Nantucket Planning Board

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

Board Members: Joseph Topham (Acting-Chair), David Iverson (*Remote participation)*, Nat Lowell, Barry Rector (arrived at 4:07pm), and John Kitchener

Alternates: Stephen Welch, Abby De Molina, Howard Matz (Absent)

Staff: Meg Trudel (Senior Planner), William Saad (Zoning Administrator/Land Use Specialist), and Catherine Ancero (Administrative Specialist)

PLANNING BOARD
APPROVED MINUTES OF 11-14-2024

(*Subject to change*)

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

The complete text, plans, application, or other material relative to each agenda item are available for inspection digitally. Email requests may be sent to wsaad@nantucket-ma.gov and/or cancero@nantucket-ma.gov

Webinar Registration Link:
https://us06web.zoom.us/webinar/register/WN_qKTAnlxASqWssrsW2oWVkg#/registration

To view the meeting only, see link below:

https://www.youtube.com/watch?v=c33r9xzJEnM

I. Call to order:
Acting Chair Topham called the meeting to order at 4:01 pm.

Roll call of Board members:
Dave Iverson, *Aye (remote participation)*
Nat Lowell, *Aye*
John Kitchener, *Aye*
Acting Chair Topham *Aye*
Barry Rector – *arriving late*
Stephen Welch – *arriving late*
Abby De Molina – *Aye*
Howard Matz - *Absent*

Roll Call of Planning Staff:
Megan Trudel - Aye,
William Saad – Aye

Catherine Ancero – Aye

II. **Approval of the agenda:**

Mr. Lowell moved to approve the agenda. The motion was duly seconded by Mr. Kitchener, and the motion was carried unanimously.

Roll call of Board members:
Dave Iverson, *Aye (remote participation)*
Nat Lowell, *Aye*
John Kitchener, *Aye*
Acting Chair Topham *Aye*

III. **Public Comment:** *for items not listed on the agenda*

There were no public comments.

IV. **Surfside Crossing Planning Board Discussion:**

Recused: Dave Iverson

Discussion: There was a brief discussion of potentially adding access point from Surfside Crossing to Miacomet Road to alleviate traffic congestion in the area in which the Board supported this concept. Briefly discussed the importance of addressing both current and projected traffic issues, recognizing the need for further collaboration and input from fire and police departments. It was proposed to formalize the recommendation by writing a letter for an additional access from Surfside Crossing to Miacomet Road to the Zoning Board of Appeals, as this falls within the scope of the Planning Board's review on the adequacy of access.

V. **Minutes:**

- **October 21, 2024**
- **November 7, 2024**

Motion/Vote: Mr. Lowell made a motion to approve both sets of minutes listed above. The motion was duly seconded by Mr. Kitchener, and the motion was carried unanimously.

Roll call of Board members:
Dave Iverson, *Aye (remote participation)*
Nat Lowell, *Aye*
John Kitchener, *Aye*
Acting Chair Topham *Aye*

VI. **Second Dwellings:**

- **ACK MWG LLC – 10 Silver Street**
- **Big Patch LLC – 69 Hummock Pond Road**
- **The Whole Spread LLC – 332 Polpis Road**

VII. **Tertiary Dwellings:**

- **Dylan Wallace & Caroline Borelli – 65 Polpis Road**

VIII. **ANRs:**

- **T. Scott Jube – 10 Oak Hollow Road, *SEE PUBLIC HEARING***
- **6A Marble Way LLC & Richard P. Beaudette, Trustee – 6, 8 & 10 Marble Way**
- **3 Masquet LLC – 3 Masaquet Avenue**
- **The Town of Nantucket – 114 Orange Street**

Voting: Acting Chair Topham, Dave Iverson (remote participation), Nat Lowell, and John Kitchener

Alternates: Abby De Molina
Recused: None
Absent: Stephen Welch, and Howard Matz
Documentation: File with associated plans, photos and required documentation
Activated: None
Representing: None
Discussion: The Board reviewed and voted on the secondary, tertiary dwellings and ANR applications, except for ANR application 10 Oak Hollow Road which will be discussed and voted under Public Hearing discussion.

Motion/Vote: Mr. Lowell made a motion to approve all the secondary and tertiary dwellings listed above and approve all the ANR applications except for 10 Oak Hollow Road which will be discussed and voted under the Public Hearing discussion. The motion was duly seconded by Mr. Kitchener, and the motion was carried unanimously.

Roll call of Board members:
Dave Iverson, *Aye (remote participation)*
Nat Lowell, *Aye*
John Kitchener, *Aye*
Acting Chair Topham *Aye*

IX. Previous Plans:

- **#7661 Woodland Hill Subdivision,** *release final performance security*
Voting: Chair Dave Iverson (remote participation), Nat Lowell, and John Kitchener
Alternates: Abby De Molina
Recused: None
Absent: Stephen Welch, and Howard Matz
Documentation: File with associated plans, photos and required documentation
Activated: None
Representing: None
Discussion: The applicant requested the release of funds held as performance security. Inspection and review by the consulting engineer Ed Pesce confirmed that all subdivision conditions have been satisfied. Staff recommended releasing the remaining funds back to the applicant.

Motion/Vote: Mr. Lowell made a motion to release the final performance security. The motion was duly seconded by Mr. Kitchener, and the motion was carried unanimously.

Roll call of Board members:
Dave Iverson, *Aye (remote participation)*
Nat Lowell, *Aye*
John Kitchener, *Aye*
Acting Chair Topham *Aye*

- **PLSUB-2023-11-00435 9 Hinsdale Road Subdivision,** *Form J (Lots 1 & 2)*
Voting: Chair Dave Iverson (remote participation), Nat Lowell, and John Kitchener
Alternates: Abby De Molina
Recused: None
Absent: Stephen Welch, and Howard Matz
Documentation: File with associated plans, photos and required documentation
Activated: None
Representing: None
Discussion: The applicants have met the conditions outlined in condition five of the decision. Staff recommended endorsing the Form J and releasing Lots 1 and 2.

Motion/Vote: Mr. Lowell made a motion to endorse the Form J and release lots 1 and 2. The motion was duly seconded by Mr. Kitchener, and the motion was carried unanimously.

Roll call of Board members:
Dave Iverson, *Aye (remote participation)*
Nat Lowell, *Aye*
John Kitchener, *Aye*
Acting Chair Topham *Aye*

- **Maple Lane Subdivision,** *release performance surety*
  Voting: Chair Dave Iverson *(remote participation),* Nat Lowell, and John Kitchener
  Alternates: Abby De Molina
  Recused: None
  Absent: Stephen Welch, and Howard Matz
  Documentation: File with associated plans, photos and required documentation
  Activated: None
  Representing: None
  Discussion: The applicant requested a partial release of the performance security. Staff stated that there are still outstanding items, and they are finalizing the exact amount to withhold which is estimated between $35,000 and $40,000. Approximately $500,000 of the performance security can be released back to the applicant. The Board recommended withholding an amount to be determined by staff.

Motion/Vote: Mr. Kitchener made a motion to release approximately $500,000 of the performance security and that staff will determine amount to be withheld. The motion was duly seconded by Mr. Lowell, and the motion was carried unanimously.

Roll call of Board members:
Dave Iverson, *Aye (remote participation)*
Nat Lowell, *Aye*
John Kitchener, *Aye*
Acting Chair Topham *Aye*

X. Public Hearing:b

- **Great Harbor Tennis and Swim Center - Great Harbor Yach Club, Inc. – 19 & 23 Nobadeer Farm Road,** *action deadline 01-31-2025* ***CONTINUED TO DECEMBER 9, 2024***
- **BOVF, LLC – 33 Bartlett Farm Road,** *action deadline 02-12-2025* ***CONTINUED TO DECEMBER 9, 2024***
- **RG Gamma LLC, Richard Valero and RG Beta LLC – 60 & 62 Old South Road,** *action deadline 01-19-2025* ***CONTINUED TO DECEMBER 9, 2024***

Documentation: File with associated plans, photos and required documentation

Motion/Vote: Mr. Kitchener made a motion to approve the continuance with the applications listed above. The motion was duly seconded by Mr. Lowell and the motion was carried unanimously.

Roll call of Board members:
Dave Iverson, *Aye (remote participation)*
Nat Lowell, *Aye*
John Kitchener, *Aye*
Acting Chair Topham *Aye*

- **13 and 15 Nancy Ann LLC – 13 and 15 Nancy Ann Lane,** *action deadline 02-28-2025*
  Voting: Dave Iverson, Acting-Chair Joseph Topham, Nat Lowell, and John Kitchener
  Alternates: Abby De Molina (*remote participation*)
  Recused: None
  Absent: Howard Matz and Stephen Welch
  Documentation: File with associated plans, photos and required documentation
  Activated: None
  Representing: Attorney Arthur Reade
  Discussion: The project was previously reviewed by the Board the Historic District Commission (HDC). HDC object on the single large building's design. Revisions were made to split the structure visually into two buildings with a connecting space, however it remains one building underground. The current design includes 10 workshop spaces and 12 residential units. The applicant is also seeking to waive the density cap on units per lot. Engineering concerns have been addressed and signed off by Ed Pesce. Questions were raised about its practicality for modern car maintenance, including protective coatings. A floor drainage system with an oil and gas separator will collect wastewater, complying with sewer department regulations. The Building Commissioner and on-site engineers will oversee compliance. The drainage system will make sure that the wastewater is handled without impacting the local wellhead protection area. Acting-Chair Topham opened the floor to the public. Emily Molden requested clarity and updates on justification for waivers, location and design details of the rinse-only vehicle washing station on the plans, including pre-treatment. Ms. Molden expressed concern on the PFAS contamination from similar facilities. Ms. Molden suggested stricter conditions for making sure that the wastewater treatment compliance, including marking details on final plans. Campbell Sutton proposed periodic testing on a monthly or biannual basis of wastewater tanks to monitor for contamination, given the site's location in a Wellhead Recharge District. Mr. Bracken stated that the vehicle washing station is rinse-only. Mr. Bracken confirmed that the wastewater will flow into a pre-treatment system with compliance reviewed at the building permit stage. Mr. Bracken agreed to submit final engineering plans and any sewer-related evaluations for review and approval.

Motion/Vote: Mr. Kitchener made a motion to close the public hearing. The motion was duly seconded by Mr. Lowell and the motion was carried unanimously.

<u>Roll call of Board members:</u>
Dave Iverson, *Aye (remote participation)*
Nat Lowell, *Aye*
John Kitchener, *Aye*
Acting Chair Topham *Aye*

Discussion: Brief discussion on waivers and the special permit. Mr. Iverson expressed concerns about the number of waivers. Waivers for open space and parking were initially requested as contingencies however were confirmed as no longer necessary. Apartments exceeding four units, found acceptable due to justification in the bylaw allowing for increased density on properties capable of subdivision. Two driveway access will enhance traffic flow and safety on the property. Commercial storage and contractor shop algins with permitted uses in the CTEC District. Staff confirmed that all technical concerns had been addressed.

Motion/Vote: Mr. Lowell made a motion to approve the application with the discussed changes and conditions. The motion was duly seconded by Mr. Kitchener, and the motion was carried unanimously.

<u>Roll call of Board members:</u>
Dave Iverson, *Aye (remote participation)*
Nat Lowell, *Aye*
John Kitchener, *Aye*
Acting Chair Topham *Aye*

Note: Barry Rector arrived at 4:07pm

- **Great Harbor Yacht Club (Tennis and Swim Center)– 19, 21 (portion of) & 23 Nobadeer Farm Road,** *action deadline 11-29-2024*
  Voting: Dave Iverson, Acting-Chair Joseph Topham, Nat Lowell, Barry Rector and John Kitchener
  Alternates: Abby De Molina (*remote participation*)
  Recused: None
  Absent: Howard Matz and Stephen Welch
  Documentation: File with associated plans, photos and required documentation
  Activated: None
  Representing: Attorney Arthur Reade
  Discussion: There was some confusion due to references to properties not included in the current project. Staff confirmed the correct application details. There was discussion on the ongoing negotiations with the Land Bank concerning public access. Noise concerns were raised from the proposed pickleball courts. A nine-foot fence, strategic placement of courts and dense planting of Leland Cypress will be in place as a noise buffer. The applicant will be following the Town's noise regulations. Attorney Reade clarified that there has been communication with representatives from the neighboring Small Friends property regarding potential agreements, however no formal arrangements or property use proposals are currently in place. An audience member caused a public disruption. Acting Chair Topham to call for order and request respect for the Board. Leo Asadorian stated that he will be consulting with Eric Thalheimer who is nationally known as an acoustic engineer regarding noise concerns. Acting Chair Topham opened the floor to the public. Jenifer Dunbar, a teacher from Small Friends since 1992, stated that the proposed courts are extremely close to her classroom and playground, with insufficient buffering. Noise from the pickleball courts would disrupt nap time and class activities for children aged 3 months to 5 years, both indoor and outdoors. Ms. Dunbar stated that from her personal experience with noise from paddle courts further away was already disruptive and the proximity of pickleball courts would intensify this. Ms. Dunbar expressed the importance of a peaceful, comfortable environment for children's rest, concentration, and well-being, which the courts would compromise. Stefan, a parent of a child who attends Small Friends stated that he was sorry for the disruption however was demonstrating how distracting noise is bouncing a ball during the meeting, raised concerns about the parking overflow from Great Harbor members into the daycare spaces, citing past issues with unmet commitments from the Tennis Center. Stefan urged the Board to prioritize the children's well-being. Matt Dwyer, a representative of Great Harbor clarified that the organization has been in communication with Small Friends School since before purchasing the property in the summer of 2023. The initial discussions included a proposed land swap to address side yard setback concerns with the Land Bank, which Small Friends cooperatively supported until Great Harbor opted to resolve the matter directly with the Land Bank. Mr. Dwyer stated that there were no prior complaints about noise or other issues were raised by Small Friends staff, Board, or parents until recently. Mr. Dwyer expressed that members would not park on the 19 Nobadeer Farm Road site or traverse through it late at night. Mr. Dwyer also mentioned that the land was sold by Small Friends without raising concerns about its future use. There were multiple public concerns raised about the pickleball courts citing significant challenges for the daycare, including noise, safety and parking issues and asked the Board to reconsider the project.

  Motion/Vote: Mr. Kitchener made a motion to continue the public hearing. The motion was duly seconded by Mr. Lowell and the motion was carried unanimously.

  <u>Roll call of Board members:</u>
  Dave Iverson, *Aye (remote participation)*
  Nat Lowell, *Aye*
  Barry Rector, *Aye*
  John Kitchener, *Aye*
  Acting Chair Topham *Aye*

- **Richard Joseph Leider & Jane Leider, Trustees of the Richard & Jane Leider Revocable Trust – 62 & 64 Sankaty Road,** *action deadline 12-08-2024*
  Voting: Dave Iverson, Acting-Chair Joseph Topham, Nat Lowell, Barry Rector and John Kitchener
  Alternates: Stephen Welch and Abby De Molina (*remote participation*)
  Recused: None
  Absent: Howard Matz
  Documentation: File with associated plans, photos and required documentation
  Activated: None
  Representing: Art Gasbarro – Engineer and Agent
  Discussion: The applicant is proposing a subdivision of two lots into three lots. The proposal includes a driveway access plan to address safety concerns from the first hearing. Mr. Gasbarro stated that one of the new lots would not have a direct access to Sankaty Road and instead a common driveway would be built along the south side of the property. There is a bike path easement along the frontage and the vegetation height will be restricted to 3 feet to improve visibility. The proposed improvements include narrowing the pavement near the bike path's end, relocating the crosswalk 12 feet north and adding signs to improve pedestrian and bike safety. The design is to improve the current road safety without increasing the number of driveways permitted. Acting Chair Topham opened the floor to the public. Rob Benchley, a neighbor expressed concerns about congestion and safety at the end of the bike path. Mr. Benchley stressed that the new driveway could add to the traffic and create more potential hazards, especially during the summer when the area is busy. Amy Eldridge, a neighbor express concerns about the driveway placement near her property and the misalignment of the crosswalk with nearby bus stops. She stated that this could lead to traffic and safety issues. Ms. Eldridge stated that even locals are often careless about stopping and tourists might be more at risk. Ms. Eldrige suggested using the existing driveway at 64 Sankaty Road which would reduce traffic and improve safety. Megan Perry echoed same concerns about safety and asked about the traffic study and input from the Bicycle and Pedestrian Advisory Committee (BPAC). Ms. Perry suggested possibly delaying the decision until feedback from BPAC could be gathered. Elizabeth Eldridge voiced her concerns with one recalling a dangerous encounter while pulling out of her driveway near the bike path. She argued that having the new driveway near the bike path's end would increase the risk of accidents and suggested that the existing northern driveway as a safer alternative. There was discussion on bike path safety, suggesting improving the design by moving the bike path to create a sharper, more defined turn that would reduce merging risks. There was some debate whether the easement land could be integrated into the lots to improve the driveway configuration. Some of the abutters felt that they haven't been adequately involved in planning visit and site visits and requested for more opportunities to discuss the project with departments like DPW and real estate agents.

  Motion/Vote: Mr. Lowell made a motion to continue the public hearing. The motion was duly seconded by Mr. Kitchener and the motion was carried unanimously.

  Roll call of Board members:
  Nat Lowell, *Aye*
  John Kitchener, *Aye*
  Barry Rector, *Aye*
  Dave Iverson, *Aye (remote participation)*
  Acting Chair Topham *Aye*

- **T. Scott Jube – 10 Oak Hollow Road,** *action deadline 02-12-2025*
  Voting: Dave Iverson, Acting-Chair Joseph Topham, Nat Lowell, Barry Rector and John Kitchener
  Alternates: Stephen Welch and Abby De Molina (*remote participation*)
  Recused: None
  Absent: Howard Matz
  Documentation: File with associated plans, photos and required documentation
  Activated: None
  Representing: None

Discussion: The applicant is proposing for a secondary residential lot (Lot 61) and seeking waiver for independent driveway access. Acting Chair Topham opened the public hearing. There were no comments and concerns.

Motion/Vote: Mr. Rector made a motion to close the public hearing. The motion was duly seconded by Mr. Lowell and the motion was carried unanimously.

Roll call of Board members:
Nat Lowell, *Aye*
John Kitchener, *Aye*
Barry Rector, *Aye*
Dave Iverson, *Aye (remote participation)*
Acting Chair Topham *Aye*

Motion/Vote: Mr. Lowell made a motion to approve the application with the findings and conditions set in the staff report. The motion was duly seconded by Mr. Kitchener and the motion was carried unanimously.

Roll call of Board members:
Nat Lowell, *Aye*
John Kitchener, *Aye*
Barry Rector, *Aye*
Dave Iverson, *Aye (remote participation)*
Acting Chair Topham *Aye*

ANR: T. Scott Jube – 10 Oak Hollow Road *action deadline 02-12-2025*

Motion/Vote: Mr. Lowell made a motion to endorse the ANR. The motion was duly seconded by Mr. Kitchener and the motion was carried unanimously.

Roll call of Board members:
Nat Lowell, *Aye*
John Kitchener, *Aye*
Barry Rector, *Aye*
Dave Iverson, *Aye (remote participation)*
Acting Chair Topham *Aye*

- **Town of Nantucket – Sherburne Commons,** *action deadline 02-12-2025*

Voting: Dave Iverson, Acting-Chair Joseph Topham, Nat Lowell, Barry Rector and John Kitchener
Alternates: Stephen Welch and Abby De Molina (*remote participation*)
Recused: None
Absent: Howard Matz
Documentation: File with associated plans, photos and required documentation
Activated: None
Representing: John McMeeking – Landscape Architect with SMRT Architect and Engineers, Craig Piper Senior Principal (*remote participation*) and Dick Webb SMRT Architect Senior Project Manager (*remote participation*) and Jeff Maxus, traffic engineer from the BETA Group (*remote participation*)
Discussion: The applicant is proposing a new nursing home facility to replace "Our Island Home" building. The project is to construct a 47,000 square foot, single story building on a 20-acre Town owned property, which includes Sherburne Commons. This new facility will offer 45 resident bedrooms and will be located on the eastern side of the site, near South Shore Road and Sherburn Commons Lane. The development also includes relocating staff housing and providing additional parking spaces, with 53 spaces for the facility and 12 spaces for staff housing. Emergency access and circulation improvements, including a new curb cut for fire access and upgraded roads, are part of the plan. The design features courtyards, outdoor patios, and

pedestrian walkways for residents' wellness. Evergreen plantings will be added for privacy and visual screening. An emergency pull-off was recommended and approved by the Fire Department. A request to relocate an existing curb cut on Sherburn Commons Lane to provide access to the new staff housing and a 53-space parking lot. A 50-foot vegetative buffer is proposed along the lot line and a 75-foot buffer along the street. The developers are seeking a reduction in the street buffer to 50 feet to make room for the building. The developers will be replanting and adding pedestrian walkways to maintain green space. A traffic study was conducted. Data was collected on traffic volume and intersection movements, identifying peak traffic hours and pedestrian/bicycle activity. The study included crash data. There are no traffic volume increases expected from the proposed project. Improvements on the ADA compliance for pedestrian crosswalks, proper sight distance at driveways and providing weatherproof bicycle parking. Acting Chair Topham opened the floor to the public. Linda Williams residing at South Pasture Lane expressed concerns about the proposed walkway encroaching on the 50 foot no disturb buffer which was established when the neighborhood was built. Ms. Williams questioned the emergency access being too close to South Pasture Lane and expressed concerns about construction disruptions. Ms. Williams stated that the HDC has not approved the design yet. Emily Molden from the Nantucket Land and Water Council raised concerns about the vegetation of buffers with native species and stormwater management. The developers stated that the stormwater would be treated with underground systems. There was a brief discussion whether an independent engineering review should be done. The Town's consulting engineer, Ed Pesci could not review the project due to potential conflicts of interest, however it was suggested that an external consultant might be hired for an additional review.

Motion/Vote: Mr. Lowell made a motion to continue the public hearing. The motion was duly seconded by Mr. Kitchener and the motion was carried unanimously.

Roll call of Board members:
Nat Lowell, *Aye*
John Kitchener, *Aye*
Barry Rector, *Aye*
Dave Iverson, *Aye (remote participation)*
Acting Chair Topham *Aye*

- **6A Marble Way, LLC – 8 & 10 Marble Way,** *action deadline 02-12-2025*

Voting: Dave Iverson, Acting-Chair Joseph Topham, Nat Lowell, Barry Rector and John Kitchener
Alternates: Stephen Welch and Abby De Molina (*remote participation*)
Recused: None
Absent: Howard Matz
Documentation: File with associated plans, photos and required documentation
Activated: None
Representing: Attorney Rick Beaudette
Discussion: The applicant is proposing to build three apartments, two four-bedroom units in a duplex and a third apartment above a commercial garage. The property currently houses Atlantic Landscaping's office and maintenance division, which will be moving to another location. The applicant seeks a special permit for the third apartment as the lot area is insufficient for three apartments by right but meets the requirements for two. The proposed includes 11 parking spaces which is required number. The apartments are intended as employee housing and possibly restrictions to make sure that they remain for employee use. Acting Chair Topham opened the floor to the public. There were concerns raised about overcrowding due to the number of bedrooms and limited parking. There were concerns that tenants might park on the street and traffic in the are could be affected. The Board discussed the need for improvements to the road and a potential contribution to the infrastructure. Attorney Beaudette assured the Board that the parking would be provided on site and the sewer capacity would be reviewed. There were concerns that the neighborhood becoming more commercial and the need to manage this transition without disrupting the area's character. One neighbor expressed concerns about whether the development could proceed as planned given the multiple lot owners. It was clarified that the development's lots are split between covenant and market rate and that there is no formal neighborhood association. A Board member questioned the financial motivation behind the development.

This raised concerns about the long-term management of the units and parking. The Board suggested that the applicant provide a more developed plan for the next meeting, including shared driveways to improve parking.

Motion/Vote: Mr. Lowell made a motion to continue the public hearing. The motion was duly seconded by Mr. Kitchener and the motion was carried unanimously.

<u>Roll call of Board members:</u>
Nat Lowell, *Aye*
John Kitchener, *Aye*
Barry Rector, *Aye*
Dave Iverson, *Aye (remote participation)*
Acting Chair Topham *Aye*

- **Sayle Washington, LLC – 103 Washington Street,** *action deadline 02-12-2025*
Voting: Acting-Chairman Nat Lowell, Dave Iverson, Barry Rector and John Kitchener
Alternates: Abby De Molina (*remote participation*)
Recused: Actin-Chair Topham
Absent: Howard Matz
Documentation: File with associated plans, photos and required documentation
Activated: Stephen Welch
Representing: Linda Williams - Agent
Discussion: The proposal is for a major upgrade to the building which includes renovating apartments and office spaces. The project will reorganize walk-in cooler, update the loading dock, enclose the front porch, install a new ADA compliant ramp, and add an additional exit. The proposal has already been approved by the HDC and the Conservation Commission and hopes to finalize the amendments before zoning changes in January 2025 to retain the current 50% ground cover allowance. The Board supports the project. Acting Chair Lowell opened the floor to the public. There were no concerns or comments from the public.

Motion/Vote: Mr. Rector made a motion to close the public hearing. The motion was duly seconded by Mr. Kitchener and the motion was carried unanimously.

<u>Roll call of Board members:</u>
Dave Iverson, *Aye (remote participation)*
Barry Rector, *Aye*
John Kitchener, *Aye*
Acting Chair Nat Lowell, *Aye*

Motion/Vote: Mr. Rector made a motion to approve the application with the findings and conditions set in the staff report. The motion was duly seconded by Mr. Kitchener and the motion was carried unanimously.

<u>Roll call of Board members:</u>
John Kitchener, *Aye*
Barry Rector, *Aye*
Dave Iverson, *Aye (remote participation)*
Stephen Welch *Aye*
Acting Chair Nat Lowell, *Aye*

- **21 Pilgrim Road Trust, Steven L. Cohen, Trustee, c/o Cohen & Cohen Law, PC – 21 Pilgrim Road,** *action deadline 01-19-2025*
Voting: Acting-Chairman Topham, Dave Iverson, Nat Lowell, Barry Rector and John Kitchener
Alternates: Stephen Welch and Abby De Molina (*remote participation*)
Recused: None
Absent: Howard Matz

Documentation: File with associated plans, photos and required documentation
Activated: None
Representing: Dan Mulloy - Agent
Discussion: Mr. Mulloy stated that the proposal is for a minor encroachment into the establishment 15-foot setback on Pilgrim Road, for a proposed house design that would place 41 square feet within the 10/15-foot setback zone. The Board recognized that other houses on Pilgrim Road are closer to the road than the proposed structure. The 15-foot setback had been previously clarified as applying to Pilgrim Road rather than adjacent streets. A no-building zone in the rear portion of the property. Acting Chair Topham opened the floor to the public. Campbell Sutton questioned which side of the property is going to be the front of the property whether it was Pilgrim Road or Sophie's Way and she thought that it was determined that Pilgrim Road would be the front and would receive the 15-foot setback. Mr. Mulloy clarified stated that the Pilgrim Road is designated as the front of the property, requiring a 15-foot setback. The applicant is requesting reducing this to 10 feet for a small building intrusion. The current zoning allows 10-foot setbacks however the 15-foot setback is specific to this permit. Attorney Rick Beaudette who represents the neighbors stated that the no build restriction on the rear of the property is far more important to the neighbors than the minor adjustment requested for the front setback.

Motion/Vote: Mr. Lowell made a motion to close the public hearing. The motion was duly seconded by Mr. Kitchener and the motion was carried unanimously.

Roll call of Board members:
Nat Lowell, *Aye*
John Kitchener, *Aye*
Barry Rector, *Aye*
Dave Iverson, *Aye (remote participation)*
Acting Chair Topham, *Aye*

Motion/Vote: Mr. Rector made a motion to approve the modification to reduce the required setback from 15-feett to 10-feet only for the specific corner intrusion identified in the plan. **Discussion:** Mrs. Trudel stated that the adjustment applies solely to this instance and does not permit further encroachments into the 15-foot setback elsewhere on the property. The motion was duly seconded by Mr. Iverson and the motion was carried unanimously.

Roll call of Board members:
Nat Lowell, *Aye*
John Kitchener, *Aye*
Barry Rector, *Aye*
Dave Iverson, *Aye (remote participation)*
Acting Chair Topham, *Aye*

- **John P. Murray – 73 & 75 Fairgrounds Road,** *action deadline 01-19-2025*

Voting: Acting-Chairman Topham, Dave Iverson, Nat Lowell, Barry Rector and John Kitchener
Alternates: Stephen Welch and Abby De Molina (*remote participation*)
Recused: None
Absent: Howard Matz
Documentation: File with associated plans, photos and required documentation
Activated: None
Representing: Dan Mulloy - Agent
Discussion: Mr. Mulloy clarified that the plan is to preserve an existing house, move part of a garage, and build a new house. The proposal includes a shared driveway for all three lots to avoid new cuts onto the street. Acting Chair Topham opened the floor to the public. Emily Molden from the Nantucket Land and Water Council raised concerns about waivers, zoning compliance and the frontage for lot two. Ms. Molden argued that the plan doesn't meet zoning requirements and suggested alternatives with restricted lots that

might be more beneficial. Mr. Mulloy stated that the lot two's frontage complies with zoning and the line bisecting a structure is common, as it would mean tearing down the building if the plan were fully approved. There was a brief discussion on the lot lines and setbacks. There were concerns whether certain lots could be deed restricted for year-round ownership. Ms. Molden expressed concern that the proposal might not meet all zoning bylaw requirements for rear lot approval due to the number of waivers, questioning if the proposal should move forward without addressing those concerns. Ms. Molden questioned about whether the exclusive area would be considered part of the ground cover or excluded from the lot area. Mrs. Trudel clarified that the area is still owned by the abutter and cannot be built on, however remains part of the lot for regulatory purposes. There was a suggestion for a one-month delay to allow for further review by Town Council to make sure that it follows regulations and to review prior waivers.

Motion/Vote: Mr. Rector made a motion to continue the public hearing. The motion was duly seconded by Mr. Kitchener and the motion was carried unanimously.

Roll call of Board members:
Nat Lowell, *Aye*
John Kitchener, *Aye*
Barry Rector, *Aye*
Dave Iverson, *Aye (remote participation)*
Acting Chair Topham, *Aye*

XI. Other Business:

- **Zoning Map Change: 23 Airport Road**

There was discussion on a proposed zoning bylaw amendment regarding property at 23 Airport Road. The property seeks to rezone the remaining portion of the property from Residential-40 (R-40) to CN, aligning with its historical and current commercial use. There was debate whether to sponsor the amendment as a Planning Board article or have the applicant pursue it as a citizen article. It was mentioned that the property's commercial use dates to the 1950's and is protected under a ZBA special permit for car rentals, however this protection would not extend to new uses if sold. The Board agreed the change would bring zoning consistency without increasing residential density or buildout potential. The Board decided to sponsor the Zoning change as part of its article for the upcoming Town meeting.

Motion/Vote: Mr. Rector made a motion to sponsor the zoning change as part of its article for the upcoming Town meeting. The motion was duly seconded by Mr. Lowell and the motion was carried unanimously.

Roll call of Board members:
Nat Lowell, *Aye*
John Kitchener, *Aye*
Barry Rector, *Aye*
Dave Iverson, *Aye (remote participation)*
Acting Chair Topham *Aye*

- **Zoning Bylaw Amendment: Cottage Community**

The Board discussed the proposed Cottage Community bylaw, which introduces a concept for smaller, attainable housing units with specific guidelines and restrictions. The bylaw zeros in on to define attainable housing units as up to 240% of Area Median Income (AMI), aligning with the Affordable Housing Trust. Proposed for all districts as well as VN, CN and CTEC zones. Focus on single-family, owner-occupied detached units with no apartment or duplex configuration. The goal is to support homeownership opportunities for the community. Special Permit required, not allowed by right, minimum lot size must meet the zoning district's requirements, maximum dwelling size is three bedrooms, parking requirements linked to unit size, encourage clustering houses with shared open space and single driveway access and homeowner associations must be reviewed by the Planning Board. The monitoring and enforcement through agreements with the Affordable Housing Trust. Adjustments would be to change affordability requirements to 100% attainable. Concerns about density in certain districts. Proposed to reduce the 100% attainable housing requirements to 75% in some zones to incentivize development. Allowing more units in R-20 zones by modifying unit to lot ratios. Recommendations to make sure that parking spaces are adequate to avoid rejection at Town meetings. Suggestions that parking goes with unit size rather than total lot size. The Board supports the concept. The Board decided to further refine the proposal, integrate feedback and coordinate discussions with the Historic District (HDC) and collaborate with others in preparation for public hearings scheduled for January and February 2025.

- **Contract amendment Master Plan update Barret Planning Group LLC**

  The Board discussed the contract amendment with Barret Planning Group LLC for the Master Plan update. This amendment, the first of two is to focus on increasing funding to support additional community engagement. The Board approved the amendment and that this will be presented at the Select Board on Wednesday.

  Motion/Vote: Mr. Rector moved to approve the amendment. The motion was duly seconded by Mr. Iverson and the motion was carried unanimously.

  Roll call of Board members:
  Nat Lowell, *Aye*
  John Kitchener, *Aye*
  Barry Rector, *Aye*
  Dave Iverson, *Aye (remote participation)*
  Acting Chair Topham *Aye*

- **Planning Board meeting – Monday, December 9, 2024, at 4PM Hybrid**

XII.Adjournment:

Mr. Lowell made a motion to adjourn the meeting at 9:36PM. The motion was duly seconded by Mr. Iverson and the motion was carried unanimously.

Roll call of Board members:
Nat Lowell, *Aye*
John Kitchener, *Aye*
Barry Rector, *Aye*
Dave Iverson, *Aye (remote participation)*
Acting Chair Topham *Aye*

Submitted by: Catherine Ancero

Link to the Planning Board YouTube video:
https://www.youtube.com/watch?v=c33r9xzJEnM

Link to the Planning Board packet:
https://www.nantucket-ma.gov/AgendaCenter/ViewFile/Agenda/_11142024-14480?html=true