



Nantucket Planning Board

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

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

Alternates: Stephen Welch (Absent), Abby De Molina, and Howard Matz

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

Webinar Registration Link:

https://us06web.zoom.us/webinar/register/WN_A2LEzxfAR7e9g1y9Kp2VFA#/registration

To view the meeting only, see link below:

<https://www.youtube.com/watch?v=yiSbSQRKpS8>

PLANNING BOARD MINUTES - APPROVED

THURSDAY, JANUARY 15, 2026

I. Call to order:

Acting Chair Lowell called the meeting to order at 4:32pm.

Attendance taken by roll call:

Board Members:

Dave Iverson, *Aye* (*Remote Participation*)

John Kitchener, *Aye* (*Remote Participation*)

Hillary Hedges Rayport, *Aye* (*remote participation*)

Joseph Topham, *Aye*

Acting-Chair Nat Lowell, *Aye*

Alternates:

Howard Matz, *Aye*

Abby De Molina, *Aye*

Staff:

Leslie Snell, *Aye*

Megan Trudel, *Aye*

William Saad, *Aye* (*Remote Participation*)

Catherine Ancero, *Aye* (*Remote Participation*)

II. Approval of the agenda:

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

Vote taken by roll call:

Joseph Topham, *Aye*

Acting-Chair Nat Lowell, *Aye*

Hillary Hedges Rayport, *Aye (remote participation)*

John Kitchener, *Aye (remote participation)*

Chair Iverson, *Aye (remote participation)*

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

None

IV. Previous Plans:

- **Mid Island Service – 41 & 43 Sparks Avenue, *minor modification***

Voting: Dave Iverson (*remote participation*), Joseph Topham, John Kitchener (*remote participation*) and Hillary Rayport (*remote participation*)

Alternates: Abby De Molina (*Remote participation*) and Howard Matz

Recused: (Acting-Chair) Lowell

Absent: None

Documentation: File with associated plans, photos and required documentation

Representing: None

Discussion: Applicant is requesting approval for a 168 square feet addition on the western side of a retail building to house beverage coolers and storage space. The addition does not impact on parking requirements, and the site already provides parking. The addition does not materially affect ground cover or open space calculations.

MOTION/VOTE: Mr. Iverson made a motion to approve as a minor modification with the findings and conditions outlined in the staff report. The motion was duly seconded by Mr. Kitchener, and the motion was carried out unanimously.

Vote taken by roll call:

Dave Iverson, *Aye*

John Kitchener, *Aye (remote participation)*

Hillary Hedges Rayport, *Aye (remote participation)*

Joseph Topham, *Aye*

- **Island Gas – 11 Industry Road, *minor modification***

Voting: Dave Iverson (*remote participation*), Joseph Topham, John Kitchener (*remote participation*) and Hillary Rayport (*remote participation*)

Alternates: Abby De Molina (*Remote participation*) and Howard Matz

Recused: (Vice-Chair) Nat Lowell

Absent: None

Documentation: File with associated plans, photos and required documentation

Representing: None

Discussion: Applicant is requesting for approval of a prefabricated vapor recovery system near existing fuel storage tanks. The system is primarily a safety mechanism. Applicant was uncertain if formal approval was needed, however Applicant wanted to document the project. The installation does not materially affect open space or prior planning findings. No public hearing required for minor modification.

MOTION/VOTE: Mr. Iverson made a motion to approve the request as a minor modification. The motion was duly seconded by Mr. Kitchener, and the motion was carried out unanimously.

Vote taken by roll call:

Dave Iverson, *Aye*

John Kitchener, *Aye (remote participation)*

Hillary Hedges Rayport, *Aye (remote participation)*

Joseph Topham, *Aye*

V. 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.

Voting: Dave Iverson (*remote participation*), (Acting-Chair) Nat Lowell, Joseph Topham, John Kitchener (*remote participation*) and Hillary Rayport (*remote participation*)

Alternates: Abby De Molina (*Remote participation*) and Howard Matz

Recused: None

Absent: None

Documentation: File with associated plans, photos and required documentation

Representing: Timothy and Jean McClure – Sponsor of this article

Discussion: Citizen petition. Amend the zoning map to rezone a portion of 3 Toombs Court from Residential-20 (r-20) to Commercial Neighborhood (CN). The amendment only affects a portion of the property. The purpose is to align zoning with the intended use or potential commercial development. Staff did not indicate any impacts on parking, open space, or other regulatory compliance for the portion being rezoned. Acting Chair Lowell opened the floor to the public. Emily Molden asked for clarification on the process. Ms. Molden confirmed that the zoning amendment changes only a portion of the lot and that a subdivision would likely follow to reflect the new zoning.

MOTION/VOTE: Mr. Topham made a motion to continue until February 2nd. The motion was duly seconded by Mr. Kitchener, and the motion was carried out unanimously.

Vote taken by roll call:

Joseph Topham, *Aye*

John Kitchener, *Aye (remote participation)*

Dave Iverson, *Aye*

Hillary Hedges Rayport, *Aye (remote participation)*

Acting-Chair Lowell, *Aye*

- **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.

Voting: Dave Iverson (*remote participation*), (Acting-Chair) Nat Lowell, Joseph Topham, John Kitchener (*remote participation*) and Hillary Rayport (*remote participation*)

Alternates: Abby De Molina (*Remote participation*) and Howard Matz

Recused: None

Absent: None

Documentation: File with associated plans, photos and required documentation

Representing: Emily Molden

Discussion: Remove automatic pre-existing nonconforming status for lots created through subdivision under MGL 41-81L. Add requirement for special permit from the Zoning Board of Appeals for expansion of existing structures, construction of new structures and alterations affecting setbacks, height and ground cover. No increase in number of dwelling units beyond what was allowed on the original lot and no increase in nonconformity due to ground cover. There was discussion about whether the amendment applies only to certain zonings and that maybe zoning differences could create confusion. Limit ground cover to 30% on certain lots to reduce overdevelopment. Suggestion to collect more data on how many properties are affected before moving forward. Consider potential conflicts with upcoming seasonal communities’ regulations, which could require zoning changes for undersized lots. Need for clear guidelines on what counts as a substantial structure to avoid disputes and potential litigation. Amendment

does not prevent subdivision, however, regulates future development. Clear communication with the public is essential to avoid misunderstanding about what is being restricted. Implementation date and grandfathering could help mitigate disruption to current property owners. Without clear grandfathering, new language could trigger many variances application and potential litigation. Staff and Board members discussed including specific language in the motion or referencing Town Council opinions to making sure that existing lot rights are protected. Acting Chair Lowell opened the floor to the public. Attorney Arthur Read expressed concerns regarding the complexity of the article and its challenge for Town Meeting approval. Attorney Reade stated that a clear explanation and education are essential, many voters are unfamiliar with the 81L process and what the amendment does. This is not a typical zoning change however more of a housekeeping amendment to clarify lot use. There was a brief discussion concerning adding an implementation date to allow property owners to complete ongoing projects.

MOTION/VOTE: Mr. Iverson made a motion to continue until February 2nd, for staff to collaborate with Emily and Town Council on precise language regarding grandfathering and impact on existing lots. The motion was duly seconded by Mr. Kitchener, and the motion was carried out unanimously.

Vote taken by roll call:

Dave Iverson, *Aye (remote participation)*
John Kitchener, *Aye (remote participation)*
Hillary Hedges Rayport, *Aye (remote participation)*
Joseph Topham, *Aye*
Acting-Chair Lowell, *Aye*

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

- **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.

Voting: Dave Iverson (*remote participation*), (Acting-Chair) Nat Lowell, Joseph Topham, John Kitchener (*remote participation*) and Hillary Rayport (*remote participation*)

Alternates: Abby De Molina (*Remote participation*) and Howard Matz

Recused: None

Absent: None

Documentation: File with associated plans, photos and required documentation

Representing:

Discussion: Mrs. Trudel stated that she spoke to the property owners and they prefer CN over R-5. Current use at 2 Miacomet Avenue is a single-family home with an apartment unit, allowed by special permit in CN. 61 Surfside Road has two structures, a garage used commercially (Petite Travelers business) and an accessory apartment. Acting Chair Lowell opened the floor to the public. Some of the concerns raised about potential on street parking impacts due to CN development patterns along Surfside Road.

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.

Vote taken by roll call:

Dave Iverson, *Aye (remote participation)*
Joseph Topham, *Aye*
John Kitchener, *Aye (remote participation)*
Hillary Hedges Rayport, *Aye (remote participation)*
Acting-Chair Lowell, *Aye*

MOTION/VOTE: Mr. Iverson made a motion to give a positive recommendation with a quantum vote of 50%. The motion was duly seconded by Mr. Topham, and the motion was carried out unanimously.

Vote taken by roll call:

Dave Iverson, *Aye (remote participation)*
John Kitchener, *Aye (remote participation)*
Hillary Hedges Rayport, *Aye (remote participation)*
Joseph Topham, *Aye*
Acting-Chair Lowell, *Aye*

- **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.

Voting: Dave Iverson (*remote participation*), (Acting-Chair) Nat Lowell, Joseph Topham, John Kitchener (*remote participation*) and Hillary Rayport (*remote participation*)

Alternates: Abby De Molina (*Remote participation*) and Howard Matz

Recused: None

Absent: None

Documentation: File with associated plans, photos and required documentation

Representing:

Discussion: Owners and staff agreed to CI best fits current use and future development potential. Acting Chair Lowell opened the floor to the public. There were no comments online or on the floor.

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

Vote taken by roll call:

John Kitchener, *Aye (remote participation)*
Dave Iverson, *Aye (remote participation)*
Hillary Hedges Rayport, *Aye (remote participation)*
Joseph Topham, *Aye*
Acting-Chair Lowell, *Aye*

MOTION/VOTE: Mr. Topham made a motion to give a positive recommendation with a quantum vote of 50%. The motion was duly seconded by Mr. Kitchener, and the motion was carried out unanimously.

Vote taken by roll call:

Dave Iverson, *Aye (remote participation)*
Hillary Hedges Rayport, *Aye (remote participation)*
John Kitchener, *Aye (remote participation)*
Joseph Topham, *Aye*
Acting-Chair Lowell, *Aye*

- **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.

Voting: Dave Iverson (*remote participation*), (Acting-Chair) Nat Lowell, Joseph Topham, John Kitchener (*remote participation*) and Hillary Rayport (*remote participation*)

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

Recused: None

Absent: None

Documentation: File with associated plans, photos and required documentation

Representing: Carl Jelleme and Scarlett Jelleme

Discussion: Rezone properties at 13 and 19 Arrowhead Drive, unaddressed parcel Map 69 Parcel 10.4 and 109, 110, 112 and 114 Hinsdale Road from Residential Commercial-2 (RC-2) to Commercial Mid-Island (CMI) as part of a broader effort to phase out RC-2 zoning. Existing special permits maintain current uses giving the owners flexibility for future development while protecting property rights and operations. Acting Chair Lowell opened the floor to the public. Campbell Sutton disagrees with CN zoning due to the area is primarily light industrial, surrounded by commercial and industrial uses and not suitable for residential or mixed-use development. Ms. Rayport is skeptical of switching to CMI. She believes that RC-2 is currently working and doesn't need to be changed. Ms. Rayport questioned the urgency of eliminating RC-2. Ms. Rayport is concerned about overdevelopment and density increase. Rayport asked Mr. Jelleme if he was eager to change his zoning from RC-2 and the response was no, but he is also happy with CMI. Ms. Rayport expressed concern that CMI is more of an urban pattern of development with lot line to lot line development and furthermore may not align with the 2009 Master Plan, which restricts industrial uses near the airport.

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

Vote taken by roll call:

John Kitchener, *Aye (remote participation)*
Dave Iverson, *Aye (remote participation)*
Hillary Hedges Rayport, *Aye (remote participation)*
Joseph Topham, *Aye*
Acting-Chair Lowell, *Aye*

MOTION/VOTE: Mr. Topham made a motion to give a positive recommendation with a quantum vote of 50%. The motion was duly seconded by Mr. Kitchener, and the motion was carried out 4-1 with Ms. Rayport opposed.

Vote taken by roll call:

Joseph Topham, *Aye*
John Kitchener, *Aye (remote participation)*
Dave Iverson, *Aye (remote participation)*
Hillary Hedges Rayport, *Nay (remote participation)*
Acting-Chair Lowell, *Aye*

- **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.
Voting: Dave Iverson (*remote participation*), (Acting-Chair) Nat Lowell, Joseph Topham, John Kitchener (*remote participation*) and Hillary Rayport (*remote participation*)
Alternates: Abby De Molina (*Remote participation*) and Howard Matz
Recused: None
Absent: None
Documentation: File with associated plans, photos and required documentation
Representing:
Discussion: Current code prohibits large restaurants (71-200) seats in the CN district. The proposed change will allow large restaurants by Special Permits in CN. This allows the Planning Board to review site plans, parking, access and other conditions while giving flexibility for potential business operations. Acting Chair Lowell opened the floor to the public. Campbell Sutton expressed concerns regarding large restaurants causing parking and traffic issues

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

Vote taken by roll call:

John Kitchener, *Aye (remote participation)*

Dave Iverson, *Aye (remote participation)*
Hillary Hedges Rayport, *Aye (remote participation)*
Joseph Topham, *Aye*
Acting-Chair Lowell, *Aye*

MOTION/VOTE: Mr. Topham made a motion to give a positive recommendation with a two-thirds quantum vote. The motion was duly seconded by Mr. Kitchener, and the motion was carried out unanimously.

Vote taken by roll call:

John Kitchener, *Aye (remote participation)*
Dave Iverson, *Aye (remote participation)*
Hillary Hedges Rayport, *Nay (remote participation)*
Joseph Topham, *Aye*
Acting-Chair Lowell, *Aye*

- **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.

Voting: Dave Iverson (*remote participation*), (Acting-Chair) Nat Lowell, Joseph Topham, John Kitchener (*remote participation*) and Hillary Rayport (*remote participation*)

Alternates: Abby De Molina (*Remote participation*) and Howard Matz

Recused: None

Absent: None

Documentation: File with associated plans, photos and required documentation

Representing: None

Discussion: Mrs. Trudel stated that the proposal amends the definition of Apartment Building in Section 139-2 to allow the Planning Board through a Special Permit to waive the existing bedroom limit if the entire building qualifies for placement on the Subsidized Housing Inventory (SHI). Apartment buildings are residential only, not mixed use. Maximum of six dwelling units per lot, and maximum of eight bedrooms across all units. The Planning Board currently cannot waive the bedroom cap. The amendment gives the Planning Board limited flexibility to approve additional bedrooms only if the project contributes to affordable housing through SHI eligibility. Parking requirements remain unchanged, and any parking reduction would require a separate special permit waiver. Acting-Chair opened the floor to the public. Campbell Sutton questioned if the number of bedrooms counts towards the SHI list. Board clarified that the whole building counts towards SHI once that threshold is met.

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

Vote taken by roll call:

Dave Iverson, *Aye (remote participation)*
Hillary Hedges Rayport, *Aye (remote participation)*
John Kitchener, *Aye (remote participation)*
Joseph Topham, *Aye*
Acting-Chair Lowell, *Aye*

MOTION/VOTE: Mr. Iverson made a motion to give a positive recommendation with a 50% quantum vote. The motion was duly seconded by Mr. Topham, and the motion was carried out unanimously.

Vote taken by roll call:

Dave Iverson, *Aye (remote participation)*
Hillary Hedges Rayport, *Aye (remote participation)*
John Kitchener, *Aye (remote participation)*
Joseph Topham, *Aye*
Acting-Chair Lowell, *Aye*

- **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”.

Voting: Dave Iverson (*remote participation*), (Acting-Chair) Nat Lowell, Joseph Topham, John Kitchener (*remote participation*) and Hillary Rayport (*remote participation*)

Alternates: Abby De Molina (*Remote participation*) and Howard Matz

Recused: None

Absent: None

Documentation: File with associated plans, photos and required documentation

Representing: Attorney Arthur Reade

Discussion: This proposal adds new definition for Community Land Trust to Section 139-2 of the zoning bylaw. The amendment will allow zoning to recognize the community land trust ownership model where a land trust owns the land, and individual homeowners own the houses through 99-year long term ground leases. The change does not allow additional density or units. The purpose is to support attainable housing. Homeowners are responsible for maintaining their homes and the surrounding property, like typical homeownership. Acting-Chair Lowell opened the floor to the public.

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

Vote taken by roll call:

Dave Iverson, *Aye (remote participation)*
Hillary Hedges Rayport, *Aye (remote participation)*
John Kitchener, *Aye (remote participation)*
Joseph Topham, *Aye*
Acting-Chair Lowell, *Aye*

MOTION/VOTE: Ms. Rayport made a motion to give a positive recommendation with a two-thirds quantum vote. The motion was duly seconded by Mr. Kitchener, and the motion was carried out unanimously.

Vote taken by roll call:

Dave Iverson, *Aye (remote participation)*
Hillary Hedges Rayport, *Aye (remote participation)*
John Kitchener, *Aye (remote participation)*
Joseph Topham, *Aye*
Acting-Chair Lowell, *Aye*

VII. Other Business:

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

VIII. Adjournment:

Mr. Topham made a motion to adjourn the meeting at 6:50PM. The motion was duly seconded by Mr. Kitchener, and the motion was carried out unanimously.

Vote taken by roll call:

John Kitchener, *Aye (remote participation)*

Dave Iverson, *Aye (remote participation)*

Hillary Hedges Rayport, *Aye (remote participation)*

Joseph Topham, *Aye*

Acting-Chair Lowell, *Aye*

