Nantucket Planning Board

PLANNING BOARD UPDATED APPROVED MINUTES OF 01-12-2026

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

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

Alternates: Stephen Welch (*remote participation)*, 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)

Link to YouTube: https://www.youtube.com/watch?v=iEgYjomyih4

Link to packet: https://portal.laserfiche.com/Portal/Browse.aspx?id=346177&repo=r-ec7bdbfe

I. Call to order:

Acting Chair Lowell called the meeting to order at 4:00pm.

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

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

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

A quorum was present.

Acting Chair Lowell read a prepared statement in accordance with Governor Baker's March 21, 2020, order regarding open meeting law, which outlines how the meeting is conducted via remote participation and states the ground rules for any discussion.

II. Approval of the agenda:

MOTION/VOTE: Ms. Rayport made a motion to approve the agenda, and the motion was duly seconded by Mr. Iverson, and the motion was carried out unanimously.

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

III. Public Comment: *for items not listed on the agenda*
Campbell Sutton stated that at the last Select Board meeting she made a comment that there wasn't a quorum present and expressed concern that Zoom isn't an appropriate or reliable way to participate due to connection and audio issues.

IV. Minutes:
- **December 8, 2025**

DISCUSSION: Board agreed to continue December 8th set of minutes to the next meeting.

MOTION/VOTE: Ms. Rayport made a motion to continue the December 8th set of minutes to the next meeting. The motion was duly seconded by Mr. Iverson, and the motion was carried out unanimously.

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

V. Ticcoma Green Workforce Rental Community: *clarification of Condition A6 (pg. 14) of Special Permit #67-17, EOHLC lottery application to market rate units.* ***Re-affirm vote from 12-08-2025***

DISCUSSION: Board discussed reaffirming a vote from the December 8th meeting due to the item had been added within 48 hours and needed to be properly noticed.

MOTION/VOTE: Ms. Rayport made a motion to reaffirm the December 8th vote. The motion was duly seconded by and the motion was unanimous.

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

VI. Planning Board Discussion to send a letter to the Board of Health re: Proposed Septic Regulations:

Discussion: Board members discussed the Board of Health's proposed changes to septic regulations. Some of the concerns that were discussed are about new inspection and upgrade requirements for IIA, advanced treatment systems could increase costs for property owners significantly. The proposed changes could limit the ability to add bedrooms, which could impact year-round and affordable housing. Members noted the importance of protecting ponds and groundwater from nitrogen and other pollutants and expressed the need for collaboration with the Board of Health, Select Board and the Nantucket Planning and Economic Development Commission (NP&EDC) to ensure shared understanding. Board members also expressed the importance of protecting ponds and wells from nitrogen and other pollutions. It is important to coordinate with Board of Health, they are scheduled to continue discussion on Thursday, and the NP&EDC meeting is on the 26th

MOTION/VOTE: Mr. Iverson made a motion to have staff draft a letter for the Vice Chair to sign requesting a joint, collaborative meeting with relevant Boards to discuss the septic regulation changes. The motion was duly seconded by Ms. Rayport, and the motion was carried out unanimously.

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

VII. Second Dwellings:

- **32 Woodbine LLC – 32 Woodbine Street**
  Documentation: File with associated plans, photos and required documentation

  MOTION/VOTE: Mr. Iverson made a motion to approve and endorse both ANR applications listed above. The motion was duly seconded by Ms. Rayport, and the motion was carried out unanimously.

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

VIII. Tertiary Dwellings:

- **Christine Petrella – 16 Pequot Street**
  Documentation: File with associated plans, photos and required documentation

  MOTION/VOTE: Mr. Iverson made a motion to approve and endorse both ANR applications listed above. The motion was duly seconded by Ms. Rayport, and the motion was carried out unanimously.

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

IX. Plans - Approval Not Required (ANRs):

- **Sciasonset LLC, 17 New Street (Sconset)***action deadline 01-18-2026,*
- **Christopher P. Fraker & Deborah P. Fraker – 44 Prospect Street,** *action deadline 01-18-2026*

  Documentation: File with associated plans, photos and required documentation

  MOTION/VOTE: Mr. Iverson made a motion to approve and endorse both ANR applications listed above. The motion was duly seconded by Ms. Rayport, and the motion was carried out unanimously.

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

X. Previous Plans:

- **Fog Nominee Trust, Mark Dawson, Trustee - 17 Milestone Crossing –** *request for discussion: Waiver of Enforcement of restriction –home occupancy commercial kitchen*

  Representing: Attorney Arthur Reade and Mark Dawson, Homeowner
  Documentation: File with associated plans, photos and required documentation
  Discussion: Proposal to modify a prior subdivision restriction related to a commercial kitchen operating as a

home occupation at a residence in the Milestone Crossing subdivision. The enforcement by the homeowners association expired after 30 years, November of 2025 however some of the restrictions remain enforceable by the Planning Board, including one that had previously limited all transportation for the commercial kitchen to the owner's personal vehicle and prohibited commercial deliveries. The kitchen would be used for small-scale food production with deliveries typically coming from UPS, FedEx, or personal trips, not large wholesale trucks. Neighbor, Charity Benz raised concerns about truck traffic and wear on the private road. The Board heard testimony from the owner that he would not be receiving deliveries from wholesale distributors in large, refrigerated trucks, or other trucks such as the type supplying restaurants.

MOTION/VOTE: Ms. Rayport made a motion to waive enforcement of the prior vehicle restriction and issue a letter confirming that the commercial kitchen may operate as a home occupation, provided it complies with the current zoning bylaw requirements for home occupations, that the site would not be receiving deliveries from wholesale food distributors in large trucks and that all other conditions remain in effect. The motion was duly seconded by Mr. Iverson, and the motion was carried out unanimously.

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

- **DXD SS Fund II Nantucket Propco LLC - 10 & 12 Davkim Lane,** *Performance surety deposit acceptance*

Documentation: File with associated plans, photos and required documentation
Discussion: Staff explained that the storage facility at 10 and 12 Davkim Lane requested a Temporary Certificate of Occupancy (TCO) due to most of the project work has been completed, however some paving and site work cannot be finished until spring due to winter conditions. Staff and Pesce Engineering and building department reviewed the itemized cost estimate for the remaining work through documentation and site visit. Staff confirmed the estimate was reasonable and recommended that the Planning Board allow issuance of the TCO once a performance surety is deposited ($158,610.60) to guarantee completion of the outstanding work. Staff recommended that the Board authorize the Building Commissioner to sign off on the TCO contingent upon the receipt of that surety amount.

MOTION/VOTE: Ms. Rayport made a motion to accept the performance surety deposit in the amount of $158,610.60 as outlined in the staff report and authorizes issuance of the Temporary Certificate of Occupancy. 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*
Vice-Chair Nat Lowell, *Aye*

- **Mid Island Service – 41 & 43 Sparks Avenue,** *minor modification*
- **Island Gas – 11 Industry Road,** *minor modification*

Documentation: File with associated plans, photos and required documentation

Discussion: Board members and staff addressed two minor modifications. Acting-Chair Lowell needed to recuse leaving only two voting members available, which prevented activation of an alternate for these minor modifications. Mr. Iverson proposed continuing both applications to Thursday, January 15th rather than waiting an entire month.

MOTION/VOTE: Mr. Iverson made a motion to continue both applications to Thursday, January 15th. The motion was duly seconded by Ms. Rayport, and the motion was carried out unanimously.

XI. Public Hearings- Zoning Articles Proposed by Citizen Submission

- **Zoning Map Amendment: R-20 to CN – (a portion of) 3 Toombs Court –** to place a portion of property located at 3 Toombs Court currently in the Residential -20 (R-20) district into the Commercial Neighborhood (CN) district. ***CONTINUE TO JANUARY 15, 2026***

- **Zoning Bylaw Amendment: MGL 41-81L (Molden) –** to amend Section 139-33 "Pre-existing nonconforming uses, structures and lots" by striking language that grants lots created through subdivision utilizing MGL c. 41, s. 81L with pre-existing non-conforming status and to add new language that will require a Special Permit through the Zoning Board of Appeals for any expansion of existing structure(s) or creation of new structure(s)that would have otherwise been allowed on the original lot. ***CONTINUE TO JANUARY 15, 2026***

  Documentation: File with associated plans, photos and required documentation

  MOTION/VOTE: Ms. Rayport made a motion to accept the continuation of January 15th for both warrant articles listed above. 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*
  Vice-Chair Nat Lowell, *Aye*

XII. Public Hearings- Zoning Articles Proposed by the Planning Board:

- **Zoning Map Amendment: Town and Country Overlay District Change: Bartlett Farm Road and Hummock Pond Road –** to place properties located at 5, (portion of) 19, 23, 33, 39 Bartlett Farm Road and 162 Hummock Pond Road currently located in the Country Overlay District (COD) in the Town Overlay District (TOD). ***CONTINUE TO JANUARY 29, 2026***

  Documentation: File with associated plans, photos and required documentation

  MOTION/VOTE: Mr. Iverson made a motion to continue this article until January 29th. The motion was duly seconded by Ms. Rayport, and the motion was carried out unanimously.

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

- **Zoning Map Amendment: RC-2 to CN – Surfside Road and Miacomet Avenue–** to place properties located at 2 Miacomet Avenue and 61 Surfside Road currently in the Residential Commercial-2 (RC-2) district into the Commercial Neighborhood (CN) district. ***CONTINUE TO JANUARY 15, 2026***

- **Zoning Map Change: RC-2 to CI, CMI, or CN – Sun Island Road –** to place properties located at 11, 13, and 15 Sun Island Road currently located in the Residential Commercial-2 (RC-2) district into the Commercial Industrial (CI), Commercial Mid-Island (CMI), or Commercial Neighborhood (CN) district. ***CONTINUE TO JANUARY 15, 2026***

- **Zoning Map Change: RC-2 to CMI – Arrowhead Drive and Hinsdale Road –** to place properties located at 13 and 19 Arrowhead Drive; unaddressed parcel on Arrowhead Drive (shown as map 69, parcel 10.4); and 109, 110, 112, and 114 Hinsdale Road currently located in the Residential Commercial-2 (RC-2) district into the Commercial Mid Island (CMI) district. ***CONTINUE TO JANUARY 15, 2026***

- **Zoning Bylaw Amendment: Use Chart – Restaurants, Large –** to amend Section 139-7A "Use Chart – Restaurants, Large" by changing a "N" to a "SP" in the Commercial Neighborhood "CN" district. ***CONTINUE TO JANUARY 15, 2026***

- **Zoning Bylaw Amendment: Definitions – Apartment Building –** to amend Section 139-2 "Definitions and Word Usage- Apartment building" to add new language that will allow, through special permit, additional bedrooms, provided the entire building is eligible to be placed on the Subsidized Housing Inventory (SHI) List. ***CONTINUE TO JANUARY 15, 2026***

- **Zoning Bylaw Amendment: Definitions – Community Land Trust –** to amend Section 139-2 "Definitions and Word Usage" by inserting and defining a new term "Community Land Trust". ***CONTINUE TO JANUARY 15, 2026***

Documentation: File with associated plans, photos and required documentation

MOTION/VOTE: Ms. Rayport made a motion to accept the continuation to January 15th of all the warrant articles listed above. 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*
Vice-Chair Nat Lowell, *Aye*

XIII. Public Hearings:

- **Marylin Lane Homeowners Association Trust – 9 Correia Lane,** *action deadline 03-31-2026,* ***Continued to February 9, 2026***
- **Cliffside Beach, Inc. – 46 Jefferson Avenue,** *action deadline 03-31-2026,* ***Continued to February 9, 2026***
- **Longfin, LLC – 1 Barnard Valley Road,** *action deadline 03-31-2026,* ***Continued to February 9, 2026***

MOTION/VOTE: Mr. Iverson made a motion to continue all three applications listed above to the February 9th meeting. The motion was duly seconded by Ms. Rayport, and the motion was carried out unanimously.

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

- **Louie Dog LLC – 10A Greglen Avenue,** *action deadline 04-12-2026*
  Representative: Chris Cristillo
  Documentation: File with associated plans, photos and required documentation
  Discussion: Applicant is requesting to retain two shipping containers located at the rear of the property while all other containers and an office trailer will be removed. Containers used solely for storage only. Board discussed screening, due to property across the street and agreed that adequate screening will be placed for neighbors to not see the containers. Screening should be on a revised plan. Board agreed a recurring review was not necessary for this case and any additional containers or relocation would require new approval. It was clarified that temporary construction containers are separately allowed under the bylaw for up to twelve months. Acting-Chair Lowell opened the floor to the public. Campbell Sutton suggested that if additional containers are added in the future or if existing containers are moved the applicant would be required to return to the Board for approval. Board members agreed and this would avoid unnecessary staff reports or reviews for small changes. There was a brief discussion about whether a time limit should apply to the application. Board felt it was unnecessary due to the storage container only occupying a small portion of the lot. The amount of parking proposed additional screening will be required under the zoning bylaw. The applicant will need to submit a revised site plan showing the required screening. Staff stated that under the zoning bylaw it allows temporary storage containers for up to 12 months

with the possibility of requesting an extension if needed. A Board member requested reference approval by the Historic District Commission (HDC) however staff advised that the Planning Board cannot condition its approval on another Board's decision.

Alternate Activated: Stephen Welch and Howard Matz

MOTION/VOTE: Mr. Welch 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:
Stephen Welch, *Aye*
Hillary Hedges Rayport, *Aye*
Dave Iverson, *Aye*
Howard Matz, *Aye*
Vice-Chair Nat Lowell, *Aye*

MOTION/VOTE: Ms. Rayport made a motion to approve the application with the findings and conditions listed in the staff report with the additional fourth condition requiring that screening be in placed and provide a revised site plan reflecting that. 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*
Stephen Welch, *Aye*
Howard Matz, *Aye*
Vice-Chair Nat Lowell, *Aye*

- **William Lothian, Trustee, Eighth Ave South Nominee Trust – 22 Trotters Lane,** *action deadline 04-12-2026*
Representative: Attorney Sarah Alger
Documentation: File with associated plans, photos and required documentation
Activated: Abby De Molina and Stephen Welch
Discussion: The proposal is to amend an existing Special Permit for a tertiary dwelling granted under Planning Board File #56-16. The original permit allowed a waiver of the R-10 zoning district limit of eight bedrooms per lot, permitting nine bedrooms. Staff clarified that the amendment is primarily a housekeeping matter. The Applicant is proposing to renovate the interior space within the existing garage structure by incorporating 320 square feet of the first floor into the tertiary dwelling for a bathroom and studio area. The expansion will remain below 900 square feet. Acting-Chair Lowell opened the floor to the public. There were no public comments online or on the floor.

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

Board members roll call vote:
Hillary Hedges Rayport, *Aye*
Abby De Molina, *Aye*
Dave Iverson, *Aye*
Stephen Welch, *Aye*
Vice-Chair Nat Lowell, *Aye*

MOTION/VOTE: Mr. Welch made a motion to approve the amendment as requested. The motion was duly seconded by Ms. Rayport, and the motion was carried out unanimously.

Board members roll call vote:
Stephen Welch, *Aye*
Dave Iverson, *Aye*
Abby De Molina, *Aye*
Hillary Hedges Rayport, *Aye*
Vice-Chair Nat Lowell, *Aye*

- **ACKREIT865 LLC – 9 Hinsdale Road,** *action deadline 04-12-2026*
  Representative: Attorney Sarah Alger and Paul Santos, Surveyor
  Documentation: File with associated plans, photos and required documentation
  Activated: Stephen Welch and Howard Matz

Discussion: The Applicant is requesting a Special Permit for exterior and interior storage cand warehousing, to allow five registered storage trailers on the property to support the owner's contracting business. The property owner originally had eight storage containers on the site which were not permitted. To address the violation, the owner removed three containers and placed the remaining five containers onto registered trailers, making them registered with the DMV. The trailer would be used only by the owner's contracting business to store tools, equipment, and construction materials. The trailers would not be rented or used by third parties. Some of the Borad expressed concerns regarding the applicant's creative workaround of placing containers on trailers which technically avoids the storage container definition in the bylaw. There was discussion about whether this approach could set a precedent and whether the Town may need to develop clearer definitions for storage trailers in the future. Questions were raised about screening. Board added a condition prohibiting the storage of hazardous or toxic materials in the trailers due to the property lying in a wellhead recharge area. Board members determined that additional screening was not necessarily given existing vegetation and planned future development on adjacent lots. Board members supported making the permit temporary for three years. Acting-Chair Lowell opened the floor to the public. Emily Molden from Nantucket Land and Water Council expressed support for including a time limit on the permit due to the unique circumstances under which storage trailers are being allowed. Ms. Molden also supported the suggestion to include a condition prohibiting the storage of hazardous or toxic materials on the site due to the property is within the wellhead protection district. Ms. Molden suggested that storage containers or storage trailers should be more clearly defined or regulated within the zoning bylaw moving forward. Campbell Sutton commented that on the potential future rezoning regarding this property, suggest that the CN district may be the most appropriate designation due to R5 may not be likely feasible for the sites and that the CMI district does not allow storage containers. Ms. Sutton stated that it concerns the lack of clear zoning definition for storage tailors or trailer-based storage. Ms. Sutton encouraged the Board to consider developing a clear definition or regulatory framework to help guide similar applications in the future.

MOTION/VOTE: Mr. Welch 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*
Stephen Welch, *Aye*
Howard Matz, *Aye*
Hillary Hedges Rayport, *Aye*
Vice-Chair Nat Lowell, *Aye*

MOTION/VOTE: Ms. Rayport made a motion to approve the application with the findings and conditions listed in the staff report, limiting the use of five registered storage trailers, allowing use by the property owner and affiliated business only, making the permit valid for three years and prohibiting the storage of hazardous or toxic materials on the site. The motion was duly seconded by Mr. Welch, and the motion was carried out unanimously.

Board members roll call vote:
Hillary Hedges Rayport, *Aye*
Stephen Welch, *Aye*

Dave Iverson, *Aye*
Howard Matz, *Aye*
Vice-Chair Nat Lowell, *Aye*

- **Dean Lampe – 3 Manatook Way,** *action deadline 04-12-2026*
Representing: Dean Lampe
Documentation: File with associated plans, photos and required documentation
Discussion: Applicant is requesting to install a second driveway to provide direct vehicular access to a newly constructed garage. The property has about 181 feet of frontage in the SR-20 zoning district with approximately 22, 386 square feet of lot area, exceeding the district's minimum requirements of 20, 000 square feet of lot area and 75 feet of frontage. The proposed driveway is located approximately 77 feet from the existing driveway. Board members asked about the location and function of the proposed curb cut. Acting-Chair Lowell opened the floor to the public. There were no public comments or concerns online or on the floor.

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

Board members roll call vote:
Abby De Molina, *Aye*
Dave Iverson, *Aye*
Hillary Hedges Rayport, *Aye*
Howard Matz, *Aye*
Vice-Chair Nat Lowell, *Aye*

MOTION/VOTE: Mr. Iverson made a motion to approve the application request with the findings and conditions listed in the staff report. The motion was duly seconded by Ms. De Molina, and the motion was carried out 4-1 with Ms. Rayport opposed.

Board members roll call vote:
Dave Iverson, *Aye*
Abby De Molina, *Aye*
Hillary Hedges Rayport, *Nay*
Howard Matz, *Aye*
Vice-Chair Nat Lowell, *Aye*

- **James Vaughn – 18 & 20 Somerset Lane,** *action deadline 04-12-2026*
Representing: Dan Mulloy
Documentation: File with associated plans, photos and required documentation
Discussion: Applicant is requesting to reaffirm a prior 1982 approval for a three-lot subdivision, two buildable lots and a roadway lot known as Crain Court and endorse an updated plan so they can move forward to apply for a special permit rear lot subdivision. The original subdivision was approved however it was never completed. The roadway was never constructed and whether the approval remains valid. Mr. Mulloy explained the revised plan and how their minor adjustments to lot lines and frontage follow the current zoning standards in the Residential-20 (R-20) district. Board discussed the lack of clear documentation when reviewing the differences between the original and updated plans. Staff recommend moving forward with the new subdivision approval and waivers rather than relying on the older approval to ensure the record is clear and consistent with current regulations. Some of the Board members expressed to discussing and reviewing further with a full board present.

MOTION/VOTE: Ms. Rayport made a motion to continue this application to the February 9th 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*

Vice-Chair Nat Lowell, *Aye*

- **Island Lumber Holding Corp – 1 Polpis Road,** *action deadline 04-12-2026*
  Representing: Dan Mulloy
  Documentation: File with associated plans, photos and required documentation
  Discussion: Applicant requesting approval for a three-lot subdivision in the Village Neighborhood (VN) zoning district consisting of two buildable lots and one roadway lot. A proposed 42-foot roadway, 20-foot paved travel way and with no waiver request. Staff notes that this is a relatively limited subdivision request, as the subject property could otherwise be subdivided into a substantially greater number of lots based on the existing 369,957 square feet of lot area. The site is owned by Island Lumber, which has indicated an interest in providing staff housing while preserving long-term development options and an approval would implement a zoning freeze for the VN zoning district for eight (8) years. Board discussed that the plan meets fire and engineering standards. Acting-Chair Lowell opened the floor to the public. Campbell Sutton asked for clarification regarding the building currently used at Island Lumber questioned whether the business would be affected. Mr. Mulloy clarified that the subdivision plan is purely hypothetical, a work of fiction for permitting purposes only. The building will remain. The proposed roadway will not be constructed and the property's current use, including the landscaping business, will not change. Ms. Rayport questioned whether the upcoming Town Meeting would propose a zoning change for this area. Mrs. Trudel clarified that the zoning change process had already happened earlier in the timeline. Mrs. Trudel explained that the project is not proposing a new zoning change at this Town Meeting, however it is freezing the existing zoning and related bylaws through the subdivision filing process while the definitive plan is prepared.

  MOTION/VOTE: Ms. Rayport made a motion to close the public hearing. 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*
  Vice-Chair Nat Lowell, *Aye*

  MOTION/VOTE: Mr. Iverson made a motion to approve the application with the findings and conditions listed in the staff report. The motion was duly seconded by Ms. Rayport, and the motion was carried out unanimously.

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

- **Keep on Trucking, LLC – 57 Surfside Road & 4 Windy Way,** *action deadline 04-12-2026*
  Representing: Dan Mulloy
  Documentation: File with associated plans, photos and required documentation
  Discussion: Mr. Mulloy stated that the proposal is nearly identical to the previously approved application with the main purpose of being to freeze the current zoning for the site. The Applicant is proposing a three lot, with a 40-foot-wide roadway layout with a 20-foot paved travel way. No waivers requested. Parcel is split zoned, mostly with the Commercial Neighborhood (CN) district and partially within the Residential-5 (R-5) district. The zoning freeze protects the project from changes to the inclusionary housing bylaw. Due to the lot spanning two districts, regularity requirements only apply to the minimum lot area required for the district not the entire parcel. Board members expressed support and that they were pleased to finally see a concrete plan for the property. Acting-Chair Lowell opened the floor to the public. There were no comments or concerns online or on the floor.

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

MOTION/VOTE: Ms. Rayport made a motion to approve the application with the findings and conditions listed in the staff report. The motion was duly seconded by Mr. Iverson, and the motion was carried out unanimously.

<u>Board members roll call vote:</u>
Hillary Hedges Rayport, *Aye*
Dave Iverson, *Aye*
Vice-Chair Nat Lowell, *Aye*

- **The Donna Elle 2012 Revocable Trust – 9 Nobska Way,** *action deadline 04-12-2026*
Representing: Dan Mulloy, Surveyor and Agent
Documentation: File with associated plans, photos and required documentation
Discussion: The applicant previously received approval for a three-lot subdivision and now the applicant is requesting approval for a rear lot subdivision. During the discussion the Board reviewed the alternative option of two lot Approval Not Required (ANR) plan, which could allow up to six dwellings total, three per lot, however it would provide little to no oversight from the Planning Board. Under the current proposal the development would be limited to two dwellings per lot, a house plus an Accessory Dwelling Unit (ADU) for a maximum of six units while allowing the Board more design oversight. There was a lengthy discussion regarding year-round occupancy restrictions. At a previous meeting the Board had considered approving the subdivision in exchange for community benefit such as year-round deed restrictions, however staff consulted with Town Counsel, who advised that the Board cannot legally require year-round deed restrictions unless it is clearly provided in the zoning bylaw. Any restriction would need to be voluntary on the part of the applicant. The applicant declined to include year-round deed restrictions. The Board briefly discussed the possibility of future zoning bylaw amendments related to rear lot subdivisions. Acting-Chair Lowell opened the floor to the public. Several neighbors raised concerns regarding parking, density, precedents for redevelopment in the neighborhood, traffic, access, emergency and the potential precedent for future redevelopment in the neighborhood. Kristy Ferrentella, Director of Housing for the Town, stated that she had discussed housing options and deed restriction programs with the applicant. Ms. Ferrentella stated that there might still be opportunities to create year-round housing through voluntarily collaboration. Ms. Ferrentella questioned whether the Board should reconsider the plan before voting given that earlier discussions about the subdivision had included potential housing benefits. Board members expressed mixed views and raised concerns about making a final decision without a full Board present. The Board decided not to take a vote at this meeting and continue the public hearing to allow for additional discussions with the applicant and further explore potential housing restrictions or other compromises.

MOTION/VOTE: Ms. Rayport made a motion to continue this application to the February 9th meeting. The motion was duly seconded by Mr. Iverson, and the motion was carried out unanimously.

<u>Board members roll call vote:</u>
Hillary Hedges Rayport, *Aye*
Dave Iverson, *Aye*
Vice-Chair Nat Lowell, *Aye*

XIV. <u>Other Business:</u>

- **Planning Board Special Meeting – Thursday, January 15, 2026, at 4:30PM Hybrid**
- **Planning Board Special Meeting – Thursday, January 29, 2026, at 4:00PM Hybrid**
- **Planning Board Special Meeting – Monday, February 2, 2026, at 4:00PM Hybrid**
- **Planning Board Regular Meeting – Monday, February 9, 2026, at 4:00PM Hybrid**

Discussion: Clarifying the schedule, meeting formats, agenda items and timing for materials for upcoming Planning Board and NP& EDC meetings.

XV. <u>Adjournment:</u>

Ms. Rayport made a motion to adjourn the meeting at 7:18PM. The motion was duly seconded by Mr. Iverson, and the motion was carried out unanmiously.

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