

Town and County of Nantucket
Board of Selectmen • County Commissioners

James R. Kelly, Chairman
Rick Atherton
Robert R. DeCosta
Matt Fee
Dawn E. Hill Holdgate



16 Broad Street
Nantucket, Massachusetts 02554

Telephone (508) 228-7255
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www.nantucket-ma.gov

C. Elizabeth Gibson
Town & County Manager

*AGENDA FOR THE MEETING OF THE
COUNTY COMMISSIONERS
DECEMBER 21, 2016 - 6:00 PM
PUBLIC SAFETY FACILITY COMMUNITY ROOM
4 FAIRGROUNDS ROAD
NANTUCKET, MASSACHUSETTS*

- I. CALL TO ORDER*
- II. ANNOUNCEMENTS*
 1. The County Commission Meeting is Being Video/Audio Recorded.
- III. PUBLIC COMMENT**
- IV. NEW BUSINESS**
- V. APPROVAL OF MINUTES AND WARRANTS*
 1. Approval of Minutes of November 30, 2016 at 6:00 PM.
 2. Approval of Payroll and Treasury Warrants for December, 2016.
- VI. OFFICIAL BUSINESS*
 1. Planning Office: Request for Execution of Agreement with Brent B. Young and Julie Young to Approve Landscape and Fuel Tank Relocation Costs at 118 Orange Street Related to New In-Town Bike Path.
 2. 46 Surfside Road, LLC and Otatal, LLC: Request to Install Pull-Off for Parking and/or Loading in County Right of Way for New Major Commercial Development at 46 and 46A Surfside Road.
- VII. COMMISSIONERS REPORTS/COMMENTS*
- VIII. ADJOURNMENT*

**Identified on Agenda Protocol Sheet.*

County Commission Agenda Protocol:

- **Roberts Rules.** *The County Commission follows Roberts Rules of Order to govern its meetings as per the Town Code and Charter.*
- **Public Comment.** *Public Comment is for bringing matters of public interest to the attention of the Commission. The Commission welcomes concise statements on matters that are within the purview of the County Commission. At the Commission's discretion, matters raised under Public Comment may be directed to County Administration or may be placed on a future agenda, allowing all viewpoints to be represented before the Commission takes action. Except in emergencies, the Commission will not normally take any other action on Public Comment. Any personal remarks or interrogation or any matter that appears on the regular agenda are not appropriate for Public Comment.*
- **New Business:** *For topics not reasonably anticipated 48 hours in advance of the meeting.*
- **Public Participation.** *The Commission welcomes valuable input from the public at appropriate times during the meeting with recognition by the Chair. For appropriate agenda items, the Chair will introduce the item and take public input. Individual Commissioners may have questions on the clarity of information presented. The Commission will hear any staff input and then deliberate on a course of action.*
- **Commissioner Report and Comment.** *Individual Commissioners may have matters to bring to the attention of the Commission. If the matter contemplates action by the Commission, Commissioners will consult with the Chair and/or County Manager in advance and provide any needed information by the Thursday before the meeting. Otherwise, except in emergencies, the Commission will not normally take action on Commissioner Comment.*

AGREEMENT

This Agreement is entered into on this 10th day of January, 2016, by and among the **County of Nantucket** (the "County"), having an address of 16 Broad Street, Nantucket, Massachusetts, **Brent B. Young** ("Brent"), and **Julie Young** ("Julie"), individually, as owners of all the units in the Old Spouter Condominium (the "Condominium"), located at 118 Orange Street, Nantucket, Massachusetts (the "Property") and created by Master Deed filed with the Nantucket County Registry of Deeds as Doc. No. 65220, and as the sole members of the Board of Managers of the Old Spouter Condominium Association (the "Board Members").

Whereas, the County of Nantucket acquired certain permanent and temporary easements in portions of above-described Property for the purpose of widening Orange Street, a public way, and to make roadway and bicycle path improvements, pursuant to an Order of Taking recorded was filed with on August 28, 2015 as Doc. No. 149084 (the "Taking") and described more particularly therein;

Whereas, the County awarded One Hundred Forty-Five Thousand Three Hundred Fifty Four and 38/100 Dollars (\$145,354.38) as damages for the property interests acquired pursuant to the Taking;

Whereas, the Board Members and all mortgagees having rights in and to the Property and/or the units located thereon waived the right to damages for the Taking;

Whereas, the County, with the consent of the Board Members and mortgagees, paid all the damages to Brent and Julie (together, the "Owners"), the receipt and sufficiency of which is hereby acknowledged by the Owners;

Whereas, the Owners have informed the County that the widening of Orange Street and the other work to be done and/or changes made to the Property by the County pursuant to the Taking (the "Project") will adversely affect the Property;

Whereas, the Owners have specified the adverse effects, the work that needs to be done to ameliorate the effects of the Project, and provided the County with an estimate of the cost of performing such work, and request the County to pay the same; and

Whereas, the County is amenable to paying for such work; and

Whereas, the County and the Owners (collectively, the "Parties"), intend to set forth herein the terms and conditions of such work and payments.

Now, therefore, for consideration of Five Thousand One Hundred Dollars (\$5,100) and the performance of the terms set forth herein, the Parties agree as follows:

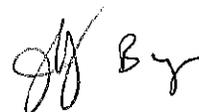
Agreement

JA By

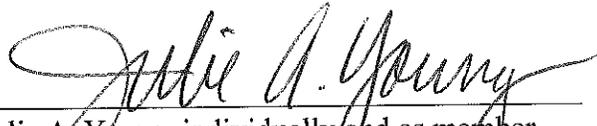
1. The Owners have informed the County that the following work needs to be done to allow the Owners to use the Property in the same manner in which the Owners used the Property prior to the Project, such as alterations that will allow to Owners to continue to park their vehicles on the Property, including, without limitation, moving the wall presently on the Property (which the Owners estimate will cost Three Thousand Nine Hundred Dollars (\$3,900.00)), and relocating the fuel tanks on the Property (which the Owners estimate will cost One Thousand Two Hundred Dollars (\$1,200.00)), all of which work is described and set forth in greater detail in Exhibit A, attached hereto and incorporated herein (the "Work").
2. The County shall pay the Owners a total sum of Five Thousand One Hundred Dollars (\$5,100) (the "Relocation Payment"), and the Owners accept such payment in full satisfaction of all the Work that needs to be done on the Property for the purposes set forth herein as a result of the Taking/Project.
3. The Owners shall use the Relocation Payment for the sole purpose of paying for the Work, and agree that the County shall have no responsibility to perform any of the Work, as the County's sole responsibility herein is to pay the Owners the Relocation Payment.
4. The Owners agree that: (a) if the actual cost of the Work is less than the Relocation Payment, the Owners shall repay the County such excess funds; (b) the County, by making the Relocation Payment, shall have no responsibility whatsoever for the Work performed on the Property, the materials used therefor, the quality of the Work, and/or any damages or defects therein; and (iii) the County shall have no obligation to pay for the Work or pay for any other work related to remediating the adverse impact that the Project may have on access to and parking on the Property, if the cost of the same exceeds of the Relocation Payment.
5. The Owners acknowledge that they are signing this Agreement and agreeing to the terms thereof not only as the owner of all the units in the Condominium, but also as the Board Members of the Condominium. The County shall have no separate or additional obligation or responsibility to the Condominium and/or the Board of Managers for the Work or any other work or costs contemplated by this Agreement.
6. The recitals set forth in the preamble are incorporated herein in their entirety.

533910/19725/0001

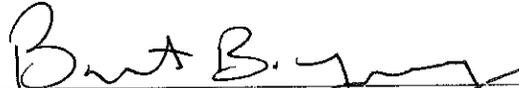
[signature page follow]

Handwritten signature in black ink, appearing to be "JY By".

Signed under seal as of this 6th day of January, 2016.



Julie A. Young, individually and as member,
Board of Managers, Old Spouter Condominium
Homeowners Association



Brent B. Young, individually and as member,
Board of Managers, Old Spouter Condominium
Homeowners Association

NANTUCKET COUNTY COMMISSIONERS

Tobias B. Glidden, Chairman

Dawn E. Hill Holdgate, Vice-Chairman

Rick Atherton

Robert R. DeCosta

Matthew G. Fee

[Acknowledge Pages Follow]



COMMONWEALTH OF MASSACHUSETTS

Nantucket County, ss.

On this ____ day of _____, 2016, before me, the undersigned notary public, personally appeared, Tobias B. Glidden, Dawn E. Hill Holdgate, Rick Atherton, Robert R. DeCosta, and Matthew G. Fee, members of the County Commissioners of the County of Nantucket, proved to me through satisfactory evidence of identification, which was photographic identification with signature issued by federal or state governmental agency, oath or affirmation of a credible witness, personal knowledge of the undersigned, to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that he/she/they signed it voluntarily for its stated purpose on behalf of the County of Nantucket.

Notary Public
My commission expires:

COMMONWEALTH OF MASSACHUSETTS

Nantucket County, ss.

On this 6th day of January, 2016, before me, the undersigned notary public, personally appeared Julie A. Young, proved to me through satisfactory evidence of identification, which _____, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose individually and as Manager of the Old Spouter Condominium Homeowners Association.

Notary Public
My commission expires:

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Santa Barbara)

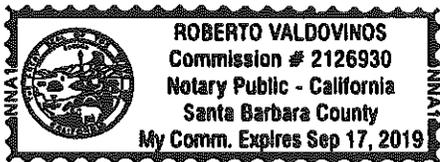
On January 6 2016 before me, Roberto Valdivinos, Notary Public,
Date Here Insert Name and Title of the Officer

personally appeared Julie A. Young
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Signature]
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____
Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

COMMONWEALTH OF MASSACHUSETTS

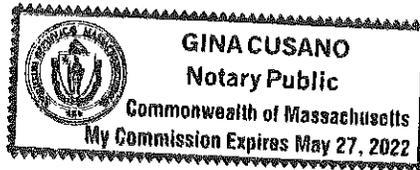
Nantucket County, ss.

On this 19 day of January, 2016, before me, the undersigned notary public, personally appeared Brent B. Young, proved to me through satisfactory evidence of identification, which was MA Drivers License, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose individually and as Manger of the Old Spouter Condominium Homeowners Association.

Gina Cusano

Notary Public

My commission expires:



B. Young

Exhibit A
Description of Work

Landscaping: an estimate of Three Thousand Nine Hundred Dollars (\$3,900.00) has been provided by the Owners for alterations to the Property that will allow to Owners to continue to park their vehicles on the Property. This work is to remove and reset a freestanding stone wall approximately 3 feet, which is currently located at the rear of the parking area. The work also includes removal of plant materials and sod as needed, excavation of soil and creating footings for stone wall, rebuilding stone wall using existing material, cutting metal edging to fit, replanting and mulching garden plant materials, delivering and spreading shells as needed.

Fuel tank relocation: an estimate of One Thousand Two Hundred Dollars (\$1,200.00) has been provided by the Owners for relocating the fuel tanks on the Property. This work includes the installation of an underground propane tank and installation of 2 meters for the tank.

533910/19725/0001

B. J. J.

From: [julie.young](#)
To: [Mike Burns](#)
Cc: [Erika Mooney](#)
Subject: 118 Orange Street- Bike Path additional expenses
Date: Monday, December 12, 2016 2:35:12 PM
Attachments: [bike_path_expenses.pages](#)

Hello Mike and Erica, Thank you for putting our matter on the Dec 21 County Commissioners agenda. This letter states our request. If there are any questions please contact either of us at email addresses above. Thank You.

Re: December 21, 2016 County Commissioners Hearing Agenda

12, 2016

December

Dear County Commissioners,

A portion of our land at 118 Orange Street was taken by eminent domain for purposes of building the Orange Street bike path. The eminent domain taking reimbursement has been made. However at the time of hearings about the taking we were given a plan for work to be completed by the town. We studied that plan as carefully as possible and worked out an agreement with the town to be reimbursed for expenses that were not reflected in the eminent domain reimbursement. The agreement anticipated two items not covered by the described work contract. At that time we listed cost of moving our interior rock wall to allow adequate turn around space in the parking lot, and cost of moving and reinstalling gas tanks, potentially having to bury gas tanks to adapt to a diminished side yard. An estimate of \$5100 was approved by the County Commissioners.

The scope of work to be bid by the bike path contractor that impacts our property has always included the removal of two trees on Orange Street. Over Thanksgiving this year the largest of those trees blew over and had to be removed before it fell completely and did damage to our property and the property of our neighbor. We learned at that time, to our surprise, that town counsel considered the tree to be ours even though a bike path contractor's bid including tree removal has been accepted by the town. We had to have the tree removed immediately at a cost to us of \$3000. It is not our intent to argue about responsibility or incur legal fees, or to ask for more money. We would simply appreciate release of the originally agreed upon \$5100 as the bike path work is to begin very soon and our additional expenses have already begun. We request that you authorize this amount payable to Brent Young and Julie Young individually in two equal amounts of \$2550.

Thank you,

Brent Young
Julie Young
Co-owners, 118 Orange Street
The Old Spouter

118 ORANGE ST.

MIKE BURNS
PLANNING DEPT

MIKE - THIS REPEATS WHAT WE DISCUSSED ON SITE YESTERDAY, JUNE 18. THESE ARE ITEMS OF CONCERN WE WOULD LIKE COMPLETED BY THE TOWN OR BUDGETED ALONG WITH LAND REIMBURSEMENT.

① RECONFIGURE PORTION OF ROCK WALL CARS WOULD BACK INTO. MOVE THAT PORTION TOWARD WALKWAY ENTRANCE APPROX 4'. REMOVE CIRCULAR ROCK WALL AROUND TREE AND DESIGN IT TOWARD THE WALKWAY ENTRANCE.

② PLANK WOODEN FENCE ALONG ORANGE STREET FROM LOCATION OF EXISTING WOODEN FENCE TO SMALL WALKWAY ENTRANCE ON ORANGE ST. - HDC APPROVAL ON FILE

③ REMOVE TREE ON ORANGE STREET AND REPLACE WITH 6 ARBORVITAE.

④ BURY OIL TANKS. (YATES GAS - NAT LOWELL)

⑤ LANDSCAPE AND REPAIR WALKWAY IN AREA OF TREE REMOVAL.

⑥ PROVIDE AS BUILT SURVEY UPON COMPLETION OF WORK SHOWING ALL EASEMENTS FOR ROADWORK AND ELECTRIC POLE PLACEMENT.

hand delivered June 19, 2015 Julie Young

TOWN/COUNTY OF NANTUCKET
TOWN ADMINISTRATION OFFICE



MEMO

TO: Chairman DeCosta, County Commission

FROM: Erika Mooney, Project Administrator *EM*

CC:

DATE: December 16, 2016

RE: 46 & 46A Surfside Road

Please note that the Transportation Planner, Police, Fire and DPW reviewed the matter for 46 & 46A Surfside Road. The Transportation Planner submitted his concerns as part of the MCD process and they were addressed. The Police and Fire Chiefs have no concerns. DPW did raise concerns which were resolved.

From: [Steven Cohen](#)
To: [Erika Mooney](#)
Subject: 46 and 46A Surfside Road
Date: Wednesday, November 23, 2016 1:12:50 PM
Attachments: [CountyCommissionersPlan.pdf](#)
[TransportationStudy.pdf](#)
[Special Permit - Recorded.pdf](#)

Erika,

The property at 46 and 46A Surfside road was recently approve for an MDC permit that would allow a small restaurant with an apartment on a portion of the lot and a small office with an apartment on another portion of the lot. As part of that permit, the Planning Board has requested that the owner try to obtain permission from the County to install a pull-off for parking and/or loading, as shown on the attached plan. The pull-off is not required but would be beneficial to traffic and for local deliveries at this lot and otherwise. This property abuts "The Muse" at 44 Surfside Road, which has paved a similar portion of the County Road Layout and uses it in a similar way. Please find the MCD permit, the transportation study, and the final plan attached.

Please submit this to the County Commissioners for review. Please let me know when it will be heard by the Traffic Safety Committee and by the County Commissioners. I believe that the TSC already reviewed it for the MCD, and that changes were made to accommodate concerns raised by the DPW and NFD at that time.

My client agrees to pay for any legal review by Town Counsel, if needed.

Please let me know if you have any questions or if there are any fees or notice requirements.

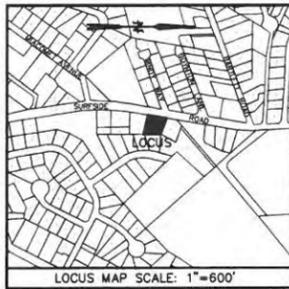
Best,

Steven

Steven L. Cohen, Partner
Cohen & Cohen Law PC
34 Main Street, 2nd Floor
Mail: Post Office Box 786
Nantucket, Massachusetts 02554
Tel. (508) 228-0337
Fax (508) 228-0970
Steven@Cohenlegal.net
<http://cohenlegal.net>



To avoid cyber-fraud and wire-fraud, please confirm all wiring instructions to our office via phone at (508) 228-0337, especially if you receive an e-mail or notice purporting to change wiring



MAP 67 PARCELS 120.3 & 773
 TOTAL AREA=16,844±S.F.
 PROPERTY REZONED RC-2 TO CN 2012 ATM
 ZONING CLASSIFICATION
 DISTRICT: CN (COMMERCIAL NEIGHBORHOOD)
 (PWR OVERLAY DISTRICT)
 MINIMUM LOT SIZE =7,500 S.F.
 MINIMUM FRONTAGE =50'
 FRONT YARD SETBACK =10'
 SIDE YARD SETBACK =5'
 REAR YARD SETBACK =10'
 MAX. GROUND COVER RATIO =40%

GROUND COVER/OPEN SPACE SUMMARY

PROPOSED GROUND COVER RATIO #46	15%
PROPOSED GROUND COVER RATIO #46A	19%
#46 & 46A SURFSIDE ROAD PROPOSED OPEN SPACE	32.5%
MINIMUM OPEN SPACE REQUIRED 30% (SECT. 139-11G)	

PARKING SUMMARY
 (REF. NANTUCKET ZONING BYLAW S.139-1B)

PARKING SPACES REQUIRED	
#46 SURFSIDE ROAD	
RESTAURANT 3 1/2 SEATS 1 SP/3 SEATS	11
7 EMPLOYEES X 1 SP/3 EMPLOYEES ON PEAK SHIFT	2
APARTMENTS 2 BEDROOMS X 1 SP/BEDROOM	2
TOTAL	15
#46A SURFSIDE ROAD	
OFFICES 690 SF X 1 SP/200 SF GFA	3
APARTMENTS 2 BEDROOMS X 1 SP/BEDROOM	2
TOTAL	5

PARKING SPACES	REQUIRED	PROVIDED
STANDARD	19	17
ACCESSIBLE	1	2
TOTAL	20	19*

*TWO SPACES EXIST AT LOADING ZONE TO BE UTILIZED UPON ESTABLISHMENT OF LOADING ZONE SCHEDULE.
 *TWO SPACES SHOWN AS "FUTURE PARKING SPOT" TO BE CONSTRUCTED UPON REQUEST OF THE PLANNING BOARD AFTER ONE YEAR OF FACILITY OPERATION.

SOIL EROSION SEDIMENT CONTROL NOTES

- LAND DISTURBANCE WILL BE KEPT TO A MINIMUM NECESSARY FOR CONSTRUCTION OPERATIONS; RESTABILIZATION WILL BE SCHEDULED AS SOON AS PRACTICAL.
- CATCH BASINS WILL BE PROTECTED WITH PRODUCT KNOWN AS "SILT SACK" THROUGHOUT THE CONSTRUCTION PERIOD AND UNTIL ALL DISTURBED AREAS ARE THOROUGHLY STABILIZED.
- EROSION AND SEDIMENT CONTROL MEASURES WILL BE INSTALLED PRIOR TO CONSTRUCTION.
- ALL CONTROL MEASURES WILL BE MAINTAINED IN EFFECTIVE CONDITION THROUGHOUT THE CONSTRUCTION PERIOD.
- ADDITIONAL CONTROL MEASURES WILL BE INSTALLED DURING THE CONSTRUCTION PERIOD IF NECESSARY OR REQUIRED.
- SEDIMENT REMOVED FROM CONTROL STRUCTURES WILL BE DISPOSED OF IN A MANNER WHICH IS CONSISTENT WITH THE INTENT OF THE PLAN.
- CHIP WEBSTER, (508)-228-3600 AS THE OWNER IS ASSIGNED THE RESPONSIBILITY FOR IMPLEMENTING THIS EROSION AND SEDIMENT CONTROL PLAN. THIS RESPONSIBILITY INCLUDES THE INSTALLATION AND MAINTENANCE OF CONTROL MEASURES, INFORMING ALL PARTIES ENGAGED ON THE CONSTRUCTION SITE OF THE REQUIREMENTS AND OBJECTIVES OF THE PLAN, NOTIFYING THE NANTUCKET PLANNING BOARD OF ANY TRANSFER OF THIS RESPONSIBILITY AND FOR CONVEYING A COPY OF THE EROSION AND SEDIMENT PLAN IF THE TITLE TO THE LAND IS TRANSFERRED.

CONSTRUCTION AND STABILIZATION SEQUENCE NARRATIVE

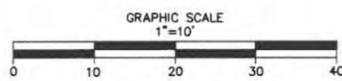
- PRE-CONSTRUCTION MEETING WITH TOWN DEPARTMENTS, APPLICANT, CONTRACTOR AND SITE ENGINEER.
- PHASE I SITE CLEARING**
- INSTALL ANTI-TRACKING PAD AT CONSTRUCTION ENTRANCE.
 - INSTALL SEDIMENT CONTROL BARRIER AS DIRECTED BY THE ENGINEER. PROTECT ALL CATCH BASINS WITH SEDIMENTATION CONTROL UNITS UNTIL PROJECT IS COMPLETED.
- PHASE II SITE CONSTRUCTION**
- PROCEED WITH EXCAVATION FOR FOUNDATION.
 - PROTECT ALL CATCH BASINS WITH SEDIMENTATION CONTROL UNITS UNTIL PROJECT IS COMPLETED.
 - PLACE FOOTING.
 - POUR FOUNDATION WALL.
 - INSTALL DRAIN SYSTEM.
 - INSTALL UTILITIES.
 - INSTALL PARKING, BACKFILL SITE, GRADE AS REQUIRED.
 - INSTALL LANDSCAPING.
 - LOAM AND SEED, STABILIZE SITE.
- PHASE III SITE STABILIZATION**
- REMOVE ALL CONSTRUCTION DEBRIS.
 - MAINTAIN ALL EROSION CONTROL UNTIL DISTURBED AREAS HAVE BEEN STABILIZED WITH NEW GROWTH FOR A PERIOD OF 60 DAYS.
 - REMOVE ALL EROSION CONTROL AND CLEAN UP SITE.

MAJOR COMMERCIAL DEVELOPMENT SITE DEVELOPMENT PLAN

#46 & 46A SURFSIDE ROAD
 IN
 NANTUCKET, MASSACHUSETTS
 SCALE: 1"=10' DATE: MAY 11, 2015
 REVISED: JUNE 30, 2015 PARKING, LOADING, SCREENING
 REVISED: SEPTEMBER 11, 2015 LOADING ZONE
 REVISED: FEBRUARY 1, 2016
 PREPARED FOR:
 CHIP WEBSTER ARCHITECTURE
 NANTUCKET SURVEYORS, LLC
 5 WINDY WAY
 NANTUCKET, MA 02554
 (508) 228-0240

LEGEND:

CGS	COTTON GIN SPIKE
DHCB	DRILL HOLE/CONCRETE BOUND
FND	FOUND
MGS	MASSACHUSETTS GEODETIC SURVEY
N/F	NOW OR FORMERLY
NTS	NOT TO SCALE
SPK	SPIKE
①	PARKING SPACE 9'x20' TYPICAL



NOTE:
 THIS PLAN IS INTENDED FOR PERMITTING PURPOSES ONLY AND SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL ISSUED FOR CONSTRUCTION BY NANTUCKET SURVEYORS, LLC.
 PLAN DEPICTS CONCEPTUAL LANDSCAPE LAYOUT. SUPPLEMENTAL LANDSCAPE PLAN TO BE PROVIDED AS PART OF MCD SUBMISSION.



ZONING RELIEF REQUESTED

SECTION 139-7. USE CHART (RESTAURANT USE) (ALCOHOL SALES)
SECTION 139-11.I SETBACK (REAR SETBACK 10' TO 5')
SECTION 139-11.J INCLUSIONARY UNIT
SECTION 139-18 OFF STREET PARKING 1 SPACE
SECTION 139-19.A SCREENING
SECTION 139-23 MAJOR SITE PLAN REVIEW

NANTUCKET PLANNING BOARD
 MAJOR COMMERCIAL DEVELOPMENT SPECIAL PERMIT

BARRY RECTOR, CHAIRMAN
 LINDA WILLIAMS, VICE-CHAIRWOMAN
 NATHANIEL LOWELL
 JOHN MCLAUGHLIN
 JOSEPH MARCKLINGER

DATE APPROVED _____
 DATE SIGNED _____
 FILE NO. _____



Cert: 25188 Doc: SP
Registered: 11/03/2016 03:05 PM



Town Clerk
Town & County Building
16 Broad St
Nantucket, MA 02554

JUN 07 2016

nat

Nantucket Planning Board

APPROVAL OF A SPECIAL PERMIT FOR A MAJOR COMMERCIAL DEVELOPMENT #21-15

Owner/Applicant: 46 Surfside Road, LLC
And Otatal, LLC

46 & 46A Surfside Road

Nantucket Tax Assessors Map 67 Parcels 120.3 and 773
Lots 122 & 123 of Land Court Plan #26439-Z
Commercial Neighborhood (CN) district

March 7, 2016

PROPOSAL

The Nantucket Planning Board at its June 8, 2015, June 18, 2015, July 13, 2015, August 10, 2015, September 14, 2015, October 15, 2016 and March 7, 2016 meetings considered the application of 46 Surfside Road, LLC and Otatal, LLC for a Special Permit under section 139-11 of the Nantucket Zoning Bylaw to construct a Major Commercial Development (MCD) at 46 & 46A Surfside Road. The Applicant further requests relief from the following sections of the Zoning Bylaw; 139-7 Use, 139-11(I) Setback, 139-11(J) Inclusionary Unit, 139-11(G) Open Space, 139-18 Off-Street Parking, 139-19(A) Screening, and 139-23 Major Site Plan Review. The proposed site contains two (2) separate lots located in the Commercial Neighborhood (CN) zoning district, which has a minimum lot size of 7,500 square feet. The site is located within the Public Wellhead Recharge District (section 139-12B) as well as the Town Overlay District (TOD.)

The Applicant is proposing to convert an existing duplex located at 46 Surfside Road into a thirty-four (34) seat restaurant with an attached two (2) bedroom apartment, and to convert an existing dwelling at 46A Surfside Road into an office building with a two (2) bedroom apartment. The Applicant proposes to reuse the existing foundation of the former structure on 46A, and expand the foundation to the east, which will result in the building being as close as 5' to the rear lot line, however the lot was previously located within the RC-2 zoning district, which allowed for a 5' rear setback, where the CN zoning district requires 10'.

BASIS OF THE FINDINGS

The Board's findings and decision refer to the following documents:

- An Application for a Special Permit dated May 18, 2015;
- Plans entitled "Major Commercial Development Site Development Plan for 46 & 46A Surfside Road, Nantucket, Massachusetts," prepared by Nantucket Surveyors, LLC, dated May 11, 2015, revised June 30, 2015, September 11, 2015 and revised February 1, 2016. This decision is also based on final plans to be modified in accordance with this decision;
- Staff Report dated March 4, 2016;
- Traffic Study for 46 and 46A Surfside Road, dated August 7, 2015;
- Other assorted documents that are on file with the Planning Board.

FINDINGS

The Board finds that the proposed MCD is in harmony with the purposes and intent of the Zoning Bylaw and meets the intent of the MCD Guidelines as amended through July 29, 2002 and adopted by the Planning Board. The MCD Guidelines set forth several points which a proposed project should meet as follows:

- "Put the Project's Best Face Forward": the Board finds that the project's "face" on Surfside Road is the priority for design purposes. The location of the buildings and the proposed landscaping are consistent with this standard;
- "Put Signage on Buildings": to be addressed by the Historic District Commission (HDC);
- "Use Open Space and Landscaping to Best Advantage": the Board finds that the proposed building locations and landscape plan effectively screens the parking areas and enhances the buildings' appearance;
- "Break up Buildings: Small is Beautiful": the scale and the rendering of the buildings is generally consistent with the area and the Board defers architectural detail to the HDC;
- "Consolidate Access": the access is provided in a manner so that curb cuts are minimized, and parking circulation is adequate.

Based on the findings above, the applicant has met the aforementioned guidelines through site design, which supports the intent of the MCD Guidelines. All architectural elements shall be addressed by the HDC.

DECISION

The Planning Board is required to render a decision on the application based on Zoning Bylaw Section 139-11; the Requirements and Guidelines for Major Commercial Developments as amended through July 29, 2002; and Section 139-23 of the Zoning Bylaw.

Based on the foregoing proposal, findings, and the above referenced documents, the Nantucket Planning Board hereby **APPROVES** this application based on a 5-0 vote in favor of approval. Finding that the application of 46 Surfside Road, LLC and Otatal, LLC, Major Commercial Development at 46 and 46A Surfside Road, is in harmony with the general purpose and intent of the Nantucket Zoning Bylaw, the Planning Board of the Town of Nantucket hereby **GRANTS** a Special Permit for a Major Commercial Development pursuant to Section 139-11 of the Nantucket Zoning Bylaw. This Special Permit is issued for land shown on Nantucket Tax Assessors Map 67, as Parcels 120.3 and 773.

The Planning Board also sets forth the following conditions:

1. That all construction shall take place in accordance with the site plans entitled "Major Commercial Development Site Development Plan, 46 & 46A Surfside Road in Nantucket, Massachusetts," prepared by Nantucket Surveyors, LLC, dated May 11, 2015, revised June 30, 2015, September 11, 2015 and revised through February 1, 2016.
2. That the applicant shall provide clear and adequate signs to facilitate vehicular and pedestrian access to, from, and within the site as shown on the submitted plans. Signs shall be installed before the issuance of a Certificate of Occupancy;
3. That the occupancy of the dwelling unit on Lot 122; the restaurant shall be limited to employees of the restaurant within the structure. A recordable restriction to this effect shall be presented to the Planning Board for acceptance and shall be recorded at the Nantucket County Registry of Deeds, prior to the issuance of a Certificate of Occupancy for the dwelling unit.
4. That two (2) spaces shown as "future parking spot" to be constructed upon the request of the Planning Board after 2 years of facility operation;
5. That the final landscape plan limit vegetation at or near the entrances to the site to low growing plant material to allow for adequate sight distance entering and existing the site;
6. That the hours of operation for the proposed restaurant shall be limited to 8:00am to 9:00pm, however employees may work at the site at any time;
7. That the proposed office building hours of operation be 8:00am to 8:00pm;
8. That bike racks are required to be installed on the site;
9. That Nantucket Regional Transit Authority passes must be provided to all employees on site;
10. That an off-site loading facility is required for this MCD, as shown on the approved plan. However, if the Applicant cannot obtain the necessary approvals to construct these improvements within the Town/County ROW, this special permit is still valid.
11. That the applicant will submit to the Board for review by its Engineer, the final design plans, including drainage design plans and drainage calculations, within six (6) months of the date of this decision.
12. That prior to the issuance of a building permit, the applicant must submit an application to the Wannacomet Water Company and obtain a Certificate of Water Quality Compliance in accordance with Section 139-12 of the Zoning Bylaw.
13. A final as-built of all site improvements shall be submitted by the applicant, and final site inspection shall be completed by the Planning Board prior to the issuance of the final Certificate of Occupancy.

SIGNATURE PAGE TO FOLLOW

RECORD OF VOTE

The Planning Board, at its public hearing held **March 7, 2016**, voted **unanimously** to close the public hearing and to **APPROVE** this Major Commercial Development Special Permit, and to **ENDORSE** this Special Permit decision.

Barry J. Rector
Barry Rector APPROVED

Linda F. Williams
Linda F. Williams APPROVED

Joseph Marcklinger
Joseph Marcklinger APPROVED

Nathaniel Lowell
Nathaniel Lowell APPROVED

Carl Borchert
Carl Borchert APPROVED

COMMONWEALTH OF MASSACHUSETTS

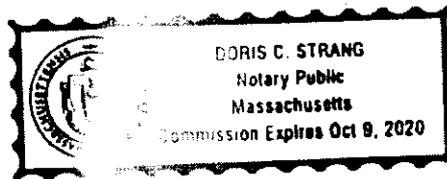
Nantucket, SS

March 18, 2016

On the 18 day of March, 2016, before me, the undersigned notary public, personally appeared Linda F. Williams, one of the above-named members of the Planning Board of Nantucket, Massachusetts, personally known to me to be the person whose name is signed on the preceding document, and acknowledged that he/she signed the foregoing instrument voluntarily for the purposes therein expressed.

Doris C. Strang
Notary Public

October 9, 2020
My Commission Expires



ATTEST: A TRUE COPY

I CERTIFY THAT 20 DAYS HAVE ELAPSED AFTER THE DECISION WAS FILED IN THE OFFICE OF THE TOWN CLERK, AND THAT NO APPEAL HAS BEEN FILED, PURSUANT TO GENERAL LAWS 40A, SECTION 11

Catherine Blazegan Stone
NANTUCKET TOWN CLERK
46 Surfside Road, LLC MCD - Decision

Catherine Blazegan Stone TOWN CLERK

NOV. 03 2016

DOC No: 001533322

NANTUCKET COUNTY LAND COURT
REGISTRY DISTRICT

** RECEIVED FOR REGISTRATION **

On: Nov 03, 2016 at 03:05P

Document Fee: 150.00 Rec Total: \$150.00

CERTIFICATE No: 25188

Also noted on CERT 25189

RECEIVED FOR REGISTRATION
NANTUCKET COUNTY LAND COURT
REGISTRY DISTRICT
NOV 03 2016 03:05P

MEMORANDUM

DATE: August 7, 2015

TO: Mr. Paul Santos
Nantucket Surveyors LLC
5 Windy Way
Nantucket, MA 02554

FROM: Robert J. Michaud, P.E. – Managing Principal
Daniel A. Dumais, P.E. – Senior Transportation Engineer

RE: **Proposed Mixed-Use Development**
46 and 46A Surfside Road, Nantucket, MA



MDM Transportation Consultants, Inc. (MDM) has evaluated traffic characteristics and site access/circulation associated with the proposed redevelopment of 46 and 46A Surfside Road in Nantucket, Massachusetts. This memorandum provides an overview of existing and proposed site programming and associated trip generation, and provides an overview of site access and circulation improvements in support of a Major Commercial Development (MCD) application for the property.

In summary, the proposed mixed-use development will result in a nominal trip increase of less than 10 new vehicle trips per hour during peak hours, representing an inconsequential change in volume on Surfside Road relative to existing conditions. Driveway sight lines will also meet or exceed applicable design criteria for regulatory travel speeds along Surfside Road published by the American Association of State Highway and Transportation Officials (AASHTO) based on recommended layout for a loading zone along the site frontage. AutoTurn® vehicle turn analysis confirms that the proposed site layout can accommodate WB-40 type delivery vehicles without impact to on-site parking, circulation or sight lines from the site driveways.

PROJECT DESCRIPTION

The project site is comprised of two parcels totally 16,850± square-feet (SF) land located at 46 and 46A Surfside Road on Nantucket, Massachusetts. The site in relation to area roadways is shown on the **Figure 1**. The site now or formerly included two structures housing three residential apartments units. Access to the site is provided by two driveways along Surfside Road: one driveway located opposite Windy Way and one driveway located just south of Windy Way. On-site parking is currently provided in two unpaved parking areas.

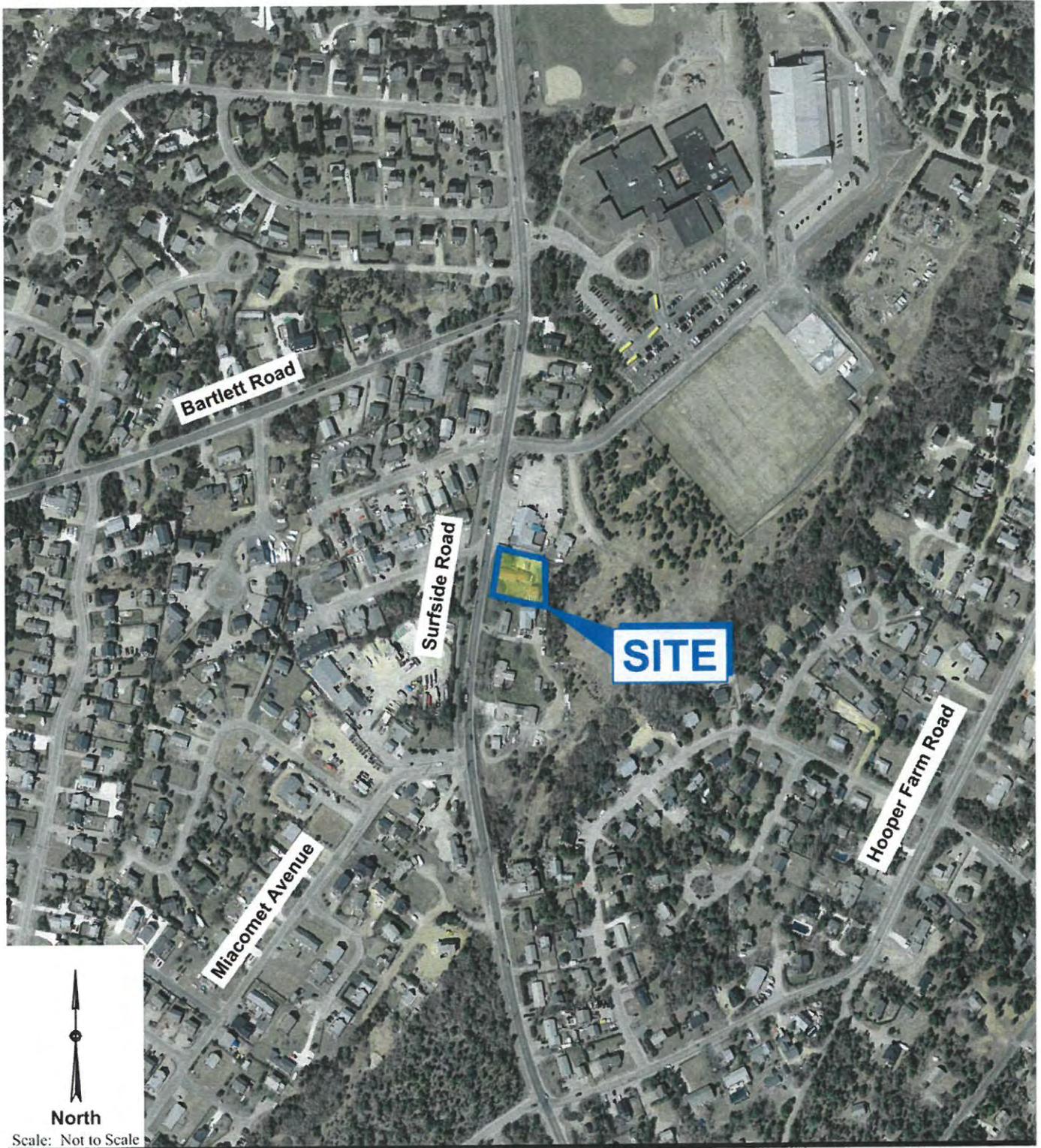


Figure 1

Under the proposed development program, the site will be redeveloped to include a 30-seat restaurant, 690± sf of office space and 2 residential apartments units. Site access will remain via the two driveways along Surfside Road. A loading zone is proposed between the site driveways to accommodate delivery vehicles. The proposed site layout plan prepared by Nantucket Surveyors, LLC is shown in **Figure 2**.

SURFSIDE ROAD CHARACTERISTICS

Surfside Road is an urban collector roadway under local jurisdiction (Town) which is approximately 22 feet wide and includes one travel lane in each direction. The roadway connects Surfside Beach to the south with Sparks Avenue/Atlantic Avenue/South Prospect Street to the north. Land uses in the vicinity of the site include mix of commercial uses, including the adjacent Muse Restaurant and Night Club, residential homes and the Nantucket Elementary School. A bus stop for the Nantucket Regional Transit Authority's THE WAVE fixed route bus service is located just north of Windy Way. Prima Facie regulatory speed limit along Surfside Road in the site vicinity is 35 mph.

Historical traffic data for Surfside Road¹ in the site vicinity indicate a daily trip volume of approximately 9,117 vehicle-trips per day on weekdays and 8,254 vehicle-trips on weekends. Weekday peak hour trips range from 604 vehicles per hour (vph) for weekday morning peak hours to 841 vph for weekday evening peak hours; the road carries approximately 695 vph during Saturday midday peak hours.

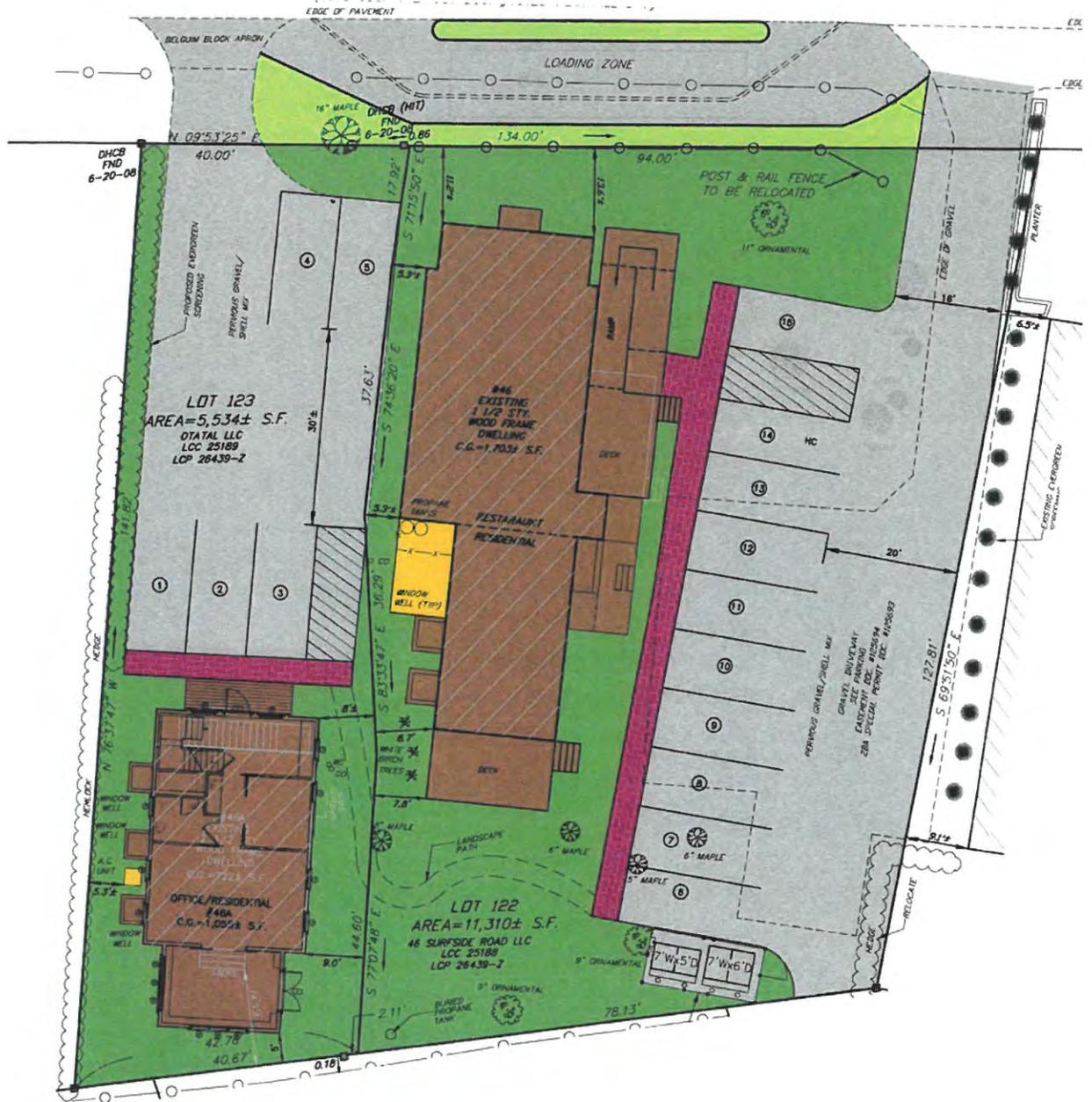
SITE TRIP GENERATION

Trip generation for the proposed site redevelopment was estimated using trip rates published in ITE's *Trip Generation*² for land use code (LUC) 220 – Apartment, LUC 710 (General Office Building), and LUC 932 (High Turnover (Sit-Down) Restaurant). Unadjusted trip generation estimates for the proposed site uses based on ITE trip generation methodology are summarized in **Table 1**.

¹ *Technical Memo, Alternative Traffic Control Analysis, Surfside Road at Bartlett Road, Nantucket* prepared by GPI, November 10, 2010. Data represent September 2010 conditions which are approximately 7 percent higher than average season conditions.

² *Trip Generation*, Ninth Edition; Institute of Transportation Engineers; Washington, DC; 2012.

Surfside Road



North

Scale: Not to Scale

Site Plan Source: Nantucket Surveyors, LLC

Figure 2

**TABLE 1
TRIP-GENERATION SUMMARY**

Period/Direction	Estimated Vehicle Trips			Total Trips
	Restaurant ¹	Office ²	Apartments ³	
<i>Weekday Morning Peak Hour</i>				
Entering/Exit	7	1	0	8
Exiting	7	0	1	8
Total	14	1	1	16
<i>Weekday Evening Peak Hour</i>				
Entering	7	0	1	8
Exiting	5	1	0	6
Total	12	1	1	14
<i>Saturday Midday Peak Hour</i>				
Entering	8	0	1	9
Exiting	8	0	0	8
Total	16	0	1	17

Source: ITE *Trip Generation*, Ninth Edition; 2012.

¹Based on ITE LUC 932 (High Turnover (Sit-Down) Restaurant) applied to a 30-seat facility.

²Based on ITE LUC 710 (General Office Building) applied to 690 sf

³Based on ITE LUC 220 (Apartment) applied to 3 units

As summarized in **Table 1**, conservative (worst-case) trip estimates for the proposed site following ITE methodology indicate 16 vehicle-trips during the weekday morning peak hour (8 entering and 8 exiting), 14 vehicle-trips during the weekday evening peak hour (8 entering and 6 exiting), and 17 vehicle-trips during the Saturday midday peak hour (9 entering and 8 exiting).

While the proposed site uses are may generate non-auto mode (bike/walk/transit) trips, no trip credit (reduction) is taken for shared trips or non-auto mode trips. However, the net change in site traffic relative to existing/prior use of the property must take into account trips generated by several apartment units (2 of which are currently in use and 1 than was historically in used at the property). Likewise, the restaurant use is likely to generate a portion of its trip activity from the existing traffic stream and that is not “new” traffic to area roadways, referred to as “pass-by” traffic. Pass-by data as published by ITE in the *Trip Generation Handbook*³ indicates average pass-by rates for the restaurant uses are approximately 43%. **Table 2** summarizes the net change in site trips once existing/historical trips and pass-by trips are accounted for.

³ *Trip Generation Handbook*, Institute of Transportation Engineers; March 2000

TABLE 2
TRIP-GENERATION SUMMARY – Net New Site Trips

Period/Direction	Total Site Trips ¹	Existing Site Trips ²	Pass-By Trips ²	Net New Trips ³
<i>Weekday Morning Peak Hour</i>				
Entering/Exit	8	(--)	(3)	5
<u>Exiting</u>	<u>8</u>	<u>(1)</u>	<u>(3)</u>	<u>1</u>
Total	16	(1)	(6)	6
<i>Weekday Evening Peak Hour</i>				
Entering	8	(1)	(3)	4
<u>Exiting</u>	<u>6</u>	<u>(--)</u>	<u>(3)</u>	<u>3</u>
Total	14	(1)	(6)	7
<i>Saturday Midday Peak Hour</i>				
Entering	9	(1)	(3)	5
<u>Exiting</u>	<u>8</u>	<u>(--)</u>	<u>(3)</u>	<u>5</u>
Total	17	(1)	(6)	10

Source: ITE *Trip Generation*, Ninth Edition; 2012.

¹Total unadjusted Site trips; refer to Table 1.

²ITE LUC 220 (Apartment) applied to 3 units, which reflects current/historical use of the property.

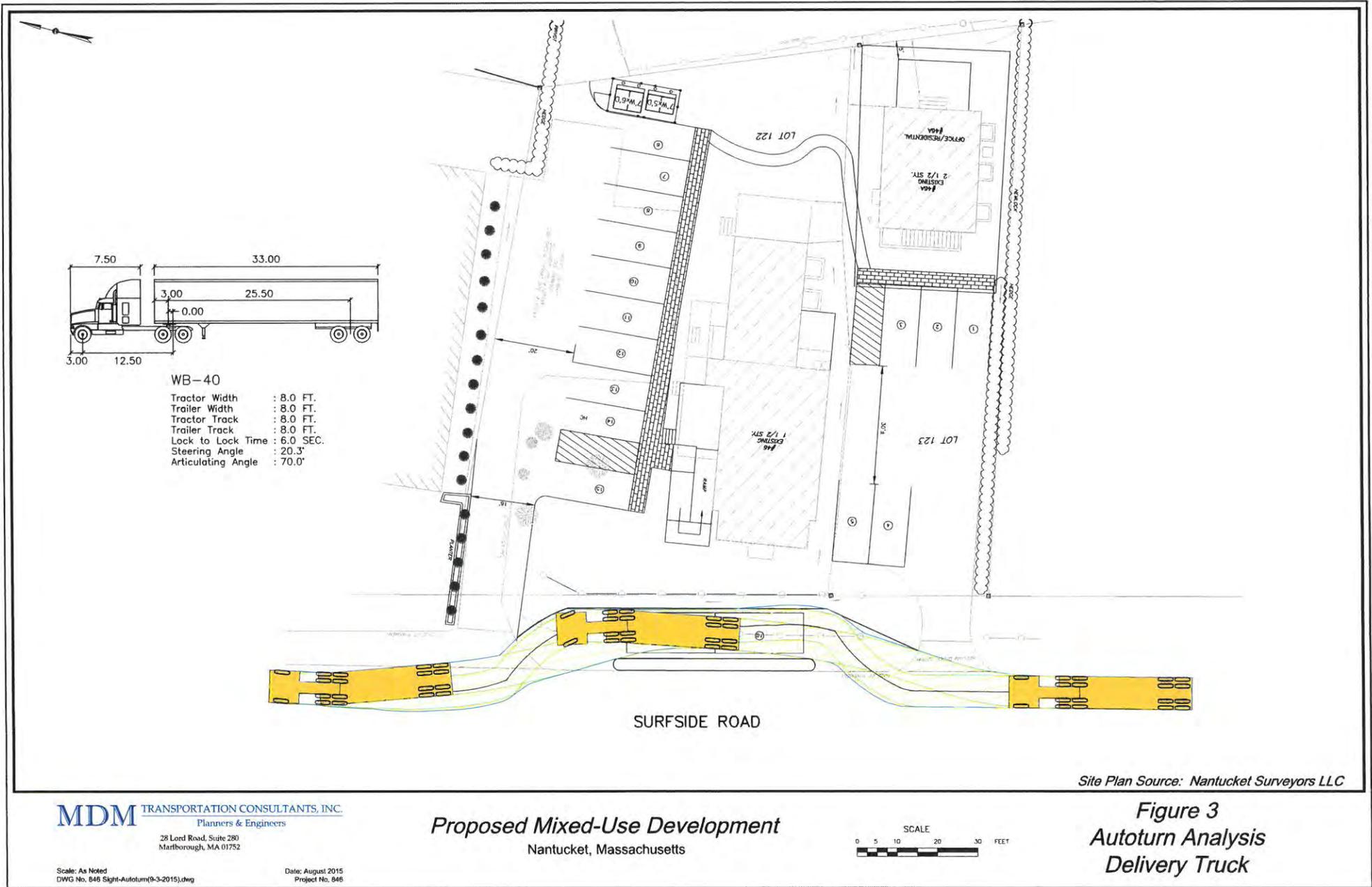
³43% pass-by trip credit for LUC 932 per ITE *Trip Generation Handbook*.

As summarized in **Table 2**, net new trip activity for the site is estimated at approximately 10 vehicle trips or less during peak hours, ranging from 6 to 7 vehicle-trips on weekdays and 10 vehicle-trips on Saturday middays.

In summary, the mixed-use development is expected to result in a net increase of up to 10 peak hour vehicle-trips along Surfside Road based on industry standard trip generation methodology. This level of activity results a nominal increase of one (1) additional vehicle every six minutes or less during the peak hour periods, or less than a 1 percent change in existing traffic activity along Surfside Road, and is considered an inconsequential increase in trip activity relative to existing conditions along Surfside Road.

SITE ACCESS/CIRCULATION

The redevelopment project intends to retain the two access driveways presently serving the site. The southerly driveway will provide access to five parking spaces and the northerly driveway will provide access to 10 parking spaces. A loading zone will be located between the site driveways to accommodate delivery vehicles and will be accessed directly from Surfside Road; the recommended layout of this loading zone is presented in **Figure 3** along with an Autoturn® vehicle turn analysis for a typical delivery vehicle (WB-40 design type). The layout envisions a scored concrete or (alternatively) paved apron area that facilitates vehicle movements without raised curbs, and that is of sufficient width along the road so as to allow a stopped vehicle exiting either driveway to see oncoming traffic.



MDM TRANSPORTATION CONSULTANTS, INC.
 Planners & Engineers

28 Lord Road, Suite 280
 Marlborough, MA 01752

Scale: As Noted
 DWG No. 846 Sight-Autoturn(9-3-2015).dwg

Date: August 2015
 Project No. 846

Proposed Mixed-Use Development
 Nantucket, Massachusetts

Site Plan Source: Nantucket Surveyors LLC

Figure 3
Autoturn Analysis
Delivery Truck

The AutoTurn® vehicle turn analysis confirms that the layout of the recommended loading zone will accommodate standard delivery vehicles (WB-40 type) without impact through traffic along Surfside Road or on-site parking and circulation.

DRIVEWAY SIGHT LINE REQUIREMENTS

The evaluation documents sight distance requirements for the site driveway along Surfside Road based on recommended guidelines.

The American Association of State Highway and Transportation Officials' (AASHTO) standards⁴ reference two types of sight distance which are relevant at the proposed site driveway intersection with Surfside Road: stopping sight distance (SSD) and intersection sight distance (ISD). Sight line criteria for vehicular movements at the Surfside Road and proposed site driveway intersection were reviewed with respect to minimum SSD and ISD requirements based on a 30 mph regulatory travel speed.

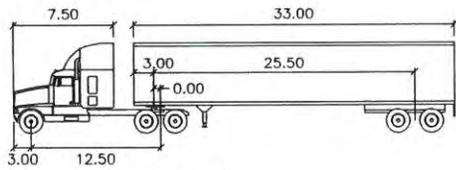
Figure 4 illustrates that the proposed loading zone layout can accommodate a standard delivery vehicle (WB-40 type) while providing adequate sight distance to Surfside Road for vehicles exiting the site driveways that meet or exceed applicable AASHTO criteria described below. **Figure 5** illustrates that driveway sight lines to oncoming vehicles also meet applicable AASHTO criteria for the regulatory speed limit at both driveway locations.

Stopping Sight Distance

Sight distance is the length of roadway visible to the motorist to a fixed object. The minimum sight distance available on a roadway should be sufficiently long enough to enable a below-average operator, traveling at or near a regulatory speed limit, to stop safely before reaching a stationary object in its path, in this case, a vehicle exiting from the proposed site driveway onto Surfside Road. The SSD criteria are defined by AASHTO based on design and operating speeds, anticipated driver behavior and vehicle performance, as well as physical roadway conditions. SSD includes the length of roadway traveled during the perception and reaction time of a driver to an object, and the distance traveled during brake application on wet, level pavements. Adjustment factors are applied to account for roadway grades.

Table 3 presents a summary of the recommended SSD criteria for the Surfside Road roadway segments approaching the proposed site driveway based on a 35 mph travel speed. For comparison purposes, criteria for a 40 mph travel speed are also indicated.

⁴A policy on Geometric Design of Highways and Streets, American Association of State Highway and Transportation Officials (AASHTO), 2011.



- WB-40
- Tractor Width : 8.0 FT.
 - Trailer Width : 8.0 FT.
 - Tractor Track : 8.0 FT.
 - Trailer Track : 8.0 FT.
 - Lock to Lock Time : 6.0 SEC.
 - Steering Angle : 20.3°
 - Articulating Angle : 70.0°



SURFSIDE ROAD

Site Plan Source: Nantucket Surveyors LLC

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Planners & Engineers

28 Lord Road, Suite 280
Marlborough, MA 01752

Proposed Mixed-Use Development
Nantucket, Massachusetts

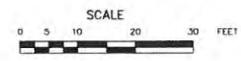
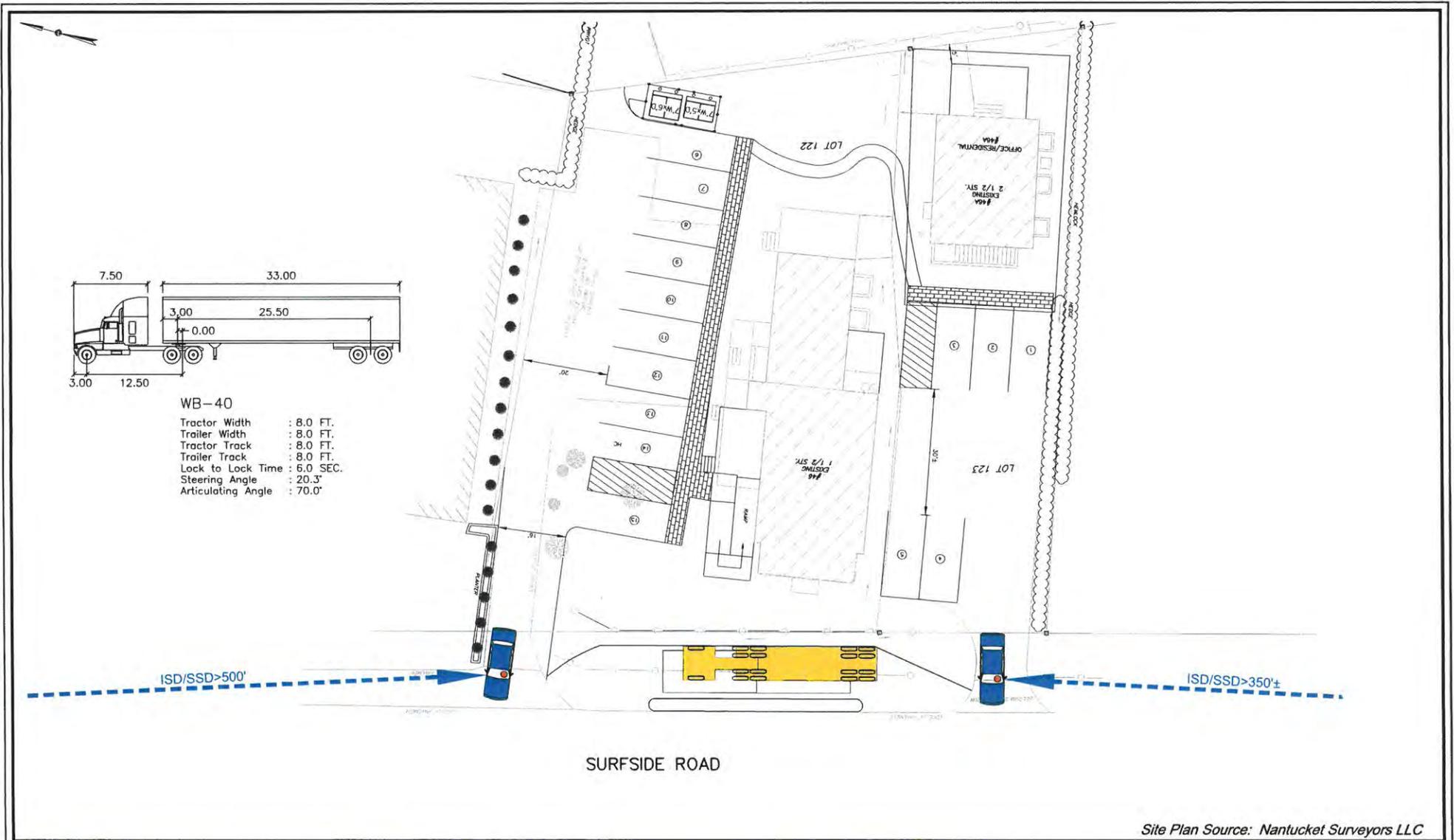


Figure 4
Sight Distance Analysis
(Loading Zone)

Scale: As Noted
DWG No. 546 Sight-Autolarr(9-3-2015).dwg

Date: August 2015
Project No. 546



MDM TRANSPORTATION CONSULTANTS, INC.
 Planners & Engineers

28 Lord Road, Suite 280
 Marlborough, MA 01752

Proposed Mixed-Use Development
 Nantucket, Massachusetts

Scale: As Noted
 DWG No. 846 Sight-Autoform(9-3-2015).dwg

Date: August 2015
 Project No. 846

Figure 5
Sight Distance Analysis

**TABLE 3
STOPPING SIGHT DISTANCE**

Approach	Available Stopping Sight Distance	AASHTO Recommended ¹	
		35 MPH	40 MPH
<i>Proposed Site Driveways</i>			
Northbound	350'+	250 Feet	305 Feet
Southbound	500'+	250 Feet	305 Feet

¹Recommended sight distance based on AASHTO, A Policy on Geometric Design of Highways and Streets. Based on driver height of eye of 3.5 feet to object height of 2.0 feet and roadway grades of 3 percent or less.

The results shown in **Table 3** indicate that the AASHTO recommended stopping sight distance criteria for the 35 mph travel speed is exceeded; that available sight lines at site driveways also meet or exceed applicable criteria for travel speeds of 40 mph.

Intersection Sight Distance

Clear sight lines provide sufficient sight distance for a stopped driver on a minor-road approach to depart from the intersection and enter or cross the major road. As stated under AASHTO's Intersection Sight Distance (ISD) considerations, "...If the available sight distance for an entering ...vehicle is at least equal to the appropriate stopping sight distance for the major road, then drivers have sufficient sight distance to avoid collisions...To enhance traffic operations, intersection sight distances that exceed stopping sight distances are desirable along the major road." AASHTO's ISD criteria are defined into several "cases". Each case depends on the type of traffic control at the intersection (e.g. no control, Yield sign, Stop sign, and signal control), and the specific vehicle maneuver in question (crossing, right- or left-turn). AASHTO Cases B1 (left turns) from the proposed site driveways were utilized in determining the recommended intersection sight distance criteria in **Table 4** below.

**TABLE 4
INTERSECTION SIGHT DISTANCE**

Approach	Available ISD	AASHTO Minimum ¹		AASHTO Ideal ²
		35 MPH	40 MPH	35 MPH
<i>Proposed Site Driveway</i>				
Looking North	500'+	250 Feet	305 Feet	390'
Looking South	350'+	250 Feet	305 Feet	390'

¹Recommended sight distance based on AASHTO, A Policy on Geometric Design of Highways and Streets. Based on driver height of eye of 3.5 feet and an object height of 3.5 feet and roadway grades of 3 percent or less. Minimum value as noted represents SSD per AASHTO guidance.

²Ideal intersection sight distance per AASHTO, A Policy on Geometric Design of Highways and Streets.

The results shown in **Table 4** indicate that the AASHTO minimum recommended intersection sight distance criteria for the 35 mph regulatory speed limit as well as travel speeds of up to approximately 40 mph. The ideal ISD requirement of 390 feet is also met for the regulatory speed limit of 35 mph looking north, and is only slightly below that ideal length looking south. In summary, minimum ISD criteria are met and are either fully met for ideal conditions or are reasonably close to ideal length at both driveway locations.

MDM recommends that the sight line triangles be cleared, if necessary, to meet the recommended AASHTO criteria for the regulatory travel speeds along Surfside Road. Furthermore any new plantings (shrubs, bushes) or physical landscape features currently or proposed to be located within the driveway sight lines should be maintained at a height of 2 feet or less to ensure unobstructed lines of sight.

CONCLUSIONS

In summary, the proposed mixed-use development will result in a nominal trip increase of less than 10 new vehicle trips per hour during peak hours, representing an inconsequential change in volume on Surfside Road relative to existing conditions. Driveway sight lines will also meet or exceed applicable design criteria for regulatory travel speeds along Surfside Road published by the American Association of State Highway and Transportation Officials (AASHTO) based on recommended layout for a loading zone along the site frontage. AutoTurn® vehicle turn analysis confirms that the proposed site layout can accommodate WB-40 type delivery vehicles without impact to on-site parking, circulation or sight lines from the site driveways.

Attachments

- Trip Generation Calculations
- Sight Distance Calculations

□ Trip Generation Calculation

Institute of Transportation Engineers (ITE) 9th Edition
Land Use Code (LUC) 932 - High Turnover (Sit-Down) Restaurant

Average Vehicle Trips Ends vs: Seats
Independent Variable (X): 30

AVERAGE WEEKDAY DAILY

$$T = 4.83 * (X)$$

$$T = 4.83 * 30$$

$$T = 144.90$$

$$T = 144 \text{ vehicle trips}$$

with 50% (72 vpd) entering and 50% (72 vpd) exiting.

WEEKDAY MORNING PEAK HOUR OF ADJACENT STREET TRAFFIC

$$T = 0.47 * (X)$$

$$T = 0.47 * 30$$

$$T = 14.10$$

$$T = 14 \text{ vehicle trips}$$

with 52% (7 vph) entering and 48% (7 vph) exiting.

WEEKDAY EVENING PEAK HOUR OF ADJACENT STREET TRAFFIC

$$T = 0.41 * (X)$$

$$T = 0.41 * 30$$

$$T = 12.30$$

$$T = 12 \text{ vehicle trips}$$

with 57% (7 vph) entering and 43% (5 vph) exiting.

SATURDAY MIDDAY PEAK HOUR OF GENERATOR

$$T = 0.53 * (X)$$

$$T = 0.53 * 30$$

$$T = 15.90$$

$$T = 16 \text{ vehicle trips}$$

with 53% (8 vph) entering and 47% (8 vph) exiting.

**Institute of Transportation Engineers (ITE) 9th Edition
Land Use Code (LUC) 220 - Apartment**

Average Vehicle Trips Ends vs: Dwelling Units
Independent Variable (X): 2

AVERAGE WEEKDAY DAILY

$$T = 6.65 * X$$

$$T = 6.65 * 2$$

$$T = 13.30$$

$$T = 14 \text{ vehicle trips}$$

with 50% (7 vpd) entering and 50% (7 vpd) exiting.

WEEKDAY MORNING PEAK HOUR OF ADJACENT STREET TRAFFIC

$$T = 0.51 * X$$

$$T = 0.51 * 2$$

$$T = 1.02$$

$$T = 1 \text{ vehicle trips}$$

with 20% (0 vph) entering and 80% (1 vph) exiting.

WEEKDAY EVENING PEAK HOUR OF ADJACENT STREET TRAFFIC

$$T = 0.62 * X$$

$$T = 0.62 * 2$$

$$T = 1.24$$

$$T = 1 \text{ vehicle trips}$$

with 65% (1 vph) entering and 35% (0 vph) exiting.

SATURDAY DAILY

$$T = 6.39 * X$$

$$T = 6.39 * 2$$

$$T = 12.78$$

$$T = 12 \text{ vehicle trips}$$

with 50% (6 vpd) entering and 50% (6 vpd) exiting.

SATURDAY MIDDAY PEAK HOUR OF GENERATOR

$$T = 0.52 * X$$

$$T = 0.52 * 2$$

$$T = 1.04$$

$$T = 1 \text{ vehicle trips}$$

with 50% (1 vph) entering and 50% (0 vph) exiting.

**Institute of Transportation Engineers (ITE) 9th Edition
Land Use Code (LUC) 710 - General Office Building**

Average Vehicle Trips Ends vs: 1000 Sq. Feet Gross Floor Area
Independent Variable (X): 0.69

AVERAGE WEEKDAY DAILY

T = 11.03 * (X)
T = 11.03 * 0.69
T = 7.61
T = 8 vehicle trips
with 50% (4 vpd) entering and 50% (4 vpd) exiting.

WEEKDAY MORNING PEAK HOUR OF ADJACENT STREET TRAFFIC

T = 1.56 * (X)
T = 1.56 * 0.69
T = 1.08
T = 1 vehicle trips
with 88% (1 vph) entering and 12% (0 vph) exiting.

WEEKDAY EVENING PEAK HOUR OF ADJACENT STREET TRAFFIC

T = 1.49 * (X)
T = 1.49 * 0.69
T = 1.03
T = 1 vehicle trips
with 17% (0 vph) entering and 83% (1 vph) exiting.

SATURDAY DAILY

T = 2.46 * (x)
T = 2.46 * 0.69
T = 1.70
T = 2 vehicle trips
with 50% (1 vpd) entering and 50% (1 vpd) exiting.

SATURDAY MIDDAY PEAK HOUR OF GENERATOR

T = 0.43 * (X)
T = 0.43 * 0.69
T = 0.30
T = 0 vehicle trips
with 54% (0 vph) entering and 46% (0 vph) exiting.

□ Sight Distance Calculations

If an intersection is located on a 4 percent upgrade, then the time gap selected for intersection sight distance design for left turns should be increased from 8.0 to 8.8 s, equivalent to an increase of 0.2 s for each percent grade.

The design values for intersection sight distance for passenger cars are shown in Table 9-6. Figure 9-17 includes design values, based on the time gaps for the design vehicles included in Table 9-5.

No adjustment of the recommended sight distance values for the major-road grade is generally needed because both the major- and minor-road vehicle will be on the same grade when departing from the intersection. However, if the minor-road design vehicle is a heavy truck and the intersection is located near a sag vertical curve with grades over 3 percent, then an adjustment to extend the recommended sight distance based on the major-road grade should be considered.

Table 9-6. Design Intersection Sight Distance—Case B1, Left Turn from Stop

Metric				U.S. Customary			
Design Speed (km/h)	Stopping Sight Distance (m)	Intersection Sight Distance for Passenger Cars		Design Speed (mph)	Stopping Sight Distance (ft)	Intersection Sight Distance for Passenger Cars	
		Calculated (m)	Design (m)			Calculated (ft)	Design (ft)
20	20	41.7	45	15	80	165.4	170
30	35	62.6	65	20	115	220.5	225
40	50	83.4	85	25	155	275.6	280
50	65	104.3	105	30	200	330.8	335
60	85	125.1	130	35	250	385.9	390
70	105	146.0	150	40	305	441.0	445
80	130	166.8	170	45	360	496.1	500
90	160	187.7	190	50	425	551.3	555
100	185	208.5	210	55	495	606.4	610
110	220	229.4	230	60	570	661.5	665
120	250	250.2	255	65	645	716.6	720
130	285	271.1	275	70	730	771.8	775
—	—	—	—	75	820	826.9	830
—	—	—	—	80	910	882.0	885

Note: Intersection sight distance shown is for a stopped passenger car to turn left onto a two-lane highway with no median and grades 3 percent or less. For other conditions, the time gap should be adjusted and the sight distance recalculated.

Sight distance design for left turns at divided-highway intersections should consider multiple design vehicles and median width. If the design vehicle used to determine sight distance for a divided-highway intersection is larger than a passenger car, then sight distance for left turns will need to be checked for that selected design vehicle and for smaller design vehicles as well. If the divided-highway median is wide enough to store the design vehicle with a clearance to the through lanes of approximately 1 m [3 ft] at both ends of the vehicle, no separate analysis for the departure sight triangle for left turns is needed on the minor-road approach for the near roadway to the left. In most cases, the departure sight triangle for right

Stopping Sight Distance

35 Miles Per Hour

		SPEED (MPH)	BRAKE REACTION DISTANCE (FT)	BRAKING DISTANCE (FT)	CALCULATED STOPPING SIGHT DISTANCE (FT)
Direction 1	NB	35	128.625	117.6	246.2
Direction 2	SB	35	128.625	117.6	246.2

INPUTS

Travel Direction
Speed
t
a

Direction 1

NB
35
2.5
11.2

Direction 2

SB
35
2.5
11.2

Stopping Sight Distance (SSD) - Source: AASHTO

SSD = Reaction Distance + Brake Distance

Reaction Distance = $1.47 \times t \times V$

Brake Distance = $1.075 \times V^2 / a$

Where:

t = reaction time (sec)

V = travel speed (mph)

a - deceleration rate (ft/sec²)

Stopping Sight Distance

40 Miles per hour

		SPEED (MPH)	BRAKE REACTION DISTANCE (FT)	BRAKING DISTANCE (FT)	CALCULATED STOPPING SIGHT DISTANCE (FT)
Direction 1	NB	40	147	153.6	300.6
Direction 2	SB	40	147	153.6	300.6

INPUTS

Direction 1

Direction 2

Travel Direction
Speed
t
a

NB
40
2.5
11.2

SB
40
2.5
11.2

Stopping Sight Distance (SSD) - Source: AASHTO

SSD = Reaction Distance + Brake Distance

Reaction Distance = $1.47 \times t \times V$

Brake Distance = $1.075 \times V^2 / a$

Where:

t = reaction time (sec)

V = travel speed (mph)

a - deceleration rate (ft/sec²)