Nantucket Planning Board

PLANNING BOARD APPROVED MINUTES OF 03-09-2026

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

Board Members: David Iverson (*remote participation)*, Nat Lowell (Acting-Chair), Joseph Topham, and Hillary Hedges Rayport

Alternates: Stephen Welch, Abby De Molina (*Remote Participation*), and Howard Matz

Staff: Leslie Snell (Director of Planning), Meg Trudel (Deputy Director of Planning), William Saad (Zoning Administrator/Land Use Specialist) and Catherine Ancero (PLUS Administrative Specialist) (*Absent*)

I. Call to order:

Acting Chair Lowell called the meeting to order at 4:08 PM.

Attendance taken by roll call:
Board Members:
Joseph Topham, *Aye*
Dave Iverson, *Aye (remote participation)*
Hillary Hedges Rayport, *Aye*
Acting-Chair Lowell, *Aye*

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

Staff:
Leslie Snell, *Aye*
Megan Trudel, *Aye*
William Saad, *Aye*

II. Approval of the agenda:

MOTION/VOTE: Mr. Kitchener made a motion to approve the agenda, and the motion was duly seconded by Vice-Chair Lowell, and the motion was carried out unanimously.

Board members roll call vote:
John Kitchener, *Aye (remote participation)*
Vice-Chair Nat Lowell, *Aye*

Hillary Hedges Rayport, *Aye*
Dave Iverson, *Aye*

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

Campbell Sutton – Expressed concerns regarding the recently approved multi building development on Tom's Way. Ms. Sutton stated that the road is going to be insufficient to accommodate the anticipated increase in traffic and parking demand, and that vehicles are already parking in front of the existing buildings due to limited space between structures. Ms. Sutton also raised concerns about roadway width, drainage issues, and the potential for future traffic and access problems associated with the project density. Board thanked Ms. Sutton for her comments.

IV. Announcement:

The Town of Nantucket and Barrett Planning Group LLC will be hosting the first community-wide Housing Workshop for the Nantucket Housing Production Plan (HPP) and are seeking for your participation that is scheduled for Tuesday, March 10, at the Nantucket Inn (1 Miller Lane) from 4:00 – 5:30 pm.

V. Master Plan Update:

Discussion of updates to Vision Statement, *Discussion and presentation led by Barret Planning Group.*
Representing: Judi Barrett and Laurel Mire – Barrett Planning Group LLC
Discussion: Ms. Barrett did a presentation regarding the ongoing Master Plan update process, including proposed revisions to the adopted vision and goals statements and an overview of identified key issues facing the community. Staff and the Consultants discussed briefly challenges related to climate and sea level rise, drinking water supply, housing availability and overcrowding, economic sustainability, historic preservation, traffic and mobility, zoning and permitting complexity, enforcement concerns, civic infrastructure, and coordination of long-range planning efforts. Board members discussed the importance of improving among Boards, Departments, and existing planning initiatives, as well as the need for stronger implementation strategies and public engagement throughout the Master Plan process. Several Board members expressed concerns regarding permitting delays, regulatory complexity, and balancing preservation goals with development needs. Also, discussion on the role of community input, implementation capacity, and the need for collaborative discussions with other Town Boards and Committees. The consultants outlined next steps, including additional staff workshops, development of implementation recommendations, and preparation of condensed public-facing summary materials for future review and public input.

VI. Minutes:

- **January 12, 2026,**
- **January 15, 2026,**
- **January 29, 2026**
- **February 2, 2026**
- **February 9, 2026**

DOCUMENTATION: File with associated plans, photos and required documentation
DISCUSSION: Ms. Rayport requested to continue all five sets of minutes to the next meeting.

MOTION/VOTE: Ms. Rayport made a motion to continue all five sets of minutes listed above until the April 13th meeting. The motion was duly seconded by Mr. Iverson, and the motion was carried out unanimously.

Board members roll call vote:
Hillary Hedges Rayport, *Aye*
Dave Iverson, *Aye (remote participation)*
Joseph Topham, *Aye*
Acting-Chair Nat Lowell, *Aye*

VII. **Second Dwellings:**

- **Pride Foundation II Trust – 166 Cliff Road**
- **Reed Forever, LLC – 4 Van Fleet Circle**
- **16 Squam Road, LLC – 16 Squam Road**
- **Alexsandar Popnikolov & Tadora Yoleva – 2 Quail Lane**
- **Catherine & Phillip Summers – 88 Vestal Street**

DOCUMENTATION: File with associated plans, photos and required documentation
DISCUSSION: Board reviewed five second dwelling applications. Board members discussed updated approval language related to proposed zoning bylaw amendments concerning second dwellings and accessory dwelling units (ADUs), including requirements that second dwellings exceed 900 square feet and include owner-occupancy provisions. Staff explained that the added conditions were intended to make sure consistency with pending bylaw changes and to provide an additional level of review by the Building Department. Board members also discussed the importance of tracking gross floor area calculations within applications to make sure that they are following the proposed regulations.

MOTION/VOTE: Mr. Topham made a motion to approve all five of the second dwelling applications as submitted listed above with the conditions outlined in the staff report. The motion was duly seconded by Ms. Rayport, and the motion was carried out unanimously.

Board members roll call vote:
Joseph Topham, *Aye*
Hillary Hedges Rayport, *Aye*
Dave Iverson, *Aye* (*remote participation)*
Acting-Chair Nat Lowell, *Aye*

VIII. **Approval Not Required (ANRs) - Plans:**

- **William S. Brenizer & Margaret L. Brenizer, Trustees of CBM Polpis Trust – 275 Polpis Road**
DOCUMENTATION: File with associated plans, photos and required documentation
REPRESENTING: Attorney Arthur Reade
DISCUSSION: Board members discussed whether an existing pre-1955 structure on the property met the threshold of a substantial structure for purposes of supporting ANR endorsement. Discussion included references to prior Board discussions, case law interpretations, and guidance from Town Counsel regarding structures existing prior to the Subdivision Control Law. Questions were raised regarding whether the structure contained plumbing and whether garages or similar accessory structures should qualify. Attorney Reade argued that the structure met the legal requirements for endorsement and that the statute does not define substantial.

MOTION/VOTE: Mr. Topham made a motion to approve and endorse ANR application for 275 Polpis Road. The motion was duly seconded by Mr. Iverson, and the motion was carried out unanimously.

Board members roll call vote:
Joseph Topham, *Aye*
Dave Iverson, *Aye* (*remote participation)*
Hillary Hedges Rayport, *Nay*
Acting-Chair Nat Lowell, *Aye*

- **1 & 3 Back St. LLC (Chris Skehel) – 1 & 3 Back Street**
DOCUMENTATION: File with associated plans, photos and required documentation
REPRESENTING: None
DISCUSSION: There were no comments and concerns regarding this application.

MOTION/VOTE: Ms. Rayport made a motion to approve and endorse ANR application for 1 and 3 Back Street. The motion was duly seconded by Mr. Topham, and the motion was carried out unanimously.

Board members roll call vote:
Hillary Hedges Rayport, *Aye*
Joseph Topham, *Aye*
Dave Iverson, *Aye (remote participation)*
Acting-Chair Nat Lowell, *Aye*

IX. Public Hearings:

- **Marylin Lane Homeowners Association Trust – 9 Correia Lane,** *action deadline 03-31-2026*
  REQUEST TO WITHDRAW WITHOUT PREJUDICE
  DOCUMENTATION: File with associated plans, photos and required documentation
  REPRESENTING: None
  DISCUSSION: None

  MOTION/VOTE: Mr. Topham made a motion to accept the request to withdraw without prejudice. The motion was duly seconded by Mr. Topham, and the motion was carried out unanimously.

  Board members roll call vote:
  Joseph Topham, *Aye*
  Hillary Hedges Rayport, *Aye*
  Dave Iverson, *Aye (remote participation)*
  Acting-Chair Nat Lowell, *Aye*

- **Cliffside Beach, Inc. – 46 Jefferson Avenue,** *action deadline 05-30-2026*
  CONTINUED TO APRIL 13, 2026
- **Nantucket Woodland Limited Partnership – 13 & 13A Woodland Drive,** *action deadline 05-10-2026*
  CONTINUED TO APRIL 13, 2026

  DOCUMENTATION: File with associated plans, photos and required documentation
  REPRESENTING: None
  DISCUSSION: None

  MOTION/VOTE: Mr. Topham made a motion to accept the request for both applications listed above (46 Jefferson Avenue and 13 & 13A Woodland Drive) to be continued to the April 13th meeting. The motion was duly seconded by Ms. Rayport, and the motion was carried out unanimously.

  Board members roll call vote:
  Joseph Topham, *Aye*
  Hillary Hedges Rayport, *Aye*
  Dave Iverson, *Aye (remote participation)*
  Acting-Chair Nat Lowell, *Aye*

- **5 Rose Bud Nantucket, LLC – 5 Rose Bud Lane,** *action deadline 06-07-2026*
  DOCUMENTATION: File with associated plans, photos and required documentation
  ACTIVATED: Stephen Welch
  REPRESENTING: Attorney John Brescher
  DISCUSSION: The applicant proposal includes a three-bay contractor shop requiring a special permit relief and a four-bedroom duplex. Attorney Brescher explained that the property remains protected under existing RC-2 zoning through a freeze plan and permit extension. Applicant agreed to the staff recommended conditions. There was a

brief discussion about the status of a proposed zoning change for the area, existing freeze plan protections, and clarified prior approvals on nearby lots. Acting-Chair Lowell opened the floor to the public. Emily Molden from the Nantucket Land and Water Council expressed concerns regarding stormwater review and water quality protection due to the property's location within the Wellhead Recharge District. Staff clarified that while Planning Board stormwater review was not required, the project would require a Certificate of Water Quality Compliance prior to issuance of a building permit. The applicant agreed to include this as a condition of approval.

MOTION/VOTE: Mr. Topham made a motion to close the public hearing. The motion was duly seconded by Ms. Rayport, and the motion was carried out unanimously.

Board members roll call vote:
Dave Iverson, *Aye* (*remote participation)*
Hillary Hedges Rayport, *Aye*
Joseph Topham, *Aye*
Acting-Chair Nat Lowell, *Aye*

Activated to vote: Stephen Welch

MOTION/VOTE: Mr. Topham made a motion to approve of the findings and conditions listed in the staff report, including the added water quality compliance requirement. The motion was duly seconded by Ms. Rayport, and the motion was carried out unanimously.

Board members roll call vote:
Joseph Topham, *Aye*
Hillary Hedges Rayport, *Aye*
Dave Iverson, *Aye* (*remote participation)*
Stephen Welch, *Aye*
Acting-Chair Nat Lowell, *Aye*

- **Commerce Road Terminals, LLC - 14 & 16 Davkim Lane,** *action deadline 06-07-2026*
DOCUMENTATION: File with associated plans, photos and required documentation
RECUSED: Leslie Snell
REPRESENTING: Attorney Rick Beaudette, Don Bracken, Tom Dy and Michale Feeny Cape Cod Express
DISCUSSION: Applicant proposes demolishing an existing storage structure and constructing eight employee housing apartments containing nine bedrooms for Cape Cod Express employees. Additional relief is requested for more than four apartments on one lot, parking in an adjacent easement area and open space relief. It was explained by the Applicant's project engineer that the proposal would improve the site through new drainage infrastructure, landscaping, sewer connections, and upgraded utilities while maintaining existing commercial operations without increasing truck activity. There was a brief discussion regarding the history of the 1995 MCD permit, the transition from storage use to employee housing and the importance of workforce housing for island employees. Board members expressed concerns regarding apartment management, neighborhood impacts, noise, parking, year-round occupancy, and the potential need for restrictions on short-term rentals. Board members discussed requiring a housing management plan with a designated contact person and quiet hour provisions due to the project's proximity to residential properties. Board members focused on possible roadway improvements, sprinkler requirements, and clarification regarding future ADU interpretations within the zoning district. Acting-Chair Lowell opened the floor to the public. Emily Molden from the Nantucket Land and Water Council supported the increase in open space and requested clarification on how apartment density calculations would apply across the two lots in the future. Attorney Beaudette confirmed that the decision would be recorded against both lots and acknowledged willingness to continue discussion regarding management conditions and operational details. There was discussion of continuing this application to allow for further staff review, engineering comments, and additional consideration of proposed conditions and management provisions.

MOTION/VOTE: Mr. Topham made a motion to continue to the April 13th meeting. The motion was duly seconded by Ms. Rayport, and the motion was carried out unanimously.

Board members roll call vote:
Joseph Topham, *Aye*
Hillary Hedges Rayport, *Aye*
Dave Iverson, *Aye* (*remote participation)*
Acting-Chair Nat Lowell, *Aye*

- **16-5 Waydale LLC - 16A Waydale Road aka 16.5 Waydale Road,** *action deadline 06-07-2026*
  DOCUMENTATION: File with associated plans, photos and required documentation
  RECUSED: Stephen Welch
  REPRESENTING: Attorney Rick Beaudette
  DISCUSSION: Applicant is requesting to allow neighborhood employees housing within an existing eight-bedroom residence in the R-10 zoning district. The applicant proposed housing up to 16 employees for Nantucket Waste Options and submitted a parking layout and employee housing management plan outlining parking requirements, management contacts, quiet hours and operational rules. Board members acknowledged the importance of employee housing while expressing concerns regarding neighborhood impacts, parking, occupancy levels, and compatibility with the surrounding residential area. The discussion focused on whether the proposed occupancy was excessive for the size of the home, adequacy of parking, outdoor activity and noise management, smoking concerns, and the need for the stronger housing management provisions tied to neighborhood quality of life. There was request for additional floor plans, bedroom dimensions, and further review of occupancy capacity and safety considerations. Acting-Chair Lowell opened the floor to the public. There were extensive public comments from the neighboring residents and abutters. Residents voiced their concerns about overcrowding, increased traffic, noise, parking overflow onto surrounding streets, pedestrians and vehicle safety, smoking impacts, and preservation of the neighborhood's residential character. There were a few residents and abutters support the need for workforce housing, however expressed concerns that large scale dormitory style housing within the dense residential neighborhoods could negatively impact livability and quality of life. Suggestions included stronger parking controls, improved management plans, quiet hour enforcement, and additional collaboration between the applicant, neighbors, and staff before approval. Attorney Beaudette stated that the proposal was consistent with prior neighborhood employee housing approvals and that regulated employee housing permits provide greater oversight than unpermitted workforce housing arrangements. Attorney Beaudette expressed to continue this hearing to allow submission of additional information, further discussions with neighbors and staff regarding management conditions and occupancy concerns.

MOTION/VOTE: Ms. Rayport made a motion to continue to the April 13th meeting. The motion was duly seconded by Mr. Topham, and the motion was carried out unanimously.

Board members roll call vote:
Hillary Hedges Rayport, *Aye*
Joseph Topham, *Aye*
Dave Iverson, *Aye* (*remote participation)*
Acting-Chair Nat Lowell, *Aye*

5 MINUTE QUICK RECESS

- **Nantucket 16 Atlantic Avenue LLC – 16 Atlantic Avenue,** *action deadline 06-07-2026*
  DOCUMENTATION: File with associated plans, photos and required documentation
  REPRESENTING: Attorney Rick Baudette
  DISCUSSION: The applicant is proposing a four-bedroom duplex to house up to eight employees of Waste

Options. Attorney Beaudette stated that the Applicant is following zoning requirements, providing four parking spaces, including a housing management plan addressing visitors' rules, trash, quiet hours, and on-site management. Board members expressed concerns regarding occupancy, parking, neighborhood impacts, and the long-term management of employee housing properties. Most of the comments were making sure that there is adequate oversight through a comprehensive housing management plan, including complaint procedures, contact information, quiet hours, outdoor gathering restrictions, and possible annual reviews of the permit. Most of the concerns centered on parking and streetscape concern especially proposed parking space in front of the building. Board members expressed concern with loss of green space and the visual impact of front yard parking in a residential neighborhood. Board members encouraged reducing the number of parking spaces, carpooling, adding bike racks and providing bus passes. The applicant did not request a parking waiver which limited the Board's ability to modify the proposed parking plan during the hearing. Acting-Chair Lowell opened the floor to the public. The residents and abutters expressed concerns regarding the property location, the layout of the existing duplex, its proximity to nearby services and its prior use as housing. Some raised concerns about increase of density in the residential neighborhood, the possibility of similar employee housing applications in the future, traffic impacts, noise, and the need for stronger enforcement and inspection measures. Suggestions were made for clearer rules, complaint tracking systems, annual permit reviews and improved neighborhood open space planning. Board members recognized that the property was already used for similar purposes and the need for workforce housing. Board members discussed refining the management plan conditions and parking arrangements.

MOTION/VOTE: Ms. Rayport made a motion to continue to the April 13th meeting. The motion was duly seconded by Mr. Iverson, and the motion was carried out unanimously.

Board members roll call vote:
Hillary Hedges Rayport, *Aye*
Dave Iverson, *Aye (remote participation)*
Joseph Topham, *Aye*
Acting-Chair Nat Lowell, *Aye*

- **The Donna Elle 2012 Revocable Trust – 9 Nobska Way,** *action deadline 04-12-2026*
DOCUMENTATION: File with associated plans, photos and required documentation
ACTIVATED: Stephen Welch
REPRESENTING: None
DISCUSSION: Applicant proposes for a rear lot, to divide one lot into two separate lots. Mr. Mulloy asked whether the Board would support a scaled down two lot subdivision plan that includes no dwelling restrictions other than a requirement for a shared driveway. Board briefly discussed lot layout, moving an existing house and whether additional review or plans were needed. Acting-Chair Lowell opened the floor to the public. Sharon Corkish expressed concerns regarding increase in density, traffic and congestion on the street. Campbell Sutton supports the revised two lot subdivision plan and that it better fits the neighborhood character. Staff are satisfied with the plan that has been presented. Staff briefly reviewed and agreed minor changes of the list of conditions on the staff report and from discussion: Condition #1 -typo, zoning changed from R-20 to R-5; Conditions #2 and #3 – removed; Conditions #4 – revised to require two lots sharing a single driveway from Nobska Way; and Conditions # 5 – monetary contribution reduced from $15,000 to $10,000 to reflect the two-lot plan.

MOTION/VOTE: Mr. Topham made a motion to close the public hearing. The motion was duly seconded by Ms. Rayport, and the motion was carried out unanimously.

Board members roll call vote:
Joseph Topham, *Aye*
Hillary Hedges Rayport, *Aye*

Dave Iverson, *Aye (remote participation)*
Stephen Welch, *Aye*
Acting-Chair Nat Lowell, *Aye*

MOTION/VOTE: Mr. Welch made a motion to approve the application, subject to staff recommendations and conditions, including the option of either of the two lot configurations presented in hard copy to staff as part of the ANR plan and alternative proposal and included the additional conditions outlined by staff. The motion was duly seconded by Mr. Topham, and the motion was voted 3-1 with Ms. Rayport opposed.

Board members roll call vote:
Stephen Welch, *Aye*
Joseph Topham, *Aye*
Hillary Hedges Rayport, *Aye*
Dave Iverson, *Aye (remote participation)*
Acting-Chair Nat Lowell, *Aye*

- **Peter D. Kyburg – 37 Somerset Lane,** *action deadline 05-10-2026*

VOTING: Acting-Chair Nat Lowell, Dave Iverson (*remote participation),* Joseph Topham, and Hillary Hedges Rayport
DOCUMENTATION: File with associated plans, photos and required documentation
REPRESENTING: Dan Mulloy
DISCUSSION: The Applicant proposes two lot in the Residential 40 (R-40) zoning distict, a property that met area and frontage requirements however it did not satisfy the regularity factor requirement. The proposal is a two buildable lot subdivision using a twenty-foot-wide roadway easement for access with conditions including restricting one lot to year-round housing and limiting each lot to one dwelling and one Accessory Dwelling Unit (ADU). Some of the Board members supported the plan stating that the lot meets criteria and the regulatory factor is the only barrier, while some of the other Board members argued that the subdivision does not comply with zoning intent and could set a bad precedent by granting multiple waivers, particularly regarding frontage and subdivision regulations. Concerns included potential ripple effects for neighboring lots, undermining the covenant housing program and whether the proposal truly met the standards required for subdivision waivers in the public interest. Acting-Chair Lowell opened the floor to the public. Emily Molden from Nantucket Land and Water Council briefly stated that she did some research into the history and evolution of the rear lot bylaw, including reviewing past meetings and amendments from 2019. Ms. Molden submitted a letter with concerns that included the lack of legal frontage for one lot and relying on an access easement that does not currently exist. Ms. Molden stated that although the proposal includes a year-round housing restriction, the property could instead support covenant lots which may better serve affordability goals. Ms. Molden urged the Board to carefully consider public interest before granting waivers and that by approving the waiver could set a precedent in the area. Ms. Molden urged the Board to deny the Approval Required (AR) subdivision. Kristy Ferrantella (*remote participation)* Housing Director stated that she supports creating year-round housing and that the real opportunity for homeownership in the community is through covenant lots. Acting-Chair Lowell stated that he appreciates Ms. Ferrantella's concerns, however as Board members they cannot force people to do covenants. Charity Grace Mofsen (*remote participation)* read a letter from her family (Ricky and Jean Mosen) at 39 Somerset Lane that directly abuts 37 Somerset Lane expressing strong opposition to the proposed application and urged the Board to deny the subdivision and require the Applicant to pursue relief through the Zoning Board of Appeals. Karen Gallo at 44 Somerset Lane raised concerns about approving this subdivision and that it could encourage others to subdivide, changing the character of the neighborhood. Also, Ms. Gallo stated that future owners may not maintain the intended use. Board members debated whether to approve a subdivision that is legally allowed, opposed by neighbors and whether the Board has the authority or responsibility to influence the use of covenants in year-round housing proposals. Mr. Iverson stated that this approach is not a viable option for most people and acknowledges the concerns raised by the residents and abutting neighbors. Also, Mr. Iverson pointed out that the Board has an opportunity to secure year-round deed restrictions on the lots, which he believes would serve the community's interest. The Applicant is requesting

approval to approve the subdivision, which later the Applicant would return for a Rear Lot Special Permit and limit each lot to one dwelling plus an ADU that would be attached to the subdivision approval and carried forward into any future rear lot application. Campbell Sutton stated that the covenant lots are typically created by those who can afford to do so and are voluntary programs and not mandatory programs. Ms. Sutton expressed that overly restricting development could backfire, leading to larger high-end developments. Kristy Ferrantella explained that the covenant program could allow the owner to remain in their existing home by placing a covenant on it and selling another unit at market rate without needing to pursue the subdivision. Board members discussed conditions that if the site is not converted into a Rear Lot Subdivision, and the Applicant instead pursues an AR Subdivision, the Board shall reopen the public hearing prior to the conveyance of the lots out of common ownership and the applicant shall be subject to review by the Town's consulting engineer, and the applicant shall comply with all recommendations at their own expense. Applicants voluntarily agreed to grant a bicycle path easement and temporary construction easement along Somerset Lane to the Town and/or County of Nantucket in conformance with the easement plan prepared by the Town's engineering consultants for no consideration and waivers all claim of damage if applicable. Each lot shall comply with the ground cover ratio, front setback, and side and rear yard setback requirements of the underlying R-40 zoning district. Applicants must submit a roadway plan for engineer review at Applicant's cost or file a subdivision modification. The Applicant agreed to provide the Town a monetary gift contribution totaling $10,000 to be utilized for area pedestrian and infrastructure improvement. Payments must be received prior to the issuance of any building permit for any lot within the subdivision. The Homeowners Association should be funded in the amount of $1000 per lot and that proof of funding shall be submitted to the Planning Board prior to the release of the second lot. No further subdivision allowed. Each of the lots will be restricted to a primary/principal dwelling and a protected use accessory dwelling unit. No secondary or tertiary dwelling on either lot.

MOTION/VOTE: Mr. Iverson made a motion to close the public hearing. The motion was duly seconded by Mr. Topham, and the motion was carried out unanimously.

Board members roll call vote:
Joseph Topham, *Aye*
Dave Iverson, *Aye* (*remote participation)*
Hillary Hedges Rayport, *Aye*
Acting-Chair Nat Lowell, *Aye*

MOTION/VOTE: Mr. Iverson made a motion to approve the applications with the conditions discussed and to approve the waivers as requested. The motion was duly seconded by Mr. Topham, and the motion was voted 3-1 with Ms. Rayport opposed.

Board members roll call vote:
Dave Iverson, *Aye* (*remote participation)*
Joseph Topham, *Aye*
Hillary Hedges Rayport, *Nay*
Vice-Chair Nat Lowell, *Aye*

- **159 Orange Street Limited Partnership – 1 West Creek Road & 159 Orange Street,** *action deadline 05-10-2026*
VOTING: Joseph Topham, Dave Iverson (*remote participation)*, and Hillary Hedges Rayport
RECUSED: Nat Lowell
ACTIVATED: Stephen Welch and Abby De Molina
DOCUMENTATION: File with associated plans, photos and required documentation
REPRESENTING: Dan Mulloy and Dave Fredericks – Island Energy Services

DISCUSSION: Mr. Fredericks, a representative for Island Energy Services, introduced the project and briefly explained that they are proposing a mixed-use development with employee housing in the Mid-Island Planned Overlay District (MIPOD) district. Mr. Fredericks expressed the company's longstanding presence on Nantucket, it's continued investment in employee housing, and the goal is to increase year-round housing while offsetting costs through commercial use. Three building site plans with relocated Roasted building and new mixed-use structure. A proposal for seven apartments with eight bedrooms. Request for height increase to 34 feet due to groundwater concerns and parking relief. Applicant will be filing a plan with the Fire Department to show that the trucks can turn around. Applicants are required to have 31 parking spaces, however 21 are provided. No concerns with Ed Pesce's comments. Applicants will provide landscaping plan. Mr. Mulloy briefly explained the parking table. The proposed project provides 21 spaces under the parking credit allowance, which the Applicant is allowed to ask for credits of up to 18 spaces, however the Applicant is only required to provide 13 spaces, after credits. Credits come from nearby on-street parking, shared access between lots, site interconnections/sidewalks and transit incentive (NRTA use). The proposed project does not trigger MCD review due to reduced parking requirement and smaller commercial size. A Board member questioned whether to use one way versus two-way traffic flow for site access. Mr. Mulloy stated that the current plan remains two-way in and out based on initial traffic input with a possible adjustment to one-way exit on West Creek if needed. Chair Iverson opened the floor to the public. Emily Molden from Nantucket Land and Water Council expressed environmental concerns such as increased impervious surfaces and impacts to groundwater, recommending natural stormwater solutions like swales and rain gardens. Mr. Mulloy responded that they will review stormwater options although space is limited and they will be keeping existing trees and adding a few more to increase shade. Mr. Mulloy also touched on permeable pavement as a possible solution. Concerns were raised about making the streets one-way versus two-way traffic. Board members agreed to have staff member Mike Burns provide professional assessment Staff noted that while the NRTA is currently free due to a state initiative from the governor and the administration, however its future funding is uncertain and recommended that should the Board vote to close the public hearing, a condition should be added requiring the Applicant provide transit passes to residents if fares be reinstated. Staff briefly went over finalizing conditions for the proposed building and clarifying the mix-unit use: five of the seven units will be restricted to year-round occupancy with one unit allowed as a short-term rental (STR) and the three basement units will be year-round employee housing and not short-term rentals (STRs); Town tree shall remain; Construct the sidewalk on West Creek and work with the Town for any easements for sidewalk improvements on West Creek and or Orange Street; A landscape plan will be submitted and reviewed and approved by staff prior to an issuance of any additional building permits; The Applicant provides NRTA passes to residents and employees if fares are reinstated; and provide a height pole, to help the community understand the building's scale and mitigate concerns about taller structures. There was a brief discussion about whether one of the units could meet the requirements for a Protected Use ADU. It was suggested that this designation be added as a precautionary that it complies in case the Attorney General interprets requirements differently. While they don't expect this to be necessary, the intent is to protect against potential future issues. A Board member also suggested designating a unit as Protected use ADU, which could be a simpler solution as it would allow flexible use, provided the unit meets size requirements. The idea was dismissed due to the project having no principal dwelling, which makes ADU classification irrelevant. Under the current CMI zoning, primary dwellings and protected use ADUs are not permitted. The proposed units are apartments not single-family homes therefore ADU does not apply.

MOTION/VOTE: Mr. Welch made a motion to close the public hearing. The motion was duly seconded by Mr. Topham, and the motion was carried out unanimously.

Board members roll call vote:
Stephen Welch, *Aye*
Joseph Topham, *Aye*
Abby De Molina, *Aye* (*remote participation*)
Hillary Hedges Rayport, *Aye*
Chair Dave Iverson, *Aye* (*remote participation)*

DISCUSSION: Ms. Rayport expressed concern that the ADU issue had not been fully considered and urged staff to revisit it as a precaution to avoid potential future issues. Mr. Welch stated that he was not concerned because the zoning district does not allow single family dwellings, making a Protected ADU unlikely, however, supported including precautionary language if staff finds it helpful.

MOTION/VOTE: Mr. Welch made a motion to approve the proposal subject to staff recommendations, the list of conditions and actions that were read off by the Deputy Director of Planning and with an added provision that staff and a Board member further evaluate and if appropriate, incorporate language addressing the possibility of a protected ADU to protect the Town and Planning Board. The motion was duly seconded by Mr. Topham, and the motion was carried out unanimously.

Board members roll call vote:
Stephen Welch, *Aye*
Joseph Topham, *Aye*
Abby De Molina, *Aye* (*remote participation)*
Hillary Hedges Rayport, *Aye*
Chair Dave Iverson, *Aye* (*remote participation)*

X. Other Business:

- **Planning Board Regular Meeting – Monday, March 9, 2026, at 4:00PM Hybrid**

Discussion: Staff reminded Board members of the joint meeting with FinCom and the Select Board on Thursday at 4PM. Also, there will be a joint meeting with Affordable Housing Trust and Board of Health on Monday at 4PM at which staff will confirm meeting time.

XI. Adjournment:

Ms. Rayport made a motion to adjourn the meeting at 10:00PM. The motion was duly seconded by Mr. Topham, and the motion was carried out unanimously.

Board members roll call vote:
Hillary Hedges Rayport, *Aye*
Joseph Topham, *Aye*
Vice-Chair Nat Lowell, *Aye*
Dave Iverson, *Aye*