



ZONING BOARD OF APPEALS

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

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

~~ MINUTES ~~

Thursday, May 30, 2024

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

I. CALL TO ORDER

Called to order at 1:05pm and Announcements made by Ms. McCarthy

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

II. APPROVAL OF AGENDA

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

III. PUBLIC COMMENT

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

IV. NEW BUSINESS

16-24 William M. Murphy, Trustee of 89 Easton Street Nominee Trust **89 Easton Street**

The Applicant is requesting a Modification of the previously granted Special Permit in File No. 23-23. Specifically, the Applicant is seeking to modify condition C to allow exterior construction to extend to June 30, 2024. Locus is situated at 89 Easton Street, shown on Assessor's Map 42.4.4 as Parcel 21. Evidence of the Owner's title is recorded in Book 1944 and Page 118 with the Nantucket County Registry of Deeds. The site is zoned Residential Old Historic (ROH).

Voting:	McCarthy, Brescher, Allen, Mondani, O'Mara
Alternates:	Botticelli, Poor
Documentation:	File with associated plans, photos, correspondence and required documentation
Representing:	Paul Santos, Nantucket Surveyors; Joe Paul, BPC (Architect); Carl Clark, Clark Brothers Construction (Contractor)
Public:	Gary Beller - Stated disappointment with the request for an additional 30 days of construction. - Supported Lisa's suggestion to condition the approval of the construction over the next 30 days on the agreement that no interior construction will be done until after Labor Day. Sarah Little - Emphasized the inconvenience and safety issues caused by blocked access especially for emergency vehicles. - Requested a fine for each instance when North Avenue is blocked unnecessarily without prior warning, arguing that without such a penalty, there is no incentive to keep the road clear.

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	Emma Morgan - Highlighted that North Avenue is a dead-end road with only one access point, stressing the serious safety issues for full-time residents and workers.
Discussion:	Clark - Addressed the issue of potential blockage on North Avenue and offered to add signage with contact information for immediate resolution of any problems. Allen - Expressed concern about potential noise from compressors and generators during summer interior work, and requested assurance that noise and traffic on the job site will be managed to avoid further issues if the extension is granted. - Requested that Carl leave up the signage with contact information for July – August for blockages, restrict work hours to 9 to 5, and ensure all work is done inside. Carl committed to this, not anticipating heavy construction, and aimed to minimize disruption. - Proposed making it a condition that the only landscape or land-altering work permitted is backfilling, with no other exterior work allowed until the day after Labor Day weekend. Paul - Confirmed that significant activity has occurred in May. - Stressed that traffic should be managed carefully for the entire duration of the construction project to avoid issues for anyone until the project's completion. - Noted that the brick work is being done to stitch things back together for safety reasons, with plans to replace a concrete curb with a fieldstone wall and redo the entire sidewalk later. - Suggested paving over the area temporarily to save time and then completing the final work later. Saad - Clarified that the public sidewalk falls under the jurisdiction of the DPW. - Emphasized that the most important factor is ensuring the sidewalk is passable, regardless of the material used. McCarthy - Noted that the board seemed to be leaning towards having the contractor brick the sidewalks if possible, and if they run out of time, planned to use asphalt to ensure the area is buttoned up and safe for the public. Saad - Explained that the zoning code does not cover fines for construction vehicles blocking a road. - Suggested addressing the issue with conditions in the approval, which would give the zoning enforcement officer a basis for enforcement. Clark - Estimated that each form delivery, pickup, and concrete pouring would take about half a day, or two to three hours for concrete pouring. - Agreed to provide as much notification as possible. - Mentioned that North Avenue is quite wide at the point near the hotel, so pedestrian access should not be an issue. O'Mara - Expressed surprise that the focus has shifted away from safety, emphasizing that the original application aimed to ensure the building's stabilization for the entire summer.
Motion:	Moved to close the public hearing. (made by: O'Mara) (seconded by: Allen) (01:06:32)
Vote:	Carried 5-0 / / McCarthy, Brescher, Allen, Mondani, O'Mara (aye)

Motion:	Motion to grant the 30-day extension to allow exterior construction until June 30th, 2024, under the rationale that this is a public safety issue to put the house down, with the following conditions:
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	• Limited exterior construction in June to the hours between 9:00 am and 5:00 pm. • Installed the street sign on the corner of North Avenue immediately. • Prohibited parking on North Avenue at any time. • Agreed to provide signage with contact phone numbers that will remain up for the remainder of the project. • Ensured that subcontractors will have a designated employee or project manager on site and will provide contact information to neighbors. • Guaranteed that no construction-related vehicles will block North Avenue other than for the time it takes to make deliveries. • Committed to making all efforts to inform abutters in the event that North Avenue will be unavoidably blocked for a period of time. (made by: Brescher) (seconded by: O'Mara) (01:17:33)
Vote:	Carried 5-0 / / McCarthy, Brescher, Allen, Mondani, O'Mara (aye)

V. OTHER

- ZBA special meeting, Monday, June 3, 2024, at 1 PM in person and via Zoom
- ZBA regular meeting, Thursday, June 13, 2024, at 1 PM in person and via Zoom

VI. ADJOURNMENT

Motion:	Motion to adjourn at 2:19pm. (made by: Brescher) (seconded by: Allen)
Vote:	Motion carried unanimously.

Submitted by: Elaina Cano

YouTube Link: <https://www.youtube.com/watch?v=RmCkUFuQW6g>