



## ZONING BOARD OF APPEALS

2 Fairgrounds Road  
Nantucket, Massachusetts 02554  
[www.nantucket-ma.gov](http://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, April 11, 2024**

Public Safety Facility, 4 Fairgrounds Road, Community Room  
*This meeting was held via remote participation using ZOOM and YouTube.*

### I. CALL TO ORDER

Called to order at 1:07pm and Announcements made by Ms. McCarthy

Staff in attendance: William Saad, Land Use Specialist  
Attending Members: McCarthy, Allen, Brescher, Marcklinger, Mondani  
Remote attendance: O'Mara, Botticelli  
Absent: Poor  
Late Arrivals: -  
Early Departures: -  
Town Counsel: -

### II. APPROVAL OF AGENDA

**Motion:** Motion to Approve the agenda, as drafted. (made by: Brescher) (seconded by: O'Mara)  
**Vote:** Carried 5-0 // McCarthy, Allen, Brescher, Marcklinger O'Mara (aye)

### III. PUBLIC COMMENT

Chair McCarthy called for public comment. There were no public comments.

### IV. APPROVAL OF MINUTES

|                |                                                                                                                        |
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| <b>Motion:</b> | <b>Motion to approve the minutes of February 8, 2024, and March 14, 2024. (made by: Brescher) (seconded by: Allen)</b> |
| <b>Vote:</b>   | Carried 5-0 // McCarthy, Allen, Brescher, Marcklinger O'Mara (aye)                                                     |

### V. OLD BUSINESS

#### 06-24 Big Chicken Little, LLC

82 Easton Street

The Applicant is requesting a Modification of the previously granted Special Permit in File No. 011-04, which was modified in File No. 041-08, File No. 028-12, and File No. 18-18. Specifically, the Applicant proposes to alter and extend the preexisting nonconforming office use in order to convert the existing studio to be used as an office or as a garage apartment or primary dwelling as previously permitted in 2018. The main structure will continue to be used as an office. Additionally, to the extent necessary, Applicant seeks Special Permit relief pursuant to Zoning Bylaw Section 139-18, for a waiver of the onsite parking requirements. Locus is situated at 82 Easton Street, shown on Assessor's Map 42.4.2, Parcel 5, shown as Lot 4 upon Plan Book 7, Page 40. Evidence of owners' title is recorded in Book 1363 and Page 44 with the Nantucket County Registry of Deeds. The site is zoned Residential Old Historic (ROH).

|                           |                                                                                                                                                                                             |
|---------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Voting:                   | McCarthy, Allen, Brescher, Marcklinger O'Mara                                                                                                                                               |
| Alternates:               | Botticelli, Mondani                                                                                                                                                                         |
| Documentation:            | File with associated plans, photos, correspondence and required documentation                                                                                                               |
| Representing:             | Sarah F. Alger                                                                                                                                                                              |
| Public:                   | -                                                                                                                                                                                           |
| Discussion:<br>(00:09:47) | <b>Brescher</b> <ul style="list-style-type: none"><li>- Approves of the benchmark set in condition four regarding the 14 vehicle trips, but notes enforcement may be challenging.</li></ul> |

## Proposed ZBA Minutes – April 11, 2024

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|                | <ul style="list-style-type: none"><li>- Reaffirms overall support for the application, considering the conditions appropriate for its scope.</li></ul> <p><b>O'Mara</b></p> <ul style="list-style-type: none"><li>- Stated the conditions are reasonable and appropriate.</li></ul> <p><b>Allen</b></p> <ul style="list-style-type: none"><li>- Concurs with Michael and John.</li></ul> <p><b>Marcklinger</b></p> <ul style="list-style-type: none"><li>- Disagrees with approving the application, noting the inconsistency with existing special permits which specify one business in a residential zone.</li><li>- Expresses concerns about the adequacy of the proposed parking solutions.</li><li>- Indicates their intention to vote against the application.</li></ul> <p><b>Saad</b></p> <ul style="list-style-type: none"><li>- Noted that in the previous month's meeting, the applicant lacked a floor plan and sufficient information, leading them to withhold full support for the application initially.</li><li>- Indicated that he, along with Sarah, prepared the draft decision currently under discussion.</li></ul> <p><b>McCarthy</b></p> <ul style="list-style-type: none"><li>- Expressed concern about the wording that describes the business as it currently operates, suggesting a tighter phrasing that reflects its specific current use.</li><li>- Proposed that the decision include conditions that tie the approval to the current usage or ownership, similar to past cases, ensuring it does not apply indefinitely without reassessment if changes occur.</li></ul> <p><b>Alger</b></p> <ul style="list-style-type: none"><li>- Clarified that the property was not residential at the time of purchase, noting it was classified as Limited Commercial (LC).</li><li>- Indicated that the zoning change occurred after the purchase, which reclassified their side of the street to residential, termed "Old Historic."</li><li>- Pointed out that despite the reclassification, the area surrounding the property remains commercial, describing their location as a small pocket of "Old Historic" amidst a broader commercial zone.</li></ul> <p><b>Allen</b></p> <ul style="list-style-type: none"><li>- Asserted that the area is predominantly commercial rather than residential.</li><li>- Supported the presence of a new business, noting its appropriateness given the commercial nature of the area, which includes the Nantucket hotel and a new park across the street.</li></ul> <p><b>Saad</b></p> <ul style="list-style-type: none"><li>- Highlighted that the findings indicate the proposed activity is not more detrimental to the neighborhood.</li><li>- Mentioned that, in addition to the parking waiver, there are additional findings stating the relief aligns with the general purpose and intent of the regulations.</li><li>- Noted that full compliance with parking requirements is physically impossible for the applicant, and granting relief would not oppose sound traffic, parking, or safety considerations.</li></ul> |
| <b>Motion:</b> | <p><b>Moved to approve the relief requested, incorporating the conditions outlined in the draft decision and based on the following findings:</b></p> <ul style="list-style-type: none"><li>- <b>The relief is in harmony with the neighborhood and is not substantially more detrimental than the existing non-conformity.</b></li><li>- <b>The relief aligns with the general purpose and intent of the zoning bylaw.</b></li><li>- <b>Full compliance with the parking requirements is physically impossible for the applicant, and compliance, if possible, would significantly adversely affect the scenic or historic integrity of the neighborhood.</b></li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

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|       | - <b>Granting the relief would not contradict sound traffic, parking, and safety considerations. (made by: Brescher) (seconded by: Allen) (00:23:45)</b> |
| Vote: | Carried 4-1 / / McCarthy, Brescher, Allen, O'Mara (aye) // Marcklinger (nay)                                                                             |

## **VI. NEW BUSINESS**

**03-24 Arthur I. Reade Jr., Trustee of 90 North Liberty Preservation Trust**

**90 N. Liberty Street**

The Applicant is seeking a Special Permit pursuant to Zoning Bylaw Sections 139-30, and 139-33.A, to alter the pre-existing, nonconforming garage structure by adding a second story within the setback area. The structure is preexisting nonconforming to rear yard setback. No new nonconformities will be created. Locus is situated at 90 North Liberty Street, shown on Assessor's Map 41, Parcel 22, and shown as Lot 1 on Plan Book 19 Page 83. Evidence of owner's title is recorded in Book 1777 and Page 01 with the Nantucket County Registry of Deeds. The site is zoned Residential-1 (R-1).

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| Voting:                   | McCarthy, Brescher, Allen, O'Mara, Marcklinger                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Alternates:               | Mondani                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Recused:                  | Botticelli                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Documentation:            | File with associated plans, photos, correspondence and required documentation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Representing:             | Arthur Reade                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Public:                   | -                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Discussion:<br>(00:33:38) | <p><b>Reade</b></p> <ul style="list-style-type: none"> <li>- Addressed the question about why the structure wasn't designed out of the setback, explaining discussions with the architect.</li> <li>- The architect indicated that positioning the structure within the setback, rather than moving it closer to the main house, was deliberate to preserve the historic appearance and view of the main house.</li> </ul> <p><b>Allen</b></p> <ul style="list-style-type: none"> <li>- Confirmed there was originally a breezeway in place, but it has now been enclosed, transforming it into a different type of structure.</li> <li>- Questioned why, given the enclosure of what was historically a breezeway, this area could not be modified to reduce the size of the structure, potentially moving the garage out of the setback.</li> <li>- Questioned the width of the new enclosure, noting that it has been narrowed.</li> <li>- Argued that the reconstruction offers a chance to meet setback regulations.</li> <li>- Observed significant changes from the original one-car, one-story garage with a breezeway to a two-story, two-car garage, emphasizing that the structure is now almost entirely different.</li> <li>- Suggested that, given these extensive changes, the redesigned structure should conform to current setback requirements, despite the previous design, due to its altered appearance and increased scale.</li> </ul> <p><b>McCarthy</b></p> <ul style="list-style-type: none"> <li>- Suggested that conditioning this specific portion to halt and restart after Labor Day would be detrimental to the project; and that continuous work without interruption aligns better with the interests of the project, the neighbors, and the applicant, emphasizing the importance of completing the work in a timely manner.</li> </ul> |
| Motion:                   | <p><b>Motion to approve the relief with the condition that the proposed renovations are not substantially more detrimental to the neighborhood than the pre-existing non-conforming garage structure and are in line with the spirit and intent of the bylaw. Outlined that the proposed alterations and expansion must comply substantially with the conditions outlined in Exhibit A, found on Page 66 of the meeting packet. Noted that the project must be completed in accordance with the plans approved under Certificate of Appropriateness number HDC 20241 9846, though there was a question about whether this certificate had been issued yet.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

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|       | <b>Added a condition that no further alterations or expansions may occur within the required rear yard setback area without additional relief from the board.<br/>(made by: Brescher) (seconded by: Marcklinger) (00:46:15)</b> |
| Vote: | Carried 4-1 / / McCarthy, Brescher, O'Mara, Marcklinger (aye) // Allen (nay)                                                                                                                                                    |

**07-24 Scott Kurland & Candice McDonough Kurland**

**334 Madaket Road**

The Applicants are seeking Variance relief pursuant to the Zoning Bylaw Section 139-32 to move the existing dwelling on the property as far away from the coastal bank as reasonably necessary. Locus is situated at 334 Madaket Road and shown as the parcel marked “Area – 10,388 sq” upon Plan Book 21, Page 66. Evidence of owners’ title is recorded in Book 1771 and Page 236 with the Nantucket County Registry of Deeds. The site is zoned Village Residential (VR).

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| Voting:                   | Brescher, Allen, O'Mara, Marcklinger, Mondani                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Recused:                  | Allen                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Alternates:               | Botticelli, Mondani                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Documentation:            | File with associated plans, photos, correspondence and required documentation                                                                                                                                                                                                                                                                                                                                                                                         |
| Representing:             | Art Gasbarro, Nantucket Engineering                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Public:                   | -                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Discussion:<br>(00:51:48) | <b>Allen</b> <ul style="list-style-type: none"> <li>- Confirmed that the main house will be repositioned towards Madaket Road and to the northeast corner.</li> <li>- Discussed the proximity of the building to the property line and road, questioning the safety implications of having only one foot of space before reaching the road.</li> <li>- Clarified that the bike path does not extend in front of this house, terminating at a nearby point.</li> </ul> |
| Motion:                   | <b>Motion to approve, as requested. (made by: Marcklinger) (seconded by: O'Mara) (00:54:20)</b>                                                                                                                                                                                                                                                                                                                                                                       |
| Vote:                     | Carried 5-0 / / Brescher, Allen, O'Mara, Marcklinger, Mondani (aye)                                                                                                                                                                                                                                                                                                                                                                                                   |

**08-24 Mark W. Howard and Kristina M. Howard, Trustees of the Howard Living Tr. 13A Willard Street**

The Applicants are seeking Special Permit relief pursuant to the Zoning Bylaw Section 139-33.A.(1)(a) to alter and expand the pre-existing nonconforming condominium use upon the premises and construct a new structure, and, if necessary, a Special Permit, pursuant to 139-17 of said Bylaw, to permit the new structure to be 30.1 feet in height above average mean grade. In the alternative and to the extent necessary, the Applicants are seeking Variance relief pursuant to Zoning Bylaw Section 139-32. Locus is situated at 13A Willard Street and shown on Assessor’s Map 42.4.1 as Parcel 15.1, and as Unit No. 1 in Condo Plan No. 55-V. Evidence of owner’s title is registered on Certificate of Title No. U42139 at the Nantucket County District of the Land Court. The site is zoned Residential- 10 (R-10).

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| Voting:        | McCarthy, Brescher, Allen, O'Mara, Marcklinger                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Alternates:    | Botticelli, Mondani                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Documentation: | File with associated plans, photos, correspondence and required documentation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Representing:  | Bryan Swain                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Public:        | <b>Carol Beller</b> <ul style="list-style-type: none"> <li>- Expressed that while it was considerate for the attorney to secure the approval of other condo owners, the neighbors across the road were not consulted.</li> <li>- Highlighted the proximity issues with 13A, noting that its small property size means that any vehicle backing out of that driveway ends up in their driveway.</li> <li>- Requested that as a condition, no construction work on the property should occur until after the tourist season, concerned about the feasibility and disruption of demolishing and constructing a new foundation, and transporting materials down Willard Street during the busy season.</li> </ul> |

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| Discussion:<br>(01:00:47) | <p><b>Botticelli</b></p> <ul style="list-style-type: none"> <li>- Noted that many buildings on East Street exceed 30 feet in height.</li> <li>- Clarified that the new zoning bylaw measures building height from the required finished floor level, which is determined by flood elevation standards.</li> <li>- Confirmed the maximum allowable building height under the new bylaw is 34 feet.</li> </ul> <p><b>Allen</b></p> <ul style="list-style-type: none"> <li>- Observed that the footprint of the individual structure exceeds the allowable limit.</li> <li>- Inquired whether, when considering the combined footprints of all condo units on the property, the total does not exceed the overall permitted footprint allowance.</li> </ul> <p><b>Swain</b></p> <ul style="list-style-type: none"> <li>- Clarified that there is no specific ground cover allowance per individual unit within the property.</li> <li>- Explained that the three structures share one parcel, and the entire parcel is subject to the overall ground cover requirement.</li> <li>- Pointed out that while the footprint of the structures increased by 184 square feet, the total development still remains within the permissible ground cover limits for the parcel.</li> </ul> <p><b>McCarthy</b></p> <ul style="list-style-type: none"> <li>- If approved, the finding would state that the proposed removal of the existing single-family dwelling and the construction of a new one, as outlined in Exhibit A, aligns with the general purpose and intent of the zoning bylaw.</li> <li>- Specifies that the extension of the non-conforming use would not be substantially more detrimental to the neighborhood than the existing non-conformity.</li> <li>- Validates that the average mean grade ridge height of 30.1 feet complies with zoning bylaw section 139-7.C(7), considering the property's location within the 100-year flood plain and its susceptibility to coastal storm flow.</li> <li>- Conditions agreed upon by the applicant include: <ul style="list-style-type: none"> <li>1) That all alterations and expansions must conform substantially to the plans approved by the Nantucket Historic District Commission under certificate HDC 223-1199.</li> <li>2) The project must be completed in accordance with the attached Exhibit A, the proposed conditions plan.</li> <li>3) There shall be no exterior construction between Memorial Day and Labor Day of any given year.</li> </ul> </li> </ul> |
| Motion:                   | <b>Motion to approve with the findings read into the record by Chair McCarthy. (made by: Brescher) (seconded by: Allen) (01:11:21)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Vote:                     | Carried 5-0 / / McCarthy, Brescher, Allen, O'Mara, Marcklinger (aye)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

### 09-24 Leslie Johnson

### 51 Washington Avenue & 281 Madaket Road

The Applicant is seeking Special Permit relief pursuant to Nantucket Zoning By-law Sections 139-30 and 139-2 to install a residential swimming pool on a lot that has a combined lot area of 34,400± SF with a single-family primary dwelling and secondary dwelling. The property is located at 51 Washington Avenue and 281 Madaket Road and shown on Assessor's Map 59.4 as Parcels 243 and 292 and as Lots 73, 74, 75, 86, 87, and 88 upon Land Court Plan 3092-S. Evidence of owner's title is registered as Certificate of Title Nos. 16490 and 29300 at the Nantucket County District of Land Court. The site is zoned Village Residential (VR).

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|----------------|-------------------------------------------------------------------------------|
| Voting:        | McCarthy, Allen, O'Mara, Marcklinger, Botticelli                              |
| Alternates:    | Mondani                                                                       |
| Recused:       | Brescher                                                                      |
| Documentation: | File with associated plans, photos, correspondence and required documentation |
| Representing:  | Linda Williams                                                                |

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| Public:                   | -                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Discussion:<br>(01:17:07) | <p><b>Williams</b></p> <ul style="list-style-type: none"><li>- Addressed concerns about the landscape changes following the pool construction from the perspective of the street.</li><li>- Explained that some trees currently in the yard are movable and are being relocated to avoid damage during the construction period.</li><li>- Confirmed plans to replant and replace all affected landscaping to ensure proper screening, especially if the pool is visible through secondary structures from I Street.</li><li>- Stressed the importance of reinstating full screening along I Street and mentioned avoiding disturbances from Madaket Road to maintain the existing landscape integrity in that area.</li></ul> <p><b>O'Mara</b></p> <ul style="list-style-type: none"><li>- Recalled that recent applications in Madaket included specific stipulations unique to the area, such as limited lighting and required vegetation.</li><li>- Noted that while new external lighting isn't planned, the pool will have its own lights.</li><li>- Reminded that the procedure for closing down the pool involves professionally removing the top 16 inches of water and transporting it offsite, rather than disposing of it locally. This practice is mandated to protect the local environment and comply with area-specific regulations.</li></ul> <p><b>Saad</b></p> <ul style="list-style-type: none"><li>- Expressed difficulty in imposing conditions on vegetation without a specific landscape plan, noting that decision-making can be challenging.</li><li>- Acknowledged that there are pictures within the packet that might provide sufficient information to proceed with conditional planning.</li><li>- Highlighted that every pool approval by the HDC mandates that the pool must not be visible at the time of inspection and in perpetuity, or at least at the time of inspection and thereafter.</li><li>- Suggested that adding a condition to reinforce the requirement for screening could be easily implemented to ensure compliance with HDC standards.</li><li>- Noted the standard condition for VR pools requiring the removal of the top 16 inches of water, which is not covered under zoning regulations.</li><li>- Expressed uncertainty about whether this condition falls under the jurisdiction of the Health Department or the Department of Natural Resources.</li><li>- Raised concerns about the Zoning Board's authority to enforce conditions pertaining to another department's regulatory oversight.</li></ul> <p><b>Williams</b></p> <ul style="list-style-type: none"><li>- Proposed that any draining of the pool should be carried out by a professional, suggesting a broad and straightforward approach.</li><li>- Acknowledged that specifying the exact amount of water to be drained, such as the top 16 inches, might be too ambiguous and vary depending on the type of pool and its specific circumstances.</li></ul> <p><b>Allen</b></p> <ul style="list-style-type: none"><li>- Recommended a condition to ensure no access to the construction site directly from Madaket Road during or after the construction phase.</li><li>- Emphasized the importance of maintaining the existing vegetation along Madaket Road to prevent potential damage from construction vehicles.</li><li>- Expressed the need to reinforce this condition clearly so that operators of heavy machinery are fully aware that entry from Madaket Road is not permitted.</li><li>- Inquired about the placement of the pool equipment as it was not clearly indicated on the plans.</li><li>- Received clarification that the pool equipment will be attached to the shed and enclosed by a 4-foot natural to weather fence.</li></ul> |

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|                | <p><b>Williams</b></p> <ul style="list-style-type: none"><li>- Noted that the Historic District Commission (HDC) had no objections to this arrangement, suggesting it met their approval without requiring a revised plan.</li><li>- Agreed to have the location and setup of the pool equipment added to the plans for clarity, ensuring the designated space is sufficient to accommodate all necessary equipment.</li><li>- Discussed the 10 by 20 proposed structure noted in the site plan for pool installation, clarifying that it has not yet received Historic District Commission (HDC) approval due to the absence of a finalized design.</li><li>- Explored the conditions regarding where the pool equipment could be attached, considering the possibility of either attaching it to the existing shed or to a future cabana.</li><li>- Indicated flexibility in the placement of the pool equipment, allowing it to be attached to either structure without needing to return for additional approval.</li></ul> <p><b>Botticelli</b></p> <ul style="list-style-type: none"><li>- Suggested that it would be beneficial to have a plan drawn up by the architect, Art, to visually represent the screening around I Street and Madaket Road.</li><li>- Pointed out that while the plan currently marks the Madaket Road side with a notation to maintain existing dense vegetation, it lacks a similar delineation for I Street.</li><li>- Advocated for adding a clear line and note on the site plan to formally document and ensure the desired dense vegetation screening along both streets, helping to solidify the verbal agreement into the plan's visual representation.</li></ul> <p><b>McCarthy</b></p> <ul style="list-style-type: none"><li>- Noted that a letter from neighbors Glenn Williams and Margaret, expresses concerns about the proposed screening.</li><li>- Highlighted that their primary issue is the lack of clarity in the plan regarding the extent of the screening along Madaket Road, particularly how far east towards their property it will be maintained.</li></ul> <p><b>Williams</b></p> <ul style="list-style-type: none"><li>- Reported that communication was made with the concerned neighbors, reassuring them that there would be no cutting or disruption of vegetation on their side.</li></ul> <p><b>McCarthy</b></p> <ul style="list-style-type: none"><li>- Provided a summary of the conditions set for the pool installation and associated activities.</li></ul> |
| <b>Motion:</b> | <p><b>Motion to approve the pool installation with the following stipulations:</b><br/><b>The installation will adhere to the conditions discussed today and those that will be detailed in the attached decision.</b><br/><b>The approval is subject to a landscaping plan to be reviewed and approved by staff.</b><br/><b>(made by: O'Mara) (seconded by: Allen) (01:35:53)</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Vote:</b>   | Carried 5-0 / / McCarthy, Marcklinger, Allen, O'Mara, Botticelli (aye)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

## VII. OTHER

- ZBA regular meeting, Thursday, May 9, 2024, at 1 PM in person and via Zoom

## VIII. ADJOURNMENT

|                |                                      |
|----------------|--------------------------------------|
| <b>Motion:</b> | <b>Motion to adjourn. (01:38:00)</b> |
| <b>Vote:</b>   | Motion carried unanimously.          |

Submitted by: Elaina Cano