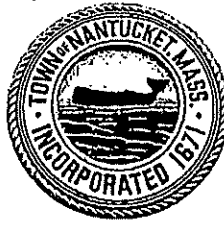


2023 00000372

Bk: 1930 Pg: 339 Page: 1 of 3
Doc: MSP 03/08/2023 10:17 AM

NANTUCKET
TOWN CLERK

2023 FEB 10 AM 10:32



Nantucket Planning Board

APPROVAL OF A SPECIAL PERMIT FOR A MODIFICATION (#2) TO AN EXISTING MAJOR COMMERCIAL DEVELOPMENT "MCD" Planning Board File #PLSP-2022-11-0209

Owner/Applicant:
5 Amelia Drive, LLC

5 Amelia Drive
Nantucket Tax Assessors Map 67, Parcel 435
Commercial Neighborhood ("CN") zoning district

Deed Book 1906, Page 49
Lot 24, Plan File 30-D
Nantucket Registry of Deeds

Previously Granted Special Permits Shown As:
Mod #1, Planning Board File PLSP-2022-02-0176, Book 1896, Page 73
Planning Board File #04-06, Book 1017, Page 5
Zoning Board of Appeals File #025-06, Book 1017, Page 1
Nantucket Registry of Deeds

November 14, 2022

Proposal and Description of Project

The Nantucket Planning Board held a public hearing on November 14, 2022, to consider the application of 5 Amelia Drive, LLC (the "Applicant") to modify an existing Major Commercial Development ("MCD") Special Permit pursuant to Sections 139-11 ("Major Commercial Development"), to the extent necessary 139-18 ("Parking Requirements"), 139-30 ("Special Permits"), and 139-33A ("Pre-Existing Non-Conforming") of the Zoning Bylaw. The Applicant proposes to convert the building from 135-seat restaurant to a facility containing five commercial kitchens, preparing food not to be consumed on the premises, together with one take-out food station, ancillary office space and storage, and two apartments on the second floor containing a total of five bedrooms.

"Food processing" is allowed by Special Permit in the "CN" zoning district and Apartments are allowed at one unit per 3,000 square ft of lot area in the "CN" zoning district; the property contains 12,979± square feet of lot area. Fifteen total parking spaces are required and sixteen parking spaces are provided.

5 Amelia Drive, LLC – Special Permit "MCD" Modification #2 – 5 Amelia Drive

Additionally, the Applicant proposed to screen and place a permanent roof over the patio area, which was permitted to be constructed within the front yard setback area by Zoning Board of Appeals Decision #0025-06, with the steps extending toward Amelia Drive.

It is noted that the prior use of a "Large Restaurant" is pre-existing non-conforming, as the site used to be located within the Residential-Commercial-2 ("RC-2") district, and the Applicant requests the right to revert back to the previously permitted uses.

Basis of the Findings

A public hearing was held on November 14, 2022, at which time the Planning Board heard testimony from the Applicant. The Planning Board based their decision on the following documents:

- An Application for an Amendment to a Previously Granted Special Permit, received by the Planning Office on October 17, 2022;
- A site plan entitled "Proposed Site Plan in Nantucket, MA", prepared for 5 AMELIA Drive, LLC by Bracken Engineering, Inc. on October 14, 2022;
- Staff Report dated November 10, 2022;
- Representation and testimony received in connection with the public hearing held November 14, 2022; and
- Other assorted documents and plans on file with the Planning Board.

The Planning Board closed the public hearing on November 14, 2022. Minutes from the November 14, 2022 Planning Board meeting are on file with Planning and Land Use Services.

Findings

At the November 14, 2022 public hearing, the Board found that the proposed MCD modification is in harmony with the purposes and intent of the Zoning Bylaw and meets the intent of the MCD Guidelines as amended through July 29, 2002 and adopted by the Planning Board.

Decision

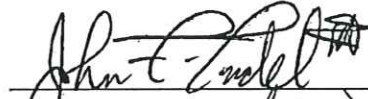
Based on the foregoing proposal, findings, and the above referenced documents, the Nantucket Planning Board hereby APPROVES this application as proposed and GRANTS the above Special Permit Modification. The Planning Board's approval is conditioned upon compliance with the "Proposal and Description of Project" and "Findings" as set forth in this Decision, and as shown in the Site Plan referenced herein. The Board sets forth the following conditions:

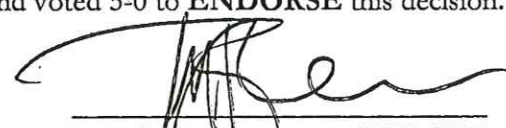
- 1) That the Applicant may revert to the previously approved uses without further relief from the Planning Board; and
- 2) That a building manager with the proper certifications shall be on site during operational hours.

SIGNATURE PAGE TO FOLLOW

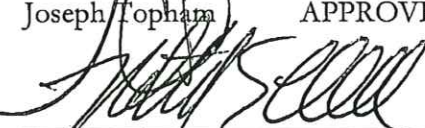
Record of Vote:

On November 14, 2022, the Planning Board voted 5-0 to **APPROVE** the request for a Modification to an Existing "MCD" Special Permit and voted 5-0 to **ENDORSE** this decision.


John Trudel, III APPROVE


Joseph Topham APPROVE


Barry Rector APPROVE


Nathaniel Lowell APPROVE


David Iverson APPROVE

COMMONWEALTH OF MASSACHUSETTS

Nantucket, SS

Dec 27, 2022

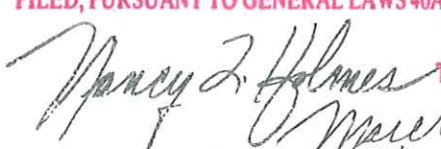
On the 27th day of December, 2022, before me, the undersigned notary public,

personally appeared Nathaniel Lowell, one of the above-named members of the Planning Board of Nantucket, Massachusetts, personally known to me to be the person whose name is signed on the preceding document, and acknowledged that he/she signed the foregoing instrument voluntarily for the purposes therein expressed.


Notary Public

May 13, 2027

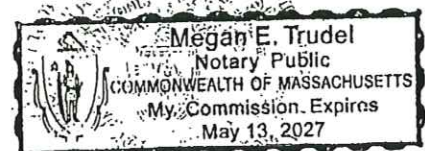
My Commission Expires
**I CERTIFY THAT 20 DAYS HAVE ELAPSED AFTER
THE DECISION WAS FILED IN THE OFFICE OF THE
TOWN CLERK, AND THAT NO APPEAL HAS BEEN
FILED, PURSUANT TO GENERAL LAWS 40A, SECTION 11**

 TOWN CLERK
March 3, 2023

ATTEST: TRUE COPY



NANTUCKET TOWN & COUNTY CLERK





Nantucket Planning Board

Application for an Amendment to a Previously Granted Special Permit

Date: October 17, 2022

Previous Planning Board File No.: PLSP-2022-02-0176

04-06

025-06 (ZBA)

2022 OCT 17 PM 2:11

NANTUCKET
TOWN CLERK

Name of Development: 5 Amelia Drive (formerly Cinco; Keepers)

Owner(s)' Name(s): 5 Amelia Drive LLC

Mailing Address: c/o Reade, Gullicksen, Hanley & Gifford, LLP, 6 Young's Way, Nantucket, MA 02554

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

Applicant's Name: Same

Mailing Address: _____

Phone number: _____ E-mail: _____

Engineer/Surveyor: Bracken Engineering, Inc.

Mailing Address: 19 Old South Road, Nantucket, MA 02554

Phone number: 508-325-0044 E-mail: _____

Location of Lots:

Street Address: 5 Amelia Drive

Tax Assessor's Map: 67 Parcel: 435

Nantucket County Registry of Deeds:

~~Certificate of Title:~~ _____ ~~Land Court Plan #:~~ _____ or

Book: 1906, Page: 49 ~~Plan Book~~ _____ ~~Page:~~ _____ or Plan File#: 30-D, Lot 24

Size of Parcel 12,979 +/- square feet

Zoning District Commerical Neighborhood (CN)

Describe proposed modification in detail:

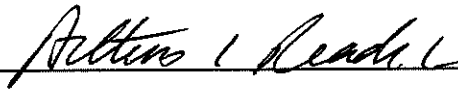
See attached addendum

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

Owner(s)' Signature(s):

5 AMELIA DRIVE, LLC

By its attorney:



Applicant's Signature:

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

Owner(s)' Signature(s):

All applications and supporting materials must be submitted "in-person" at Planning and Land Use Services and via email to mtrudel@nantucket-ma.gov

Applications must be submitted with a Town Clerk stamp.

Refer to the Fee Schedule and Meeting Schedule on the Planning Board website for fees and deadlines.

Only complete and timely applications will be accepted

ADDENDUM TO APPLICATION
OF
5 AMELIA DRIVE LLC

5 Amelia Drive LLC, as the owner of the property at 5 Amelia Drive, hereby applies for a Modification of the Major Commercial Development Special Permit granted to a predecessor in title in Planning Board File 04-06, as affected by a Variance issued by the Nantucket Zoning Board of Appeals in their File 025-06, and as amended by Modification in Planning Board File PLSP 2022-02-0176.

The applicant proposes to convert the building upon the property from a 135-seat restaurant to a facility containing five commercial kitchens, preparing food not to be consumed on the premises, together with one take-out food station, ancillary office space and storage, and two apartments on the second floor containing a total of five bedrooms.

Food processing constitutes a commercial/industrial use allowed by special permit in the CN zoning district, and accordingly the applicant requests a special permit for this use.

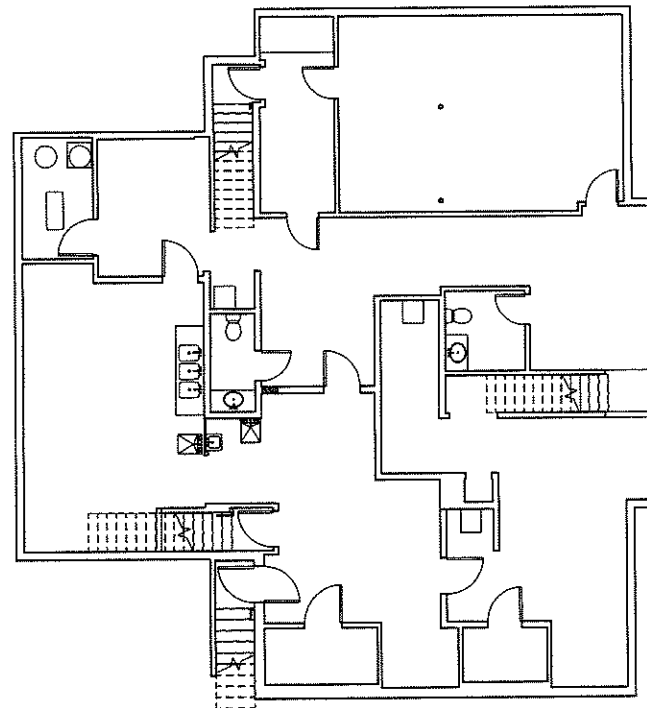
Apartments are a permitted use in the CN district, at the rate of one for each 3,000 square feet of lot area; the property contains about 12,979 square feet.

To the extent necessary, the applicant requests relief from the off-street parking requirements under Nantucket Zoning By-law §139-18. The proposed kitchens, takeout area, patio and meeting area, as shown upon the plans submitted herewith, contain 3,268 square feet. This being a commercial/industrial use not otherwise listed in the parking requirements specified in §139-18, one space is required for each 900 square feet, for a total of four spaces. Five spaces are required for the takeout station, plus one for up to three employees. The apartments require one space for each bedroom, for a total of five. The office and storage space ancillary to the principal uses does not require provision of parking spaces. Thus, a total of 15 spaces are required, as follows:

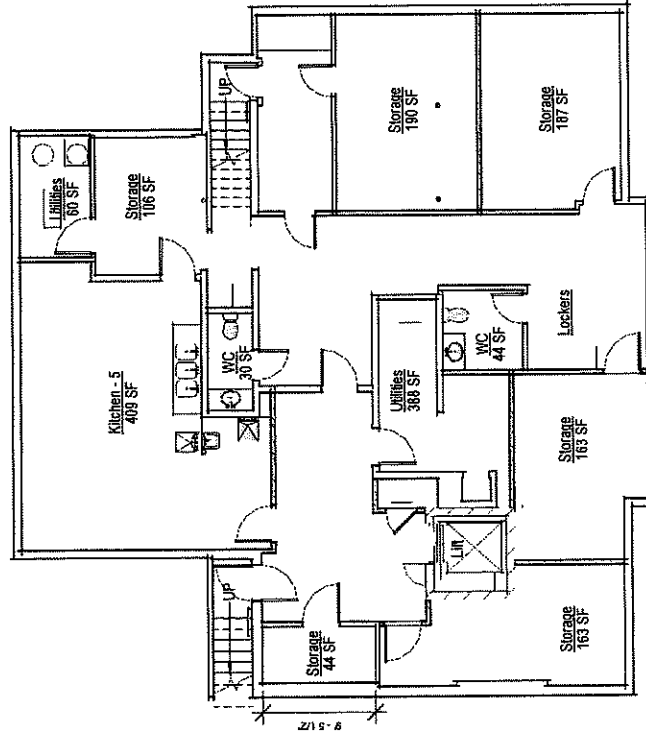
Commercial/industrial use	4
Take-out station	5
Up to 3 employees at take-out station	1
Five bedrooms in apartments	5
Total	15

The site plan prepared by Bracken Engineering, Inc., submitted herewith shows that sixteen spaces, together with a loading area (not required under present zoning provisions) are provided.

The applicant also proposes to screen and place a permanent roof over the patio area which was permitted to be constructed within the front yard setback area by Board of Appeals Decision 025-06, with steps extending toward Amelia Drive (as is the case at present).



Basement Plan - Existing
1" = 10'-0"



Basement Plan - Proposed
1" = 10'-0"

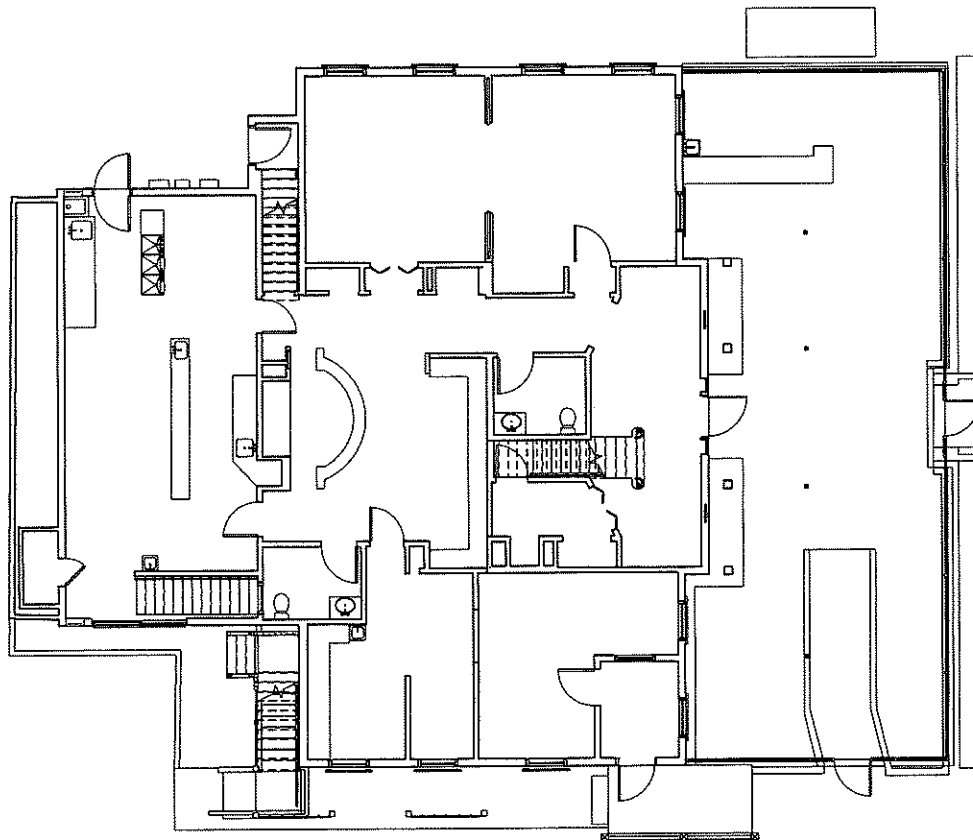
Zoning Information
Map & Parcel: 67 / 435
Current Zoning: CN
Minimum Frontage: 50 ft
Front Setback: 10 ft
Side/Rear Setback: 5 ft / 10 ft

5 Amelia Drive
Nantucket, MA 02554

Preliminary Design
10.11.2022



8 William Lane
Nantucket, MA 02554
508.325.4895
www.emeritusa.com

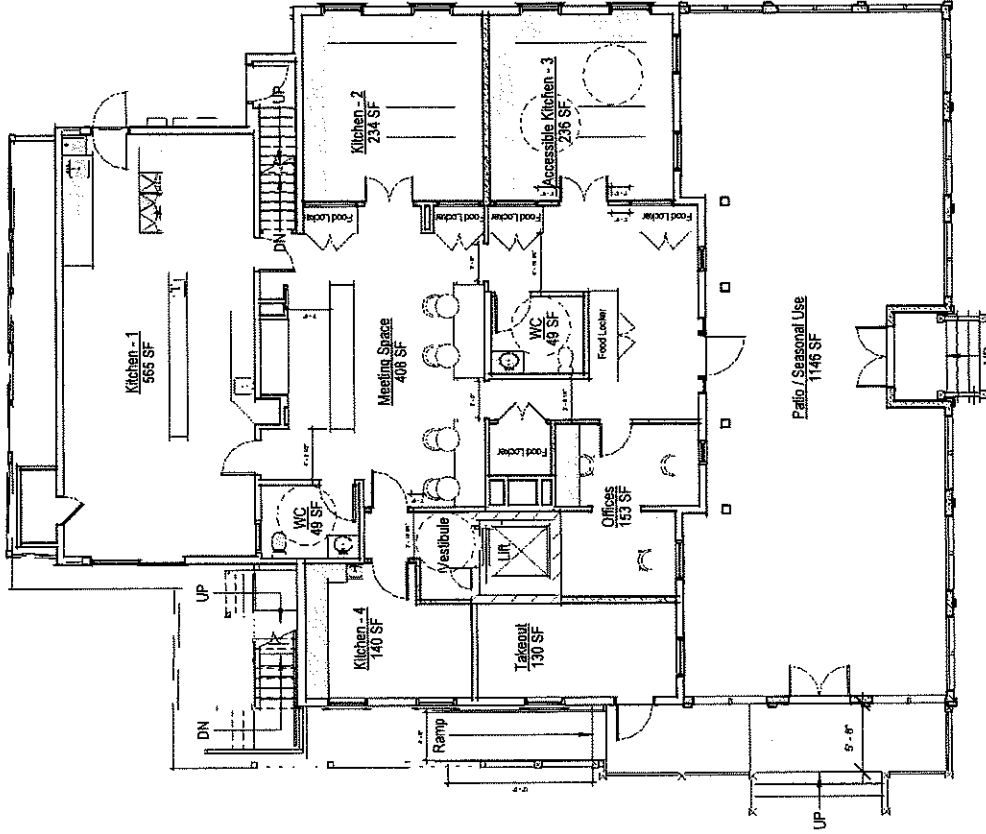


First Floor Plan - Existing
1" = 10'-0"

5 Amelia Drive
Nantucket, MA 02554

Zoning Information

Map & Parcel: 67 / 435
Current Zoning: CN
Minimum Frontage: 50 ft
Front Setback: 10 ft
Side/Rear Setback: 5 ft / 10 ft



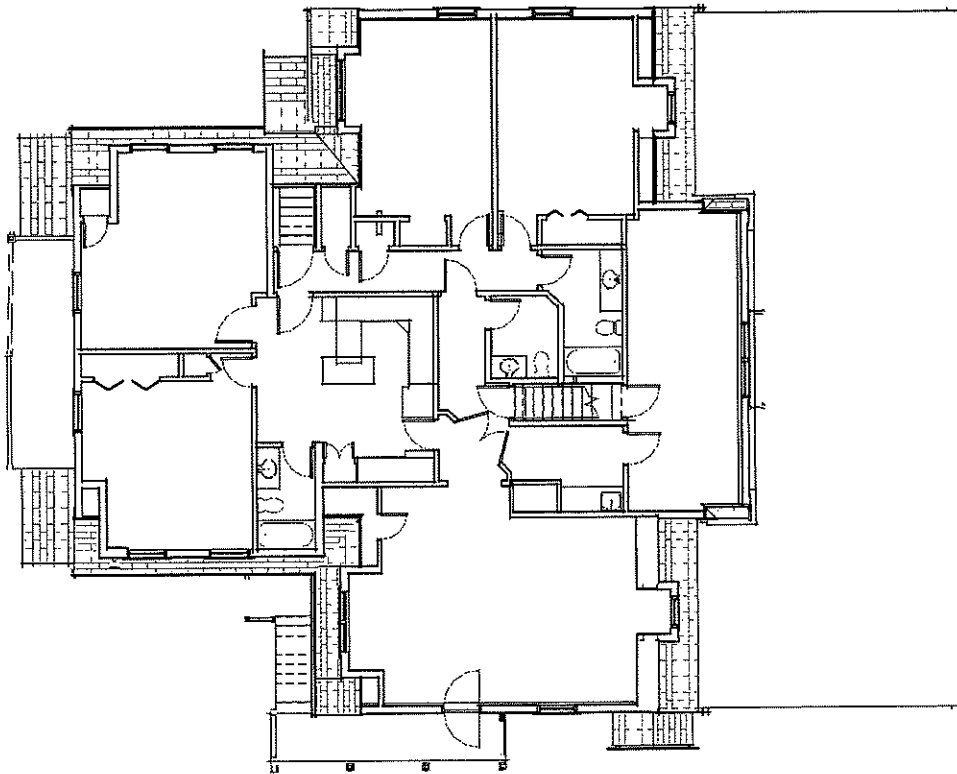
First Floor Plan - Proposed
1" = 10'-0"

Preliminary Design

10.11.2022



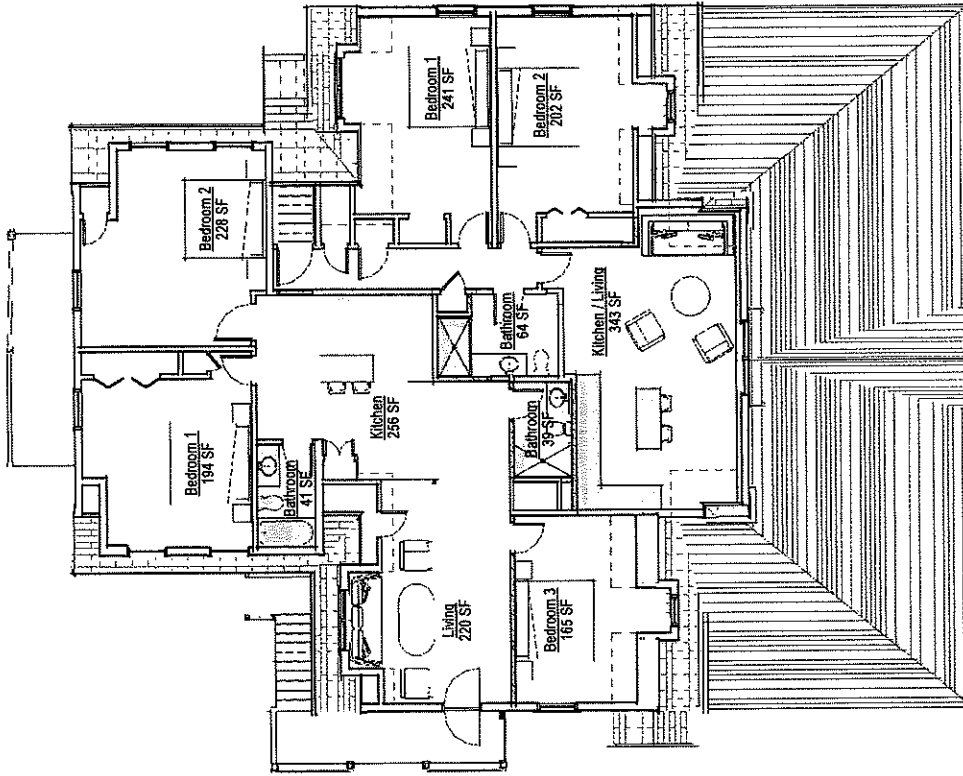
© William Larr
Nantucket, MA 02554
508.325.4865
www.emeritus.com



Second Floor Plan - Existing
1" = 10'-0"

5 Amelia Drive
Nantucket, MA 02554

Zoning Information
Map & Parcel: 67 / 435
Current Zoning: CN
Minimum Frontage: 50 ft
Front Setback: 10 ft
Side/Rear Setback: 5 ft / 10 ft



Second Floor Plan - Proposed
1" = 10'-0"

Preliminary Design
10.11.2022



8 Wilburys Lane
Nantucket, MA 02554
508.325.4895
www.emeritusid.com

Town of Nantucket

Zoning Board of Appeals

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

PROPERTY OWNER..... 5 Amelia Drive, LLC
MAILING ADDRESS..... c/o Reade, Gullicksen, Hanley & Gifford, LLP
PROPERTY LOCATION..... 5 Amelia Drive
ASSESSOR MAP/PARCEL..... Map 67, Parcel 435
SUBMITTED BY..... Reade, Gullicksen, Hanley & Gifford, LLP

SEE ATTACHED PAGES

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

November 6, 2023

DATE

Mary L.
Haley

ASSESSOR'S OFFICE
TOWN OF NANTUCKET

Digitally signed by
Mary L. Haley
Date: 2023.11.06
14:49:58 -05'00'

Abutters Listing

MBLU	Lot	Lot Cut	Name Line 1	Name Line 2	Address Line 1	City	State	Zip	Location
54	46		NANTUCKET TOWN OF	WATER COMMISSION	1 MILESTONE RD	NANTUCKET	MA	02554	1 MILESTONE RD
67	40		NANTUCKET TOWN OF		16 BROAD ST	NANTUCKET	MA	02554	2 FAIRGROUNDS RD
67	41		NINETEEN B OLD SOUTH RD LLC	C/O SHAPIRO ROBERT & LOIS	PO BOX 2329	NANTUCKET	MA	02584	19B OLD SOUTH RD
67	41	2	17 OSR LLC		PO BOX 396	NANTUCKET	MA	02554	17 OLD SOUTH RD
67	41	3	RISEBOROUGH KENNETH S ETAL		P O BOX 3631	NANTUCKET	MA	02584	17- OLD SOUTH RD
67	41	4	TOUCH CHANN SOPHAS & PRINTZ RENEE		17 B OLD SOUTH RD UNIT#1	NANTUCKET	MA	02554	17A OLD SOUTH RD
67	44		RULEY MARGARET A TR	MARGARET A RULEY REVOCABLE TRUST	14 CROTON PLACE	IRVINGTON	NY	10533	18 TOMS WY
67	45		RULEY CATHERINE		100 SARATOGA AVE	BURLINGTON	VT	05408	16 TOMS WY
67	432		COMFORT STORAGE II LLC		320 MT HOLLY RD	KATONAH	NY	10536	11 AMELIA DR
67	433		VTT NANTUCKET LLC	C/O VTT MANAGEMENT INC	1 CLARKS HILL RD #102	FRAMINGHAM	MA	01702	9 AMELIA DR
67	434		TOWN OF NANTUCKET		16 BROAD ST	NANTUCKET	MA	02554	7 AMELIA DR
67	436		BLUE HILLS BANK	C/O RTC-FACILITIES DEPT	288 UNION ST	ROCKLAND	MA	02370	3 AMELIA DR
67	444		10 AMELIA DRIVE LLC	C/O NEW ENGLAND DEVELOP-ACCOUNTING DEPT	75 PARK PLAZA #3	BOSTON	MA	02116	10 AMELIA DR
67	445		AMELIA PROPERTIES LTD		266 BEACON ST	BOSTON	MA	02116	8 AMELIA DR
67	446		AMELIA PROPERTIES LTD		266 BEACON ST 2ND FLR	BOSTON	MA	02116	6 AMELIA DR
67	667		NINETEEN OLD SOUTH RD LLC	C/O SHAPIRO ROBERT & LOIS	PO BOX 2329	NANTUCKET	MA	02584	19 OLD SOUTH RD
67	668		NINETEEN A OLD SOUTH RD LLC	C/O SHAPIRO ROBERT LOIS	PO BOX 2329	NANTUCKET	MA	02584	19A OLD SOUTH RD
67	669		NINETEEN C OLD SOUTH RD LLC	C/O SHAPIRO ROBERT & LOIS	PO BOX 2329	NANTUCKET	MA	02584	19C OLD SOUTH RD
67	752		NANTUCKET TOWN OF		16 BROAD ST	NANTUCKET	MA	02554	4 FAIRGROUNDS RD
68	1		REINEMO JULIE E TR	JULIE E REINMO TRUSTS	PO BOX 1444	NANTUCKET	MA	02554	25 OLD SOUTH RD
68	3	1	STACKPOLE JOHN J TR	LYNVIC REALTY TRUST	15 TOMS WAY	NANTUCKET	MA	02554	10 RUPERTS WY
68	76		STACKPOLE JOHN J TR	LSTACKY REALTY TRUST	15 TOMS WAY	NANTUCKET	MA	02554	15 TOMS WY
68	77		SKOKAN JOANNE		PO BOX 2210	NANTUCKET	MA	02584	20 TOMS WY
68	78		SWIETLIK ALBERT & ANNA		23 OLD SOUTH RD	NANTUCKET	MA	02554	22 TOMS WY
68	245		BLUE HILLS BANK	C/O RTC-FACILITIES DEPT	288 UNION ST	ROCKLAND	MA	02370	1 AMELIA DR
68	246		READY JOHN D TR	READY JOHN D TRUST	PO BOX 2165	EDGARTOWN	MA	02536	21 OLD SOUTH RD
68	258		ROBERTS PAUL M DDS LLC		44 LOVERS LANE	NANTUCKET	MA	02554	2 AMELIA DR

[illegible]

NANTUCKET TOWN OF
WATER COMMISSION
1 MILESTONE RD
NANTUCKET, MA 02554

NANTUCKET TOWN OF
16 BROAD ST
NANTUCKET, MA 02554

NINETEEN B OLD SOUTH RD LLC
C/O SHAPIRO ROBERT & LOIS
PO BOX 2329
NANTUCKET, MA 02584

17 OSR LLC
PO BOX 396
NANTUCKET, MA 02554

RISEBOROUGH KENNETH S ETAL
P O BOX 3631
NANTUCKET, MA 02584

TOUCH CHANN SOPHAS & PRINTZ
RENEE
17 B OLD SOUTH RD UNIT#1
NANTUCKET, MA 02554

RULEY MARGARET A TR
MARGARET A RULEY REVOCABLE TRUST
14 CROTON PLACE
IRVINGTON, NY 10533

RULEY CATHERINE
100 SARATOGA AVE
BURLINGTON, VT 05408

COMFORT STORAGE II LLC
320 MT HOLLY RD
KATONAH, NY 10536

VTT NANTUCKET LLC
C/O VTT MANAGEMENT INC
1 CLARKS HILL RD #102
FRAMINGHAM, MA 01702

TOWN OF NANTUCKET
16 BROAD ST
NANTUCKET, MA 02554

BLUE HILLS BANK
C/O RTC-FACILITIES DEPT
288 UNION ST
ROCKLAND, MA 02370

10 AMELIA DRIVE LLC
C/O NEW ENGLAND DEVELOP-
ACCOUNTING DEPT
75 PARK PLAZA #3
BOSTON, MA 02116

AMELIA PROPERTIES LTD
266 BEACON ST
BOSTON, MA 02116

AMELIA PROPERTIES LTD
266 BEACON ST 2ND FLR
BOSTON, MA 02116

NINETEEN OLD SOUTH RD LLC
C/O SHAPIRO ROBERT & LOIS
PO BOX 2329
NANTUCKET, MA 02584

NINETEEN A OLD SOUTH RD LLC
C/O SHAPIRO ROBERT LOIS
PO BOX 2329
NANTUCKET, MA 02584

NINETEEN C OLD SOUTH RD LLC
C/O SHAPIRO ROBERT & LOIS
PO BOX 2329
NANTUCKET, MA 02584

NANTUCKET TOWN OF
16 BROAD ST
NANTUCKET, MA 02554

REINEMO JULIE E TR
JULIE E REINMO TRUSTS
PO BOX 1444
NANTUCKET, MA 02554

STACKPOLE JOHN J TR
LYNVIC REALTY TRUST
15 TOMS WAY
NANTUCKET, MA 02554

STACKPOLE JOHN J TR
LSTACKY REALTY TRUST
15 TOMS WAY
NANTUCKET, MA 02554

SKOKAN JOANNE
PO BOX 2210
NANTUCKET, MA 02584

SWIETLIK ALBERT & ANNA
23 OLD SOUTH RD
NANTUCKET, MA 02554

BLUE HILLS BANK
C/O RTC-FACILITIES DEPT
288 UNION ST
ROCKLAND, MA 02370

READY JOHN D TR
READY JOHN D TRUST
PO BOX 2165
EDGARTOWN, MA 02536

ROBERTS PAUL M DDS LLC
44 LOVERS LANE
NANTUCKET, MA 02554

NANTUCKET TOWN OF
WATER COMMISSION
1 MILESTONE RD
NANTUCKET, MA 02554

NANTUCKET TOWN OF
16 BROAD ST
NANTUCKET, MA 02554

NINETEEN B OLD SOUTH RD LLC
C/O SHAPIRO ROBERT & LOIS
PO BOX 2329
NANTUCKET, MA 02584

17 OSR LLC
PO BOX 396
NANTUCKET, MA 02554

RISEBOROUGH KENNETH S ETAL
P O BOX 3631
NANTUCKET, MA 02584

TOUCH CHANNSOPHAS & PRINTZ
RENEE
17 B OLD SOUTH RD UNIT#1
NANTUCKET, MA 02554

RULEY MARGARET A TR
MARGARET A RULEY REVOCABLE TRUST
14 CROTON PLACE
IRVINGTON, NY 10533

RULEY CATHERINE
100 SARATOGA AVE
BURLINGTON, VT 05408

COMFORT STORAGE II LLC
320 MT HOLLY RD
KATONAH, NY 10536

VTT NANTUCKET LLC
C/O VTT MANAGEMENT INC
1 CLARKS HILL RD #102
FRAMINGHAM, MA 01702

TOWN OF NANTUCKET
16 BROAD ST
NANTUCKET, MA 02554

BLUE HILLS BANK
C/O RTC-FACILITIES DEPT
288 UNION ST
ROCKLAND, MA 02370

10 AMELIA DRIVE LLC
C/O NEW ENGLAND DEVELOP-
ACCOUNTING DEPT
75 PARK PLAZA #3
BOSTON, MA 02116

AMELIA PROPERTIES LTD
266 BEACON ST
BOSTON, MA 02116

AMELIA PROPERTIES LTD
266 BEACON ST 2ND FLR
BOSTON, MA 02116

NINETEEN OLD SOUTH RD LLC
C/O SHAPIRO ROBERT & LOIS
PO BOX 2329
NANTUCKET, MA 02584

NINETEEN A OLD SOUTH RD LLC
C/O SHAPIRO ROBERT LOIS
PO BOX 2329
NANTUCKET, MA 02584

NINETEEN C OLD SOUTH RD LLC
C/O SHAPIRO ROBERT & LOIS
PO BOX 2329
NANTUCKET, MA 02584

NANTUCKET TOWN OF
16 BROAD ST
NANTUCKET, MA 02554

REINEMO JULIE E TR
JULIE E REINMO TRUSTS
PO BOX 1444
NANTUCKET, MA 02554

STACKPOLE JOHN J TR
LYNVIC REALTY TRUST
15 TOMS WAY
NANTUCKET, MA 02554

STACKPOLE JOHN J TR
LSTACKY REALTY TRUST
15 TOMS WAY
NANTUCKET, MA 02554

SKOKAN JOANNE
PO BOX 2210
NANTUCKET, MA 02584

SWIETLIK ALBERT & ANNA
23 OLD SOUTH RD
NANTUCKET, MA 02554

BLUE HILLS BANK
C/O RTC-FACILITIES DEPT
288 UNION ST
ROCKLAND, MA 02370

READY JOHN D TR
READY JOHN D TRUST
PO BOX 2165
EDGARTOWN, MA 02536

ROBERTS PAUL M DDS LLC
44 LOVERS LANE
NANTUCKET, MA 02554

NEW BUSINESS

Carl and Sharon Nielsen

File No. 21-23

2 Cabot Lane

Special Permit



NANTUCKET
TOWN CLERK

2023 DEC 12 AM 11:16

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

APPLICATION

Fee: \$450.00

File No. 21-23

Owner's name(s): Carl and Sharon Nielsen

Mailing address: P.O. Box 151 Pequannock, NJ, 07440

Phone Number: 508-228-0337 E-Mail: cnielsen833@gmail.com

Applicant's name(s): Steven Cohen

Mailing Address: 34 Main Street/2nd Floor, Nantucket, Massachusetts, 02554

Phone Number: 508-228-0337 E-Mail: steven@cohenlegal.net

Locus Address: A portion of 2 Cabot Lane Assessor's Map/Parcel: 30-254

Land Court Plan/Plan Book & Page/Plan File No.: Unit 2 of plan 2023-38

Deed Reference/Certificate of Title: Book 1945 Page 40 Zoning District R-1

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

Residential: Number of dwellings 2 Duplex _____ Apartments _____

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

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

The locus - a condominium unit being a portion of 2 Cabot Lane numbered 2A Cabot Lane in the Residential 1 Limited (R-1) Zoning District - is a lot of approximately 7,338 square feet. The property is improved with two dwelling structures consisting of a four-bedroom residence (2 Cabot Lane) and a single bedroom cottage (2A Cabot Lane). The current ground cover ratio is 22.7% where 30% is allowed. The Cottage is preexisting nonconforming within the setback on its northwest side, being 2.4 feet from the property line at its closest point, where 5 feet is required.

The lot is otherwise dimensionally conforming.

The Applicant is planning construction to add the following to the Cottage: A first floor expansion, a porch, a second story, a basement, and window wells. With these additions the ground cover ratio will be 28.9% where 30% is allowed.

The Applicant seeks relief under Section 139-33 of the zoning bylaws to alter or expand a preexisting nonconforming structure where the alteration does not extend the nonconformity and the alteration is not substantially more detrimental to the neighborhood than the existing nonconformity.

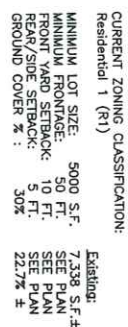
The nonconforming footprint is not being extended any further into the setback. Rather, the nonconformity is being extended vertically to the basement and second floor. The nonconformity will not be expanded any closer to adjacent property lines and will not have a substantially detrimental effect on the neighborhood.

The Applicant also seeks zoning relief to allow for the house to be temporarily lifted from its foundation to allow for construction of the basement. The nonconforming portion will return to a substantially similar configuration when it is reattached to the foundation in the same location. Construction done as part of the house lift will not increase the ground cover ratio and will not extend the nonconformity in the setback. The only increase in ground cover will be for the front addition and porch which are not part of construction stemming from the house lift.

All other planned construction does not require relief under zoning laws.



Property Information Property ID 30 254 Location 2 CABOT LN Owner KOLB MICHELE	 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.
--	---	--



CARL & SHARON NIELSEN
DEED BK. 1945, PG. 40
PLAN Bk/Pg.: 2023-38
ASSESSOR'S MAP 30, PARCEL 254 (Portion)
#2A CABOT LANE

P.B. 2023-38

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

THIS INSPECTION PLAN WAS PREPARED TO ACCOMPANY AN APPLICATION TO THE NAVY/NET BOARD OF APPEALS AND IS NOT TO BE CONSIDERED A FULL INSTRUMENT SURVEY; THIS PLAN SHOULD NOT BE USED TO ESTABLISH PROPERTY LINES, FENCES, HEDGES OR ANY ARBITRARY STRUCTURES ON THE PREMISES. THE PROPERTY LINES SHOWN RELY ON CURRENT DEEDS AND RECORDS. THIS PLAN IS NOT A CERTIFICATION AS TO THE TITLE OR OWNERSHIP OF THE PROPERTY SHOWN, OWNERS OF ADJOINING PROPERTIES ARE SHOWN ACCORDING TO CURRENT TOWN OF NAVY/NET ASSESSOR RECORDS.

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

© Buckwell & Associates Inc.

Nantucket, Mass.

SCALE: 1" = 10' DATE: NOVEMBER 6, 2023

Owners: CARL & SHARON NIELSEN

Deed Bk./Pg.: 1945/40, Plan Bk./Pg.: 2023/38, UNIT 2

Tax Map-Parcel: . . . 30-254 (Portion) . . .

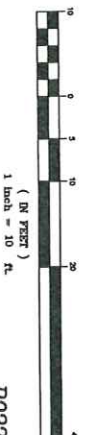
Locus: . . . 2A, CABOT LANE

BLACKWELL & ASSOCIATES, Inc.

Professional Land Surveyors
30 TEASDALE CIRCE

20 TEASDALE CIRCLE
NANTUCKET, MASS. 02554

(508) 228-9026

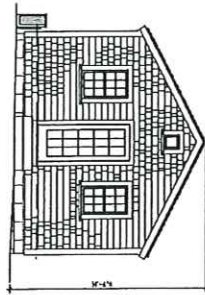




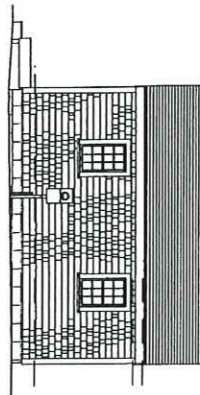
[illegible]

REVISIONS	DATE	DESCRIPTION
7/20/2023	AS-BUILT MEASUREMENTS	
7/26/2023	AS-BUILT PLANS	
7/26/2023	PROGRESS PANT	
7/28/2023	HDC REVISION	
8/02/2023	PROGRESS PANT	
9/13/2023	HDC APPROVAL	

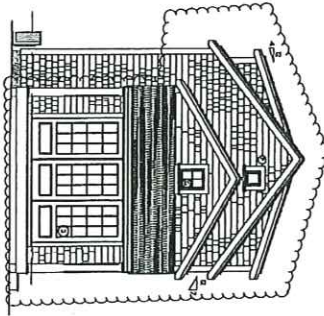
SHEET NO.
S 1



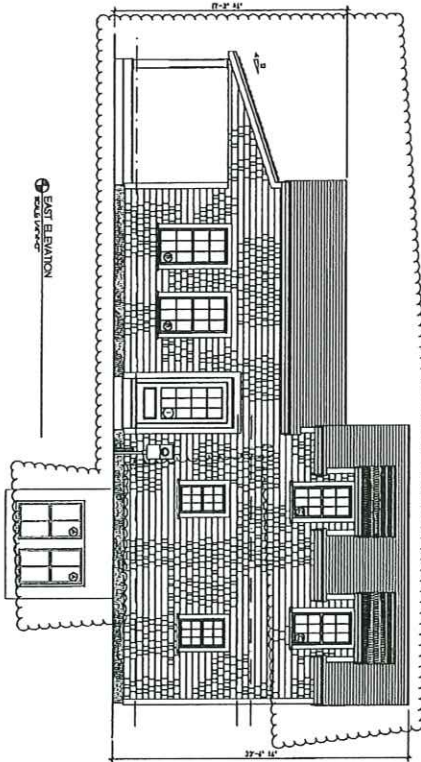
FRONTING SOUTH ELEVATION
SCALE 1/8" = 1'-0"



FRONTING EAST ELEVATION
SCALE 1/8" = 1'-0"



SIDEING SOUTH ELEVATION
SCALE 1/8" = 1'-0"



SIDEING EAST ELEVATION
SCALE 1/8" = 1'-0"

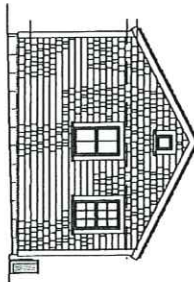
NOTE:
IT IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO CAREFULLY REVIEW ALL DRAWING, SPECIFICATIONS AND DETAILS FOR ACCURACY AND COMPLETENESS. THE DESIGNER'S OFFICE SHALL NOT BE RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THE DRAWINGS. ANY CHANGES MUST BE SUBMITTED IN WRITING TO THE DESIGNER'S OFFICE. THE DESIGNER'S OFFICE SHALL NOT BE RESPONSIBLE FOR ANY CHANGES MADE AFTER THE DATE OF THE LAST REVISION.

NOTE:
ALL DIMENSIONS SHALL BE VERIFIED BY A QUALIFIED PERSON. THE DESIGNER'S OFFICE SHALL NOT BE RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THE DRAWINGS. ANY CHANGES MUST BE SUBMITTED IN WRITING TO THE DESIGNER'S OFFICE. THE DESIGNER'S OFFICE SHALL NOT BE RESPONSIBLE FOR ANY CHANGES MADE AFTER THE DATE OF THE LAST REVISION.

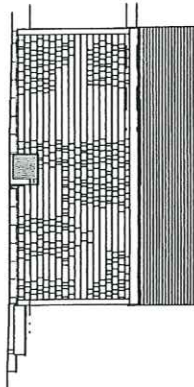
NOTE:
ALL DIMENSIONS SHALL BE VERIFIED BY A QUALIFIED PERSON. THE DESIGNER'S OFFICE SHALL NOT BE RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THE DRAWINGS. ANY CHANGES MUST BE SUBMITTED IN WRITING TO THE DESIGNER'S OFFICE. THE DESIGNER'S OFFICE SHALL NOT BE RESPONSIBLE FOR ANY CHANGES MADE AFTER THE DATE OF THE LAST REVISION.

COPYRIGHT NOTICE		NIELSEN RESIDENCE		DATE: 11/10/2023		SHEET NO. 2	
DESIGNED BY: NIELSEN RESIDENCE		DRAWN BY: NIELSEN RESIDENCE		CHECKED BY: NIELSEN RESIDENCE		SCALE: 1/8" = 1'-0"	
PROJECT NO. 11/10/2023		PROJECT NAME: NIELSEN RESIDENCE		PROJECT LOCATION: 11/10/2023		PROJECT STATUS: 11/10/2023	

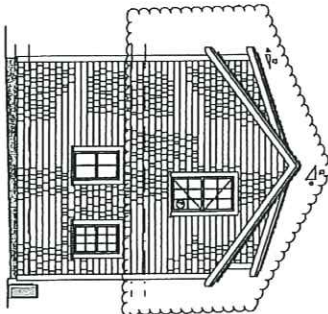
REVISIONS:
1/10/2023 AS-BUILT MEASUREMENTS
1/10/2023 AS-BUILT PLANS
1/10/2023 AS-BUILT PLANS
1/10/2023 AS-BUILT PLANS
1/10/2023 AS-BUILT PLANS
1/10/2023 AS-BUILT PLANS
1/10/2023 AS-BUILT PLANS
1/10/2023 AS-BUILT PLANS
1/10/2023 AS-BUILT PLANS
1/10/2023 AS-BUILT PLANS



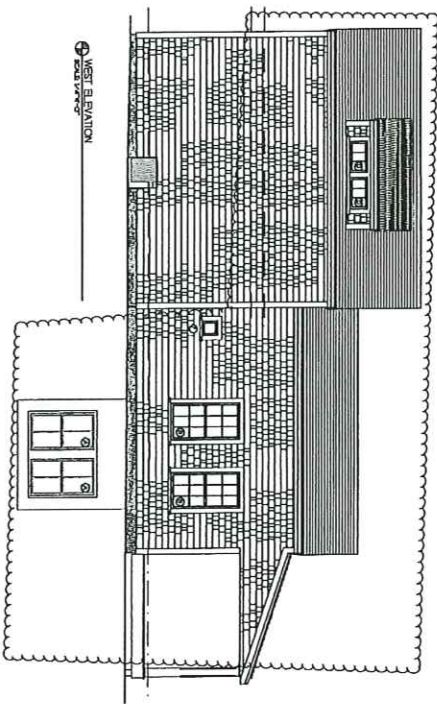
EASTING NORTH ELEVATION
SCALE 1/4" = 1'-0"



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



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



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

NOTE:
IT IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO CAREFULLY REVIEW ALL EXISTING RECORDS AND DETAILS
AND TO VERIFY THE ACCURACY OF THE INFORMATION PROVIDED. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR
ANY ERRORS OR OMISSIONS IN THE RECORDS OR DETAILS. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR
ANY ERRORS OR OMISSIONS IN THE RECORDS OR DETAILS.

NOTE:
ALL EXISTING WORK SHOULD BE REMOVED BY A
REGISTERED LAND SURVEYOR PRIOR TO
LOCATION OF PROPERTY LINES AND
CONSTRUCTION OF FOUNDATION.

NOTE:
ALL EXISTING WORK SHOULD BE REMOVED BY A
REGISTERED LAND SURVEYOR PRIOR TO
LOCATION OF PROPERTY LINES AND
CONSTRUCTION OF FOUNDATION.

REVISIONS
1/20/2023 AS-BUILT DRAWINGS
1/20/2023 AS-BUILT DRAWINGS
1/20/2023 PROGRESS PRINT
1/20/2023 HCC PRINT
1/20/2023 HCC APPROVAL

COPYRIGHT NOTICE		NIELSEN RESIDENCE		DATE		SCALE		SHEET NO.	
ALL RIGHTS RESERVED		1/20/2023		1/20/2023		1/4" = 1'-0"		a 3	

Basement Plan
Scale: 1/8" = 1'-0"
Date: 11/11/11

FIRST FLOOR PLAN

SECOND FLOOR PLAN
1/8" = 1'-0"
300 IN.

NOTE: IT IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO CAREFULLY REVIEW ALL WORKING DRAWINGS AND DETAILS FOR CORRECTIONS AND CONSTRUCTION. THE DESIGNER'S OFFICE OR RECORDS CANNOT BE HELD RESPONSIBLE FOR WORK RELATING TO THE GENERAL CONTRACTOR'S OMISSIONS AND/OR MISREADINGS. ANY CHANGES OR ADDITIONS TO THE WORKING DRAWINGS MUST BE IN WRITING AND MUST BE APPROVED BY THE DESIGNER. ANY CHANGES MADE TO THE WORKING DRAWINGS MUST BE RECORDED AND MUST BE MAINTAINED AS PART OF THE PROJECT RECORDS. ANY CHANGES MADE TO THE WORKING DRAWINGS MUST BE RECORDED AND MUST BE MAINTAINED AS PART OF THE PROJECT RECORDS.

NOTE: ALL SITE WORK SHOULD BE VERIFIED BY A REGISTERED LAND SURVEYOR PRIOR TO ANY AND ALL CONSTRUCTION FOR PROPER LOCATION OF PROPERTY & SETBACK LINE.

NOTE: ALL FINAL DIMENSIONS MUST BE VERIFIED IN THE FIELD. ANY DIMENSIONS NOT SHOWN SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER IN CHARGE.

COPYRIGHT NOTICE
NOTICE

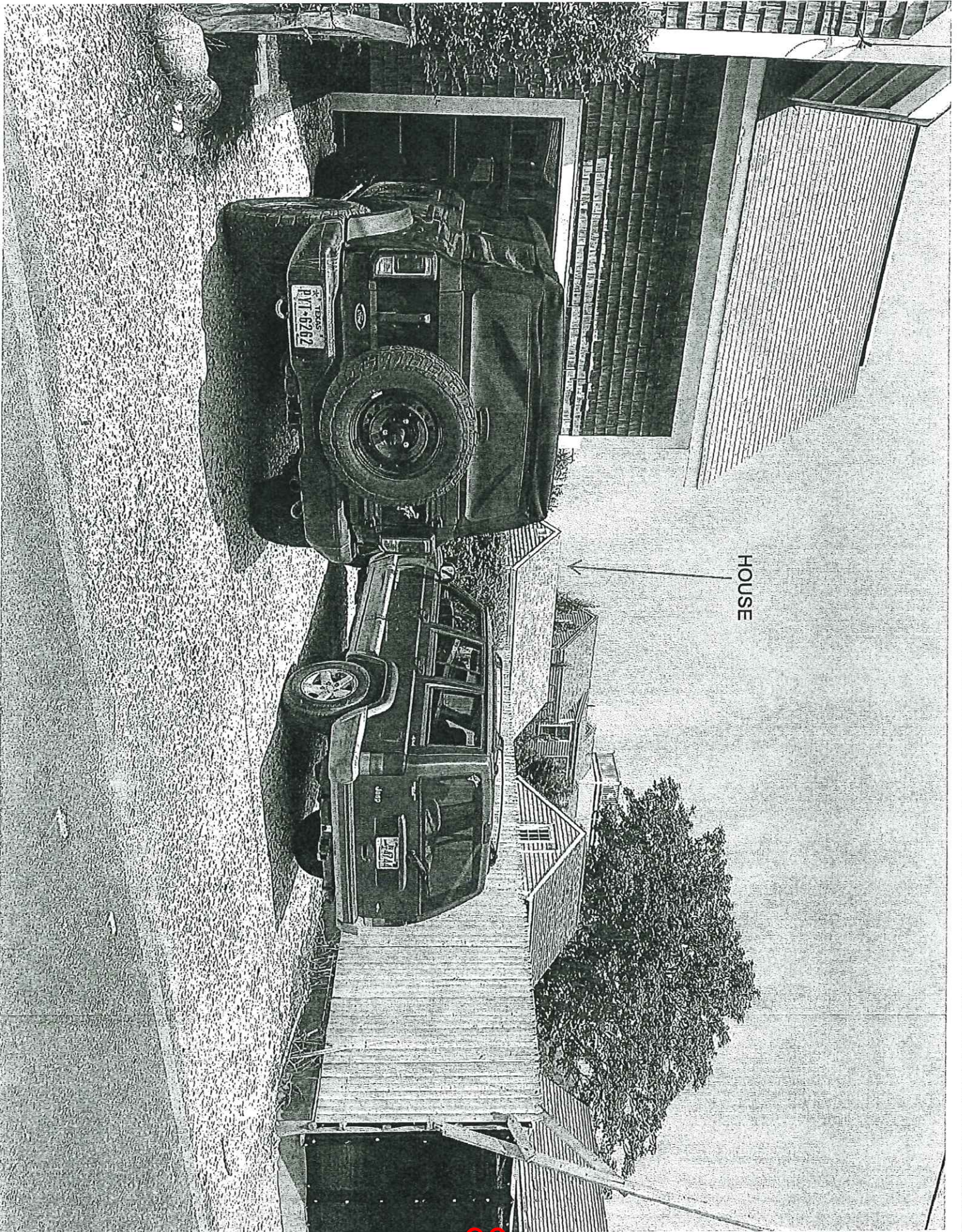
NELSEN RESIDENCE
[Insert an 8 1/2" x 11" photo]
NO. 107-1088

UNIT NO.	
FLOOR	
ADDRESS	

SC	SCALE
----	-------

SHEET NO.	1
-----------	---

REVISIONS:
7/20/2023 AS-BUILT MEASUREMENTS
7/26/2023 AS-BUILT PLANS
7/26/2023 PROGRESS PRINT
7/29/2023 HDC REVISION
8/02/2023 PROGRESS PRINT
9/12/2023 HDC APPROVAL



HDC APPROVAL

HDC2023-08-8902

CERTIFICATE NO: _____

DATE ISSUED: 9/12/23

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

CERTIFICATE OF APPROPRIATENESS

for structural work.

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

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

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

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

PROPERTY DESCRIPTIONTAX MAP N°: 30 PARCEL N°: 254Street & Number of Proposed Work: 2 CABOT LANEOwner of record: CARL & SHARON NIELSENMailing Address: P.O. Box 833Contact Phone #: 978-865-3337 E-mail: CNIELSEN833@comcast.net**AGENT INFORMATION (if applicable)**Name: EMDA ETHAN MORROW DESIGNS INCMailing Address: 4 SOUTH MILL STREETNANTUCKET MA 02554Contact Phone #: 228 0456 E-mail: ethan@emda.com

FOR OFFICE USE ONLY	
Date application received: <u>9/12/23</u>	Fee Paid: \$ <u>93</u>
Must be acted on by: <u>9/24/23</u>	
Extended to: _____	
Approved: ☒	Disapproved: _____
Chairman: _____	
Member: <u>[Signature]</u>	
Member: <u>[Signature]</u>	
Member: <u>[Signature]</u>	
Notes - Comments - Restrictions <u>Conditions</u>	
<u>EXHIBIT A</u>	
EXHIBIT A	

DESCRIPTION OF WORK TO BE PERFORMED

See reverse for required documentation.

☐ New Dwelling ☒ Addition ☐ Garage ☐ Driveway/Apron ☐ Commercial ☐ Historical Renovation ☐ Deck/Patio ☐ Steps ☐ Shed
☐ Color Change ☐ Fence ☐ Gate ☐ Hardscaping ☐ Move Building ☐ Demolition ☐ Revisions to previous Cert. No. _____
☐ Pool (Zoning District _____) ☐ Roof ☐ Other _____
 Size of Structure or Addition: Length: 18'-0" Sq. Footage 1st floor: 243 Decks/Patio: Size: 13'-6" x 10 ☒ 1st floor ☐ 2nd floor
 Width: 13'-6" Sq. Footage 2nd floor: 222 Size: 8 x 10 ☐ 1st floor ☒ 2nd floor
 Sq. Footage 3rd floor: _____

Difference between existing grade and proposed finish grade: North -0- South -0- East -0- West -0-
 Height of ridge above final finish grade: North 14'-6" ± 6" South 22'-0" ± 6" East 22'-0" ± 6" West 22'-0" ± 6"

Additional Remarks: CONTRIBUTING

Historic Name: _____ (describe)

Original Date: 1971 GUEST HOUSEOriginal Builder: UNKNOWNIs 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 6'-8" ± ☐ Block ☐ Block Parged ☐ Brick (type) _____ ☒ Poured Concrete ☐ Piers
 Masonry Chimney: ☐ Block Parged ☐ Brick (type) _____ ☐ Other _____
 Roof Pitch: Main Mass 10/12 Secondary Mass 4/6 ± EXISTING Dormer 4/12 Other 4/12 PORCH
 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) TO MATCH EXISTINGLeaders (material and size): TO MATCH EXISTINGSiding: ☒ 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 TME Rake TME Soffit (Overhang) 6" → 4" Corner boards TME Frieze TMEWindow Casing TME Door Frame TME Columns/Posts: Round _____ Square XWindows*: ☒ Double Hung ☒ Casement ☐ All Wood ☐ Other _____☐ True Divided Lights (muntins), single pane ☒ SDL's (Simulated Divided Lights) Manufacturer _____Doors* (type and material): ☐ TDL ☒ SDL Front SIMPSON Rear _____ Side CUSTOM

Garage Door(s): Type _____ Material _____

Hardscape materials: Driveways _____ Walkways _____ Walls _____

* Note: Complete door and window schedules are required.

COLORSSiding NATURAL Clapboard (if applicable) _____ Roof NATURALTrim QUAKER GRAY Sash BLACK Doors HAMILTON BLUEDeck _____ Foundation NATURAL Fence _____ Shutters _____

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

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

Date 9-22-23 Signature of owner of record [Signature] Signed under penalties of perjury

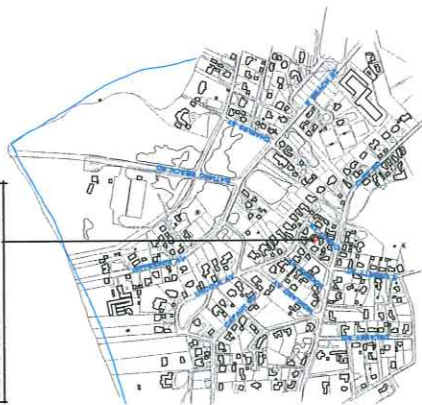
III. OLD BUSINESS 08/15/2023

	<u>Property owner name</u>	<u>Street Address</u>	<u>Scope of work</u>	<u>Map/Parcel</u>	<u>Agent</u>
1.	Carl Nielsen 08-8902	2 Cabot Lane	Addition	30/254	EMDA
Voting	Camp, Coombs, Oliver, Paul				
Alternates	Thornewill, Patten, Pohl				
Recused	None				
Documentation	Architectural elevation plans, site plan, photos, correspondence, advisory comments.				
Representing	Ethan McMorrow- EMDA				
Public	-				
Concerns	Holly Backus- - The house is historically owned by the Phillips family and can be traced back to aerial maps from as early as 1957. - Appreciation for retaining the 6 over 6 windows. - Concerns about the design revision on the original cottage, particularly with the flush dormers and the two-story approach. - Belief that the tier approach from the south is inappropriate, even though it may not be visible from Cliff Road. - Suggested reducing the porch from 10 feet to 8 feet. - A preference for a one and a half story maximum for the porch rather than a two-story design. - Recommendation to build up on the existing structure and create a lower single-story or one and a half-story section in the middle. - A suggestion to revise the one-story addition to include windows flanking the front door and consider reducing the porch and changing the roof type. - Strongly advised against using flush dormers, as expressed by John McLaughlin. Oliver- - Appreciation for the changes made by Ethan to make the design more consistent with the existing structure. - Suggested that the front door should have a more traditional and inviting appearance. - Agreement with Holly's observation that the porch appears overwhelming and proposed changing it to a shed roof, noting the possibility of achieving this with the intermediate piece's high wall. - Overall positive impression of the design, describing it as a "funky beach cottage" that aligns with the historical context. Paul- - Support Val's idea of a shed roof to replace the tiered gable. - A suggestion to adjust the single-story mass with the front door (E Line) to better align with the porch's gable roof, as it currently appears to compress a small window on the south elevation. - Favorable opinions on the use of 12-light windows for the front door and the flush dormers, noting that they contribute to the variety of the massing. - Concern about the small dormer on the west side, which appears to have only one window despite the floor plan indicating two. Joe recommended making it a flush dormer with a single window to fill the space. - Acknowledgment that the dormer may not be visible, but the suggested change would enhance its appearance. Coombs- - Agreement with Val's suggestion for a shed roof to avoid the repetition of three gables. - Uncertainty about the front door design on the North elevation, noting a preference for the second-floor window to be centered. - Inquiry about the reason behind the lack of windows on the West side, with an understanding that the building is positioned close to the property line. - Appreciation for maintaining the height and the dormers, with clarification that the dormers are indeed flush except for a small transom dormer. - A desire to see some 1-pane windows replaced with alternative window styles or designs. - Suggested relocating a one-pane window on the South side to a different position. Camp- - Inquired about the reason for the smaller windows to the right of the front door compared to the existing windows. - Expressed a preference for the proportions of the new design, particularly the left side with larger windows. - Liked the design of the front door, considering it suitable for a beachy cottage. - Suggested extending the eave line of the main mass to the left mass to create a more continuous line across the structure. - Acknowledged the existing quirkiness of the design but wondered if it could be made more balanced.				
Motion	Motion to approve through staff "Exhibit A". (Oliver)				
Roll-call Vote	Carried 4-0// Camp, Coombs, Oliver, Paul-aye				

EXHIBIT A

Certificate #

HDC2023-08-8902**APPROVED****HDC 2023.08.8902****NO EXTERIOR CHANGES****WITHOUT HDC APPROVAL**



IT IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO VERIFY ALL UNIT DIMENSIONS PRIOR TO ORDERING.

REVISIONS	
7/7/2023	AS-BUILT MEASURING
7/26/2023	AS-BUILT PLANS
7/28/2023	PROGRESS PRINT
7/29/2023	HDC REVISION
8/10/2023	PROGRESS PRINT
9/13/2023	HDC APPROVAL

NOTE: INFORMATION FOR THE SITE PLAN WAS TAKEN FROM THE MANULIST GAS MAPS AND A REPILED SURVEY FROM THE LAND REGISTRATION OFFICE BY LAURELLE A. ASSOCIATES INC DATED JULY 10, 2003. THE DRAWINGS DOES NOT CONSTITUTE A REGISTERED SURVEY AND IS FOR THE MANULIST ANTONIC DISTRICT COLLABORATIVE USE ONLY. ALL SURVEYING SHOULD BE VERIFIED BY A REGISTERED LAND SURVEYOR PRIOR TO AND DURING CONSTRUCTION.

NOTE: ALL FINAL DIMENSIONS SHALL BE VERIFIED IN THE FIELD. ANY DEVIATIONS FROM WHAT IS SHOWN SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER IN CHARGE.

NOTE: ALL SITE WORK SHOULD BE VERIFIED BY A REGISTERED LAND SURVEYOR PRIOR TO AND DURING CONSTRUCTION FOR PROPER LOCATION OF PROPERTY & SETBACK LINES

OTE: IT IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO CAREFULLY REVIEW ALL WORKING DRAWINGS AND DETAILS FOR CONFLICTS AND OMISSIONS. THE DESIGNER'S ENGINEER OF RECORD CANNOT BE HELD RESPONSIBLE FOR WORK INITIATED OR OMISSIONS. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR OBTAINING ALL NECESSARY INFORMATION TO UNDERSTANDING OR MISINTERPRETATION. IF THERE ARE ANY QUESTIONS AFTER THE STRUCTURAL DRAWINGS HAVE BEEN REVIEWED, PLEASE CALL THE ENGINEER OF RECORD BEFORE INITIATING ANY WORK.

DATE: 9/13/2023	DATE: 9/13/2023
2 A CAROL LANE HARTFORD, CT 06104	2 A CAROL LANE HARTFORD, CT 06104
ADDRESS:	ADDRESS:
H.D.C. SITE PLAN	H.D.C. SITE PLAN
MAP 30	MAP 30
PARCEL 254	PARCEL 254

NELSEN RESIDENCE
 604 4th St. E. • Three Bedrooms
 P.O. Box 1052
 HARBOR CITY, MA 02544

COPYRIGHT NOTICE

SHEET NO. 1

APPROVED
HDC 1023-08-8902
NO EXTERIOR CHANGES
WITHOUT HDC APPROVAL

FIRST FLOOR PLAN

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

REVISIONS:

7/20/2023:	AS-BUILT MEASURING
7/26/2023:	AS-BUILT PLANS
7/28/2023:	PROGRESS PRINT
7/29/2023:	HDC REVISION
8/10/2023:	PROGRESS PRINT
9/13/2023:	HDC APPROVAL

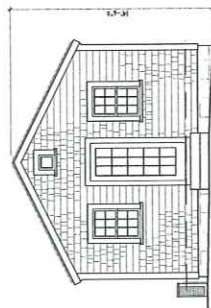
COPYRIGHT NOTICE This drawing is the property of the Architect and is to be used only for the project and location indicated. It is not to be reprinted, reproduced or otherwise used without the written permission of the Architect.	NEILSEN RESIDENCE 2445 E. 10TH AVE DENVER, CO 80202 PROJECT NO. 2006-0056, 2006-0057, 2006-0058	MAP 20 FLOOR PLANS		SHEET NO. a1
		ADDRESS 2445 E. 10TH AVE DENVER, CO 80202	DATE 9/10/2006	

NOTE:
ALL FINAL DIMENSIONS SHALL BE VERIFIED IN THE
FIELD. ANY DEVIATIONS FROM WHAT IS SHOWN
SHALL BE BROUGHT TO THE ATTENTION OF THE
ENGINEER IN CHARGE.

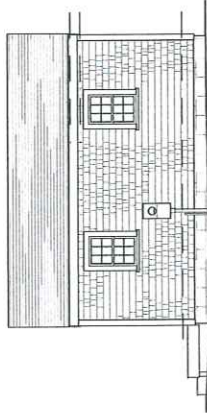
NOTE:
ALL SITE WORK SHOULD BE VERIFIED BY A
REGISTERED LAND SURVEYOR PRIOR TO
AND DURING CONSTRUCTION FOR PROPER
LOCATION OF PROPERTY LINES.

NOTE. IT IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO CAREFULLY REVIEW ALL WORKING DRAWINGS AND DETAILS FOR ACCURACY AND COMPLETENESS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY WORK INITIATED WITHOUT A CORRECT UNDERSTANDING OR INTERPRETATION. IF THERE ARE ANY QUESTIONS AFTER THE STRUCTURAL DRAWINGS HAVE BEEN REVIEWED, PLEASE CALL THE ENGINEER OF RECORD BEFORE INITIATING ANY WORK.

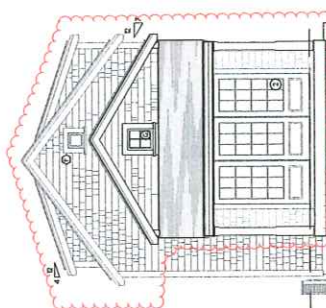
APPROVED
HDC 2023-08-8902
NO EXTERIOR CHANGES
WITHOUT HDC APPROVAL



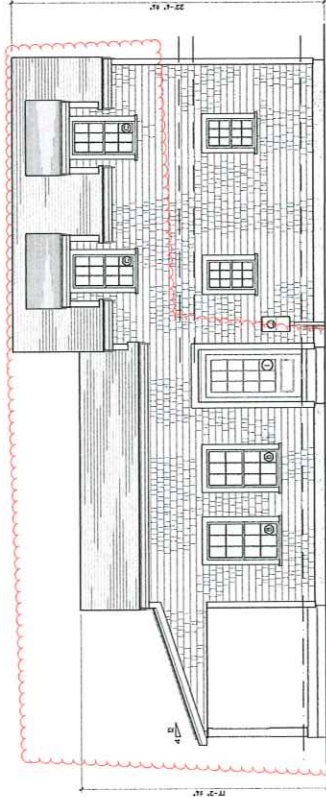
EXISTING SOUTH ELEVATION
 SCALE 1/4"=1'-0"



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



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



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



NOTE:

IT IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO CAREFULLY REVIEW ALL WORKING DRAWINGS AND DETAILS FOR ACCURACY AND COMPLETENESS. THE DESIGNER/ENGINEER OF RECORD CANNOT BE HELD RESPONSIBLE FOR WORK INITIATED BY THE GENERAL CONTRACTOR WITHOUT THE DESIGNER/ENGINEER OF RECORD'S KNOWLEDGE AND APPROVAL. IF ANY CHANGES OR REVISIONS ARE REQUIRED, THE GENERAL CONTRACTOR MUST CALL THE DESIGNER/ENGINEER OF RECORD BEFORE INITIATING ANY WORK.

NOTE:

ALL SITE WORK SHOULD BE VERIFIED BY A REGISTERED LAND SURVEYOR PRIOR TO ANY CONSTRUCTION. THE LOCATION OF PROPERTY LINES, SETBACKS, AND EASEMENTS SHOULD BE VERIFIED BY A REGISTERED LAND SURVEYOR PRIOR TO ANY CONSTRUCTION. THE LOCATION OF PROPERTY LINES, SETBACKS, AND EASEMENTS SHOULD BE VERIFIED BY A REGISTERED LAND SURVEYOR PRIOR TO ANY CONSTRUCTION.

NOTE:

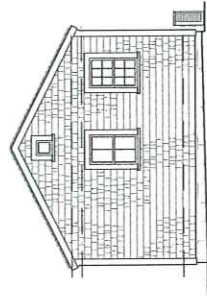
ALL DIMENSIONS SHALL BE VERIFIED IN THE FIELD. ANY DEVIATIONS FROM WHAT IS SHOWN SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER OF RECORD.

REVISIONS
 7/20/2023 AS-BUILT MEASURING
 7/20/2023 AS-BUILT PLAN
 7/20/2023 PROGRESS PRINT
 8/20/2023 HDC PRINT
 8/20/2023 HDC APPROVAL
 9/10/2023 HDC APPROVAL

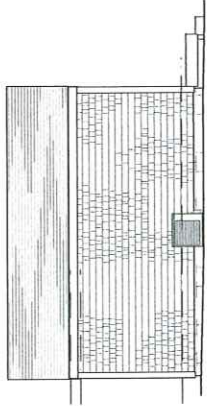
COPYRIGHT NOTICE		NELSEN RESURCE		ELEVATIONS		SHEET NO.	
This drawing is the property of Nelsen Resurce, Inc. and is not to be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Nelsen Resurce, Inc.		Nelsen Resurce, Inc. 1111 1st Ave. S.W. Seattle, WA 98101 Phone: 206-222-0000, Fax: 206-222-0001		DATE 8/20/2023		SCALE 1/4" = 1'-0"	
						a2	



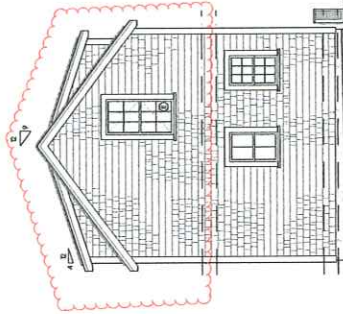
APPROVED
HOC 2023-08-8902
NO EXTERIOR CHANGES
WITHOUT HDC APPROVAL



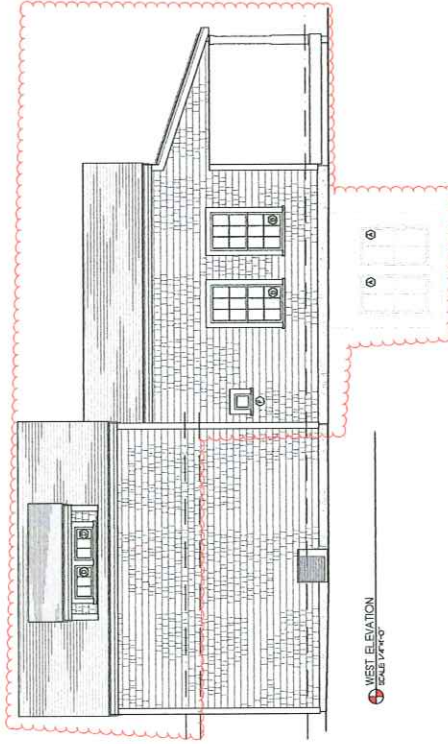
EXISTING NORTH ELEVATION
 SCALE 1/4"=1'-0"



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



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



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



REVISIONS
 7/20/2023 AS-BUILT MEASURING
 7/20/2023 AS-BUILT PLANS
 7/20/2023 PROGRESS PRINT
 7/20/2023 HDC PRINT
 9/15/2023 EXTERIOR CHANGES
 9/15/2023 HDC APPROVAL

NOTE:
 IT IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO CAREFULLY REVIEW ALL WORKING DRAWINGS AND DETAILS FOR ACCURACY AND CONSISTENCY WITH THE DESIGNER'S INTENT. IF ANY DISCREPANCIES ARE NOTED, THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE DESIGNER IN WRITING. NO CHANGES SHALL BE MADE TO THE DRAWINGS WITHOUT THE WRITTEN APPROVAL OF THE DESIGNER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS PRIOR TO THE START OF CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING THE LOCATION OF ALL EXISTING UTILITIES AND STRUCTURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS PRIOR TO THE START OF CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING THE LOCATION OF ALL EXISTING UTILITIES AND STRUCTURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES.

COPYRIGHT NOTICE
 These drawings are the property of
 Nelsen Reskpace, Inc. and shall remain
 the property of Nelsen Reskpace, Inc.
 No part of these drawings may be reproduced
 without written permission from Nelsen Reskpace, Inc.

NELSEN RESKSPACE
 PROJECT: 23-08-8902
 SHEET: 23-08-8902-01
 DATE: 09/15/2023
 SCALE: 1/4"=1'-0"

REVISIONS
 7/20/2023 AS-BUILT MEASURING
 7/20/2023 AS-BUILT PLANS
 7/20/2023 PROGRESS PRINT
 7/20/2023 HDC PRINT
 9/15/2023 EXTERIOR CHANGES
 9/15/2023 HDC APPROVAL

DATE: 09/15/2023
 SCALE: 1/4"=1'-0"

SHEET NO.
 a3



Planning and Land Use Services

Historic District Commission

2 Fairgrounds Road, Nantucket, Ma 02554
508-325-8527

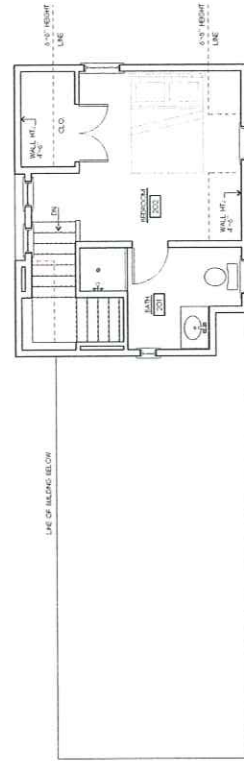
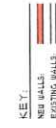
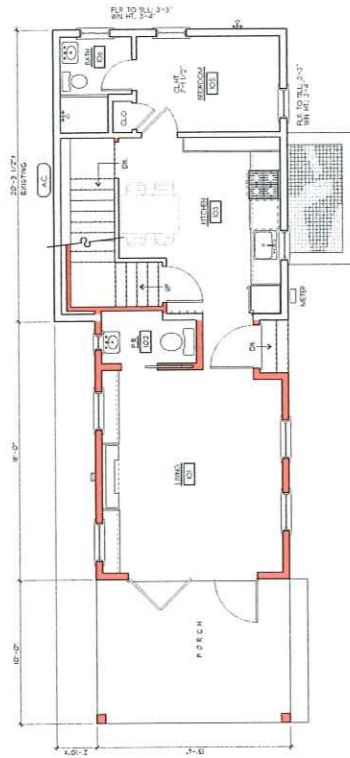
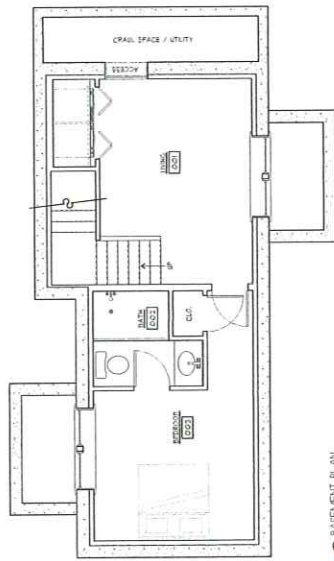
STAFF APPROVAL CHECKLIST

This checklist **MUST** be submitted with your Staff Approval.

2 CABOT

Date of Drop Off & Sign In submission at Front Desk	10/17/2023
Address & HDC case number: (ex. HDC2020-XX-XXXX) If applicable	08-8902
Meeting Approval Date: <u>9/12/2023</u> one month for minutes Copy of Minutes (application item circled)	
Four (4) Large (24"x36") sets of plans (circle all that apply) a. Site Plan b. North Elevation c. South Elevation d. East Elevation e. West Elevation f. Window/door schedule	
One set reduced plans: 8 1/2 x 11	
Additional information requested by Commission- if applicable (ex pictures, FEMA flood Certificate, etc)	
Electronic Submission: ALL documents MUST BE scanned to hdcsubmissions@nantucket-ma.gov .	

**** PLUS staff is not responsible to research, gather, collate or submit documents on behalf of the applicant.**



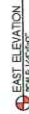
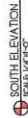
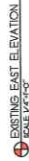
REVISIONS:
7/20/2023 AS-BUILT MEASURING
7/26/2023 AS-BUILT PLANS
7/28/2023 PROGRESS PRINT
8/1/2023 PROGRESS PRINT
8/10/2023 PROGRESS PRINT

NOTE:
ALL SITE WORK SHOULD BE VERIFIED BY A REGISTERED LAND SURVEYOR OR PROFESSIONAL ENGINEER TO THE ATTENTION OF THE ENGINEER IN CHARGE.
LOCATION OF PROPERTY LINES SHOWN.

NOTE:
IT IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO CAREFULLY REVIEW ALL EXISTING DRAWINGS AND DETAILS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DISCREPANCIES OR OMISSIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DISCREPANCIES OR OMISSIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DISCREPANCIES OR OMISSIONS.

COPYRIGHT NOTICE These drawings are the property of the Architect and are to be used only for the project and site named on the title block. © 2023 Architect Group B. All rights reserved.	NELSEN RESIDENCE		FLOOR PLANS		SHEET NO. a 1
	1000 10th Ave SE, Grand Rapids, MI 49506		DATE: 8/10/2023		
	1000 10th Ave SE, Grand Rapids, MI 49506		SCALE: 1/4" = 1'-0"		

~~Treatment~~



NOTE:
ALL SITE WORK SHOULD BE VERIFIED BY A
REGISTERED LAND SURVEYOR PRIOR TO
AND DURING CONSTRUCTION FOR PROPER
LOCATION OF PROPERTY & SETBACK LINES.

NOTE:
ALL FINAL DIMENSIONS SHALL BE VERIFIED IN THE FIELD. ANY DEVIATIONS FROM WHAT IS SHOWN SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER IN CHARGE.

These drawings are the property of
Chuan Hsiao-Ming Design Studio, Inc.
and may not be used without the express written
authorization from Chuan Hsiao-Ming.

NELSEN RESIDENCE
[REDACTED] 17000 1st Avenue NE
PO BOX 100
HARTFORD, MA 06114

ADDRESS

10

[illegible]

No.	2
-----	---

REVISIONS:

7/20/2023:	AS-BUILT MEASURING
7/26/2023:	AS-BUILT PLANS
7/26/2023:	PROGRESS PRINT
7/29/2023:	HDC PRINT
8/10/2023:	HDC PRINT

9/12/23
~~EXHIBIT A~~



2. WINDMILLS

Handwritten: *Handwritten*

NOTE: ALL FINAL DIMENSIONS SHALL BE VERIFIED IN THE FIELD. ANY DEVIATIONS FROM WHAT IS SHOWN SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER IN CHARGE.

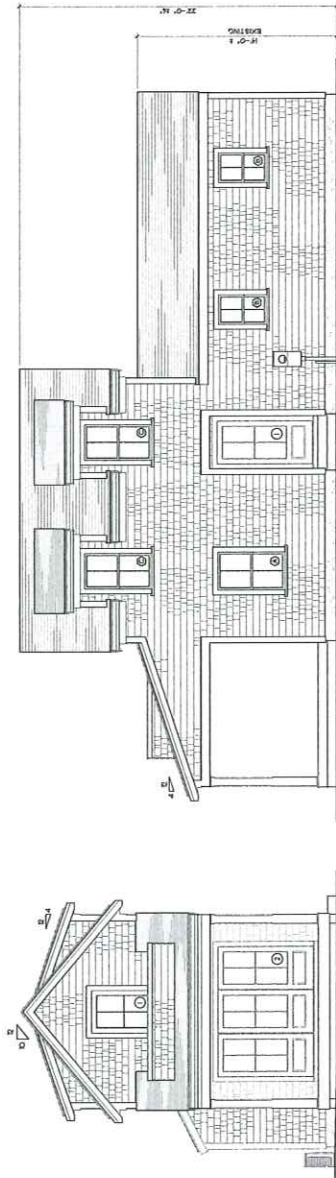
NOTE:
ALL SITE WORK SHOULD BE VERIFIED BY A
REGISTERED LAND SURVEYOR PRIOR TO
AND DURING CONSTRUCTION FOR PROPER
LOCATION OF PROPERTY I SETBACK LINES.

NOTE: IT IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO CAREFULLY REVIEW ALL WORKING DRAWINGS AND DETAILS FOR ACCURACY AND CONSISTENCY. THE DESIGNER OR ENGINEER OF RECORD CANNOT BE HELD RESPONSIBLE FOR WORK INITIATED OR CONDUCTED INCORRECTLY DUE TO MISUNDERSTANDING OR MISINTERPRETATION. IF THERE ARE ANY QUESTIONS ABOUT THE STRUCTURAL DRAWINGS HAVE BEEN REVISED, PLEASE CALL THE ENGINEER OF RECORD BEFORE INITIATING ANY WORK.

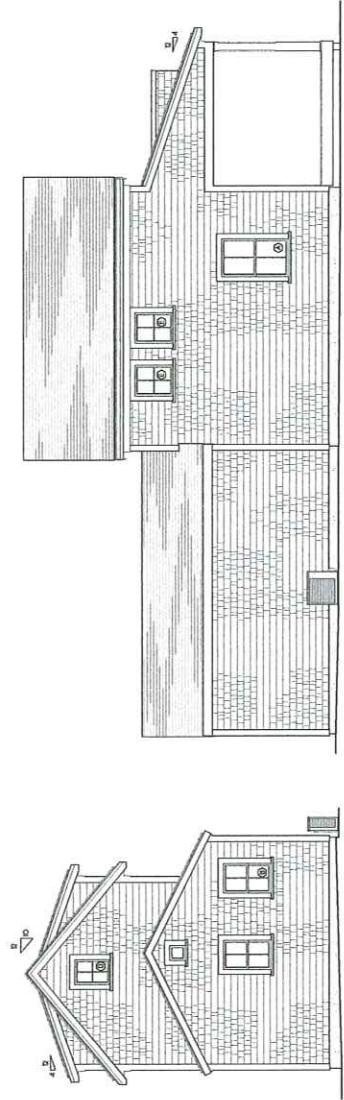
REVISIONS:

7/20/2023:	AS-BUILT MEASURING
7/26/2023:	AS-BUILT PLANS
7/28/2023:	PROGRESS PRINT
7/29/2023:	HDC PRINT
8/10/2023:	HDC PRINT

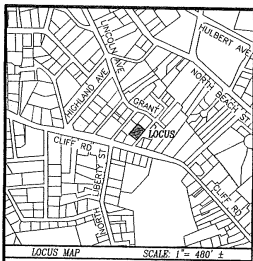
[illegible]



ORIGINAL SUBMISSION



Original Subdivision Plan and Condominium Plan, supplemented by Staff



OWNER INFORMATION
MICHELE KOLB
Deed Bk./Pg.: 1856/291
Plan: NONE FOUND
ASSESSOR'S MAP 30, PARCEL 254
#2 CABOT LANE

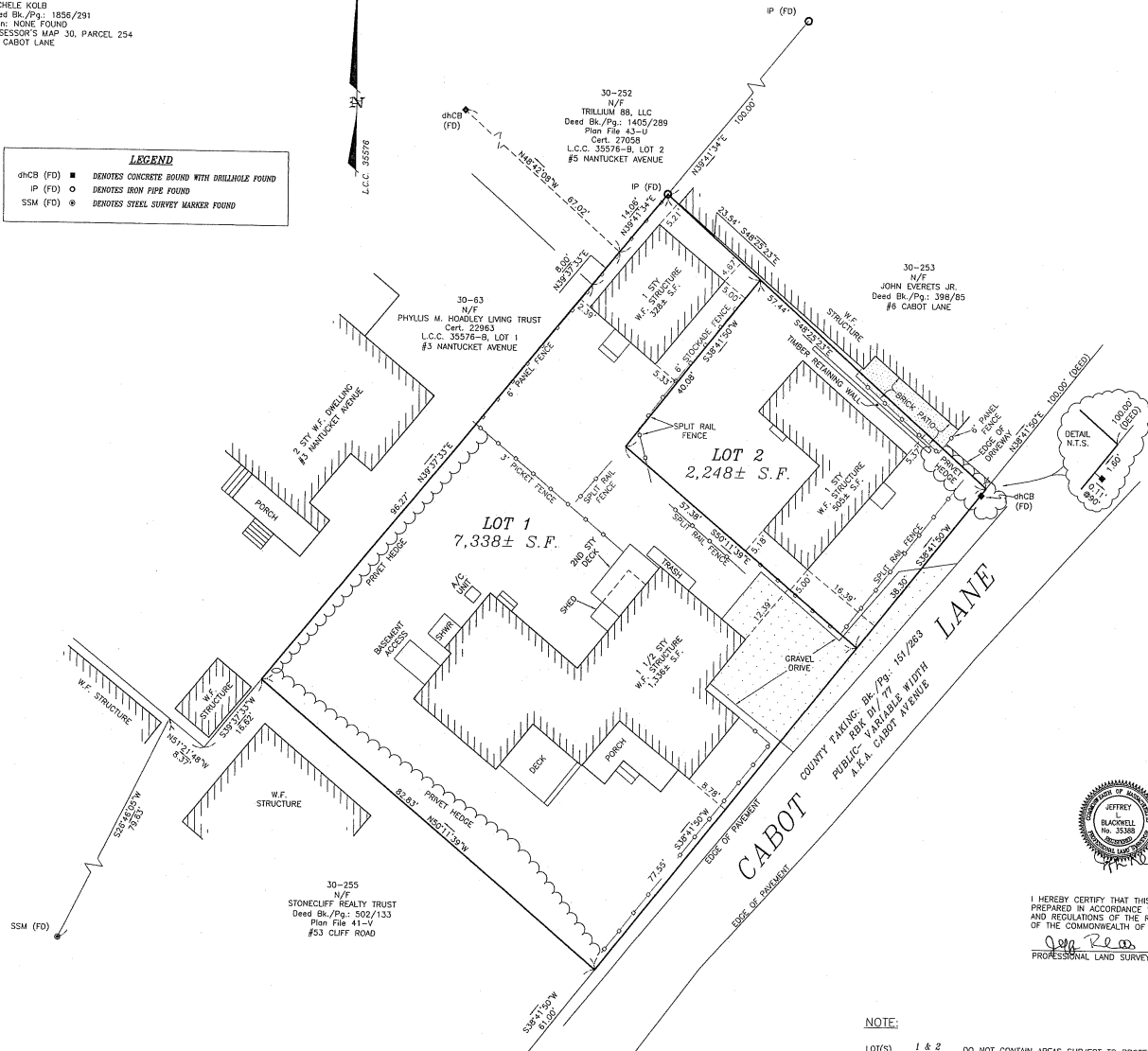
LEGEND

CHCB (FD) ■ DENOTES CONCRETE BOUND WITH DRILLHOLE FOUND
IP (FD) ○ DENOTES IRON PIPE FOUND
SSM (FD) ● DENOTES STEEL SURVEY MARKER FOUND

CURRENT ZONING CLASSIFICATION:
Residential 1 (R-1)

MINIMUM LOT SIZE: 5000 S.F.
MINIMUM FRONTAGE: 50 FT.
FRONT YARD SETBACK: 10 FT.
SIDE/REAR SETBACK: 5 FT.
GROUND COVER %: 30 %

*139-16 C.(3): 10' SETBACK REQUIRED
FOR ANY STREET OR WAY.



NANTUCKET REGISTRY OF DEEDS

Date: May 25, 2022

Time: 2:04 PM

Plan No.: 2022-23

Attest: *Gary H. Harris*
Register

Sheet 1 of 1

RESERVED FOR REGISTRY USE



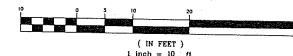
BEING A DIVISION OF LAND
DESCRIBED IN DEED Bk. 785 Pg. 343

Plan of Land
in
Nantucket, Mass.
Prepared for
MICHELE KOLB

Scale: 1" = 10' November 23, 2021

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

GRAPHIC SCALE



I HEREBY CERTIFY THAT THIS PLAN HAS BEEN
PREPARED IN ACCORDANCE WITH THE RULES
AND REGULATIONS OF THE REGISTER OF DEEDS
OF THE COMMONWEALTH OF MASSACHUSETTS.

Gary H. Harris 11-29-21
PROFESSIONAL LAND SURVEYOR DATE

PLANNING BOARD ENDORSEMENT DOES NOT
CONSTITUTE A DETERMINATION OF CONFORMANCE
UNDER ZONING.

Nantucket Planning Board

APPROVAL UNDER THE
SUBDIVISION CONTROL LAW
NOT REQUIRED

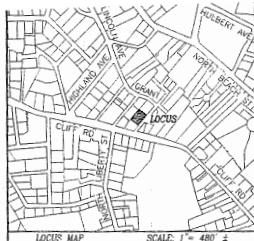
John F. Harris
Michael W. Harris

John F. Harris

DATE SIGNED: 12-13-2021

FILE NO.: PL SUB 2021-12-00225

B8643



OWNER INFORMATION

MICHELE KOLB
Deed Bk./Pg.: 1856/291
Plan No.: 2022-23, LOT 1
ASSESSOR'S MAP 30, PARCEL 254 (PORTION)
#2 CABOT LANE

LEGEND

dhCB (FD) ■ DENOTES CONCRETE BOUND WITH DRILLHOLE FOUND
IP (FD) ○ DENOTES IRON PIPE FOUND
SSM (FD) ⊕ DENOTES STEEL SURVEY MARKER FOUND
E.U.A. DENOTES EXCLUSIVE USE AREA BOUNDARY

CURRENT ZONING CLASSIFICATION:

Residential 1 (R-1)

EXISTING:

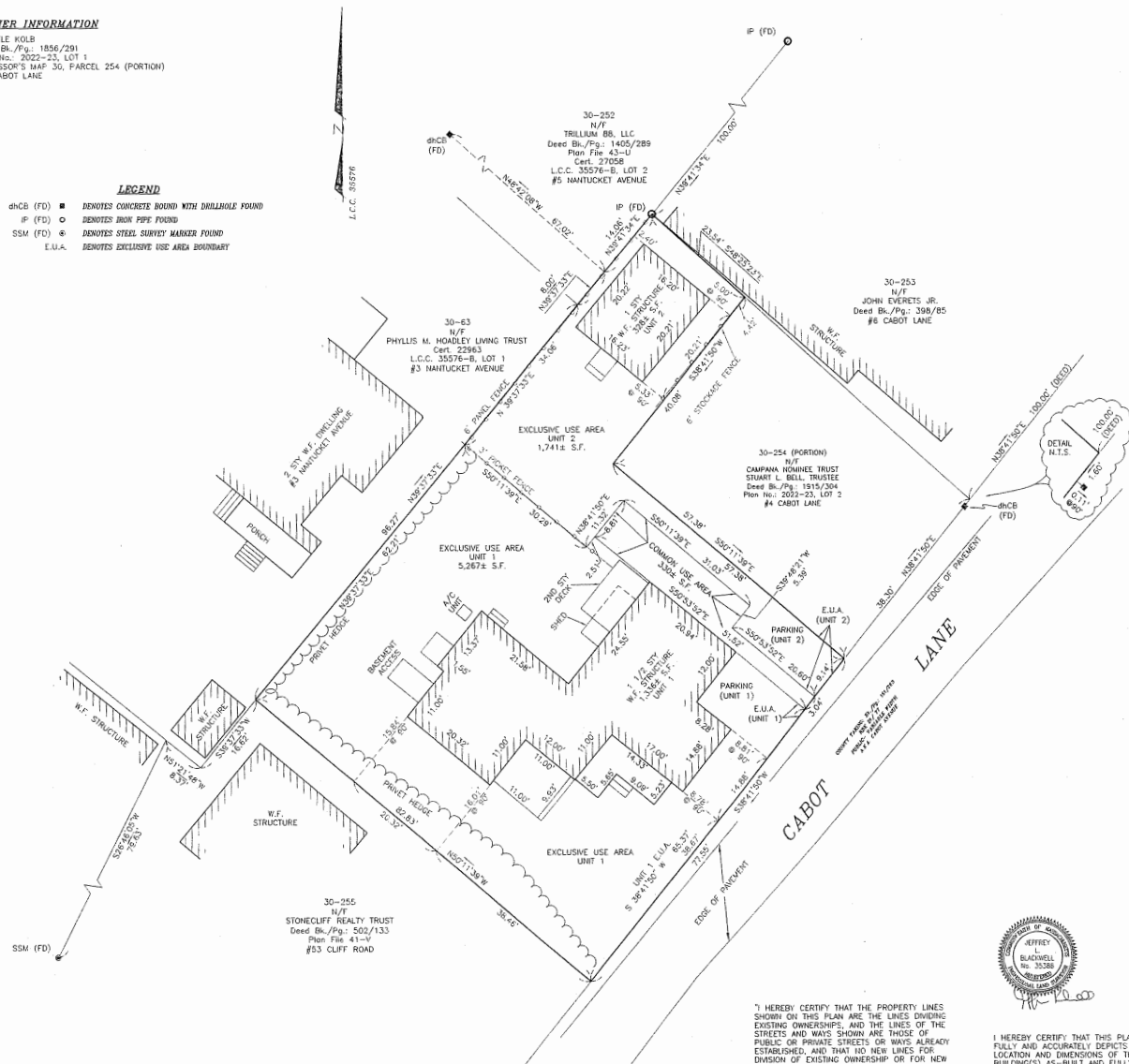
MINIMUM LOT SIZE: 5000 S.F. 7,338± S.F.
MINIMUM FRONTAGE: 50 FT. SEE PLAN
FRONT YARD SETBACK: 10 FT. SEE PLAN
SIDE/REAR SETBACK: 5 FT. SEE PLAN
GROUND COVER %: 30 % SEE PLAN
*130'-16 C.(3) 10' SETBACK REQUIRED FOR ANY STREET OR WAY.

NOTE:

ALL BUILDING MEASUREMENTS AND OFFSETS TO THE PROPERTY LINE ARE TO THE CORNER BORDERS ABOUT 4 FEET ABOVE GRADE, UNLESS NOTED ON THIS PLAN. THIS PLAN IS NOT A CERTIFICATION AS TO THE TITLE OF OWNERSHIP OF THE PROPERTY SHOWN. OWNERS OF ADJOINING PROPERTIES ARE SHOWN ACCORDING TO CURRENT ASSESSOR'S RECORDS.

NOTE:

THE BUILDING DIMENSIONS AND AREAS SHOWN ARE MEASURED TO THE CORNER BORDERS OF THE STRUCTURES FOR THE PURPOSES OF THE CONDOMINIUM SITE PLAN.



Master Deed Site Plan #2 Cabot Lane Condominium

#2 Cabot Lane

Scale: 1" = 10' July 27, 2023

BLACKWELL & ASSOCIATES, Inc.

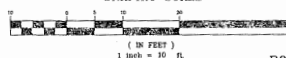
Professional Land Surveyors

20 TEASDALE CIRCLE

NANTUCKET, MASS. 02554

(508) 228-9026

GRAPHIC SCALE



Sheet 1 of 2

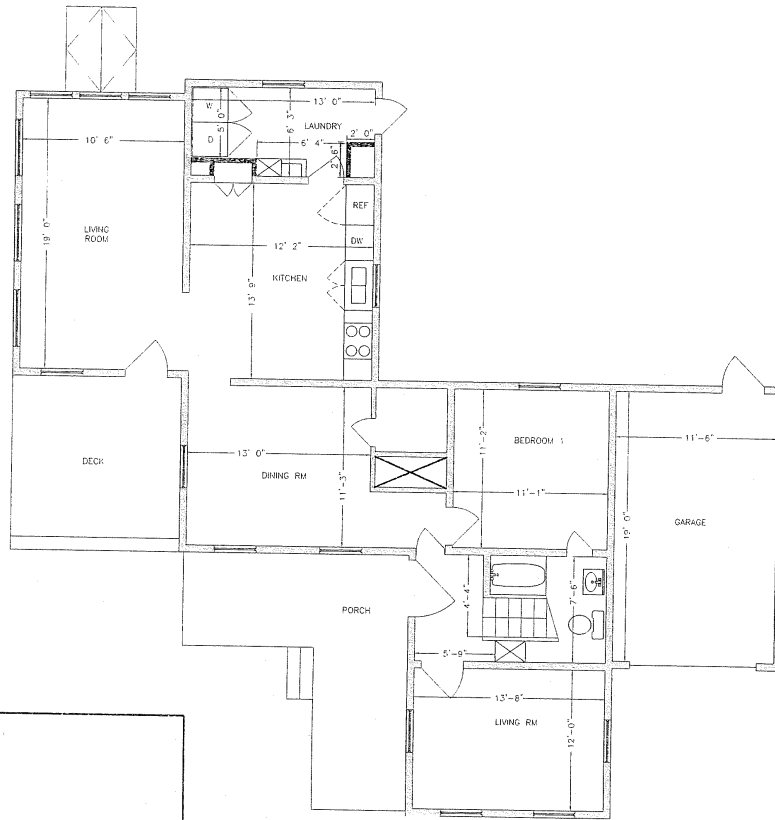
7-27-23
PROFESSIONAL LAND SURVEYOR

7-27-23
PROFESSIONAL LAND SURVEYOR

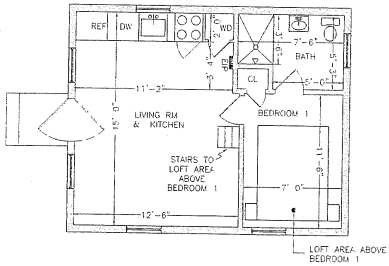
NOTE:
ALL MEASUREMENTS ARE TO EXISTING
INTERIOR FINISHED CONDITIONS.
MEASUREMENTS BY MICHELLE KOLB, RA
KOLB ARCHITECTS PC.
DATED 07/26/2022.

OWNER INFORMATION

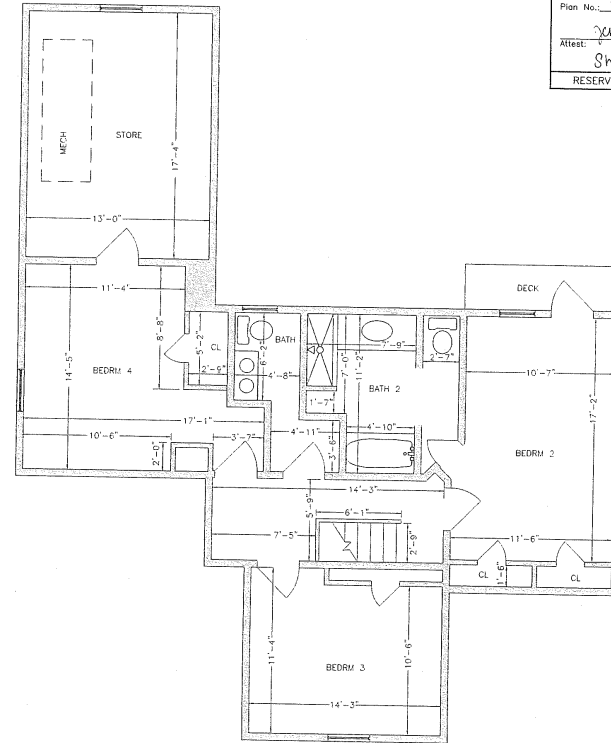
MICHELLE KOLB
Deed Bk./Pg.: 1856/291
Plan No.: 2022-23, LOT 1
ASSESSOR'S MAP 30, PARCEL 254 (PORTION)
#2 CABOT LANE



2 CABOT UNIT 1 (FIRST FLOOR)



2 CABOT UNIT 2 (REAR COTTAGE)



2 CABOT UNIT 1 (2ND FLOOR)

NANTUCKET REGISTRY OF DEEDS

Date: July 28, 2023

Time: 2:14 PM

Plan No.: 2023-38

Attest: Michelle Kolb

Register Sheet 2 of 2

RESERVED FOR REGISTRY USE

2023 BLACKWELL
Bk.: Pg. 0 Page: 0
Doc: PLAN 07/28/2023 02:14 PM

**Master Deed Floor Plan
#2 Cabot Lane
Condominium**

#2 Cabot Lane

Scale: 1" = 4' September 19, 2022

BLACKWELL & ASSOCIATES, Inc.
Professional Land Surveyors
20 TEASDALE CIRCLE
NANTUCKET, MASS. 02554
(508) 228-8026

GRAPHIC SCALE



I HEREBY CERTIFY THAT THIS PLAN HAS BEEN
PREPARED IN ACCORDANCE WITH THE RULES
AND REGULATIONS OF THE REGISTER OF DEEDS
OF THE COMMONWEALTH OF MASSACHUSETTS.

Jeffrey L. Blackwell 7-27-23
PROFESSIONAL LAND SURVEYOR DATE

I HEREBY CERTIFY THAT THIS PLAN
FULLY AND ACCURATELY DEPICTS THE
LOCATION AND DIMENSIONS OF THE
BUILDING(S) AS-BUILT AND FULLY
LISTS THE UNITS CONTAINED THEREIN.

Jeffrey L. Blackwell
PROFESSIONAL LAND SURVEYOR

Sheet 2 of 2

B8643

\\DRAWFILES\BKM\MASTER DEED SITE PLAN.dwg (AutoCAD 2017) 15:46:08 1/18

Town of Nantucket

Zoning Board of Appeals

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

PROPERTY OWNER Michelle Kolb
MAILING ADDRESS 2 Kite Hill Lane, Nantucket, MA 02554
PROPERTY LOCATION 2 Cabot Lane
ASSESSOR MAP/PARCEL 30/254
SUBMITTED BY Cohen and Cohen Law, PC

SEE ATTACHED PAGES

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

November 13, 2023

DATE

Mary L.
Haley

ASSESSOR'S OFFICE
TOWN OF NANTUCKET

Digitally signed by
Mary L. Haley
Date: 2023.11.13
10:56:09 -05'00'

Abutters Listing

MBLU	Lot	Lot Cut	Name Line 1	Name Line 2	Address Line 1	City	State	Zip	Location
29	42		MAG NANTUCKET LLC	VINECLIFF NUMBER 2 NOM TRUST	2925 RICHMOND AVE STE 400	HOUSTON	TX	77098	45 CLIFF RD
29	43		SEGAL STEVEN G TR		50 WACHUSETT ROAD	CHESTNUT HILL	MA	02476	6 VINECLIFF LN
29	43	1	2 VINECLIFF LLC		201 OCEAN TR	PALM BEACH	FL	33480	2 VINECLIFF LN
29	43	2	VINECLIFF NC LLC		101 SOUTH KINGS DR STE 200	CHARLOTTE	NC	28204	4 VINECLIFF LN
29	44		SAXL RICHARD H TRST	5 CABOT LANE NOM TRUST	PO BOX 1	WESTPORT	CT	06881	5 CABOT LN
29	45		BELL STUART L TRUSTEE	CAMPANA NOMINEE TRUST	120 CANTERBURY LN	PALM BEACH	FL	33480	7 CABOT LN
29	47		3 GRANT AVENUE LLC	C/O PRATA MCCABE CPA	7 W 45TH ST	NEW YORK	NY	10036-4905	66R N BEACH ST
29	90		KETELSEN KATHRYN TR	CABOT 9 NOMINEE REALTY TRUST	2219 SALISBURY STREET	HOUSTON	TX	77019	9 CABOT LN
30	57		3 GRANT AVENUE LLC	C/O PRATA MCCABE CPA	7 W 45TH ST	NEW YORK	NY	10036-4905	3 GRANT AV
30	59		ONE GRANT LLC		4440 WILLARD AVE APT 1213	CHEVY CHASE	MD	20815	1 GRANT AV
30	60		PILAR RAY LLC		10 OLD REDDING	WESTON	CT	06883	3 CABOT LN
30	61		ROWEN HOWARD S & KAREE J TRST	ROWEN REV TRUST	521TOYOPA DR	PACIFIC PALISADES	CA	90272	49 CLIFF RD
30	62		URBAN RICHARD B & JOCELYN SANDOR		PO BOX 3863	NANTUCKET	MA	02584	51 CLIFF RD
30	63		HOADLEY DEBORAH J TRS ETAL	PHYLLIS M HOADLEY LIV TRUST	27 PHEASANT RUN	SOMERS	CT	06071	3 NANTUCKET AV
30	64		LEVENTI PETER & GABRIELA		15 OLD ROARING BROOK RD	MT KISCO	NY	10549	55 CLIFF RD
30	140		DIAMOND JENNIFER		400 BROADHOLLOW RD	MELVILLE	NY	11747	3 LINCOLN AV
30	142		ALGER SARAH F TRST	C/O RYAN LLC	PO BOX 460329 DEPT 909	HOUSTON	TX	77056	7 GRANT AV
30	143		GOLDENEYE LLC		20 PEGAN LN	DOVER	MA	02030	5 GRANT AV
30	144		3 GRANT AVENUE LLC	C/O PRATA MCCABE CPA	7 W 45TH ST	NEW YORK	NY	10036-4905	3 GRANT AV
30	145		ROTONDARO KATHLEEN M TRST	8 NANTUCKET AVENUE NOM TRUST	10 NEWLANDS STREET	CHEVY CHASE	MD	20815	8 NANTUCKET AV
30	146		BARTLETT JOHN P ETAL	NELSON FAMILY IRRV 2012 TRUST	19 CLEVELAND LANE	PRINCETON	NJ	08540	6 GRANT AV
30	147		ALLFATHER CAROL TRST		170 EAST 95TH STREET	NEW YORK	NY	10128	5 MOOERS AV
30	148		STEPHENSON L PARKER & ROBERT W		151 WEST 86TH STREET APT 12C	NEW YORK	NY	10024	4 NANTUCKET AV
30	247		BEALE ANTHONY E & ANN PATRICIA		120 STILLCREEK RD	MILLERSVILLE	PA	17551	4 MOOERS AV
30	247	1	THOMPSON GEORGE III & BETTY M TRST	SIXTY ONE CLIFF RD NOM TRUST	5020 COLLINWOOD AVE STE 300	FORT WORTH	TX	76107-3664	61 CLIFF RD
30	248		GOLDSTUCK CHARLES & KARIN		8 MOOERS AV	NANTUCKET	MA	02554	8 MOOERS AV
30	249		CROSSWAYS LLC		133 CRESCENT AVE	BURLINGAME	CA	94010	2 LINCOLN AV
30	252		TRILLIUM 88 LLC		707 DARLINGTON RD NE	ATLANTA	GA	30305	5 NANTUCKET AV
30	253		EVERETS JOHN JR		101 CHESTNUT ST APT L	BOSTON	MA	02108	6 CABOT LN
30	254	1	BELL STUART L TR	CAMPANA NOMINEE TRUST	120 CANTERBURY LN	PALM BEACH	FL	33480	4 CABOT LN
30	255		STONE RADFORD TRUSTEE	STONECLIFF REALTY TRUST	256 MILL RD	NEW CANAAN	CT	06840-5948	53 CLIFF RD
30	608		NANTUCKET ISLANDS LAND BANK		22 BROAD STREET	NANTUCKET	MA	02554	2 NANTUCKET AV
41	22		READE ARTHUR I JR TR		90 NORTH LIBERTY PRESV TRUST	NANTUCKET	MA	02584	90 N LIBERTY ST
41	24		FRONK ROBERT L & JANET K		22 NEWTON ST	WESTON	MA	02493	89 N LIBERTY ST
41	24	1	JENSEN BRADLEY C TRST ETAL	JENSEN BARNES LIVING TRUST	PO BOX 2565	PARK CITY	UT	84080	58 CLIFF RD
41	25		CAVANAUGH JOHN H TRST ETAL		11882 SOUTHEAST LAUREL LN	HOBE SOUND	FL	33455	56 CLIFF RD
41	26		GRIFFIN PAMELA WASHBURN TRST	PWG 2013 REVOCABLE TRUST	54 CLIFF RD	NANTUCKET	MA	02554	54 CLIFF RD

41	27	FEE MATTHEW G & SHELIA C			50 CLIFF RD	NANTUCKET	MA	02554	52 CLIFF RD
41	28	SOMETHING INC	C/O FEE MATTHEW G		50 CLIFF RD	NANTUCKET	MA	02554	50 CLIFF RD
41	29	NANTUCKET TOWN OF	C/O PARK & REC		2 BATHING BEACH RD	NANTUCKET	MA	02554	48 CLIFF RD
41	136	85 FAIR LILY LLC	C/O MARGOT T YOUNG		22 GROVE PLACE UNIT 35	WINCHESTER	MA	01890	85 N LIBERTY ST
41	137	COMMONWEALTH OF MASSACHUSETTS	C/O STATE POLICE-PAUL SYLVIA		326 WEST GROVE ST	MIDDLEBORO	MA	02346	83 N LIBERTY ST
Count:									
	42								

MAG NANTUCKET LLC
2925 RICHMOND AVE STE 400
HOUSTON, TX 77098

SEGAL STEVEN G TR
VINECLIFF NUMBER 2 NOM TRUST
50 WACHUSETT ROAD
CHESTNUT HILL, MA 02476

2 VINECLIFF LLC
201 OCEAN TR
PALM BEACH, FL 33480

VINECLIFF NC LLC
101 SOUTH KINGS DR STE 200
CHARLOTTE, NC 28204

SAXL RICHARD H TRST
5 CABOT LANE NOM TRUST
PO BOX 1
WESTPORT, CT 06881

BELL STUART L TRUSTEE
CAMPANA NOMINEE TRUST
120 CANTERBURY LN
PALM BEACH, FL 33480

3 GRANT AVENUE LLC
C/O PRATA MCCABE CPA
7 W 45TH ST
NEW YORK, NY 10036-4905

KETELSEN KATHRYN TR
CABOT 9 NOMINEE REALTY TRUST
2219 SALISBURY STREET
HOUSTON, TX 77019

3 GRANT AVENUE LLC
C/O PRATA MCCABE CPA
7 W 45TH ST
NEW YORK, NY 10036-4905

ONE GRANT LLC
4440 WILLARD AVE APT 1213
CHEVY CHASE, MD 20815

PILAR RAY LLC
10 OLD REDDING
WESTON, CT 06883

ROWEN HOWARD S & KAREE J TRST
ROWEN REV TRUST
521TOYOPA DR
PACIFIC PALISADES, CA 90272

URBAN RICHARD B & JOCELYN SANDOR
PO BOX 3863
NANTUCKET, MA 02584

HOADLEY DEBORAH J TRS ETAL
PHYLLIS M HOADLEY LIV TRUST
27 PHEASANT RUN
SOMERS, CT 06071

LEVENTI PETER & GABRIELA
15 OLD ROARING BROOK RD
MT KISCO, NY 10549

DIAMOND JENNIFER
400 BROADHOLLOW RD
MELVILLE, NY 11747

ALGER SARAH F TRST
C/O RYAN LLC
PO BOX 460329 DEPT 909
HOUSTON, TX 77056

GOLDENEYE LLC
C/O DAVID MALM
20 PEGAN LN
DOVER, MA 02030

3 GRANT AVENUE LLC
C/O PRATA MCCABE CPA
7 W 45TH ST
NEW YORK, NY 10036-4905

ROTONDARO KATHLEEN M TRST
8 NANTUCKET AVENUE NOM TRUST
10 NEWLANDS STREET
CHEVY CHASE, MD 20815

BARTLETT JOHN P ETAL
19 CLEVELAND LANE
PRINCETON, NJ 08540

ALLFATHER CAROL TRST
NELSON FAMILY IRRV 2012 TRUST
170 EAST 95TH STREET
NEW YORK, NY 10128

STEPHENSON L PARKER & ROBERT W
151 WEST 86TH STREET APT 12C
NEW YORK, NY 10024

BEALE ANTHONY E & ANN PATRICIA
120 STILLCREEK RD
MILLERSVILLE, PA 17551

THOMPSON GEORGE III & BETTY M TRST
SIXTY ONE CLIFF RD NOM TRUST
5020 COLLINWOOD AVE STE 300
FORT WORTH, TX 76107-3664

GOLDSTUCK CHARLES & KARIN
8 MOOERS AV
NANTUCKET, MA 02554

CROSSWAYS LLC
133 CRESCENT AVE
BURLINGAME, CA 94010

TRILLIUM 88 LLC
707 DARLINGTON RD NE
ATLANTA, GA 30305

EVERETS JOHN JR
101 CHESTNUT ST APT L
BOSTON, MA 02108

BELL STUART L TR
CAMPANA NOMINEE TRUST
120 CANTERBURY LN
PALM BEACH, FL 33480

STONE RADFORD TRUSTEE
STONECLIFF REALTY TRUST
256 MILL RD
NEW CANAAN, CT 06840-5948

NANTUCKET ISLANDS LAND BANK
22 BROAD STREET
NANTUCKET, MA 02554

READE ARTHUR I JR TR
90 NORTH LIBERTY PRESV TRUST
NANTUCKET, MA 02584

FRONK ROBERT L & JANET K
22 NEWTON ST
WESTON, MA 02493

JENSEN BRADLEY C TRST ETAL
JENSEN BARNES LIVING TRUST
PO BOX 2565
PARK CITY, UT 84060

CAVANAUGH JOHN H TRST ETAL
11882 SOUTHEAST LAUREL LN
HOBE SOUND, FL 33455

GRIFFIN PAMELA WASHBURN TRST
PWG 2013 REVOCABLE TRUST
54 CLIFF RD
NANTUCKET, MA 02554

FEE MATTHEW G & SHELIA C
50 CLIFF RD
NANTUCKET, MA 02554

SOMETHING INC
C/O FEE MATTHEW G
50 CLIFF RD
NANTUCKET, MA 02554

NANTUCKET TOWN OF
C/O PARK & REC
2 BATHING BEACH RD
NANTUCKET, MA 02554

85 FAIR LILY LLC
C/O MARGOT T YOUNG
22 GROVE PLACE UNIT 35
WINCHESTER, MA 01890

COMMONWEALTH OF MASSACHUSETTS
C/O STATE POLICE-PAUL SYLVIA
326 WEST GROVE ST
MIDDLEBORO, MA 02346

William M. Murphy,
Trustee of 89 Easton
Street Nominee Trust

File No. 23-23

89 Easton Street

Special Permit

NANTUCKET
TOWN CLERK

2023 DEC 14 PM 2:10



TOWN OF NANTUCKET BOARD OF APPEALS NANTUCKET, MA 02554

APPLICATION

Fee: \$450.00

File No. 23-23

Owner's name(s): William M. Murphy, Trustee of 89 Easton Street Nominee Trust
C/O Nantucket Surveyors LLC

Mailing address: 5 Windy Way Nantucket, MA 02554

Phone Number: 508-228-0240 E-Mail: psantos@nantucketsurveyors.com

Applicant's name(s): Same as Above

Mailing Address: Same as above

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

Locus Address: 89 Easton Street Assessor's Map/Parcel: 42.4.4/21

Land Court Plan/Plan Book & Page/Plan File No.: Plan Reference: None

D.B.K: 1944 Pg: 118

Deed Reference/Certificate of Title: _____ Zoning District ROH

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

Residential: Number of dwellings 1 Duplex _____ Apartments _____

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

Building Permit Numbers: _____

Previous Zoning Board Application Numbers: _____

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

See Attachment A

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

SIGNATURE: William M. Murphy, Trustee

Owner*

SIGNATURE:

Applicant/Attorney/Agent*

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

See Attachment B

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: ___/___/___

Attachment A

The applicant wishes to move the nonconforming dwelling upon locus in order to increase the green space along North Avenue and to create a separation from the service area of The Nantucket Hotel. This move also achieves the minimum setback requirement for fire rated construction code compliance. HDC approval for the move has been obtained with the condition that the height of the structure cannot be increased. The dwelling has status as a pre-existing, nonconforming structure by virtue of M.G.L., c. 40A, § 7, because it has been in existence in its present location and configuration for a period in excess of ten years. The height of the structure at present, as measured under the Nantucket Zoning By-Law, is approximately 37.5 feet above average mean grade, with 30 feet being the maximum permitted under By-Law § 139-17.A; the height of the N/S/E/W elevations all exceed 32 feet above grade, with a maximum for any one side under the By-Law being 32 feet. The result of moving the dwelling will not increase the elevation of the roof peak in accordance with the HDC approval (Elevation of the existing building ridge is at 45.7 NAVD88 Vertical Datum). The move of the dwelling is proposed to be thirty inches (30") to the West and twenty four (24") inches to the North thereby increasing the setback from North Avenue from the present 0.1' to 2.6', increasing the setback from Easton Street from the present 2.4' to 3.8' and decreasing the setback from Cliff Road from the present 3.6' to 2.1'. Pursuant to By-Law § 139-16C.3, the front yard setback of 0 feet has been designated along Cliff Road. Accordingly, the applicant requests relief by Special Permit under By-Law § 139-33.A(1), for the alteration of the existing structure by relocation upon the lot, without creating new nonconformities.

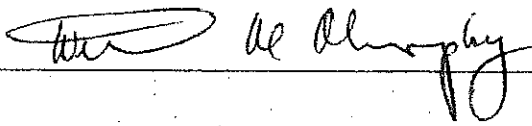
Attachment B

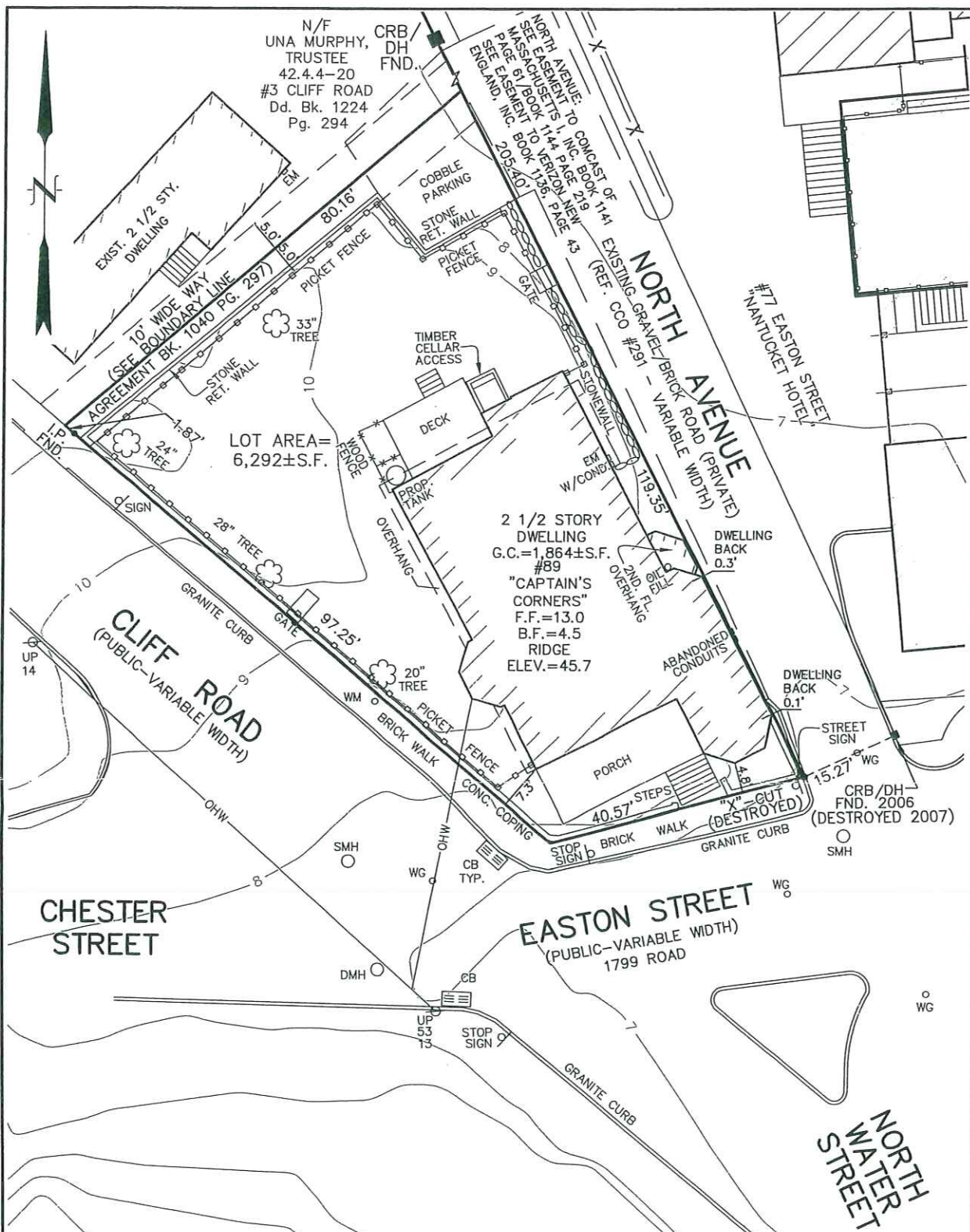
I William M. Murphy, Trustee, the undersigned, hereby authorize Paul J. Santos of Nantucket Surveyors LLC to act as agent on my behalf and to make any necessary revision on this filed application as may be requested by the Board to meet its governing rules and guidelines.

Owner Signature:

William M. Murphy, Trustee

By:

A handwritten signature in black ink, appearing to read "W. Murphy", is written over a horizontal line.



VERTICAL DATUM NAVD88

CURRENT ZONING: ROH
MINIMUM LOT SIZE: 5,000 S.F.
MINIMUM FRONTAGE: 50'
FRONTYARD SETBACK: 0'
SIDE AND REAR SETBACK: 5'
ALLOWABLE G.C.R.: 40%
EXISTING G.C.R.: 29.6%±

THE PREMISES SHOWN ON THIS PLAN IS LOCATED ADJACENT TO ZONE "AE" (EL. 7) AS DELINEATED ON "FIRM" MAP NO. 25019C0086G; EFFECTIVE DATE: JUNE 9, 2014 BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. DWELLING LOCATED OUT OF ZONE BASED ON SCALED MAP LOCATION.

FOR PROPERTY LINE DETERMINATION THIS PLOT PLAN RELIES ON CURRENT DEEDS AND PLANS OF RECORD, VERIFIED BY FIELD MEASUREMENTS AS SHOWN HEREON. THIS PLAN IS NOT REPRESENTED TO BE A TITLE EXAMINATION OR A RECORDABLE SURVEY.

N.B. 328/85 - 328/116 - 467/84

AS-BUILT PLOT PLAN
#89 EASTON STREET
IN
NANTUCKET, MASSACHUSETTS
SCALE: 1"=15' DATE: 10/20/23

DEED REFERENCE: Dd. Bk. 1944 Pg. 118
PLAN REFERENCE: NONE
ASSESSOR'S REFERENCE: MAP: 42.4.4 PARCEL: 21

PREPARED FOR:
WILLIAM M. MURPHY, TRUSTEE OF
89 EASTON STREET NOMINEE TRUST

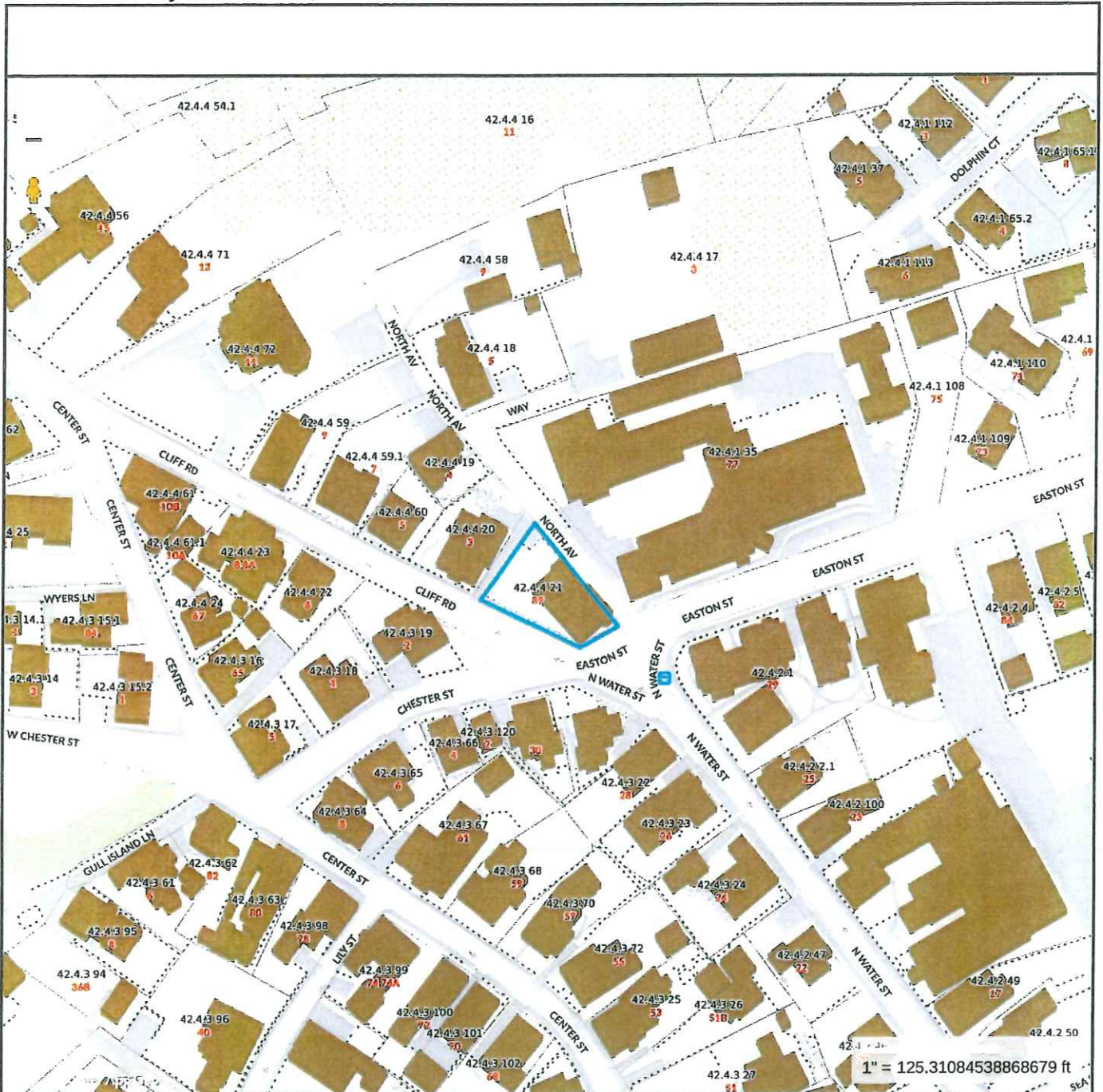
NANTUCKET SURVEYORS LLC
5 WINDY WAY
NANTUCKET, MA. 02554



118

COPYRIGHT BY NANTUCKET SURVEYORS, LLC.

N-11579



Property Information

Property ID 42.4.4 21
 Location 89 EASTON ST
 Owner BOWMAN BARBARA MAY TRUSTEE



**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.

**HDC STAFF APPROVAL
SUBMITTAL FOR COA#
HDC2023-09-9115**

STAFF APPROVAL CHECKLIST



Planning and Land Use Services

Historic District Commission

2 Fairgrounds Road, Nantucket, Ma 02554
508-325-7587

This checklist **MUST** be submitted with your Staff Approval.

✓	Sign In submission at Front Desk 12/07/2023
✓	HDC case number: (ex. HDC2020-XX-XXXX) If applicable
✓	Meeting Approval Date: 11/28/2023 Copy of Minutes (application item circled)
✓	Four (4) Large (24"x36") sets of plans (circle all that apply) a. Site Plan b. North Elevation c. South Elevation d. East Elevation e. West Elevation f. Window/door schedule
✓	One set reduced plans: 8 1/2 x 11
—	Additional information requested by Commission- if applicable (i.e. pictures, FEMA flood Certificate, etc.)
✓	Electronic Submission: ALL documents MUST BE scanned to hdcsubmissions@nantucket-ma.gov .

**** PLUS staff is not responsible to research, gather, collate or submit documents on behalf of the applicant.**



HISTORIC DISTRICT COMMISSION

REGULAR MEETING

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

Commissioners: Raymond Pohl (Chair), Stephen Welch (Vice-chair), Abby Camp, Diane Coombs, Vallorie Oliver,
Associate Commissioners: Connie Patten, Joe Paul, Carrie Thornewill

~ ~ MINUTES ~ ~
Tuesday, November 28, 2023

Community Room, 4 Fairgrounds Road & Remote Participation via Zoom

CALL TO ORDER at 4:20p.m. and announcements by Chair Pohl	
Staff in Attendance:	Esmeralda Martinez , Land Use Specialist, Adrian Rodriguez , Administrative Specialist & Fiona Johnson , Administrative Specialist, Holly Backus , Preservation Planner, Billy Saad , Zoning Administrator & Land Use Specialist
Attending Members:	Pohl, Welch, Camp, Coombs, Oliver, Patten, Paul Thornewill
Remote Participants:	Camp, Coombs, Paul, Thornewill
Absent Members:	-
Late Arrivals:	-
Early Departures:	Welch left the meeting at 8:15pm and Pohl left the meeting at 8:38 pm.

ADOPTION OF AMENDED AGENDA	
Discussion:	Welch - Requested to move Commissioner discussion digital file submission requirements to just prior to Old Business of 11/7 and move New Business Item 28 – 11/28/23 (8 Bayberry Ln) to the Consent Agenda.
Motion:	Motion to approve amended agenda. (Coombs) (4:17)
Vote:	Carried 5-0 // Pohl, Welch, Camp, Coombs Oliver (Aye)

5.	Elizabeth Singer	63 Baxter Rd	Pool	49/22	Jeffrey Lee
Concerns:	Application not opened.				
Motion:	No action.				
6.	89 Easton St	89 Easton St	Fenestration change & sm addition	41/351	BPC
Voting:	Welch, Coombs, Oliver, Patten, Thornewill				
Alternates:	Pohl				
Recused:	Paul				
Documentation:	Architectural elevation plans, site plan, photos, correspondence, advisory comments.				
Staff Comments:	Holly Backus - Noted that the property is the circa 1897 Lena Gerrard house with a Form B in the process for historic tax credits. - Requested the submission of a historic determination application. - Expressed concerns about the proposed changes, particularly the gang windows and the addition of another skylight, deeming them inappropriate. - Appreciated the use of real brick for the foundation instead of Nantucket veneer. - Recommended the removal of the gang windows in favor of one or two single double-hung windows.				
Public Comments:	Mickey Rowland, Historic Structures Advisory Group - Regarding the skylight proposal, mentioned that skylights are typically preferred in main roof planes resembling roof hatches, and the proposed location is not considered appropriate. - Acknowledged the improvement with a smaller skylight but reiterated the unsuitability of the location. - Suggested reconfiguring the windows on the new East side dormer for a more even distribution and avoiding a concentrated shingle area. - On the West elevation, expressed concerns about the new dormer in the third floor, considering its impact on the overall organized roof plan.				
Concerns:	Oliver - Expressed overall satisfaction with the proposed changes. - Noted that the windows on the east side are likely the least visible as they are at the rear of the building. - Mentioned no issues with the skylight on that roof plane. - Suggested removing the skylight on the front (South) as a good compromise, considering the presence of another skylight on the opposite side of the tower. Patten - Agreed with the suggestion to remove the skylight from the south elevation. - Expressed acceptance of the proposed windows but suggested improving their alignment for better centering on the dormer. Thornewill - Agreed with previous comments regarding the skylight in the turret facing the south. - Express concern about the new dormer on the west elevation, suggesting a single window width and potential placement on either side of the chimney. Coombs - Expressed dissatisfaction with the skylight under the chimney, finding it inappropriate. - Questioned the dormer next to the chimney with triangular windows, suggesting it made the area too busy. - Questioned the number of skylights on the house, considering it might be excessive for the historic context. Welch - Voiced support for the skylight, suggesting the addition of a muntin to divide the glass externally. - Concurred with the removal of the skylight on the south elevation.				
Motion:	Motion to approve with Exhibit A (through staff), to include the removal of the skylight on the south side, while maintaining the proposed plans for the west and north sides. Additionally, enhancing the window fenestration on the east rear portion and specifying the use of wood framing for the skylights, with the inclusion of a muntin down the middle. (Oliver) (3:06:41)				
Roll-Call Vote:	Carried – 5:0 // Welch, Coombs, Oliver, Patten, Thornewill (Aye)				
				Certificate #	HDC2023 – (as noted)

1/28/2023

TESTED: 12/6/2023

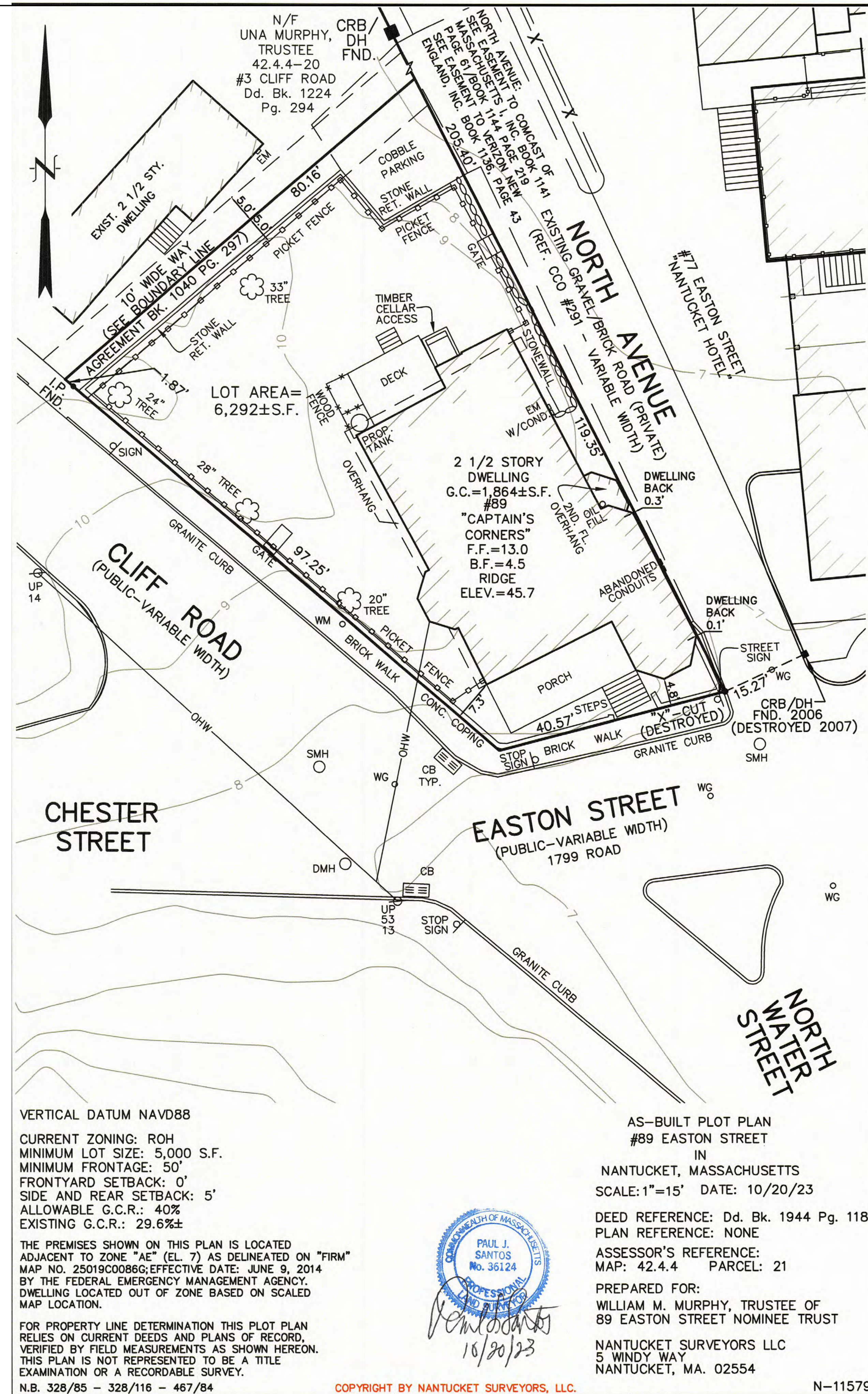
00.00.00 REVISION NOTE

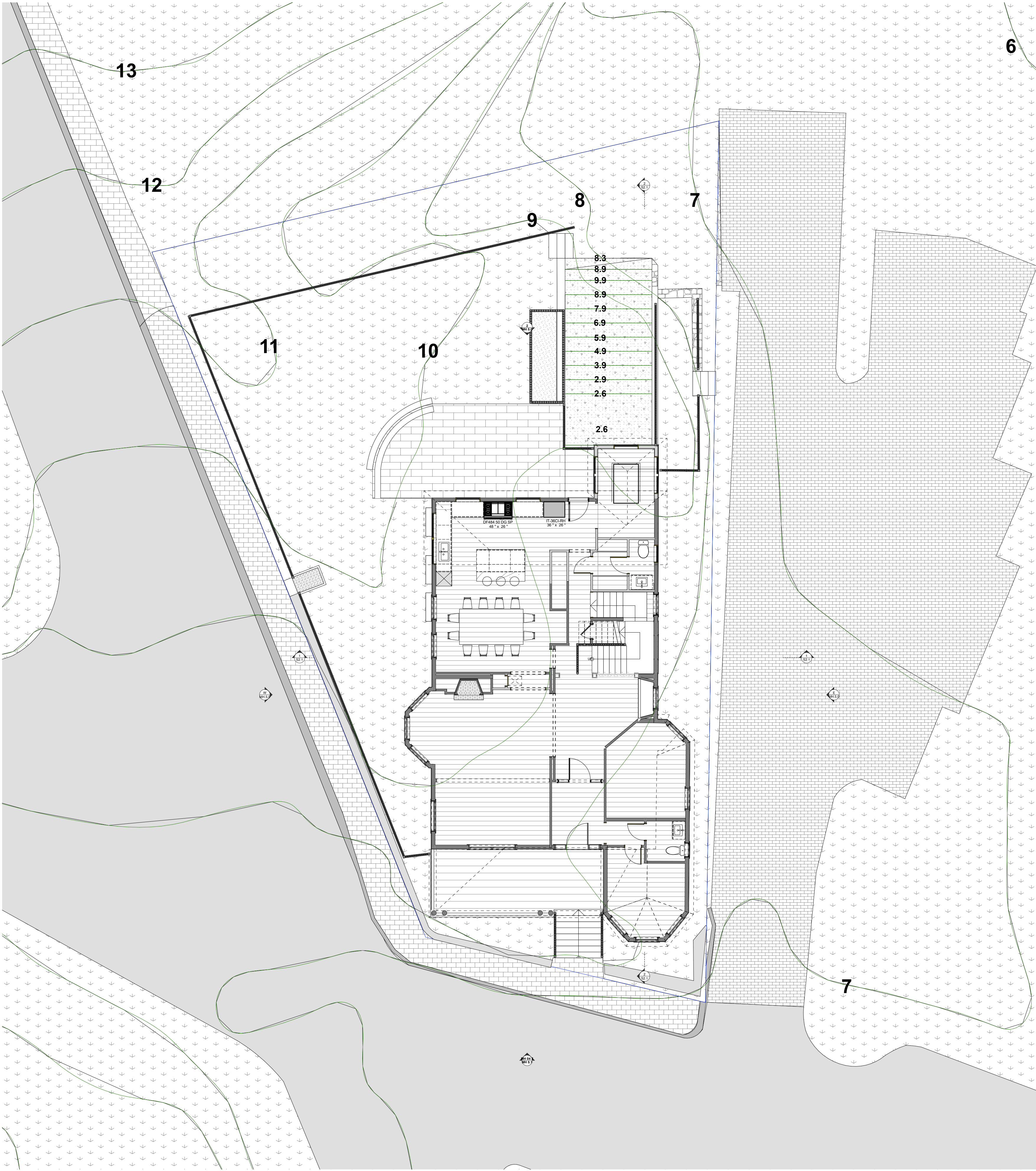
MAIN HOUSE
COVER SHEET

MH.1



SITE AERIAL





SITE PLAN
Scale 1/8" = 1'-0"

1

DOOR & WINDOW TYPES							
Hotlink and Element ID	TYPE		SIZE	MANF.	UNIT	QTY.	NOTES
100.1	---		2'-9 1/2" x 1'-6 3/32"	---	---	1	EXISTING TO REMAIN
100.2	---		1'-6" x 3'-8"	---	---	2	EXISTING TO REMAIN
100.3	---		2'-10" x 3'-8"	---	---	1	EXISTING TO REMAIN
100.4	---		3'-4" x 4'-4"	---	---	5	EXISTING TO BE FIXED
100.7	---		2'-10" x 4'-4"	---	---	2	EXISTING TO BE FIXED
100.8	-		2'-9 1/2" x 2'-3"	-	-	10	EXISTING TO BE REPLACED
100.9	---		6'-7 1/8" x 5'-0"	---	---	1	EXISTING TO BE FIXED
100.10	---		3'-0" x 5'-0"	---	---	3	EXISTING
100.10A	---		3'-0" x 5'-0"	---	---	1	NEW
100.11	---		3'-2" x 5'-0"	---	---	6	EXISTING TO BE FIXED
100.12	---		2'-7 1/8" x 2'-0"	---	---	1	EXISTING TO BE FIXED
100.13	---		3'-3 1/2" x 5'-0"	---	---	2	EXISTING TO BE FIXED
100.14	---		4'-4" x 2'-3"	---	---	1	EXISTING TO BE FIXED

100.15	---		3'-2" x 4'-4"	---	---	3	EXISTING TO BE FIXED
100.16	---		5'-8" x 4'-0"	---	---	1	EXISTING TO BE FIXED
100.17	---		3'-4" x 4'-4"	---	---	3	EXISTING TO BE FIXED
100.18	-		7'-3" x 4'-4"	-	-	1	NEW
100.19	---		2'-0" x 2'-6"	---	---	1	---
100.20	-		3'-6" x 4'-4"	-	-	3	NEW
100.21	---		3'-0" x 2'-6"	---	---	2	NEW
100.22	-		2'-6" x 4'-0"	-	-	1	NEW
100.23	-		5'-3" x 4'-0"	-	-	2	NEW
100.23	-		5'-3" x 4'-4"	-	-	2	NEW
100.24	-		2'-10" x 4'-0"	-	-	2	NEW
A	---		6'-6" x 7'-6"	---	---	1	EXISTING TO BE FIXED
B	W-		3'-0" x 7'-6"	W-	---	1	NEW
G	W-		9'-0" x 8'-0"	W-	---	1	NEW



STAFF APPROVAL
11/28/2023

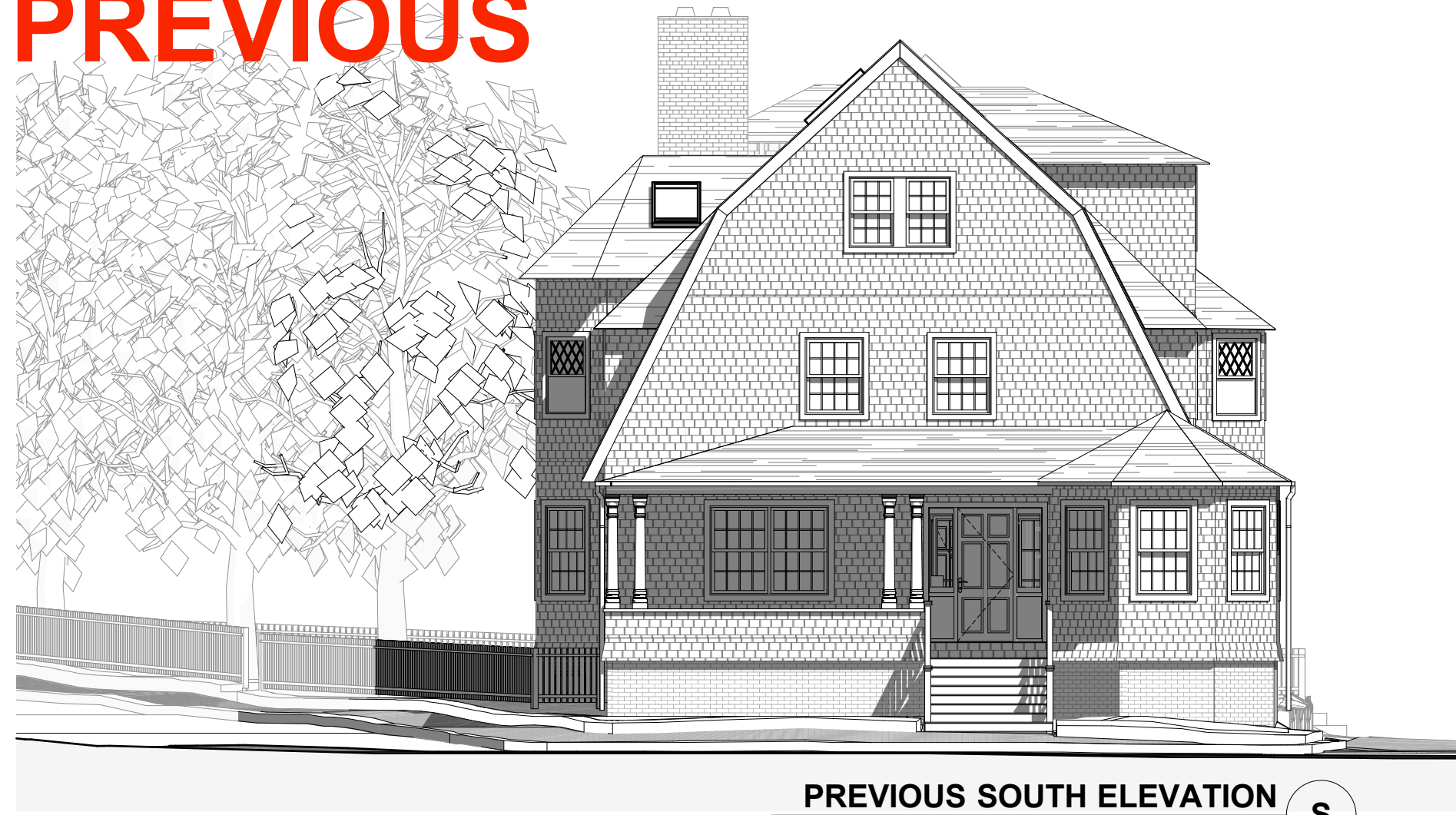
REVISIONS
PLOTTED: 12/6/2023

MURPHY
89 EASTON ST
NANTUCKET,, MASSACHUSETTS 02554

PROPOSED
D&W SCHEDULE

MH.4.0

PREVIOUS



PREVIOUS SOUTH ELEVATION S
Scale 1/8" = 1'-0"

PROPOSED



PROPOSED SOUTH ELEVATION S
Scale 1/8" = 1'-0"



PREVIOUS WEST ELEVATION W
Scale 1/8" = 1'-0"



PROPOSED WEST ELEVATION W
Scale 1/8" = 1'-0"



PREVIOUS NORTH ELEVATION N
Scale 1/8" = 1'-0"



PROPOSED NORTH ELEVATION N
Scale 1/8" = 1'-0"



PREVIOUS EAST ELEVATION E
Scale 1/8" = 1'-0"



PROPOSED EAST ELEVATION E
Scale 1/8" = 1'-0"



S PROPOSED SOUTH ELEVATION
Scale 1/4" = 1'-0"



W PROPOSED WEST ELEVATION
Scale 1/4" = 1'-0"



N PROPOSED NORTH ELEVATION
Scale 1/4" = 1'-0"



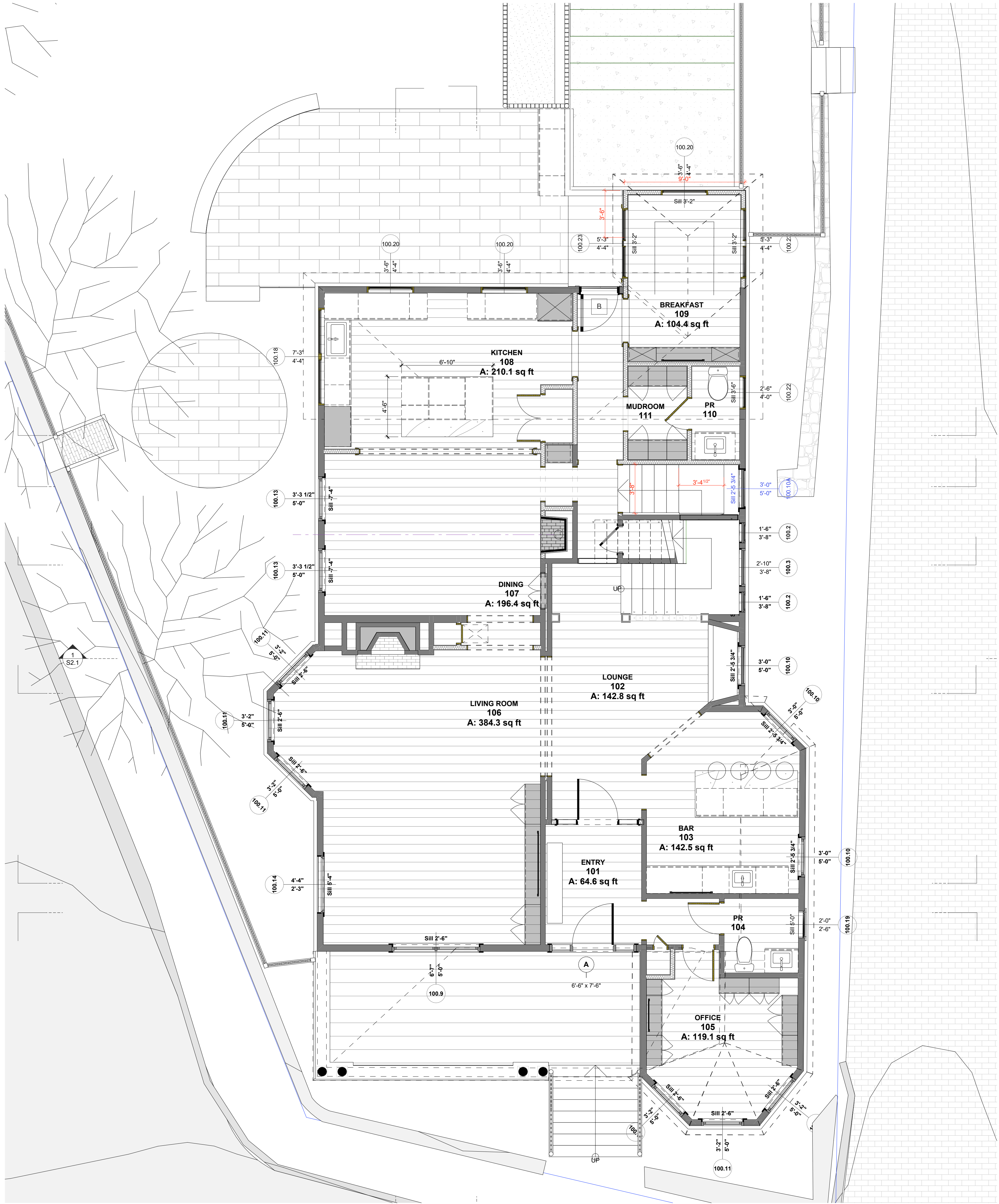
MOVED
PROPOSED
WINDOWS

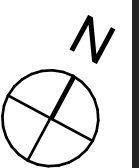
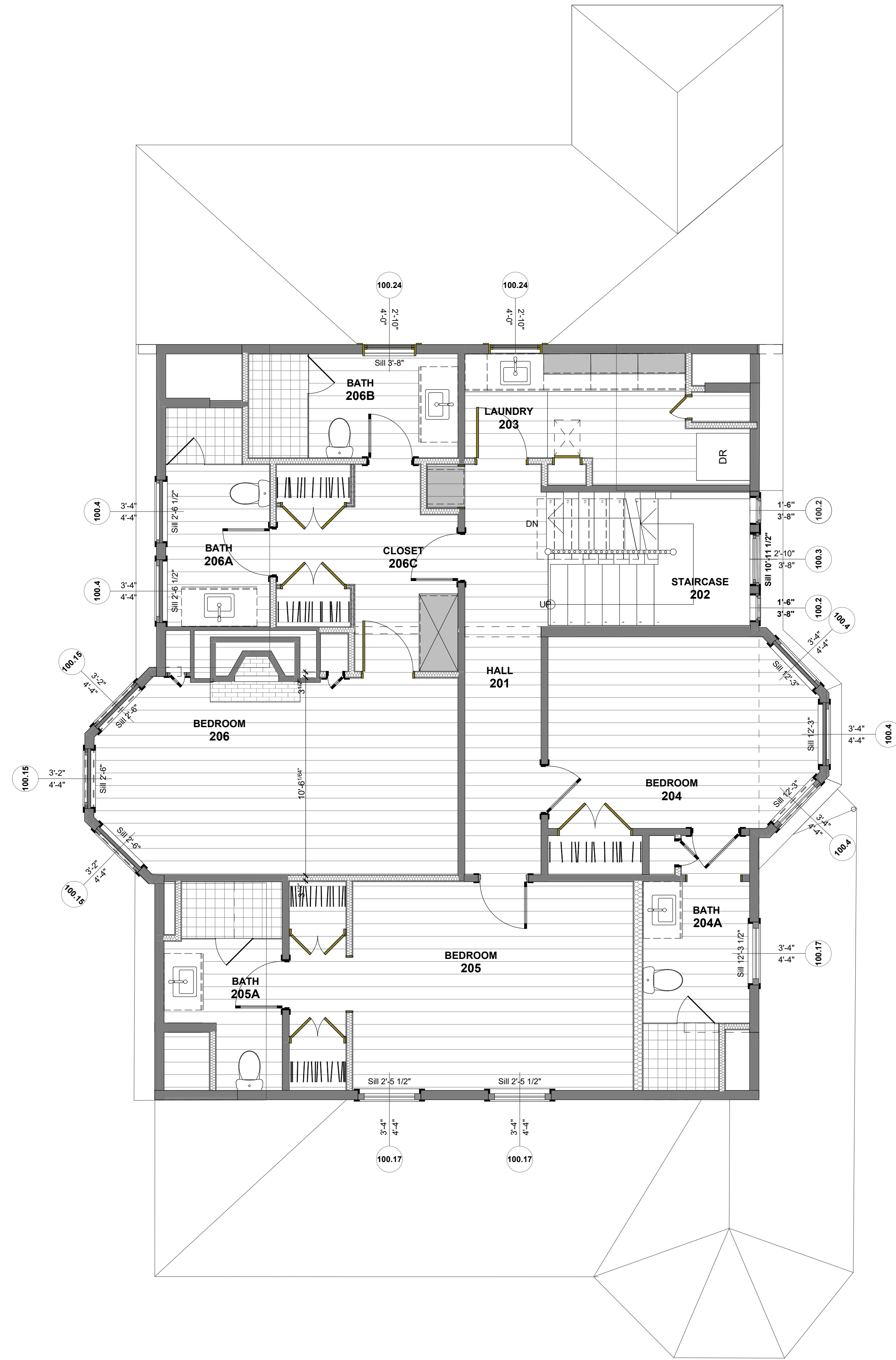
E PROPOSED EAST ELEVATION
Scale 1/4" = 1'-0"

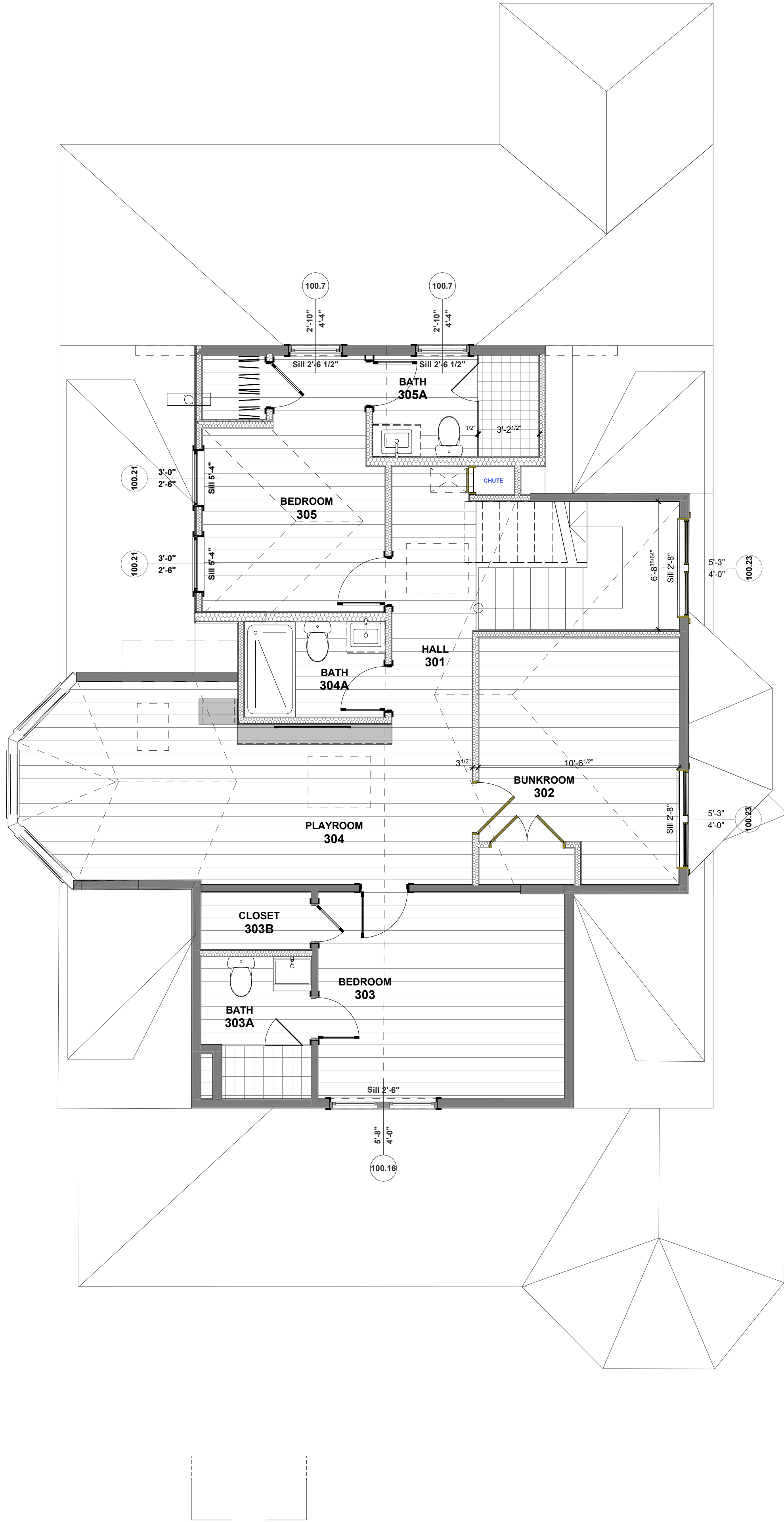
MURPHY
89 EASTON ST
NANTUCKET,, MASSACHUSETTS 02554

PROPOSED
ELEVATIONS

MH.5.8



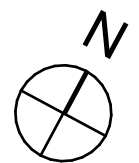




MURPHY
89 EASTON ST
NANTUCKET,, MASSACHUSETTS 02554

ATTIC FRAMING
PLAN

MH.6.2.2



Town of Nantucket

Zoning Board of Appeals

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

PROPERTY OWNER..... William M. Murphy, Trustee of 89 Easton Street Nominee Trust

MAILING ADDRESS..... 800 Riviera Isle Fort Lauderdale, FL 33301

PROPERTY LOCATION..... 89 Easton Street

ASSESSOR MAP/PARCEL..... Map: 42.4.4 Parcel: 21

SUBMITTED BY..... Nantucket Surveyors, LLC

SEE ATTACHED PAGES

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

December 7, 2023

DATE

Mary L.
Haley

Digitally signed
by Mary L. Haley
Date: 2023.12.07
09:35:46 -05'00'

ASSESSOR'S OFFICE
TOWN OF NANTUCKET

Abutters Listing

IBLU	Lot	Lot Cnt	Name Line 1	Name Line 2	Address Line 1	City	State	Zip	Location
4241	35		NANTUCKET HOTEL HOLDINGS LLC		321 COMMONWEALTH RD STE 201	WAYLAND	MA	01778	77 EASTON ST
4241	108		SOUTH NOMINEE TRUST		71 EASTON STREET	NANTUCKET	MA	02554	75 EASTON ST
4241	109		NANTUCKET ISLAND RESORTS TRUST	C/O CONNELLA MARK	73 EASTON ST	NANTUCKET	MA	02554	75 EASTON ST
4242	1		25 NORTH WATER STREET LLC	C/O N E DEVELOPMENT ACCOUNT DEPT C/O ANTHONY JANNOTTA	75 PARK PLAZA #3 4 BLUE WATER LAKE	BOSTON	MA	02116	29 N WATER ST
4242	2	1	NANTUCKET ISLAND RESORTS LLC	C/O NEW ENGLAND DEVELOP-ACCTING DEPT	75 PARK PLAZA #3	WESTPORT	CT	06889	25 N WATER ST
4242	3		GOOD STEPHEN & SANDRA JONES		64 GREEN HARBOR RD	BOSTON	MA	02116	19 N WATER ST
4242	4		ERNST NANCY S TR		5975 COBBLESTONE LN UNIT D201	EAST FALMOUTH	MA	02536	84 EASTON ST
4242	47		BUTTERWORTH GEORGE P & KATHLEEN R TRST		23 NORTH WATER ST	NAPLES	FL	34112	22 N WATER ST
4242	100		65 CENTER STREET LLC	C/O KARA AND WILLIAM BOHSACK	90 LONG NECK POINT RD	NANTUCKET	MA	02554	23 N WATER ST
4243	16		CHESTER SMILEY LLC	C/O CORE INVESTMENTS INC	800 BOYLSTON ST 30TH FL	DAREN	CT	06820	65 CENTER ST
4243	17		ONE CHESTER SMILEY LLC	C/O CORE INVESTMENTS INC	800 BOYLSTON ST 30TH FL	BOSTON	MA	02199	5 CHESTER ST
4243	18		BAN ROELOF J ETAL		2920 CHARLOTTE LUND	BOSTON	MA	02199	1 CHESTER ST
4243	19		KOSEATAC TUGE U		30 N WATER ST	NANTUCKET	MA	02554	2 CLIFF RD
4243	20		DARRAH PAUL F & AMY J		5 CANFIELD CROSSING	NANTUCKET	MA	02554	30 N WATER ST
4243	22		JENNERIC LLC		PO BOX 611	NANTUCKET	MA	02554	28 N WATER ST
4243	23		STORER RICHARD E TR		16 CANTERBURY DRIVE	GEORGETOWN	MA	01833	26 N WATER ST
4243	24		COSTA JOSEPH		12008 HAUTREE COURT	STAMFORD	CT	06907	24 N WATER ST
4243	25		ROE K KEITH		46 BROAD BROOK LANE	STAMFORD	CT	06907	53 CENTER ST
4243	26		LENCYK ELIZABETH M		9 PHEASANT RUN	HIGHAM	MA	02043	518 CENTER ST
4243	60		RASSO MICHAEL & JACQUELINE		PO BOX 3512	NANTUCKET	MA	02584	80 CENTER ST
4243	63		ROANT TAMAS LLC		1215 CHESTNUT ST	NEWTON	MA	02464	8 CHESTER ST
4243	64		COTSMOLD TWO LLC		16 EAST TWIN OAKS ESTATE	SILOX FALLS	SD	57105	6 CHESTER ST
4243	65		6 CHESTER STREET LLC	C/O JAMES W ABBOTT	125 GREGORY PLACE	WEST PALM BEACH	FL	33405	4 CHESTER ST
4243	66		MONOMORY SHOALS LLC	C/O ALEXANDRA KINNEY	100 SOUTH COMMONS	PITTSBURGH	PA	15212	61 CENTER ST
4243	67		PP MARTIN HOUSE LLC	C/O FAROS PROPERTIES	177 WESTLAND AVE	WEST HARTFORD	CT	06107	59 CENTER ST
4243	68		MORGAN SANDRA W TRST ETAL	WILLOW COTTAGE NOM TRUST	656 THROCK MORTON	MILL VALLEY	CA	94841	57 CENTER ST
4243	70		MONOMORY SHOALS LLC	C/O HALSTEDS	183 WOODSAMONS RD	PENNINGTON	NJ	08534	55 CENTER ST
4243	72		HANSON LAURA F	ATTN ACCOUNTING	1140 RESERVOIR AVE	CRANSTON	RI	02920	75 CENTER ST
4243	98		RECAGATA INN NANTUCKET LLC		PO BOX 7246	NANTUCKET	MA	02554	74 CENTER ST
4243	99	1	NANTUCKET GRACELAND LLC		24 WEDGEWOOD RD	WELLESLEY	MA	02481	768 CENTER ST
4243	99	2	FRIELING GRANT & GRECHEN		811 TREMONT ST UNIT 2	BOSTON	MA	02118	748 CENTER ST
4243	99	3	LATTANZO DOUGLAS		76C CENTER ST UNIT 5	NANTUCKET	MA	02554	76C CENTER ST
4243	99	4	ROUILLARD WENDY WHITCOMB		765 WESTNET RD SOUTH	ALAX ONTARIO	CA	02116	748 CENTER ST
4243	99	5	2338970 ONTARIO INC		699 BOYLSTON ST 12TH FL	BOSTON	MA	02116	76A CENTER ST
4243	99	6	BRAZILIAN JOHN H TR		40 BOSTON POST ROAD	AMHERST	NH	03031	73 CENTER ST
4243	100		PIERCE KRISTINE F TRST		30 N WATER ST	NANTUCKET	MA	02554	70 CENTER ST
4243	101		KOSEATAC TUGE U		80 PLYMOUTH RD	NEWTON	MA	02461	2 CHESTER ST
4243	120		LITTLE THOMAS D C	& BROWN SARA D	80 PLYMOUTH RD	NEWTON	MA	02461	11 NORTH AV
4244	16		NANTUCKET BARN LLC		11101 HERMITAGE HILL RD	ST LOUIS	MO	63131	3 NORTH AV
4244	17		ADLER LEE P & ELISABETH T		14 MONTVALE RD	WELLESLEY	MA	02481	5 NORTH AV
4244	18		LITTLE SARAH A		800 RIVERA ISLE	FORT LAUDERDALE	FL	33301	4 NORTH AV
4244	19		MURPHY UNA TRUSTEE		19 REVERE LN	QUINCY	CT	06033	3 CLIFF RD
4244	20		MARCO JOAN M TRST ETAL		680 SEA STREET	BLAISTONBURY	MA	02169	6 CLIFF RD
4244	22	1	HENECHAN MIRIAM VARIAN		243 NORTH STREET #6	BOSTON	MA	02113	8C CLIFF RD
4244	23	1	MARINO MARGARET A TRST		89 EAST DEDHAM ST #604	BOSTON	MA	02118	80 CLIFF RD
4244	23	2	TRUMBULL DYLAN		7421 LYNNHURST ST	CHEY CHASE	MD	20815	BE CLIFF RD
4244	23	3	OWEN JEFFREY S & DIANA M		3925 S CHERRY ST	LONDON	UK	SW63AP	BF CLIFF RD
4244	23	4	BALISCIANO MARCIA L		87 CENTER ST	CHEERY HILLS	CO	80113	BA CLIFF RD
4244	23	5	ROF PROPERTIES LLC		80 PLYMOUTH RD	NEWTON	MA	02461	9 NORTH AV
4244	23	6	CONDON CATHERINE RILEY TR	GARDEN GATE IRREVOCABLE TRUST & BROWN SARA D	2104 LAKEHAVEN POINT	LONGWOOD	FL	32779	9 CLIFF RD
4244	24		LITTLE THOMAS D C		158 WOODLAND STREET	SHERBORN	MA	01770	7 CLIFF RD
4244	25		SMKIDSCIFF LLC	NANCY S TRUSTEES	87 BOYLSTON ST 4TH FL	CONCORD	MA	01742	5 CLIFF RD
4244	59	1	LITTLE JOHN N & WITTENBERG	ROSA RUGOSA RTY TRUST	2104 LAKEHAVEN POINT	LONGWOOD	FL	32779	11 CLIFF RD
4244	60		LITTLE SARAH TR						
4244	61		10 CLIFF ROAD LLC						
4244	61		SAB LLC						
Count:	58								

NANTUCKET HOTEL HOLDINGS LLC
321 COMMONWEALTH RD STE 201
WAYLAND, MA 01778

SOUTH NOMINEE TRUST
71 EASTON STREET
NANTUCKET, MA 02554

NORTH NOMINEE TRUST
C/O GONNELLA MARK
73 EASTON ST
NANTUCKET, MA 02554

NANTUCKET ISLAND RESORTS LLC
C/O N E DEVELOPMENT-ACCOUNT DEPT
75 PARK PLAZA #3
BOSTON, MA 02116

25 NORTH WATER STREET LLC
C/O ANTHONY JANNOTTA
4 BLUE WATER LANE
WESTPORT, CT 06889

NANTUCKET ISLAND RESORTS LLC
C/O NEW ENGLAND DEVELOP-ACCTING
DEPT
75 PARK PLAZA #3
BOSTON, MA 02116

GOOD STEPHEN & SANDRA JONES
64 GREEN HARBOR RD
EAST FALMOUTH, MA 02536

ERNST NANCY S TR
ERNST NANCY S REVOCABLE TRUST
5875 COBBLESTONE LN UNIT D201
NAPLES, FL 34112

BUTTERWORTH GEORGE P & KATHLEEN
R TRST
23 NORTH WATER ST
NANTUCKET, MA 02554

65 CENTER STREET LLC
C/O KARA AND WILLIAM BOHNSACK
90 LONG NECK POINT RD
DARIEN, CT 06820

CHESTER SMILEY LLC
C/O CORE INVESTMENTS INC
800 BOYLSTON ST 30TH FL
BOSTON, MA 02199

ONE CHESTER SMILEY LLC
C/O CORE INVESTMENTS INC
800 BOYLSTON ST 30TH FL
BOSTON, MA 02199

BAAN ROELOF I J ETAL
ORESUNDSHOJ 7
2920 CHARLOTTENLUND, DENMARK

KOSEATAC TUGE U
30 N WATER ST
NANTUCKET, MA 02554

DARRAH PAUL F & AMY J
5 CANFIELD CROSSING
NORWALK, CT 06855

JEN-ERIC LLC
PO BOX 611
NANTUCKET, MA 02554

STORER RICHARD E TR
16 CANTERBURY DRIVE
GEORGETOWN, MA 01833

COSTA JOSEPH
12406 HAUTREE COURT
PALM BEACH GARDENS, FL 33418

ROE K KEITH
65 WINDWARD LANE
STAMFORD, CT 06903

LENCYK ELIZABETH M
46 BROAD BROOK LN
STAMFORD, CT 06907

RASO MICHAEL & JACQUELINE
9 PHEASANT RUN
HINGHAM, MA 02043

ROAN TAMAS LLC
PO BOX 3512
NANTUCKET, MA 02584

COTSWOLD TWO LLC
1215 CHESTNUT ST
NEWTON, MA 02464

6 CHESTER STREET LLC
C/O JAMES W ABBOTT
16 EAST TWIN OAKS ESTATE
SIOUX FALLS, SD 57105

T101 LLC
C/O ALEXANDRA KINNEY
125 GREGORY PLACE
WEST PALM BEACH, FL 33405

FP MARTIN HOUSE LLC
C/O FAROS PROPERTIES
100 SOUTH COMMONS
PITTSBURGH, PA 15212

MORGAN SANDRA W TRST ETAL
WILLOW COTTAGE NOM TRUST
177 WESTLAND AVE
WEST HARTFORD, CT 06107

MONOMOY SHOALS LLC
C/O HALSTEDS
656 THROCK MORTON
MILL VALLEY, CA 94941

HANSON LAURA F
189 WOOSAMONSA RD
PENNINGTON, NJ 08534

REGATTA INN NANTUCKET LLC
ATTN ACCOUNTING
1140 RESERVOIR AVE
CRANSTON, RI 02920

NANTUCKET GRACELAND LLC
PO BOX 7246
NANTUCKET, MA 02554

FRIELING GRANT & GRETCHEN
24 WEDGEWOOD RD
WELLESLEY, MA 02481

LATTANZIO DOUGLAS
611 TREMONT ST UNIT 2
BOSTON, MA 02118

ROUILLARD WENDY WHITCOMB
76C CENTER ST UNIT 5
NANTUCKET, MA 02554

2538970 ONTARIO INC
765 WESTNEY RD SOUTH
AJAX ONTARIO, CANADA L1656W1

BRAZILIAN JOHN H TR
699 BOYLSTON ST 12TH FL
BOSTON, MA 02116

PIERCE KRISTENE F TRST
40 BOSTON POST ROAD
AMHERST, NH 03031

PIERCE KRISTENE F TRST
40 BOSTON POST ROAD
AMHERST, NH 03031

KOSEATAC TUGE U
30 N WATER ST
NANTUCKET, MA 02554

LITTLE THOMAS D C
& BROWN SARA D
80 PLYMOUTH RD
NEWTON, MA 2461

NANTUCKET BARN LLC
80 PLYMOUTH RD
NEWTON, MA 02461

ADLER LEE P & ELISABETH T
11101 HERMITAGE HILL RD
ST LOUIS, MO 63131

LITTLE SARAH A
14 MONTVALE RD
WELLESLEY, MA 02481

MURPHY UNA TRUSTEE
3 CLIFF ROAD NOM TRUST
800 RIVIERA ISLE
FORT LAUDERDALE, FL 33301

MARCO JOAN M TRST ETAL
19 REVERE LN
GLASTONBURY, CT 06033

HENEGHAN MIRIAM VARIAN
680 SEA STREET
QUINCY, MA 02169

MARINO MARGARET A TRST
SOUTHWIND NOM TRUST
243 NORTH STREET #6
BOSTON, MA 02113

TRUMBLE DYLAN
89 EAST DEDHAM ST #804
BOSTON, MA 02118

OWEN JEFFREY S & DIANA M
7421 LYNNHURST ST
CHEVY CHASE, MD 20815

BALISCIANO MARCIA L
7 NARBOROUGH ST
LONDON, UK SW63AP

ROF PROPERTIES LLC
3925 S CHERRY ST
CHERRY HILLS, CO 80113

CONDON CATHERINE RULEY TR
GARDEN GATE IRREVOCABLE TRUST
67 CENTER ST
NANTUCKET, MA 02554

LITTLE THOMAS D C
& BROWN SARA D
80 PLYMOUTH RD
NEWTON, MA 02461

SMBKIDSCLIFF LLC
2104 LAKEHAVEN POINT
LONGWOOD, FL 32779

LITTLE JOHN N & WITTENBERG
NANCY S TRUSTEES
158 WOODLAND STREET
SHERBORN, MA 01770

LITTLE SARAH TR
ROSA RUGOSA RTY TRUST
57 MONSEN RD
CONCORD, MA 01742

10 CLIFF ROAD LLC
867 BOYLSTON ST 4TH FL
BOSTON, MA 02116

SAB LLC
2104 LAKEHAVEN POINT
LONGWOOD, FL 32779

End of Packet