



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 ~~

Wednesday, July 17, 2024

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

I. CALL TO ORDER

Called to order at 1:04 pm and Announcements made by Ms. McCarthy

Attending Members: McCarthy, Marcklinger, Allen, Botticelli, Brescher, O'Mara

Staff in attendance: William Saad, Zoning Administrator & Land Use Specialist

Remote Members: -NONE

Absent: - Mondani & Poor

Late Arrivals: - NONE

Early Departures: - NONE

II. APPROVAL OF AGENDA

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

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

III. PUBLIC COMMENT

-NONE

IV. ELECTION OF OFFICERS

Motion:	Motion to keep current three officers in term for another year (Made by: Botticelli) (Seconded by: Marcklinger)
Vote:	Carried 6-0// McCarthy, Marcklinger, Allen, Botticelli, Brescher, O'Mara (Aye)

V. APPROVAL OF THE MINUTES

-NONE

VI. APPEAL

12-24 South Siasconset Neighborhood Association, LLC 1 Magnolia
Avenue, 10 Grand Avenue, 7R, 10, 11, 16, 17, 19 Ocean Avenue, 2, 4, and 5 Cottage Avenue Cohen

Continued to August 15, 2024

Voting:	McCarthy, Botticelli, Brescher, Allen, Marcklinger
Alternates:	NONE
Documentation:	File with associated plans, photos, correspondence and required documentation
Representing:	NONE
Discussion:	NONE
Motion:	Moved to continue the public hearing to August 15, 2024 (made by: Allen) (Seconded by: Brescher)
Vote:	Carried 5-0// McCarthy, Botticelli, Brescher, Allen, Marcklinger (Aye)

VII. OLD BUSINESS**1. 18-24 43 W. Miacomet, LLC****43 West Miacomet Road****Cohen****Continued to August 15, 2024**

Voting:	McCarthy, Botticelli, Brescher, Allen, Marcklinger
Alternates:	NONE
Documentation:	File with associated plans, photos, correspondence and required documentation
Representing:	NONE
Discussion:	NONE
Motion:	Moved to continue the public hearing to August 15, 2024 (Made by: Brescher) (Seconded by: Allen)
Vote:	Carried 5-0// McCarthy, Botticelli, Brescher, Allen, Marcklinger (Aye)

2. 14-24 John P. Pearl & Lynn C. Pearl, as Trustees of the John P. Pearl Trust – 2018 & the Lynn C. Pearl Trust – 2018, and David A. Jackson & Cynthia M. Jackson 10 Main Street & 1 Gully Road Alger

The Applicants are seeking relief by Variance pursuant to Zoning By-law Section 139-32 in order to allow the property, currently a two-unit condominium, to be removed from the provisions of MGL Chapter 183.A(Condominiums), and subdivided into two nonconforming lots. The Locus is situated at 10 Main Street, and 1 Gully Road, shown on Tax Assessor's Map 73.2.4 as Parcels 32.1 & 32.2, and shown in Plan Book 20, Page 123. Evidence of the Owner's title is recorded in Book 1629, Page 202, and Book 1618, Page 135 on file at the Nantucket Registry of Deeds. The site is zoned Limited Use One (LUG-1).

Voting:	McCarthy, Botticelli, Brescher, Allen, Marcklinger
Alternates:	NONE
Documentation:	File with associated plans, photos, correspondence and required documentation
Representing:	Attorney Sarah Alger
Discussion:	Attorney Alger, Sarah F. Alger, PC - Presented the board with a plan for the proposed subdivision, identified the owners of both units, confirmed that the proposed conditions in the staff report are acceptable, and suggested adding a condition that grants the Sconset Trust the right of first refusal on at least Lot 1. - Stated that the hardships involved include: the integration of the Pearl unit into a condominium, the inability to secure the right of first refusal without eliminating the condo, and the properties remaining unchanged. The Board - Discussed whether a variance was the appropriate form of relief and what conditions should be applied.
Motion:	Moved to approve as proposed with the condition that there shall be no further alterations or expansion of the structures on each lot without further relief from the Board. Additionally, the owner of Lot One shall grant a right of first refusal to Sconset Trust, and this right must be recorded with the Registry of Deeds. (Made by: Allen) (Seconded by: Botticelli)
Vote:	Carried 4-1// McCarthy, Botticelli, Brescher, Allen(Aye); Marcklinger (Nay)

VIII. NEW BUSINESS

19-24 Steven L. Cohen as Trustee of Area 51 Trust

51 West Miacomet Road

Cohen

Continued to August 15, 2024

Voting:	McCarthy, Botticelli, Brescher, Allen, Marcklinger
Alternates:	NONE
Documentation:	File with associated plans, photos, correspondence and required documentation
Representing:	NONE
Discussion:	NONE
Motion:	Moved to continue the public hearing to August 15, 2024 (Made by: Brescher) (Seconded by: Allen)
Vote:	Carried 4-1// McCarthy, Botticelli, Brescher, Allen (Aye) Marcklinger (Nay)

VIII. FOLLOWING MATTERS CONTINUED TO AUGUST 15, 2024

11-24 Cathy Ward

9 West Dover Street

Pickering-Cook

20-24 Christopher Quick

15 Delaney Road

Pickering-Cook

21-24

126R Main Street

Williams

X. OTHER

ZBA regular meeting, Thursday, August 15, 2024, at 1 PM in person and via Zoom

XI. ADJOURNMENT

Motion:	Motion to adjourn.
Vote:	Carried 5-0// McCarthy, Botticelli, Brescher, Allen, Marcklinger (Aye)

Submitted by: Rodlisha Dixon

YouTube Reference Link: <https://www.youtube.com/watch?v=5m3xeglj8B4>