Nantucket Planning Board

PLANNING BOARD APPROVED MINUTES OF 01-13-2025

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

Board Members: David Iverson (*remote participation*), Joseph Topham (Acting-Chair), Nat Lowell, Barry Rector (*remote participation*), and John Kitchener (*remote participation*)

Alternates: Stephen Welch - ABSENT, Abby De Molina (*remote participation*), Howard Matz (*remote participation*)

Staff: Leslie Snell (Director of Planning) - ABSENT, Meg Trudel (Senior Planner) *(remote participation)*, William Saad (Zoning Administrator/Land Use Specialist), and Catherine Ancero (Administrative Specialist)

I. Call to order:

Acting-Chair Topham called the meeting to order at 4:03 pm.

II. Approval of the agenda:

The Board reviewed and approved continuances for public hearings, including 21 Amelia Drive LLC, 6A, 8, and 10 Marble Way LLC, and Habitat for Humanity projects at 5 and 9 Waitt Drive, all rescheduled to February 10th. Additionally, the special permit for 75 Hooper Farm will be continued, while the subdivision for the property will be addressed tonight.

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

Roll call of Board members:

Nat Lowell, *Aye*
Barry Rector, *Aye (remote participation)*
Dave Iverson, *Aye (remote participation)*
John Kitchener, *Aye (remote participation)*
Acting-Chair Joseph Topham, *Aye*

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

There were no public comments.

IV. Minutes:

- **December 9, 2024**

Voting: Dave Iverson (remote participation), Acting-Chair Joseph Topham, Nat Lowell, Barry Rector (remote participation) and John Kitchener (remote participation)
Alternates: Abby De Molina (remote participation) and Howard Matz (remote participation)
Recused: None
Absent: Stephen Welch
Documentation: File with associated plans, photos and required documentation
Activated: None
Representing: None

Discussion: None

Motion/Vote: Mr. Lowell made a motion to approve the December 9th minutes. The motion was duly seconded by Mr. Rector, and the motion was carried unanimously.

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

V. Second Dwellings:

- **4 Hickory Meadow Lane,** *reaffirm vote*
- **Sean O'Callaghan – 8 Second Way**
- **Clay Street Development LLC, 44 Skyline Drive**
- **Greenstick LL c/o John Wise, 18 Williams Street**

Voting: Dave Iverson (remote participation), Acting-Chair Joseph Topham, Nat Lowell, Barry Rector (remote participation) and John Kitchener (remote participation)
Alternates: Abby De Molina (remote participation) and Howard Matz (remote participation)
Recused: None
Absent: Stephen Welch
Documentation: File with associated plans, photos and required documentation
Activated: None
Representing: None
Discussion: 44 Skyline Drive, Mr. Iverson acknowledged public concerns about the applicant's potential misuse of property however stated that it fell outside their jurisdiction, recommending further inquiries to the Building Commissioner. Mr. Iverson stated that they have limited purview and approved the application per existing rights.

Motion/Vote: Mr. Iverson made a motion to approve all the secondary listed above with the findings and conditions made by staff. 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*
Barry Rector, *Aye (remote participation)*
John Kitchener, *Aye (remote participation)*
Acting-Chair Joseph Topham, *Aye*

VI. Garage Apartments:

- **Leon and Odette Francis – 24 Essex Road**

Voting: Dave Iverson (remote participation), Acting-Chair Joseph Topham, Nat Lowell, Barry Rector (remote participation) and John Kitchener (remote participation)
Alternates: Abby De Molina (remote participation) and Howard Matz (remote participation)
Recused: None
Absent: Stephen Welch
Documentation: File with associated plans, photos and required documentation
Activated: None
Representing: None
Discussion: 24 Essex Road, Mr. Iverson discussed zoning enforcement issues, emphasizing conditions that restricted the use and expansion of the property to make sure they follow the subdivision standards.

Motion/Vote: Mr. Kitchener made a motion to approve all the secondary, garage apartments and tertiary dwellings listed above with the findings and conditions made by staff. The motion was duly seconded by Mr. Lowell, and the motion was carried unanimously.

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

VII. ANRs:

- **Candlewick Corner VTT ACK, LLC – 120, 122 & 124 Old South Road**
- **Scott R. Hermann and Laurie B. Hermann – 2 Wamasquid Place**
- **Habitat for Humanity Nantucket, Inc. – 5, 7 & 9 Waitt Drive**
  SEE PUBLIC HEARING
- **Town of Nantucket – 14 Somerset Road**
  SEE PUBLIC HEARING
- **Michael & Lisa Getter & Anne A. Becker – 12 Ipswich Street**
  SEE PUBLIC HEARING

Voting: Dave Iverson (remote participation), Acting-Chair Joseph Topham, Nat Lowell, Barry Rector (remote participation) and John Kitchener (remote participation)
Alternates: Abby De Molina (remote participation) and Howard Matz (remote participation)
Recused: None
Absent: Stephen Welch
Documentation: File with associated plans, photos and required documentation
Activated: None
Representing: None
Discussion: None

Motion/Vote: Mr. Lowell made a motion to approve all ANR (Approval Not Required) applications on the agenda, except for 5, 7 and 9 Waitt Drive, 14 Somerset Road, and 12 Ipswich Street, which will be discussed under the Public Hearing process. The motion was duly seconded by Mr. Rector and the motion was carried unanimously.

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

VIII. Previous Plans:

- **Mariner Way Subdivision –** *release performance surety*

Voting: Dave Iverson (remote participation), Acting-Chair Joseph Topham, Nat Lowell, Barry Rector (remote participation) and John Kitchener (remote participation)
Alternates: Abby De Molina (remote participation) and Howard Matz (remote participation)
Recused: None
Absent: Stephen Welch
Documentation: File with associated plans, photos and required documentation
Activated: None
Representing: None
Discussion: The Board discussed the Marion Way subdivision to partially release the performance surety bond while withholding funds for incomplete sidewalk replacement and street tree planting, which will be addressed in

the coming weeks and spring. The paving has been completed and inspected by Ed Pesce. Staff recommends releasing the bond and close the account.

Motion/Vote: Mr. Rector made a motion to authorize staff to proceed with a partial release of the performance surety bond, while withholding the necessary funds for the completion of the sidewalks and street trees as specified. The motion was duly seconded by Mr. Lowell and the motion was carried unanimously.

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

- **Nantucket Golf Club, Inc., 250 Milestone Road –** *minor modification*

Voting: Dave Iverson (remote participation), Acting-Chair Joseph Topham, Nat Lowell, Barry Rector (remote participation) and John Kitchener (remote participation)
Alternates: Abby De Molina (remote participation) and Howard Matz (remote participation)
Recused: None
Absent: Stephen Welch
Documentation: File with associated plans, photos and required documentation
Activated: None
Representing: None
Discussion: Mrs. Trudel stated that the modification involved enlarging an existing entrance pergola from 91 square feet to 250 square feet and adding a roof to provide shelter for individuals waiting during inclement weather.

Motion/Vote: Mr. Rector made a motion to approve with the findings and conditions as submitted. The motion was duly seconded by Mr. Lowell, and the motion was carried unanimously.

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

- **On-Island Center, 30 & 34 Sparks Avenue** - *clarification*

Voting: Dave Iverson (remote participation), Acting-Chair Joseph Topham, Nat Lowell, Barry Rector (remote participation) and John Kitchener (remote participation)
Alternates: Abby De Molina (remote participation) and Howard Matz (remote participation)
Recused: None
Absent: Stephen Welch
Documentation: File with associated plans, photos and required documentation
Activated: None
Representing: None
Discussion: The Board discussed a request for clarification regarding a prior special permit for 30 and 34 Sparks Avenue, confirming that a restriction in condition 6.1 applies to 34 Sparks Avenue (the gas station) and involves employee housing. The Board authorized staff to issue a clarification letter to the property owner.

Motion/Vote: Mr. Lowell made a motion to authorize staff to issue a clarification letter to the property owner. 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 (remote participation)*
Dave Iverson, *Aye (remote participation)*
Barry Rector, Aye *(remote participation)*
Acting-Chair Joseph Topham, *Aye*

IX. Public Hearings (Applications):

- **21 Amelia Drive, LLC – 21 Amelia Drive**
  Continued to February 10, 2025
- **6A Marble Way, LLC – 8 & 10 Marble Way,** *action deadline 02-12-2025*
  Continued to February 10, 2025
- **Habitat for Humanity Nantucket, Inc. – 5 Waitt Drive,** *action deadline 04-13-2025*
  Continued to February 10, 2025
- **Habitat for Humanity Nantucket, Inc. – 9 Waitt Drive,** *action deadline 04-13-2025*
  Continued to February 10, 2025
- **Priscilla P. Lentowski – 75 Hooper Farm Road,** *action deadline 04-13-2025*
  Continued to February 10, 2025
- **The Town of Nantucket Affordable Housing Trust Fund – 14 Somerset Road,** *action deadline 04-13-2025*

Voting: Dave Iverson (remote participation), Acting-Chair Joseph Topham, Nat Lowell, Barry Rector (remote participation) and John Kitchener (remote participation)
Alternates: Abby De Molina (remote participation) and Howard Matz (remote participation)
Recused: None
Absent: Stephen Welch
Documentation: File with associated plans, photos and required documentation
Activated: None
Representing: Dan Mulloy, Site Design Engineering, LLC on behalf of the Town of Nantucket Affordable Housing Trust
Discussion: The proposal is to subdivide the property into two lots, Lot4A retains as the existing house and garage used for Town employee housing and Lot 4B, designated as the Covenant affordable housing lot which will remain vacant. The applicant is requesting to reduce the property line setback between Lots 4A and 4B to 5 feet. Mr. Mulloy stated that he wants to make clarification that it is only the internal lot line requires a waiver not all property lines. Requesting for Lot 4B to have a separate driveway instead of a shared driveway. Requesting for flexibility in distributing ground cover between the two lots, with most likely going to Lot 4B. Acting-Chair Topham opened the floor to the public. Attorney Whitney Gifford representing the Trustees of neighboring properties, Somerset Nominee Trust and Blueberry Nominee Trust. Attorney Gifford stated that his clients were concerned about density, property line and setbacks. Attorney Gifford stated that he acknowledged staff's comments and clarifications from Mr. Mulloy. Attorney Gifford wanted to make sure that the new driveway does not interfere with infrastructure or turning radii at the Somerset Road, Bittersweet subdivision intersection.

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:
Barry Rector, Aye *(remote participation)*
Nat Lowell, *Aye*
Dave Iverson, *Aye (remote participation)*
John Kitchener, *Aye (remote participation)*
Acting-Chair Joseph Topham, *Aye*

Motion/Vote: Mr. Rector made a motion to approve the applications with the findings and conditions outlined by staff. The motion was duly seconded by Mr. Lowell and the motion was carried unanimously.

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

<u>ANR:</u> Town of Nantucket – 14 Somerset Road
Voting: Dave Iverson (remote participation), Acting-Chair Joseph Topham, Nat Lowell, Barry Rector (remote participation) and John Kitchener (remote participation)
Alternates: Abby De Molina (remote participation) and Howard Matz (remote participation)
Recused: None
Absent: Stephen Welch
Documentation: File with associated plans, photos and required documentation
Activated: None
Representing: Dan Mulloy, Site Design Engineering, LLC
Discussion: None

Motion/Vote: Mr. Rector made a motion to approve the applications with the findings and conditions outlined by staff. The motion was duly seconded by Mr. Lowell and the motion was carried unanimously.

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

- **Michael & Lisa Getter & Anne A. Becker – 12 Ipswich Street,** *action deadline 04-13-2025*

Voting: Dave Iverson (remote participation), Acting-Chair Joseph Topham, Nat Lowell, Barry Rector (remote participation) and John Kitchener (remote participation)
Alternates: Abby De Molina (remote participation) and Howard Matz (remote participation)
Recused: None
Absent: Stephen Welch
Documentation: File with associated plans, photos and required documentation
Activated: None
Representing: Dan Mulloy, Site Design Engineering, LLC
Discussion: The proposed application is for two lots, a market-rate lot (Lot 1) and a covenant lot (Lot 2). Mr. Mulloy requested waivers to recognize two existing driveways and allow flexible ground cover distribution across both lots. Acting-Chair Topham opened the floor to the public. Cathy Biard supports the proposal. Campbell Sutton questioned if the two approved curb cuts will remain in the same location or if Lot 1 might have the option to relocate one of them when sold. Mr. Mulloy stated that there are no development plans for Lot 1 at the moment and while the driveway is existing a future buyer may request to move it.

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

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

Motion/Vote: Mr. Lowell made a motion to approve the applications with the findings and conditions outlined by staff. The motion was duly seconded by Mr. Rector and the motion was carried unanimously.

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

ANR: Town of Nantucket – 14 Somerset Road
Voting: Dave Iverson (remote participation), Acting-Chair Joseph Topham, Nat Lowell, Barry Rector (remote participation) and John Kitchener (remote participation)
Alternates: Abby De Molina (remote participation) and Howard Matz (remote participation)
Recused: None
Absent: Stephen Welch
Documentation: File with associated plans, photos and required documentation
Activated: None
Representing: Dan Mulloy, Site Design Engineering, LLC
Discussion: None

Motion/Vote: Mr. Lowell made a motion to approve the applications with the findings and conditions outlined by staff. The motion was duly seconded by Mr. Rector and the motion was carried unanimously.

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

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

Voting: Dave Iverson (remote participation), Acting-Chair Joseph Topham, Nat Lowell, Barry Rector (remote participation) and John Kitchener (remote participation)
Alternates: Abby De Molina (remote participation) and Howard Matz (remote participation)
Recused: None
Absent: Stephen Welch
Documentation: File with associated plans, photos and required documentation
Activated: None
Representing: Dan Mulloy, Site Design Engineering, LLC
Discussion: Mr. Malloy stated that the applicant is requesting for approval required to potentially subdivide the property, including the possibility of a rear lot. The Board had previously raised concerns about the rear lot's approval, which was clarified through a legal opinion. Mr. Malloy explained that approval for the current request would allow further discussion and potential changes for the rear lot in a future special permit request. Acting-Chair Topham opened the floor to the public. Emily Molden from the Nantucket Water and Land Council expressed concerns about density, zoning setbacks, and waivers and some board members worried that approving this step might lock the Board into approving the rear lot later. The Board ultimately agreed to proceed with the Approval Required subdivision to allow further discussions on the rear lot, with conditions to be addressed if it returns for approval. Mr. Rector questioned staff if approved similar applications in the past. Mrs. Trudel stated yes.

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

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

Motion/Vote: Mr. Lowell made a motion to approve the applications with the findings and conditions outlined by staff. The motion was duly seconded by Mr. Rector and the motion was carried 3-2 with Mr. Iverson and Acting-Chair Topham opposed.

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

PUBLIC HEARING APPLICATIONS FOR CONTINUANCE:
Discussion: There was confusion about whether the Board had approved the request to continue the public hearing agenda items listed at the top of the public hearing before proceeding with discussions on the public hearing applications. The Board voted for confirmation that **21 Amelia Drive, 8 and 10 Marble Way, 5 and 9 Waitt Drive and 75 Hooper Farm Road are continued to the February 10th meeting**.

Motion/Vote: Mr. Lowell made a motion to approve the continuance with the applications discussed to the February 10th meeting. The motion was duly seconded by Mr. Rector and the motion was carried unanimously.

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

- **Helen B. Rendal, Trust – 20 Shell Street,** *action deadline 03-09-2025*
Voting: Dave Iverson (remote participation), Acting-Chair Joseph Topham, Nat Lowell, Barry Rector (remote participation) and John Kitchener (remote participation)
Alternates: Abby De Molina (remote participation) and Howard Matz (remote participation)
Recused: None
Absent: Stephen Welch
Documentation: File with associated plans, photos and required documentation
Activated: None
Representing: Attorney Jessie Brescher (remote participation)
Discussion: Attorney Brescher addressing concerns about parking access. Attorney Brescher proposed widening the driveway entrance to reduce the risk of backing out and hitting the neighbor's property. Attorney Brescher suggested a parallel parking spot (9x20 feet) on Shell Street. Mr. Lowell expressed concerns about the idea due to vegetation. Mr. Lowell suggested allowing vehicles to back out towards the rear house and drive out which would be a safer alternative than attempting to back in from Shell Street especially in the summer season. Attorney Brescher stated that the reason for this application request is because the properties will be in separate ownership making it no longer feasible for one person to move cars stacked in the driveway. The front house needs to be sold to cover the expenses of a Trust and one of the beneficiaries resides in the back house which can not be sold. There was a discussion about the dotted lines shown in the diagram indicating a potential driving space behind the properties. Attorney Brescher clarified that the beneficiary living in the back house likely wouldn't use that space as it would disrupt their front lawn. Legally the layout had to show that the space existed even if not intended for

actual use by the current resident. Mr. Lowell mentioned of the driveway access behind the station which is used by multiple property owners. There was a suggestion to adjust the design to make it safer, specifically by shifting the parking area and widening Cottage Court. This would make it easier for cars to pull out, especially since Cottage Court widens as it moves towards Shell Street. The idea was to make sure the design didn't bring the parking too close to Shell Street, maintaining the 25-foot buffer required near intersections. Acting-Chair Topham opened the floor to the public. Nan Gustafson expressed concerns about cars pulling in and out of the proposed parking area, considering the proximity of the proposed parking Shell Street. Mike Burns, Transportation Program Manager expressed concern about the tight space in the area for parking and maneuvering including challenges with baking into and out of the space safely. Mr. Burns suggested keeping vegetation low to avoid visibility issues, moving the fence to improve turning space, and making sure that the layout allowed safe access. Mr. Rector felt that the current plan might temporarily work however doubted its long-term feasibility due to the limited space and potential future property changes. Mr. Rector stated that that while the issue might not be urgent today, it could become a problem in the future, potentially requiring the board's attention again, either in a contentious or problem-solving manner.

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

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

Motion/Vote: Mr. Lowell made a motion to approve the applications with changes, shifting a parking space 10 feet, limiting vegetation height to three feet on the north side, and widening the corner near Cottage Court. The motion was duly seconded by Mr. Kitchener and the motion was carried 4-1 with Mr. Rector opposed.

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

- **Richard Joseph Leider & Jane Leider, Trustees of the Richard & Jane Leider Revocable Trust – 62 & 64 Sankaty Road,** *action deadline 04-13-2025*

Voting: Dave Iverson (remote participation), Acting-Chair Joseph Topham, Nat Lowell, Barry Rector (remote participation) and John Kitchener (remote participation)
Alternates: Abby De Molina (remote participation) and Howard Matz (remote participation)
Recused: None
Absent: Stephen Welch
Documentation: File with associated plans, photos and required documentation
Activated: None
Representing: Art Gasbarro (remote participation)
Discussion: Mr. Gasbarro stated that the proposal includes creating two lots (lots 6 and 7) served by a shared driveway and agreeing to improvements at the end of a bike path. The overall number of lots aligns with what could have been created under the original plan. Mr. Gasbarro stated that he is open to answering questions but avoids repeating previously discussed details unless requested. Mr. Lowell stated that he appreciates all the work that has been done. Acting-Chair Topham opened the floor to the public. Amy Eldridge at 56 Sankaty Road stated that she prefers keeping the existing setup with one driveway at 64 as adding more driveways might lead to confusion and safety issues for drivers and cyclists. Mike Burns, Transportation Program Manager, stated that the Bike Pedestrian Advisory committee (BPAC) and the DPW director reviewed the redesign, found the perpendicular approach of the

path favorable and supported the reconfiguration to accommodate the second driveway. Campbell Sutton expressed concerns about the 20-foot distance between the new bike path turn and the proposed driveway, supporting Amy Eldridge's safety concerns and stressing the need for more space to prevent conflicts between cyclists and cars, especially for inexperienced riders. Mr. Gasbarro stressed that the proposed plan improves safety by consolidating two potential driveways into one near the bike path, adding safety features like warning panels and improved signage, and making significant enhancements to the area. Mr. Matz agrees with Mr. Gasbarro's suggestions stating that the proposed improvements will improve safety at the driveway-bike path intersection and arguing that most cyclists are safety-conscious and capable of navigating the area effectively.

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 (remote participation)*
Barry Rector, Aye *(remote participation)*
Dave Iverson, *Aye (remote participation)*
Acting-Chair Joseph Topham, *Aye*

Motion/Vote: Mr. Lowell made a motion to approve the common driveway and all the changes that Mr. Gasbarro laid out in the findings one and two and the conditions. The motion was duly seconded by Mr. Iverson and the motion was carried 3-2 with Mr. Kitchener and Mr. Rector opposed.

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

The approval failed 3-2 as a special permit requires a supermajority.

Motion/Vote: Mr. Lowell made a motion to reconsider (allowing the Board to revisit and vote again). The motion was duly seconded by Mr. Iverson and the motion was carried unanimously.

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

Motion/Vote: Mr. Lowell made a motion to approve the common driveway with the findings and conditions and all the changes that Mr. Gasbarro laid out. The motion was duly seconded by Mr. Kitchener and the motion was carried 4-1 with Mr. Rector opposed.

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

- **40 OSR LLC – 2A & 2B Forrest Avenue,** *action deadline 04-13-2025*
  Voting: Dave Iverson (remote participation), Acting-Chair Joseph Topham, Nat Lowell, Barry Rector (remote participation) and John Kitchener (remote participation)
  Alternates: Abby De Molina (remote participation) and Howard Matz (remote participation)
  Recused: None
  Absent: Stephen Welch
  Documentation: File with associated plans, photos and required documentation
  Activated: None
  Representing: Attorney Arthur Reade and Art Gasbarro (remote participation)
  Discussion: Attorney Reade stated that the project proposes to replace a previous plan for a restaurant with apartments on South Road and Forest Avenue. Instead, six two-bedroom dwellings will be built, each considered part of an apartment house. The proposal complies with zoning requirements, providing 23 parking spaces for 12 bedrooms, including six in garages and eight as stacked spaces. The developers meet all necessary standards for a special permit for the apartment house, and they are open to answering any questions. Acting-Chair Topham opened the floor to the public. Emily Molden from the Nantucket Land and Water Council raised concerns about stormwater management in the Zone 2 Wellhead Protection District. Ms. Molden pointed out a standard that requires demonstrating the stormwater system can recharge 95% of annual precipitation and not harm groundwater quality if the lot becomes more than 15% impervious. She suggested asking the applicant for more information and confirmed the Water Commission should review the project for water quality compliance. In response to Ms. Molden's concerns Mr. Gasbarro confirmed that they will prepare a stormwater drainage plan for review by the Water Advisory Committee and will address the standard related to groundwater protection. Mr. Gasbarro stated that they will submit these plans to the relevant authority for water quality certification and are open to the Board requiring the plan to be complete before building permits are issued. Deborah Holdgate expressed concerns about the lack of green space in the proposed plan and mentioned that the property is listed for sale, marketed as having the potential for 8 units and 16 bedrooms. Ms. Holdgate asked if the Board's approval would affect this marketing. Attorney Reade clarified that the proposal is for 6 units, not 8, and that any future changes would require a new application and that there would be no more than 6 units and 12 bedrooms, and there's no intention to build 16 units. Attorney Reade also agreed to include a condition prohibiting short-term rentals. Campbell Sutton stated that she appreciated the parking plan and suggested creating an apartment management plan due to the number of units. Ms. Campbell also asked if basements could be restricted to storage and utilities, not turned into additional apartments. Attorney Reade confirmed that the proposal maximizes the allowed number of units and bedrooms under the bylaw, and any future expansion would require approval. Mrs. Holgate raised a concern about the possibility of insufficient parking and asked if the approval could be conditioned to prevent on-street parking. Attorney Reade clarified that there are 23 proposed parking spaces for 12 bedrooms, including 6 interior spaces, and suggested that signage from the town could help manage on-street parking. The concern about street parking was noted for the record. Conditions for the proposed application to be considered: the garages will be rented with the apartments, not separately, include a management plan, signage for street parking, and connections between apartments and shop spaces. It was suggested to also include in the condition a review from the fire department and a water certificate of compliance before issuing a building permit, landscape plan. The Board agreed to include the proposed conditions as discussed.

  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.

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

  Motion/Vote: Mr. Lowell made a motion to approve the applications with the findings and conditions outlined by staff and the proposed conditions discussed at tonight's meeting. The motion was duly seconded by Mr. Iverson and the motion was carried unanimously.

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

- **111 OSR, LLC – 111B Old South Road,** *action deadline 04-13-2025*
Voting: Dave Iverson (remote participation), Acting-Chair Joseph Topham, Nat Lowell, Barry Rector (remote participation) and John Kitchener (remote participation)
Alternates: Abby De Molina (remote participation) and Howard Matz (remote participation)
Recused: None
Absent: Stephen Welch
Documentation: File with associated plans, photos and required documentation
Activated: None
Representing: Attorney John Brescher and Don Bracken (remote participation)
Discussion: Attorney Brescher stated that his client is requesting a proposed mixed-use development, including contractor shops, offices, and apartments, with waivers requested for open space, curb cuts, lighting, and signage plans. Acting-Chair Topham opened the floor to the public. Emily Molden from the Nantucket Land and Water Council raised concerns about the cumulative traffic impact in the area, open space compliance, and stormwater management standards, especially given the lot's location in a Wellhead Recharge District. Mr. Lowell stated that there is a need for further review of engineering details, clarification on prior road infrastructure improvements, and a clearer understanding of zoning and site conditions, with less attention on open space concerns. Don Bracken clarified that the parking area will be entirely concrete to make sure proper runoff treatment, as permeable materials like bricks may not meet treatment standards. Mr. Iverson expressed concerns about granting a waiver for reduced open space, expressing the importance of adhering to bylaws in the Wellhead Recharge District to prioritize green space over additional parking. Mr. Rector agreed with holding the decision for another month to allow time for the engineering review and necessary adjustments to meet requirements. Campbell Sutton stressed the importance of green space for the two residential apartments on the property, stating the need for outdoor seating or picnic areas, which pure concrete surroundings wouldn't provide.

Motion/Vote: Mr. Rector made a motion to continue the public hearing to the February 10th meeting. The motion was duly seconded by Mr. Lowell and the motion was carried unanimously.

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

- **Priscilla P. Lentowski – 75 Hooper Farm Road,** *action deadline 04-13-2025*
Voting: Dave Iverson (remote participation), Acting-Chair Joseph Topham, Nat Lowell, Barry Rector (remote participation) and John Kitchener (remote participation)
Alternates: Abby De Molina (remote participation) and Howard Matz (remote participation)
Recused: None
Absent: Stephen Welch

Documentation: File with associated plans, photos and required documentation
Activated: None
Representing: None
Discussion: The Board reviewed an AR subdivision application intended to move to a rear lot, confirming it met conditions, including a $2,000 per lot monetary contribution. Acting-Chair Topham opened the floor to the public. There were no public comments.

Motion/Vote: Mr. Iverson 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:
Dave Iverson, *Aye (remote participation)*
Nat Lowell, *Aye*
Barry Rector, *Aye (remote participation)*
John Kitchener, *Aye (remote participation)*
Acting-Chair Joseph Topham, *Aye*

Motion/Vote: Mr. Iverson made a motion to approve the applications with the findings and conditions outlined by staff and the added monetary contribution as discussed. The motion was duly seconded by Mr. Rector and the motion was carried unanimously.

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

X. Other Business:

- **Planning Board Special Meeting – Thursday, January 23, 2025, at 4:00PM Hybrid**
- **Planning Board Special Meeting – Thursday, January 30, 2025, at 4:00PM Hybrid**
- **Planning Board Special Meeting – Thursday, February 6, 2025, at 4:00PM Hybrid**
- **Planning Board Meeting – Monday, February 10, 2025, at 4PM Hybrid**
- **Planning Board Special Meeting – Thursday, March 6, 2025, at 4PM ZOOM ONLY**

XI. Adjournment:

Mr. Rector made a motion to adjourn the meeting at 6:26PM. The motion was duly seconded by Mr. Lowell and the motion was carried unanimously.

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

Submitted by: *Catherine Ancero*

- **Link to the Planning Board YouTube video:**
https://www.youtube.com/watch?v=Dd8DWGm--6o

- **Link to the Planning Board staff report:**
https://www.nantucket-ma.gov/AgendaCenter/ViewFile/Agenda/_01152025-14685?html=true

- **Link to the Planning Board packet:**
https://www.nantucket-ma.gov/AgendaCenter/ViewFile/Agenda/_01132025-14684?html=true