



ZONING BOARD OF APPEALS

2 Fairgrounds
Road Nantucket,
Massachusetts
02554

www.nantucket-ma.gov

Commissioners: Susan McCarthy (Chair), John Brescher (Vice Chair), Elisa Allen (Clerk), Lisa Botticelli,
Alternates: Jim Mondani, Robert Constable, Mark Poor

~~ MINUTES ~~ **(ADOPTED ON 07/09/26)**

Thursday, April 09, 2026

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

I. CALL TO ORDER

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

Attending Members: McCarthy, Constable, Allen, Mondani, Brescher

Staff in attendance: Nicky Sheriff; Land Use Specialist

Absent: - Botticelli & Poor

Remote Members:

Late Arrivals: - John Brescher arrived at 1:09 PM

Early Departures:

II. APPROVAL OF AGENDA

Motion: Motion to approve the agenda.

(Made by: Allen) (Seconded by: Mondani)

Vote: Carried 4-0// McCarthy, Allen, Mondani, Constable (Aye)

III. PUBLIC COMMENT

IV. APPROVAL OF MINUTES

February 12, 2026

Motion: Motion to approve the February minutes as drafted.

(Made by: Allen) (Seconded by: Mondani)

Vote: Carried 4-0// McCarthy, Allen, Mondani, Constable, (Aye)

March 12, 2026

Motion: Motion to approve the minutes as amended.

(Made by: Mondani) (Seconded by: Allen)

Vote: Carried 4-0// McCarthy, Allen, Mondani, Constable (Aye)

V. OLD BUSINESS

2026-0035 Mayflower Crescent LLC

74 Monomoy Road

Alger

Request to Withdraw without Prejudice

Action Deadline May 23, 2026

Approved ZBA Minutes – April 09, 2026

The Applicant is seeking relief by Variance pursuant to Zoning Bylaw Section 139-32 to construct a zoning shed with an approximate 22-foot front yard setback where 35 feet is required. The proposed shed will not exceed 200 square feet of ground cover or 16 feet in height, will have no heat or plumbing, and will not be used for habitation. Locus is situated at 74 Monomoy Road, shown on Assessor's Map 43 Parcel 151 and as Lots A, B, and C on Land Court Plan 14409-A. Evidence of owner's title is registered in Certificate of Title No. 27078 at the Nantucket Registry District of the Land Court. The site is zoned Limited Use General 1 (LUG-1).

Voting:	McCarthy, Allen, Mondani, Constable, Brescher
Documentation:	File with associated plans, photos, correspondence and required documentation
Representing:	Attorney Sarah Alger
Discussion:	Chair McCarthy - Noted the Applicant requested a withdrawal without prejudice.
Motion 1:	Motion to approve the withdrawal without prejudice. (Made by: Allen) (Seconded by: Brescher)
Vote:	Carried 5-0// McCarthy, Allen, Mondani, Constable, Brescher (Aye)

V I . OTHER (VOTES MAY BE TAKEN)

- The next regular meeting is Thursday May 14th, 2026, at 1:00 pm.
- Citizen Article: Zoning Bylaw Amendment MGL 41-81L-Emily Molden
Emily Molden presented Article 63, explaining that it targets lots created under M.G.L. c.41 §81L to restore zoning oversight and prevent small, undersized ANR lots from being redeveloped without review. She emphasized that state subdivision law allows such lots to be created, but recent case law clarifies they are not automatically "buildable". Article 63 is intended to: (1) maintain existing pre-1955 structures; (2) require special permits (under §139-33) for changes that affect setbacks, height, or increase non-conformity; and (3) disincentivize further redevelopment of very small non-conforming lots. She noted the Planning Board supports the article and that it was drafted with Town Counsel's input.

Members of the Board expressed that they support the concept and goal of more oversight but raised technical concerns about buildability and a likely increase in variance-type issues, given ambiguity about when lots are truly "buildable" and how hardships would be defined. Attorney Sarah Alger, warned the article as drafted could create conflicting interpretations between Town Counsel and the local bar, leading to confusion, more variance requests, and potential litigation. John Brescher suggested the bylaw ultimately needs a companion development section to clearly spell out standards and procedures for 81L lots. Ultimately, the Board chose to only provide feedback and not to take a formal position on this matter

V I I . ADJOURNMENT

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

Submitted by: Triston Brown

YouTube Link: [Zoning Board of Appeals - April 9, 2026 - YouTube](#)