



# Nantucket Planning Board

## STAFF REPORT

Date: March 4, 2016  
To: Planning Board  
From: Holly E. Backus  
Land Use Specialist  
Re: Staff Report for March 7, 2016 Planning Board Meeting

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### ANRs:

- **#7937 – William & Roberta White, 1 Thurstons Way (Map 66 Parcel 31)**  
The purpose of this plan is to divide an existing lot to create another buildable lot as shown. Both lots will have frontage on Thurstons Way and meet the required “r” factor and the minimum lot size for the R-5 zoning district. Staff recommends endorsement.
- **#7938 – Stephen W. Cheney, 1 Clara Drive (Map 66 Parcel 300)**  
The purpose of this plan is to divide an existing lot to create another buildable lot as shown. The existing structure will be moved without creating an encroachment. Both lots will have frontage on Clara Drive and meet the required “r” factor and the minimum lot size for RC-2 zoning district. Staff recommends endorsement.
- **#7939 – Ernest E. Whelden & Larry B. Whelden, Trustees of Chicken Hill Nominee Trust, 3 Mill Hill Lane (Map 55.4.4 Parcel 65)**  
The purpose of this plan is to divide an existing lot to create another buildable lot shown as Parcel A. Both lots will have frontage along Hummock Pond Road and/or Mill Hill Lane and meet the required “r” factor and the minimum lot size for the R-1 zoning district. Staff recommends endorsement.
- **#7940 – Mid-Island Realty, LLC, 4B Marble Way (Map 66 Parcel 102.1)**  
The purpose of this plan is a perimeter plan. Staff recommends endorsement.
- **#7941 - 79 Orange LLC, 79 Orange Street (Map 55.4.1 Parcel 89.1)**  
The purpose of this plan is to divide a single lot, on which two buildings were standing prior to 1955, when the Subdivision Control Law went into effect in the Town of Nantucket, into two separate lots and both buildings remain on each of the lots pursuant to MGL Chapter 41 Sections 81L and P. The Applicant has provided a copy of the Town of Nantucket 1955 Real Estate Tax Records and 1957 aerial photography as evidence of the existence of such buildings. Both lots have frontage along Orange Street and/or West Dover Street. Staff recommends endorsement.
- **#7942 - John R. & Susan D. Shephard, 10 Weymouth Street (Map 55.4.1 Parcel 85)**  
The purpose of this plan is to divide a single lot, on which two buildings were standing prior to 1955, when the Subdivision Control Law went into effect in the Town of Nantucket, into two separate lots and both buildings remain on each of the lots pursuant to MGL Chapter 41 Sections 81L and P. The Applicant has provided copies of the Town of Nantucket 1954 & 1955 Assessor’s Records and 1951 aerial photography from the NHA as evidence of such buildings. Both lots have frontage along Weymouth Street. Also included in your packet is a letter dated February 29, 2016 from Attorney. Sarah F. Alger, PC, representing owners across the

street who have raised concerns about the proposed development on the lot. Staff would like to point out that currently there is a proposed application to the HDC to remove the existing garage on the lot and that the HDC has held the application for more historic information. It should be noted that the historic age of the structure is not pertinent to this board's endorsement, as the Applicant has provided evidence of two buildings on the land prior to 1955. Staff recommends endorsement.

- **#7943 - Town of Nantucket, Hulbert Street (Map 30)**

The purpose of this plan is to divide portions of Hulbert Avenue into three unbuildable parcels and create two 10'x8' pedestrian access easements for the benefit of the Town of Nantucket. Staff recommends endorsement.

- **#7944 - NTP LLC, 27 North Liberty Street (Map 41 Parcel 453)**

The purpose of this plan is to create an unbuildable lot to be combined with Lot 2.

- **#7945 – NTP LLC, 29 & 31 North Liberty Street (Map 41 Parcel 486 & 158)**

The purpose of this plan is to take two existing lots, subdivide one, and recombine one of the new lots with the adjacent lot. Both lots will have frontage along North Liberty Street and meet the required “r” factor and the minimum lot size for the ROH zoning district. Staff recommends endorsement.

### Second Dwellings:

- 181 Eel Point Road, LLC, 181 Eel Point Road (Map 33 Parcel 21)
- Daniel Chen & Shirley Yu, 1 Paul Jones Road (Map 30 Parcel 618)
- Martha, Charles & Veronica Dragon, 8 Field Ave (Map 80 Parcel 167)
- Jonathan Featherstone-Witty, 8 Micheme Lane (Map 67 Parcel 162.3)
- William Raftery, 78 Madaket Road (Portion of Map 41 Parcel 462.6)
- Net Zero LLC, 10 Eat Fire Spring Road (Map 20 Parcel 63)

*\* This agenda item was not anticipated by the Chairman 48 hours in advance.*

Reports issued by Holly E. Backus are included in your packet.

### Tertiary Dwellings:

- Doris C. Strang, 8 Tripp Drive (Map 80 Parcel 51)

Report issued by Holly E. Backus is included in your packet.

### Previous Plans:

- #11-15, Stop & Shop, WJG Realty Company LLC, *status update*

*\* This agenda item was not anticipated by the Chairman 48 hours in advance.*

### Public Hearings:

- #7716 Valero Road Subdivision, 60, 62, 64, 66 & 68 Old South Road, **CONTINUED TO 04-11-16**

*This Application was not heard at the December, January & February meetings.*

- #7916 Mark A. Lombardi & Maureen Lombardi, Trustees of Lombardi Realty Trust, 1 Pochick Avenue, **CONTINUED TO 04-11-16**

*This Application was heard at the January meeting; however the board had questions regarding potential zoning and wetland issues. The Application was not heard at the February meeting.*

- #7918 – Richmond Great Point Development, LLC, owner, 42, 46, 48, 54 Skyline Drive & 20 Davkim Lane **CONTINUED TO 04-11-16**

*This Application was heard at the February meeting and continued to April.*

- #05-16 Nantucket Boating Club, Inc., owner and John B. Brescher, applicant, 6B Greglen Avenue, *action deadline 04-10-16* **CONTINUED TO 04-11-16**

*This Application was not heard at the January & February meetings.*

- #7771 White Elephant Hotel LLC, 50 Easton Street,

*This Application was not heard at the December, January & February meetings*

▪ **#16-15 Brotherhood of Thieves, 23 Broad Street, *CONTINUED TO 04-11-16***

*This Application was not heard at the December, January & February meetings.*

▪ **#21-15 46 Surfside Road, LLC, 46 Surfside Road,**

*(This Application was last heard at the October 2015 meeting and was not heard at the November, December, January & February meetings.)*

Staff received a revised site plan via email on February 4, 2016 entitled, "Major Commercial Development Site Development Plan, 46 and 46A Surfside Road in Nantucket, Massachusetts," by Nantucket Surveyors, LLC, dated February 1, 2016. A copy is included in your packet. This project has been considered by the Board at several meetings, and over time the site plan has changed. Staff does not have a recommendation at this time. This is a proposal that the Board has shown a particular interest in and the site plan has not changed significantly since your last review.

▪ **#44-15 Arthur I Reade, Jr. And Peter D. Kyburg, Trustees of Auction House Realty Trust, As Owners, and Walter Glowacki, As Applicant, 4 Lovers Lane,**

FROM 3/3/16 STAFF REPORT:

Staff met with representatives of the Applicant, which resulted in the submission of a revised plan indicating additional information about the dumpster area, open space, loading zone, lighting, and drainage. Although adequate parking will be available for the proposed restaurant, the gravel surface of the overflow lot should be evaluated as to whether or not it is appropriate for the proposed use. The proposed restaurant is a higher intensity use and the existing parking easement may or may not be sufficient.

UPDATE:

Since the last meeting on March 3<sup>rd</sup>, Staff received an email from the legal counsel of the Applicant regarding the number of seats proposed within the restaurant. This email is provided in your packets. They will reduce the seats from 70 to 52 to locate all parking on site by decreasing the number of required parking spaces. The Applicant's legal counsel expects a new plan to be provided to the board at the meeting.

▪ **#61-15 Seamus M. Crowley & Elizabeth Gennaro, 46 Nobadeer Farm Road,**

FROM 3/3/16 STAFF REPORT:

The project engineer provided an updated site plan based on the last Planning Board meeting. Staff had a conference call with the project engineer and the board's consultant engineer, Ed Pesce to review these plans.

Mr. Pesce had questions regarding the grading and the existing and proposed run-off of the site. As of February 7<sup>th</sup>, staff has received Mr. Pesce's review letter. A copy is included in your packet.

The project engineer has revised the plan to accommodate the board's comments regarding circulation and maneuvering within the site. The removal of the handicap ramp and reduction of the existing porch allows for an on-site turn-around for delivery trucks so that they do not back into Nobadeer Farm Road or the proposed multi-path extension. Based on this new plan, staff provided the following comments to the project engineer:

- (1) Does the proposed location of the handicap parking space meet ADA requirements under the Building Code? ie: "quickest accessible route;" location, surface?
- (2) Were there thoughts of moving the handicap parking space to the rear (on the concrete?)
- (3) Were there thoughts of moving the proposed loading zone?

Staff has received a forwarded email in which the Applicant mentions having spoken to the Building Commissioner regarding the ADA accessibility of the front building. Staff has confirmed with the Building Commissioner that the existing ramp can be removed as long as the existing building is clearly identified for employees only and not for the public. The Building Department would need something for their files to be received during the building permit process. The Certificate of Water Quality Compliance from Wannacomet Water Company has been received for this project and is included in your packet. Again, if the board is so inclined to approve the revised plans, staff respectfully requests that the board conditions the approval to require the applicant to address Mr. Pesce's comments and recommendations.

▪ **#07-16 – Brass Lantern, LLC, owner, 11 North Water Street**

*(This Application was not heard at the February meeting.)*

The Applicant is seeking a Special Permit to alter and extend a preexisting nonconforming structure by demolishing a portion of the existing structure and constructing an addition. The Applicant also seeks a special permit to reconfigure and increase the number of guest rooms from seventeen (17) to twenty-four (24), to add a

one (1) bedroom manager's apartment with kitchen, and to add a commercial kitchen for the preparation of food for guests. Applicant proposes to remove the existing parking area and provide two (2) stacked parking spaces, where thirteen (13) are required. The proposal is consistent with the use and intensity of surrounding properties and staff is supportive of this application. Staff notes that any changes will effectively modify prior relief granted by the ZBA.

▪ **#7917 – 4 North Mill Court, LLC – 11 Mill Hill**

*(This Application was not heard at the February meeting.)*

The Applicant is requesting to amend paragraph 12 of the Planning Board's decision to allow a portion of a structure, patio, and swimming pool to be sited within the required 10' buffer affecting Lot 15.

Paragraph 12 states:

*"That a ten (10) foot wide, densely vegetated buffer including a mixture of coniferous and deciduous plant material, shall be established and permanently maintained along the southern and eastern limits of the subdivision, specifically affecting Lots 18,14,15,16, and 17, but excluding the drainage easement area within Lots 18, 16, and 17. This restriction shall be included in future deeds and included within the legal documents, with enforcement granted to the Town of Nantucket. On an as-needed basis, plantings shall be replaced within a year of their removal/deterioration/demise..."*

The site is currently vacant; therefore the applicant could comply with the buffer requirement. Staff notes that a prior applicant was unsuccessful in obtaining a waiver from the Board and the Board expressed very strong feelings about maintaining the required buffers.

▪ **#09-16 Sanford Boat Building Condominium Amendment, Vanilla Day, LLC, owner, 2C Sanford Road, Unit 6**

The Applicant is requesting an amendment to a previously granted Special Permit dated September 12, 2011 (PB #17-11) within the Mid-Island Planned Overlay District (MIPOD.) A copy of the previously granted Special Permit is included in your packet. Specifically, the applicant is proposing to expand Unit 4 into Unit 6 by opening the interior wall from Unit 4 and changing the use of Unit 6 from retail to takeout food. The Applicant is seeking waivers from Section 139-7 (Uses) and Section 139-18 (Off-Street Parking) of the Nantucket Zoning Bylaw. Unit 6 used to be The Camera Shop that closed December 2015. The Applicant indicates that there will be no additional seating, however there will be a new food line and display case provided. This proposed business will be consistent with the existing uses within the Mid-Island Planned Overlay District (MIPOD), which supports both business/commercial and retail uses.

Staff has the following questions on the proposed business:

1. The submitted plans indicate a "Sandwich Shop;" is this the proposed use?
2. What are the proposed hours of operation? Consistent with the existing business within Unit 4?
3. Will the proposed "Sandwich Shop" have its own separate cashier? If so, staff would like to point out that another parking waiver will need to be requested.

▪ **#11-16 Nantucket Island Resorts, LLC, owner, 16 Cynthia Lane**

The Applicant is seeking a Special Permit to use the existing duplex dwelling as Neighborhood Employee Housing under Section 139-7 of the Zoning Bylaw. The existing structure is a two (2) story dwelling that consists of 1,233 square feet of ground cover. The Applicant proposes to provide a total of six (6) parking spaces; however the Applicant proposes to have a total of twelve (12) employees within the structure.

Staff has the following questions on the proposed Special Permit:

1. How many occupants are proposed for the duplex?
2. The locus is located within the Residential 5 (R-5) zoning district that requires no more than two lots to contain employee housing within a 1,000 foot radius. Is the applicant or representative aware of any other employee housing within the area, and if not?
3. The application is missing the required Dormitory Management Plan. Please submit.
4. Does the Applicant assume that there will be sufficient parking for the proposed employee housing?

▪ **#12-16 Nantucket Hotel Holdings, LLC, 77 Easton Street**

The Applicant is seeking an amendment to a previously granted Major Commercial Development Special Permit (PB #02-12) dated January 19, 2012. Specifically, the applicant is seeking to amend the permit to allow the construction of a second floor bathroom over an existing section of the structure, an addition to the structure containing two (2) guestrooms, and the enclosure of an existing deck. The Applicant is further seeking a Special Permit to expand the pre-existing non-conforming ground cover ratio by approximately 2,600 square feet.

The proposed number of guest suites and bedrooms are included in the original approval, as amended. Staff recommends approval.

**Warrant Articles:**

- **Article 36:** Zoning Bylaw amendment to Chapter 139 sections 2, 7A, 8D, and 17A to amend the apartment building, structure height, and workforce housing regulations for the Commercial Mid-Island (CMI) district;  
Staff will provide a recommendation at the meeting.
- **Article #52:** Zoning Bylaw amendment to Chapter 139, sections 2, 7, and 18, of the Code of the Town of Nantucket to allow the creation of a tiny house unit (citizen petition);  
Staff will provide a recommendation at the meeting.
- **Article #53:** Zoning Bylaw amendment to Chapter 139, sections 2, 7, and 18, of the Code of the Town of Nantucket to allow the creation of a tiny house village (citizen petition);  
Staff discussed this proposal with the proponent and we recommend that the board take no action.
- **Article 55:** Zoning Bylaw amendment to Chapter 139, sections 2 and 8, of the Code of the Town of Nantucket to allow secondary lots to be sold to qualified family members without being subject to the Nantucket Housing Needs Covenant Ownership Form (citizen petition);  
Staff provided a draft motion for this article however amendments to Chapter 100 of the General Code and a Home Rule Petition will be required to fully implement the intent of the proposal. Staff is working with town council and will provide a recommendation at the meeting.
- **Article 56:** Zoning Bylaw amendment to Chapter 139, sections 2 and 8, of the Code of the Town of Nantucket to allow secondary lots to be sold to qualified family members without being subject to the Nantucket Housing Needs Covenant Ownership Form (citizen petition)  
Staff recommends a motion to no action.

**Other Business:**

- **REMINDERS:**
  - **Special Planning Board Meeting on March 8, 2016 at 1:00PM, 2 Fairgrounds Road Conference Room.**
  - **Special Planning Board Meeting on March 17, 2016 at 12:00PM, 2 Fairgrounds Road Conference Room.**



# Nantucket Planning Board

## Nantucket Planning Board Agenda

Monday, March 7, 2016

6:30PM

4 Fairgrounds Road

Public Safety Facility Community Room

First Floor

[www.nantucket-ma.gov](http://www.nantucket-ma.gov)

Video of meeting available on Town website

**(AGENDA SUBJECT TO CHANGE)**

\*The complete text, plans, application, or other material relative to each agenda items are available for inspection at the Planning Office at 2 Fairgrounds Road between the hours of 8:30 AM and 4:30 PM\*

I. Call to order:

II. Approval of the agenda:

III. ANRs:

- #7937 William A. White, 1 Thurston's Way (Map 66 Parcel 31)
- #7938 Stephen W. Cheney, 1 Clara Drive (Map 66 Parcel 300)
- #7939 Ernest E. Whelden & Larry B. Whelden, Trustees of Chicken Hill Nominee Trust, 3 Mill Hill Lane (Map 55.4.4 Parcel 65)
- #7940 Mid-Island Realty, LLC, 4B Marble Way (Map 66 Parcel 102.1)
- #7941 79 Orange LLC, 79 Orange Street (Map 55.4.1 Parcel 89.1)
- #7942 John R. & Susan D. Shephard, 10 Weymouth Street (Map 55.4.1 Parcel 85)
- #7943 Town of Nantucket, Hulbert Street (Map 30)
- #7944 NTP LLC, 27 North Liberty Street (Map 41 Parcel 453)
- #7945 Jeffrey Kaschuluk, Trustee of Nanticut Realty Trust, 29 & 31 North Liberty Street (Map 41 Parcels 158 & 486)

**IV. Second Dwellings:**

- 181 Eel Point Road, LLC, 181 Eel Point Road (Map 33 Parcel 21)
- Daniel Chen & Shirley Yu, 1 Paul Jones Road (Map 30 Parcel 618)
- Martha, Charles & Veronica Dragon, 8 Field Ave (Map 80 Parcel 167)
- Jonathan Featherstone-Witty, 8 Micheme Lane (Map 67 Parcel 162.3)
- William Raftery, 78 Madaket Road (Portion of Map 41 Parcel 462.6)
- Net Zero LLC, 10 Eat Fire Spring Road (Map 20 Parcel 63)

\* This agenda item was not anticipated by the Chairman 48 hours in advance.

**V. Tertiary Dwellings:**

- Doris C. Strang, 8 Tripp Drive (Map 80 Parcel 51)

**VI. Previous Plans:**

- #11-15, Stop & Shop, WJG Realty Company LLC, *status update*

\* This agenda item was not anticipated by the Chairman 48 hours in advance.

**VII. Public Hearings:**

- #7716 Valero Road Subdivision, 60, 62, 64, 66 & 68 Old South Road, *action deadline 04-30-16, CONTINUED TO 04-11-16*
- #7916 Mark A. Lombardi & Maureen Lombardi, Trustees of Lombardi Realty Trust, 1 Pochick Avenue, *action deadline 4-10-16, CONTINUED TO 04-11-16*
- #7918 Richmond Great Point Development, LLC – 42, 48, 54 Skyline Drive & 20 Davkim Lane, *action deadline 05-25-16, CONTINUED TO 04-11-16*
- #05-16 Nantucket Boating Club, Inc., as Owner and John B. Brescher, as Applicant, 6B Greglen Avenue, *action deadline 4-10-16, CONTINUED TO 04-11-16*
- #16-15 Brotherhood of Thieves, 23 Broad Street, *action deadline 04-30-16, CONTINUED TO 04-11-16*
- #7771 White Elephant Hotel LLC, 50 Easton Street, *action deadline 04-30-16, CONTINUED TO 04-11-16*
- #7917 4 North Mill Court LLC, 11 Mill Hill, *action deadline 05-25-16*
- #21-15 46 Surfside Road, LLC, 46 Surfside Road, *action deadline 03-31-16*
- #44-15 Arthur I. Reade, Jr. And Peter D. Kyburg, Trustees Of Auction House Realty Trust, As Owners, And Walter J. Glowacki, As Applicant, 4 Lovers Lane, *action deadline 03-31-16*
- #61-15 Seamus M. Crowley & Elizabeth Gennaro, 46 Nobadeer Farm Road, *action deadline 03-13-16*
- #07-16 Brass Lantern, LLC, 11 North Water Street, *action deadline 05-08-16*
- #09-16 Sanford Boat Building Condominium Amendment, 2C Sanford Road, Unit 6, *action deadline 06-05-16*
- #11-16 Nantucket Island Resorts LLC, 16 Cynthia Lane, *action deadline 06-05-16*
- #12-16 Nantucket Hotel Holdings, LLC, 77 Easton Street, *action deadline 06-05-16*
- **WARRANT ARTICLES FOR 2016 ANNUAL TOWN MEETING TO BE DISCUSSED. Note some of these public hearings may be closed at the March 3<sup>rd</sup> Planning Board public hearing an updated agenda will be posted following the March 3<sup>rd</sup> meeting.**
  - **ARTICLE #36:** Zoning Bylaw amendment to Chapter 139 sections 2, 7A, 8D, and 17A to amend the apartment building, structure height, and workforce housing regulations for the Commercial Mid-Island (CMI) district;
  - **ARTICLE #52:** Zoning Bylaw amendment to Chapter 139, sections 2, 7, and 18, of the Code of the Town of Nantucket to allow the creation of a tiny house unit (citizen petition);
  - **ARTICLE #53:** Zoning Bylaw amendment to Chapter 139, sections 2, 7, and 18, of the Code of the Town of Nantucket to allow the creation of a tiny house village (citizen petition);

Planning Board Agenda for Monday, March 7, 2016

- **ARTICLE #55:** Zoning Bylaw amendment to Chapter 139, sections 2 and 8, of the Code of the Town of Nantucket to allow secondary lots to be sold to qualified family members without being subject to the Nantucket Housing Needs Covenant Ownership Form (citizen petition); AND
- **ARTICLE #56:** Zoning Bylaw amendment to Chapter 139, sections 2 and 8, of the Code of the Town of Nantucket to allow secondary lots to be sold to qualified family members without being subject to the Nantucket Housing Needs Covenant Ownership Form (citizen petition);

**VIII. ZBA:**

- #05-16 William J. Stone, II, 8 Atlantic Avenue (Map 55 Parcel 18)
- #09-16 Jennifer Regan, 36 York Street (Map 55.4.1 Parcel 103)
- #10-16 MHD Parnters Real Estate, LLC, 4 Goose Cove Lane (Map 59.4 Parcel 30)

**IX. Public Comments:**

**X. Other Business:**

- REMINDERS:
  - Special Planning Board Meeting on March 8, 2016 at 1:00PM,  
2 Fairgrounds Road Conference Room.
  - Special Planning Board Meeting on March 17, 2016 at 12:00PM,  
2 Fairgrounds Road Conference Room.

**XI. Adjourn:**



ANR #7937  
William & Roberta White  
1 Thurstons Way  
Map 66 Parcel 31



PLANNING BOARD



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

FILE # 7937

Nantucket Planning Board

FEB 26 2016 AM 9:27

✓ 11052

Form A  
Application for Endorsement of a Plan Believed Not to Require Approval  
(ANR)

Date: FEB. 24, 2016 \*Name of Owner(s)/Applicant(s): WILLIAM A. WHITE & ROBERTA B. WHITE

\*Owner's/Applicant's address: 28 CREEK LANE, NANTUCKET State: MA Zip Code: 02554

\*(include all names and addresses of the principals of the owner entity such as principal officer of corporation, trustees of the trust and partners of the partnership)

Location of Property (Street or Area): 1 THURSTON'S WAY

Name of Registered Land Surveyor: ALAN M. GRADY, PLS., BRACKEN ENGINEERING, INC.  
Surveyor's address: 19 OLD SOUTH ROAD NANTUCKET, MA 02554

The owner's title to the land derived under deed from FBM REALTY TRUST, dated 4/8/2014 and recorded at the Nantucket Registry of Deeds in Book 1430 Page 113 and shown on Assessor's Map 66, Parcel 31.

To the Planning Board of the Town of Nantucket:

The undersigned wishes to record the accompanying plan and requests a determination and endorsement by said Board that approval by it under the Subdivision Control Law is not required. The undersigned believes that such approval is not required for the following reasons: (check all that apply)

- The accompanying plan is not a subdivision because it does not show a division of land (perimeter plan).
- The division of the tract of land shown on the accompanying plan is not a subdivision because every lot on the plan has frontage of at least such distance as is presently required by the *Nantucket Zoning By-Law* under Section 5 which requires 50 feet for erection of a building on such lot; and every lot shown on the plan has such frontage on:

A. a public way or a way which the City or Town Clerk certifies is maintained and used as a Public way, namely \_\_\_\_\_; OR

B. a way shown on a plan theretofore approved and endorsed in accordance with the Subdivision Control Law, namely THURSTONS WAY on 4/20/1976 (date) and Subject to the following conditions see BOOK 165 PAGE 156; OR

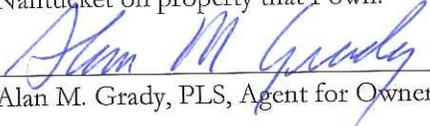
C. a way in existence on \_\_\_\_\_ (date); the date when the Subdivision Control Law became effective in the Town of Nantucket, having in the opinion of the Planning Board, sufficient

width, suitable grades, and adequate construction to provide for the need to vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon, namely \_\_\_\_\_.

- The division of the tract of land shown on the accompanying plan is not a subdivision because it shows a proposed conveyance or other instrument, namely \_\_\_\_\_, which adds to, takes away from or changes the size and shape of lots in such a manner so that no lot affected is left without frontage as required by the *Nantucket Zoning By-Law* under Section 5, which requires \_\_\_\_\_ feet.
- The division of the tract of land shown on the accompanying plan is not a subdivision because two or more buildings, specifically \_\_\_\_\_ buildings were standing on the land prior to 1955, the date when the Subdivision Control Law went into effect in the Town of Nantucket, and one of such building remains standing on each of the lots; said buildings as shown and located on the accompanying plan. Evidence of the existence of such buildings prior to the effective date of the Subdivision Control Law is submitted as follows: \_\_\_\_\_

- Other reasons or comments: (see M.G.L., Chapter 41, Section 81-L)

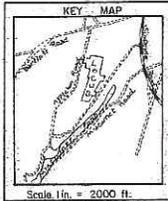
I hereby certify that the applicant(s) listed above have been authorized by me to file a plan with the Planning Board of Nantucket on property that I own.

  
Alan M. Grady, PLS, Agent for Owner

Planning Board File # 7937

Endorsement Date: \_\_\_\_\_





Scale 1 in. = 2000 ft.

**ZONING CLASSIFICATION**  
 Zone... Residential - 2  
 Minimum Lot Size... 20,000 sq. ft.  
 Frontyard Setback... 20 ft.  
 Minimum Frontage... 75 ft.

Formerly Residential - Commercial  
 Minimum Lot Size... 5,000 sq. ft.  
 Frontyard Setback... none  
 Minimum Frontage... 40 ft.



I certify that the preparation of this plan conforms with the rules and regulations of the Registrar of Deeds as adopted June 19, 1975.

Date: June 15, 1978  
*Richard J. Glidden*  
 Registered Land Surveyor

Approved under the Subdivision Control Law and modified, Ref. Chapter 61, §1-P, G.L.

*Richard J. Glidden*  
*Walter J. Bennett*  
*Nathan F. Thurston et ux*

Date: 6/12/78 File No. 1919



■ Denotes a C.B. set unless otherwise noted.  
 ○ Denotes a steel stake set unless otherwise noted.

**NOTE:** This plan has been prepared to correct drafting errors made on the previous plan prepared by Shugart and Hart, Inc., recorded in the Nantucket County Registry of Deeds in Tube File 66.

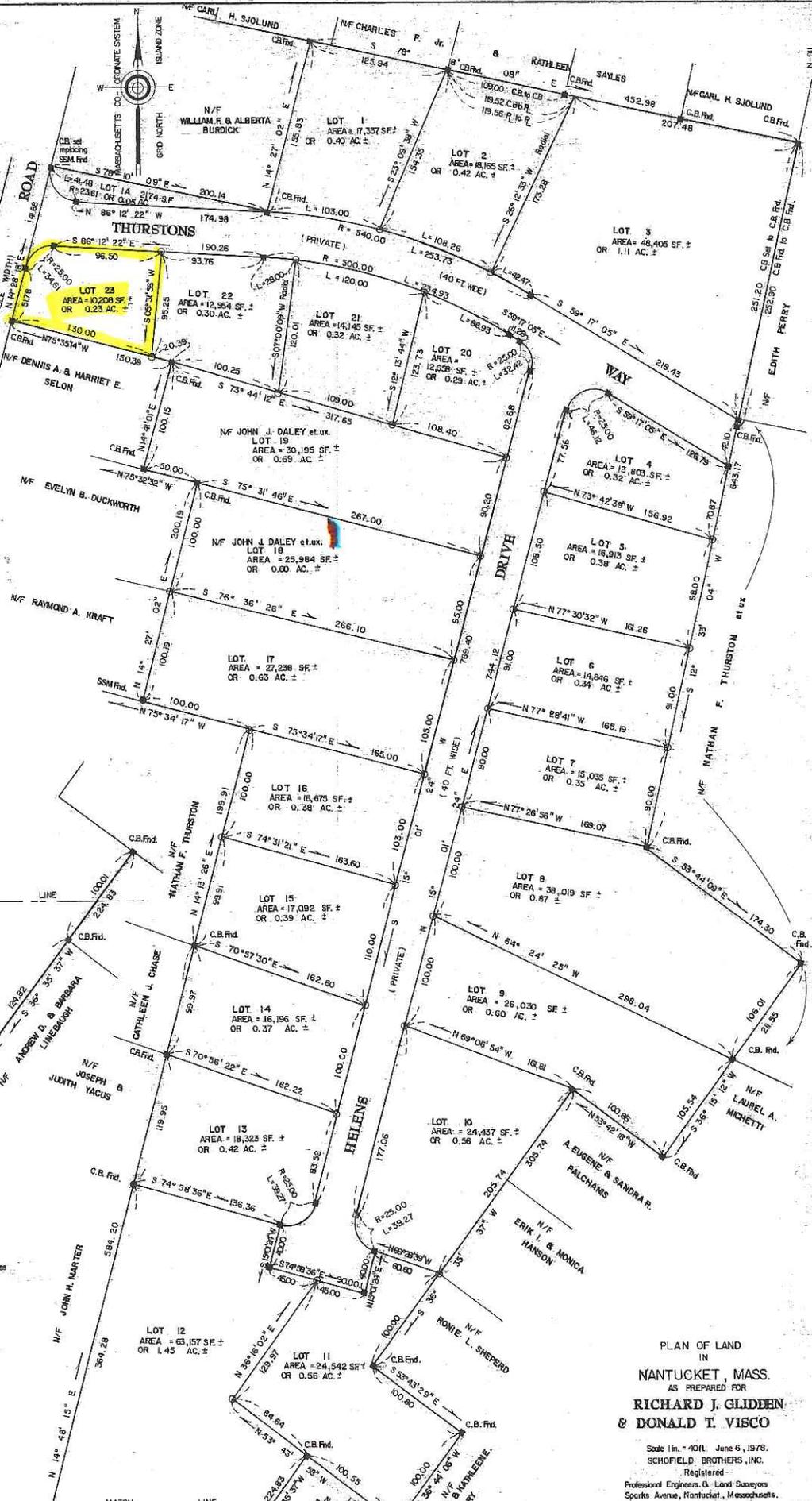
Lots 5-11 and 13-19 reflect no changes. Areas, bearings and distances were copied directly from the plan of record.

Lots 1-4, 12, and 20-23 have been recomputed and the drafting errors corrected.

This plan was not prepared from an instrument survey, and is done for correction purposes only.

This plan is subject to a covenant recorded in the Nantucket County Registry of Deeds.

AUG 8 1978  
 3:34 PM  
 Plan File 6-13  
 CUSTOMER APPROVED  
 PURCHASED FROM  
 RICHARD J. GLIDDEN  
 REGISTERED LAND SURVEYOR



PLAN OF LAND  
 IN  
 NANTUCKET, MASS.  
 AS PREPARED FOR  
**RICHARD J. GLIDDEN**  
 & **DONALD T. VISCO**

Scale 1 in. = 40 ft. June 6, 1978.  
 SCHOFIELD BROTHERS, INC.  
 Registered  
 Professional Engineers & Land Surveyors  
 Sports Avenue, Nantucket, Massachusetts.  
 0.50 1.00 2.00 4.00 8.00 16.00 32.00 64.00 128.00 FEET

TITLE REFERENCE: D4 BK. 155, Pg. 47, 124 P.L. 77, N-91



ANR #7938  
Stephen W. Cheney  
1 Clara Drive  
Map 66 Parcel 300



PLANNING BOARD



FILE # 7938

Nantucket Planning Board

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

*Wab*

Form A  
Application for Endorsement of a Plan Believed Not to Require Approval  
(ANR)

FEB 26 2016 AMB:27  
✓ 11056

Date: FEB. 24, 2016 \*Name of Owner(s)/Applicant(s): STEPHEN W. CHENEY

\*Owner's/Applicant's address: 1 CLARA DRIVE, NANTUCKET State: MA Zip Code: 02554

\*(include all names and addresses of the principals of the owner entity such as principal officer of corporation, trustees of the trust and partners of the partnership)

Location of Property (Street or Area): 1 CLARA DRIVE

Name of Registered Land Surveyor: ALAN M. GRADY, PLS, BRACKEN ENGINEERING, INC.

Surveyor's address: 19 OLD SOUTH ROAD NANTUCKET, MA 02554

The owner's title to the land derived under deed from Godeseer, LLC, dated 10/30/2015 and recorded at the Nantucket Registry of Deeds as Land Court Certificate of Title No. 25851 and shown on Assessor's Map 66, Parcel 300.

To the Planning Board of the Town of Nantucket:

The undersigned wishes to record the accompanying plan and requests a determination and endorsement by said Board that approval by it under the Subdivision Control Law is not required. The undersigned believes that such approval is not required for the following reasons: (check all that apply)

- The accompanying plan is not a subdivision because it does not show a division of land (perimeter plan).
- The division of the tract of land shown on the accompanying plan is not a subdivision because every lot on the plan has frontage of at least such distance as is presently required by the *Nantucket Zoning By-Law* under Section 5 which requires 40 feet for erection of a building on such lot; and every lot shown on the plan has such frontage on:

A. a public way or a way which the City or Town Clerk certifies is maintained and used as a Public way, namely \_\_\_\_\_; **OR**

B. a way shown on a plan theretofore approved and endorsed in accordance with the Subdivision Control Law, namely CLARA DRIVE on 10/22/1984 (date) and Subject to the following conditions see COVENANT Recorded as Document No. 31022; **OR**

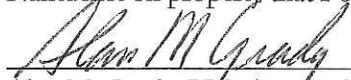
C. a way in existence on \_\_\_\_\_ (date); the date when the Subdivision Control Law became effective in the Town of Nantucket, having in the opinion of the Planning Board, sufficient

width, suitable grades, and adequate construction to provide for the need to vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon, namely \_\_\_\_\_

- The division of the tract of land shown on the accompanying plan is not a subdivision because it shows a proposed conveyance or other instrument, namely \_\_\_\_\_, which adds to, takes away from or changes the size and shape of lots in such a manner so that no lot affected is left without frontage as required by the *Nantucket Zoning By-Law* under Section 5, which requires \_\_\_\_\_ feet.
- The division of the tract of land shown on the accompanying plan is not a subdivision because two or more buildings, specifically \_\_\_\_\_ buildings were standing on the land prior to 1955, the date when the Subdivision Control Law went into effect in the Town of Nantucket, and one of such building remains standing on each of the lots; said buildings as shown and located on the accompanying plan. Evidence of the existence of such buildings prior to the effective date of the Subdivision Control Law is submitted as follows: \_\_\_\_\_

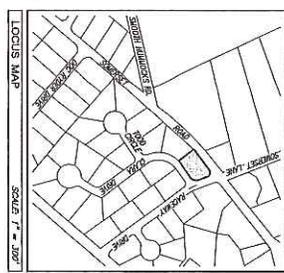
- Other reasons or comments: (see M.G.L., Chapter 41, Section 81-L)

I hereby certify that the applicant(s) listed above have been authorized by me to file a plan with the Planning Board of Nantucket on property that I own.

  
\_\_\_\_\_  
Alan M. Grady, PLS, Agent's Signature

Planning Board File # \_\_\_\_\_

Endorsement Date: \_\_\_\_\_



- NOTES:**
1. LOCUS # 100-010-0000
  2. OWNER: STEPHEN W. GIBNEY, 300 NANTUCKET MA 02554
  3. DEED REF: GEN #2381 (COPY 14/07/0)
  4. PLAN REF: LOC #29933-N (07/10)
  5. LOCUS DOES NOT FALL WITHIN A SPECIAL FLOOD HAZARD ZONE AS SHOWN ON FEMA 2500-DC-0089-G dated 01/09/2014.

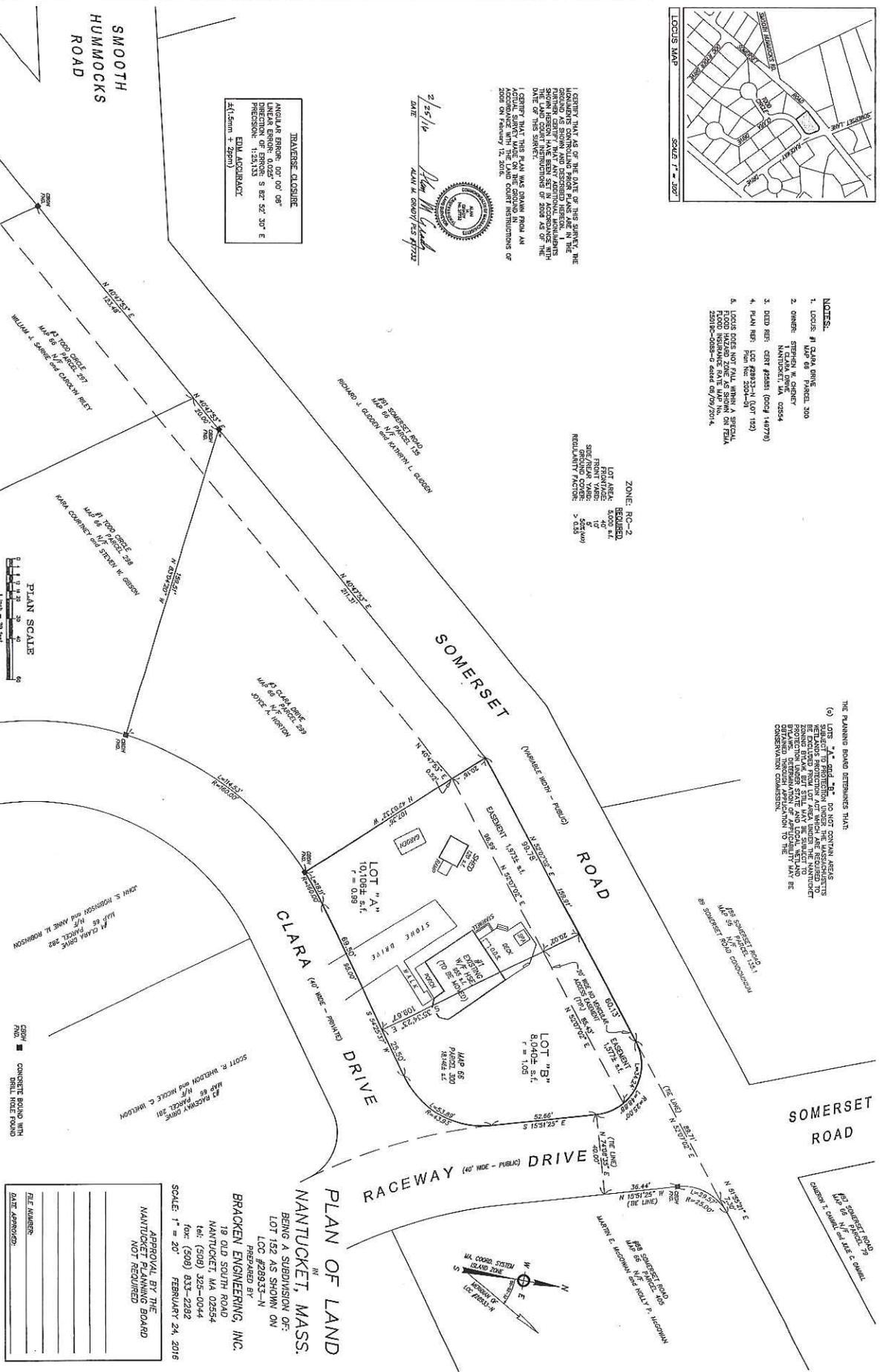
ZONE: RC-2  
 REQUIRED:  
 LOT AREA: 5,000 s.f.  
 FRONT YARD: 10'  
 SIDE YARD: 5'  
 REAR YARD: 5'  
 SETBACK: 5'  
 GROUND COVER: > 15%  
 REGULATORY FACTOR: > 0.55

I CERTIFY THAT AS OF THE DATE OF THIS SURVEY, THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I HAVE BEEN PAID BY THE CLIENT FOR MY SERVICES AND I HAVE NOT BEEN INFLUENCED BY ANY OTHER PARTY IN THE PREPARATION OF THIS SURVEY. I CERTIFY THAT THIS PLAN WAS DRAWN FROM AN ACTUAL SURVEY MADE ON THE GROUND IN ACCORDANCE WITH THE CURRENT REGULATIONS OF MASS ON FEBRUARY 12, 2016.

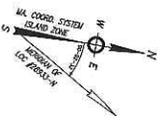


DATE: 2/25/16  
 Adam M. Gentry  
 Adam M. Gentry, PLS

**TRAVERSE CLOSURE**  
 ANGULAR ERROR: 00' 00" 00"  
 DISTANCE OF ERROR: 5.87 32' 30" E  
 PRECISION: 1:25,133  
 EDM ACCURACY:  
 ±(1.5mm + 2ppm)



THE PLANNING BOARD DETERMINES THAT:  
 (c) LOTS "A" and "B" DO NOT CONTAIN AREAS SUBJECT TO PROTECTION UNDER THE MASSACHUSETTS BEACH AND DUNE PROTECTION ACT. THE LOTS ARE NOT TO BE EXCLUDED FROM LOT AREA UNDER THE NANTUCKET PROTECTION UNDER STATE AND LOCAL, NEITHER ARE THEY TO BE OBTAINED THROUGH APPLICATION TO THE CONSERVATION COMMISSION.



**PLAN OF LAND**  
 IN  
 NANTUCKET, MASS.  
 BEING A SUBDIVISION OF:  
 LOT 152 AS SHOWN ON  
 LOC #29933-N  
 PREPARED BY  
 BRACKEN ENGINEERING, INC.  
 18 OLD SOUTH ROAD  
 NANTUCKET, MA 02554  
 TEL: (508) 323-0944  
 FAX: (508) 323-2282  
 SCALE: 1" = 20'  
 FEBRUARY 24, 2016

APPROVAL BY THE  
 NANTUCKET PLANNING BOARD  
 NOT REQUIRED

FILE NUMBER	DATE APPROVED





2015 00149778

Cert: 25851 Doc: DD

Registered: 10/30/2015 01:49 PM

## Quitclaim Deed

Godeseer, LLC, a Massachusetts Limited Liability Company, with a mailing address of 108 SURFSIDE RD, PO Box 1294, Nantucket, MA 02554,

For consideration in the amount of ONE DOLLAR (\$1.00)

**HEREBY GRANTS TO** Stephen W. Cheney, individually, of 1 Clara Drive, Nantucket, Massachusetts

### With *QUITCLAIM COVENANTS*

All that certain lot or parcel of land, together with the buildings and improvements thereon situated in the Town of Nantucket, having an address of 1 Clara Drive, and being more particularly described as follows:

- |               |   |
|---------------|---|
| SOUTHEASTERLY | by Clara Drive, One Hundred Thirteen and 11/100 (113.121) feet;                         |
| SOUTHWESTERLY | by Lot 151 on a plan hereinafter mentioned, One Hundred Seven and 36/100 (107.36) feet; |
| NORTHWESTERLY | by Somerset Road, One Hundred Fifty-Nine and 91/100 (159.91) feet; and                  |
| NORTHEASTERLY | by Raceway Drive, on a curved line, One Hundred Fifty-Five and 43/100 (155.43) feet.    |

Said land is shown as Lot 152 on Plan numbered 28933-N, Sheet 2, drawn by Michael S. Bachman, Surveyors, dated June 25, 1984, and filed with Certificate of Title No. 11,480 at the Registry District of Nantucket County.

Said land is subject to reservations made by Three M. Realty Trust as set forth in Document No. 31056 in said Registry.

Said land is subject to provisions of a right of way easement dated October 20, 1981, registered as Document No. 24996.

Said land is subject to a Covenant dated October 18, 1984, registered as Document No. 31022 as affected by Agreement dated April 22, 1985, Document No. 32476.

Property Address: 1 Clara Drive, Nantucket, MA 02554

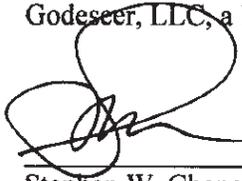
Said land is subject to provisions of Deed Restrictions set forth in Certificate of Title No. 11,480 in said Registry.

**For Grantor's Title, see deed dated June 16, 2015 and filed in the Nantucket County District Land Court on Certificate of Title Number 25,652 as Document No. 148314.**

The grantor hereby certifies that it has not elected to be treated as a corporation for federal tax purposes for the current taxable year.

Executed as a sealed instrument this 26<sup>th</sup> day of October, 2015.

Godeseer, LLC, a Massachusetts Limited Liability Company



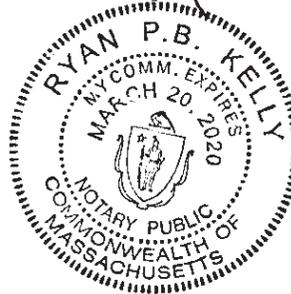
Stephen W. Cheney, it's Manager

Commonwealth of Massachusetts

Nantucket, ss.

On October 26, 2015, before me, the undersigned notary public, personally appeared Stephen W. Cheney, the above-named and proved to me through satisfactory evidence of identification being MA Drivers License, to be the person whose name is signed on this document, and acknowledged to me that he/she signed it voluntarily for its stated purpose and that the foregoing instrument is his/her free act and deed, as Manager and Authorized Signatory of Godeseer, LLC, a Massachusetts Limited Liability Company.

  
Notary Public: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_



NANTUCKET LAND BANK CERTIFICATE	
<input type="checkbox"/> Paid \$	_____
<input checked="" type="checkbox"/> Exempt <u>\$</u>	_____
<input type="checkbox"/> Non-applicable	_____
No. <u>36870</u>	Date <u>10/30/15</u>
Authorization <u>SA</u>	_____

DOC No: 00149778

NANTUCKET COUNTY LAND COURT  
REGISTRY DISTRICT

\*\* RECEIVED FOR REGISTRATION \*\*

On: Oct 30, 2015 at 01:49P

Document Fee: 125.00 Rec Total: \$375.00

CERTIFICATE No: 25851

Also noted on CERT 25652

COVENANT

NOV 20 1984

Plan 28933-A Lots 122 thru 152  
(Examined as to description only)  
R.C. Collette, Deputy Engineer

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, the undersigned have submitted an application dated June 25, 1984, to the Planning Board of the Town of Nantucket, bearing File No. 2676, for approval of a plan of subdivision land entitled SOMERSET FARM III and being a subdivision of Lot 2 on Land Court Plan No. 28933-A and being situated on Somerset Road, Nantucket, Massachusetts, and has requested the Planning Board to approve such plan, without requiring any performance bond;

NOW, THEREFORE, WITH THIS AGREEMENT, in consideration of the approval of said plan by the Nantucket Planning Board, without requiring a performance bond, and in consideration of ONE (\$1.00) DOLLARS in hand paid, receipt being acknowledged, the undersigned covenants and agrees with the Town of Nantucket as follows:

1. The undersigned will not further subdivide the said lots in the subdivision or place any permanent building or dwelling unit on any lot until the construction of ways and municipal services necessary to serve adequately such lots have been completed, and the said land shall comply with the rules and regulations of the Nantucket Planning Board which are in effect as of January 28, 1982, except for the enumerated regulations set forth on Exhibit A, attached hereto, which the Planning Board agrees to waive or alter as specified thereon.

2. The Planning Board agrees to release any twenty-one (21) lots to the Applicants prior to the completion of the required improvements.

3. This Agreement shall be binding upon the executors, administrators, devisees, heirs, successors, and assigns of the undersigned.

It is the intention of the undersigned, and it is hereby understood and agreed, that this contract shall constitute a covenant running with the land included in the aforesaid subdivision and shall operate as restrictions upon said land.

It is understood and agreed that lots within the subdivision shall, respectively, be released from the foregoing conditions upon the recording of a Certificate of Performance by a majority of said Planning Board and enumerating the specific lots to be so released.

4. The undersigned represent and covenant that undersigned are the owners in fee simple of all the land included in the aforesaid subdivision and that the only mortgage of record is held by Ralph P. Marble and Sylvia F. Marble, Parties hereto.

IN WITNESS WHEREOF the undersigned do herto set their hands and seals this 18<sup>th</sup> day of October, 1984.

MORTGAGEES:

Ralph P. Marble  
Ralph P. Marble

Sylvia F. Marble  
Sylvia F. Marble

3M REALTY TRUST

Glenn A. Menard  
Glenn A. Menard

John B. McElderry, Jr.  
John B. McElderry, Jr.

Robert F. Mooney  
Robert F. Mooney

COMMONWEALTH OF MASSACHUSETTS

Nantucket, s.s.

October 18, 1984

Then personally appeared Robert F. Mooney and acknowledged the foregoing to be his free act and deed, before me,

Elishah D. Metcalf  
Notary Public

My Commission Expires:



3M REALTY TRUST

DEED RESTRICTIONS

We, Glenn A. Menard, John B. McElderry, Jr., and Robert F. Mooney, Trustees of 3M REALTY TRUST, u/d/t registered as Land Court Document No. \_\_\_\_\_ filed with Certificate of Title No. \_\_\_\_\_ at the Nantucket Registry District, hereby impose the following Restrictions upon the land shown as Lots 123 through 152, inclusive, on Land Court Plan No. 28933- N at said Registry, as follows:

1. Each of said lots shall not be further subdivided but shall hereafter be conveyed as one lot only. This shall not prohibit boundary adjustments between abutting lots so long as no new buildable lot is thereby created.
2. Each of said lots shall hereafter be limited to one dwelling per lot with attached garage.
3. Lots 148 through 152 shall front and have driveway access only on the interior roads, and shall not have vehicular access to Somerset Road.
4. These restrictions shall be enforceable by the Town of Nantucket.

These provisions shall run with the land and be binding upon the Grantors, their heirs, successors, and assigns.

WITNESS our hands and seals this 16<sup>th</sup> day of October, 1984.

3M REALTY TRUST

BY Glenn A. Menard  
John B. McElderry, Jr.  
Robert F. Mooney  
TRUSTEES

COMMONWEALTH OF MASSACHUSETTS

Nantucket, s.s.

October 16, 1984

Then personally appeared Robert F. Mooney and acknowledged the foregoing to be the free act and deed of 3M Realty Trust, before me,

Elizabeth D. McElderry  
Notary Public

My Commission Expires: 11/12/88

## EXHIBIT A

Itemized list of improvements to be waived or modified.

The land on the accompanying plan for 3M REALTY TRUST of "Somerset Farm III" shall comply with the rules and regulations of the Nantucket Planning Board which were in effect on June 25, 1984, except for the following enumerated regulations, which the Planning Board agrees to waive or modify:

- (3.11) Reverse Lot Frontage - Houses and their driveways on Lots 148 through 152 shall front on the proposed interior roads, and all such lots shall have driveways leading to the interior roads and not Somerset Road.
- (4.01) Monuments - Monuments shall be placed at all changes of directions of roads and lots prior to the release of the last six (6) lots.
- (4.02) Streets - ~~The interior roads shown on the plan shall have a travelled~~ width of 20 feet constructed to asphalt specifications with a native or blue chip stone seal rolled on by a method that assured proper bonding and at a rate sufficient to cover 100% of the proposed asphalt surface. The road shown as "Road B" may have a center line radius less than 200 feet.
- (4.05) Guard Rails - Waived.
- (4.06) Street Signs - One shall be erected at the entrance of each subdivision road.
- (4.07) Water Pipes and Related Equipment - Waived.
- (4.08) Dry Sewer Lines - Waived.
- (4.11) Shade Trees - Waived.
- (4.12) Fire Alarm Boxes - An emergency call box and pedestal shall be installed on-site in accordance with the Nantucket Fire Department requirements for underground fire alarm system.
- (4.13) Sidewalks - Waived.
- (4.14) Bicycle Paths - A six (6) foot wide bicycle path shall be constructed with three inches of asphalt paving over a 6 inch compacted sub-base, to extend from the end of the existing bikeway on Somerset Road, then along the east side of Road "A" within the right-of-way, then along the north side within the layout of Bartlett Road ending at the corner of property owned by Anne Cawley, et al, shown as parcel 68.2 on Tax Map 66, (see attached sketch for location).
- (4.15) Street Lights - One shall be installed at the Somerset Road entrance of the subdivision road.
- (4.16) Bridges - Waived.
- (4.17) Curbing - Granite or pre-cast concrete curbing shall be installed at all street roundings at the intersections.

ADDITIONAL PROVISIONS

1. A separate legal instrument shall be executed and registered to limit development of all lots in the subdivision, except Lot 122, to one dwelling per lot, with attached garage, and to restrict further subdivision of all lots, except Lot 122, and to restrict Lots 148 through 152 from direct driveway access to Somerset Road. These restrictions shall run with the land and be binding on the Grantors, their heirs, successors, and assigns.

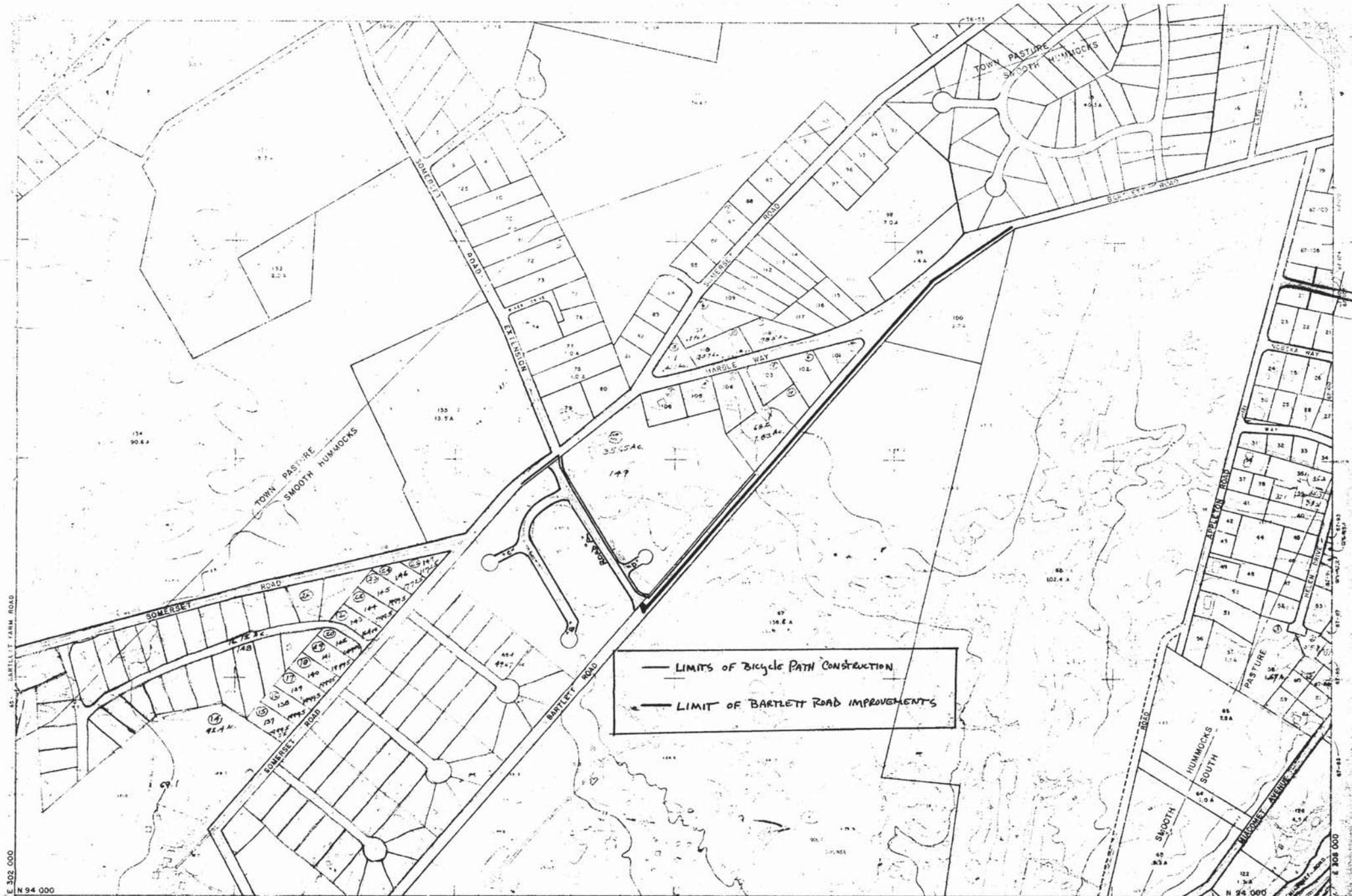
2. Bartlett Road shall be constructed to a twenty (20) foot width in accordance with the Planning Board's design requirements for asphalt roads, Section 4.02 (f), from the entrance to the proposed subdivision road to the property of Gilbert Burchell's, as indicated on the attached sketch. The travelled width shall be off-set within the layout of Bartlett Road in order to allow for suitable space between the edge of the travelled way and the edge of the right-of-way for the future construction of a bicycle path along the northern and northwestern boundaries of Bartlett Road. Engineering plan and profiles, detailed drawings, cross-sections and a drainage plan shall be submitted for the Board's review and money shall be filed with the Planning Board in an amount deemed sufficient by the Board to guarantee the completion of said plan and profiles prior to final endorsement of the subdivision plan.

3. The conveyance of the lots shown as Lots 123 through 152, inclusive, subject to the terms of this Covenant, by a single deed shall not be prohibited.

APPROVED this 22 day of October, 1984.

NANTUCKET PLANNING BOARD

BY Walter J. Barrett  
Charles J. Hurd  
John Bush  
Linda S. Hollen  
\_\_\_\_\_



REVISIONS

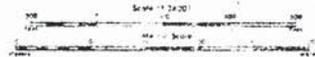
DATE	PARCEL	DAY	MO	YEAR	DATE	DESCRIPTION

INFORMATION SHOWN HEREON WAS COMPILED FROM AERIAL PHOTOGRAPHS, DEEDS AND PLANS OF RECORD AND IS NOT TO BE CONSIDERED AS HAVING SUFFICIENT ACCURACY FOR CONVEYANCE.

LEGEND

The Town and County of  
**NANTUCKET**  
 Massachusetts

**SCHOFIELD BROTHERS, INC.**  
 PROFESSIONAL ENGINEERS - REGISTERED LAND SURVEYORS  
 149 FEDERAL ST., NANTUCKET, MASS.



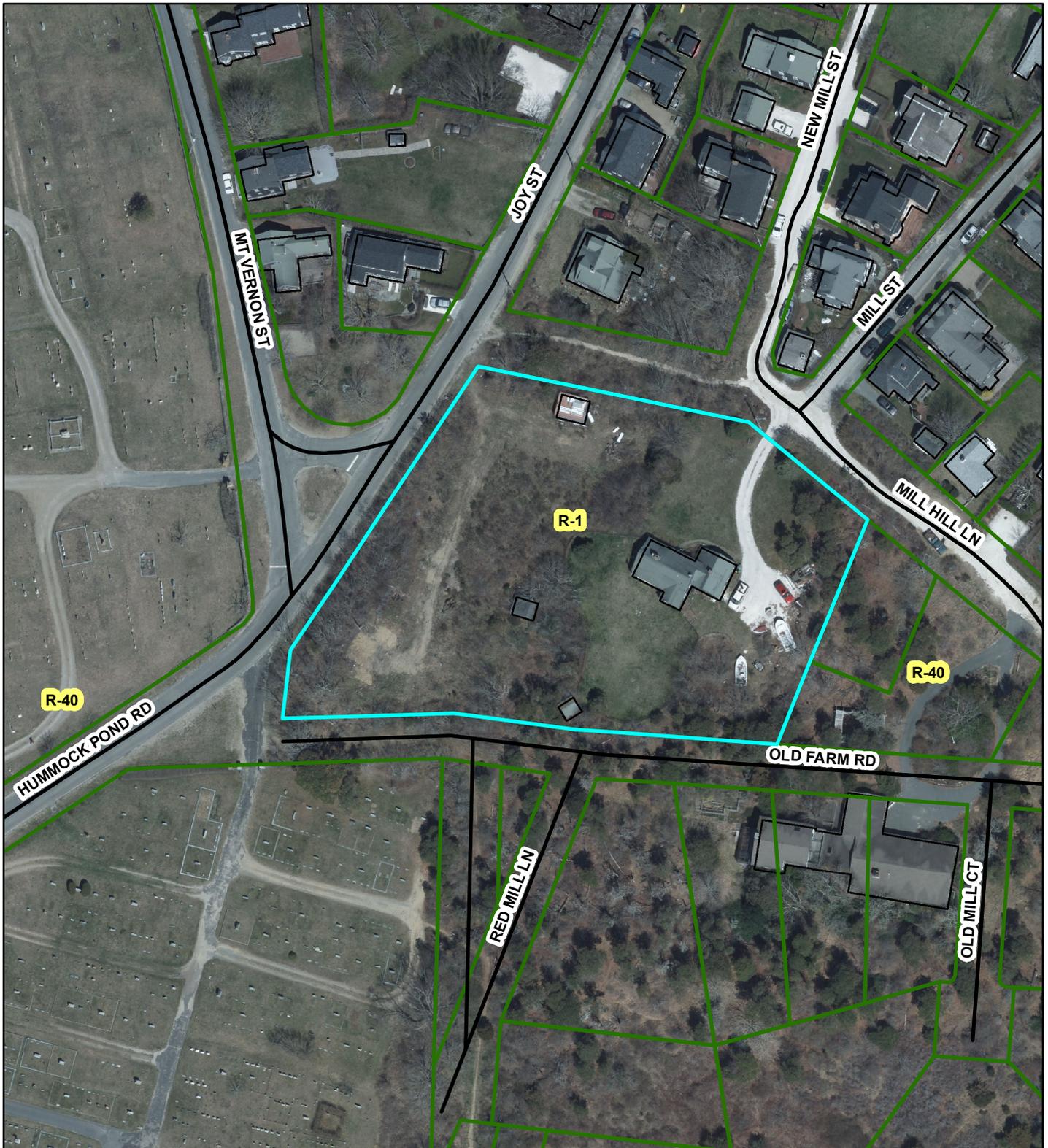


ANR #7939

Ernest E. Whelden & Larry B. Whelden; Trustees of Chicken Hill Nominee Trust

3 Mill Hill Lane

Map 55.4.4 Parcel 65



PLANNING BOARD



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

FILE # 7939

Nantucket Planning Board

FEB 26 2016 AM 8:26

Form A  
Application for Endorsement of a Plan Believed Not to Require Approval  
(ANR)

V11055  
RECEIVED  
MAR 01 2016

Date: FEB. 24, 2016 \*Name of Owner(s)/Applicant(s): ERNEST E. WHELDEN & LARRY B. WHELDEN, TRUSTEES OF CHICKEN HILL NOMINEE TRUST

\*Owner's/Applicant's address: P.O. BOX 454, NANTUCKET State: MA Zip Code: 02554

\*(include all names and addresses of the principals of the owner entity such as principal officer of corporation, trustees of the trust and partners of the partnership)

Location of Property (Street or Area): 3 MILL HILL LANE

Name of Registered Land Surveyor: ALAN M. GRADY, PLS., BRACKEN ENGINEERING, INC.  
Surveyor's address: 19 OLD SOUTH ROAD NANTUCKET, MA 02554

The owner's title to the land derived under deed from ERNEST E. WHELDEN, dated 6/30/1987 and recorded at the Nantucket Registry of Deeds as Land Court Certificate of Title No. 13132 and shown on Assessor's Map 55.4.4, Parcel 65.

To the Planning Board of the Town of Nantucket:

The undersigned wishes to record the accompanying plan and requests a determination and endorsement by said Board that approval by it under the Subdivision Control Law is not required. The undersigned believes that such approval is not required for the following reasons: (check all that apply)

- The accompanying plan is not a subdivision because it does not show a division of land (perimeter plan).
- The division of the tract of land shown on the accompanying plan is not a subdivision because every lot on the plan has frontage of at least such distance as is presently required by the *Nantucket Zoning By-Law* under Section 5 which requires 50 feet for erection of a building on such lot; and every lot shown on the plan has such frontage on:

A. a public way or a way which the City or Town Clerk certifies is maintained and used as a Public way, namely HUMMOCK POND ROAD & MILL HILL LANE; OR

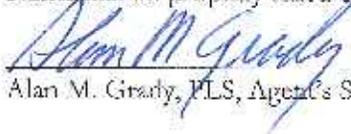
B. a way shown on a plan theretofore approved and endorsed in accordance with the Subdivision Control Law, namely \_\_\_\_\_ on \_\_\_\_\_ (date) and Subject to the following conditions \_\_\_\_\_; OR

C. a way in existence on \_\_\_\_\_ (date); the date when the Subdivision Control Law became effective in the Town of Nantucket, having in the opinion of the Planning Board, sufficient

width, suitable grades, and adequate construction to provide for the need to vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon, namely \_\_\_\_\_.

- The division of the tract of land shown on the accompanying plan is not a subdivision because it shows a proposed conveyance or other instrument, namely \_\_\_\_\_, which adds to, takes away from or changes the size and shape of lots in such a manner so that no lot affected is left without frontage as required by the *Nantucket Zoning By-Law* under Section 5, which requires \_\_\_\_\_ feet.
- The division of the tract of land shown on the accompanying plan is not a subdivision because two or more buildings, specifically \_\_\_\_\_ buildings were standing on the land prior to 1955, the date when the Subdivision Control Law went into effect in the Town of Nantucket, and one of such building remains standing on each of the lots; said buildings as shown and located on the accompanying plan. Evidence of the existence of such buildings prior to the effective date of the Subdivision Control Law is submitted as follows: \_\_\_\_\_
- Other reasons or comments: (see M.G.L., Chapter 41, Section 81-I)

I hereby certify that the applicant(s) listed above have been authorized by me to file a plan with the Planning Board of Nantucket on property that I own.

  
Alan M. Grady, PLS, Agent's Signature

Planning Board File # 7939

Endorsement Date: \_\_\_\_\_

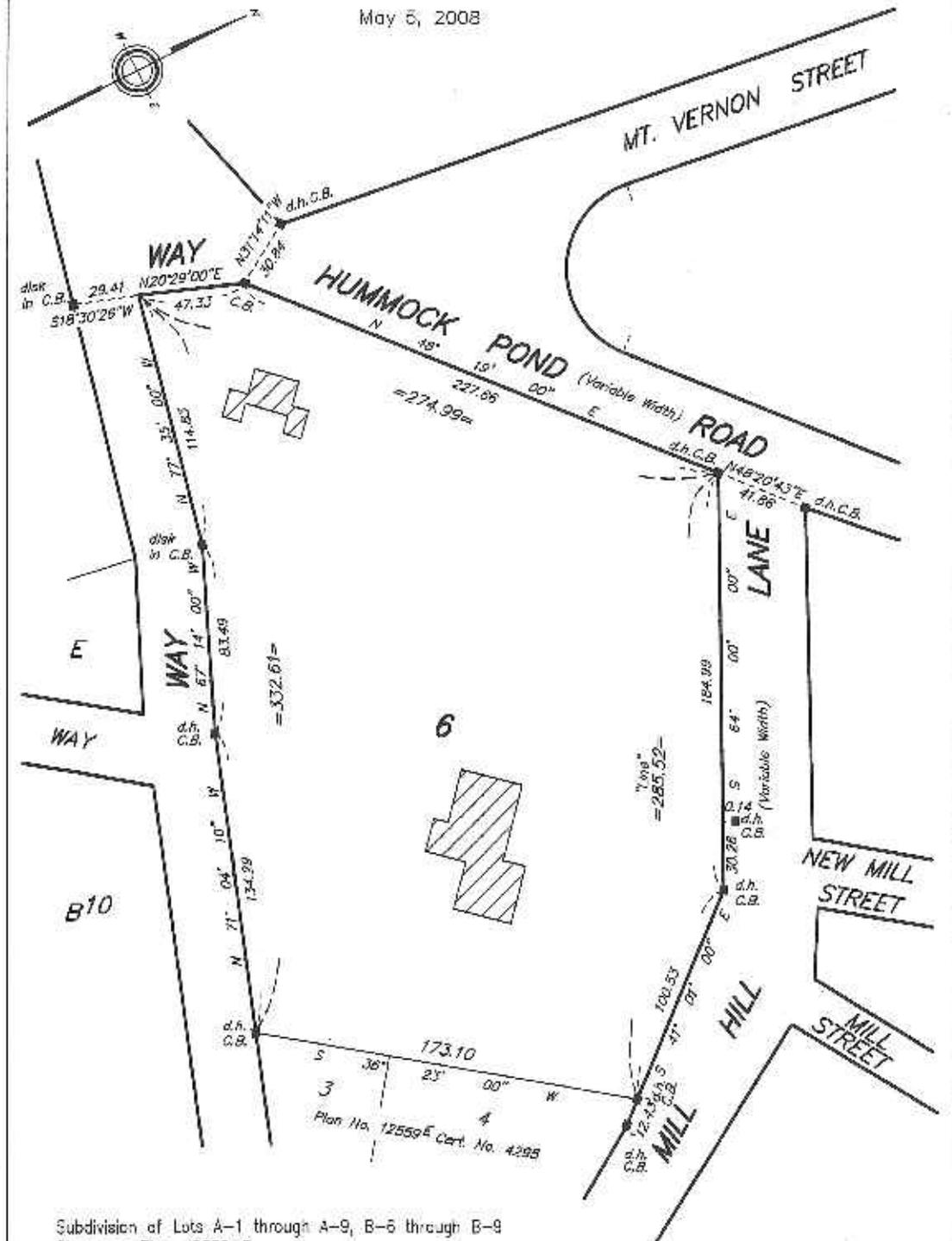


SUBDIVISION PLAN OF LAND IN NANTUCKET

Bracken Engineering, Inc., Surveyors

May 5, 2008

12559F



Subdivision of Lots A-1 through A-9, B-6 through B-9  
 Shown on Plan 12559-B  
 Filed with Cert. of Title No. 1493  
 Registry District of Nantucket County

Separate certificates of title may be issued for land  
 shown hereon as Lot 6  
 By the Court

Deborah J. Patterson  
 Recorder

JUNE 30, 2010

ABW-GBMP

Copy of part of plan  
 filed in  
**LAND REGISTRATION OFFICE**  
 SEPT. 30, 2008  
 Scale of this plan 50 feet to an inch  
 F.C. Postwood, Acting Engineer for Surveyors

FILED IN REGISTRY DISTRICT OF NANTUCKET COUNTY



ANR #7940  
Mid-Island Realty, LLC  
4B Marble Way  
Map 66 Parcel 102.1



PLANNING BOARD

FILE # 7940



Nantucket Planning Board

Form A
Application for Endorsement of a Plan Believed Not to Require Approval (ANR)

Date: FEB 29, 2016 \*Name of Owner(s)/Applicant(s): MID-ISLAND REALTY, LLC C/O AUPAX GROUP

\*Owner's/Applicant's address: 101 HUNTINGTON AVE, BOSTON State: MA Zip Code: 02199

\*(include all names and addresses of the principals of the owner entity such as principal officer of corporation, trustees of the trust and partners of the partnership)

Location of Property (Street or Area): AB MARBLE WAY

Name of Registered Land Surveyor: EARLE + SULLIVAN, INC. Surveyor's address: 6 YOUNG'S WAY, NANTUCKET, MA. 02554

The owner's title to the land derived under deed from BARTLETT RD. REALTY, LLC, date FEB 22, 2012 And recorded in Nantucket Registry of Deed, Book Page or Land Court Certificate of Title # 24164, registered in Nantucket District Book Page and shown on Assessor's Map# 66, Parcel # 107.1 To the Planning Board of the Town of Nantucket:

The undersigned wishes to record the accompanying plan and requests a determination and endorsement by said Board that approval by it under the Subdivision Control Law is not required. The undersigned believes that such approval is not required for the following reasons: (check all that apply)

- The accompanying plan is not a subdivision because it does not show a division of land (perimeter plan).
The division of the tract of land shown on the accompanying plan is not a subdivision because every lot on the plan has frontage of at least such distance as is presently required by the Nantucket Zoning By-Law under Section 5 which requires feet for erection of a building on such lot; and every lot shown on the plan has such frontage on:

A. a public way or a way which the City or Town Clerk certifies is maintained and used as a Public way, namely; OR

B. a way shown on a plan theretofore approved and endorsed in accordance with the Subdivision Control Law, namely on (date) and Subject to the following conditions; OR

C. a way in existence on (date); the date when the Subdivision Control Law became effective in the Town of Nantucket, having in the opinion of the Planning Board, sufficient

width, suitable grades, and adequate construction to provide for the need to vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon, namely

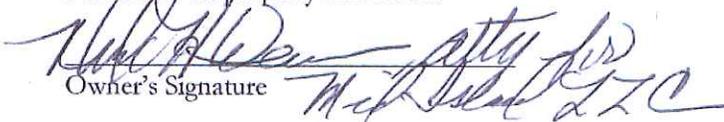
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- The division of the tract of land shown on the accompanying plan is not a subdivision because it shows a proposed conveyance or other instrument, namely \_\_\_\_\_, which adds to, takes away from or changes the size and shape of lots in such a manner so that no lot affected is left without frontage as required by the *Nantucket Zoning By-Law* under Section 5, which requires \_\_\_\_\_ feet.
  - The division of the tract of land shown on the accompanying plan is not a subdivision because two or more buildings, specifically \_\_\_\_\_ buildings were standing on the land prior to 1955, the date when the Subdivision Control Law went into effect in the Town of Nantucket, and one of such building remains standing on each of the lots; said buildings as shown and located on the accompanying plan. Evidence of the existence of such buildings prior to the effective date of the Subdivision Control Law is submitted as follows: \_\_\_\_\_
- 

- Other reasons or comments: (see M.G.L., Chapter 41, Section 81-L)
- 
- 

I hereby certify that the applicant(s) listed above have been authorized by me to file a plan with the Planning Board of Nantucket on property that I own.

Owner's Signature



*Michael J. DeLoe*

Planning Board File # 7940

Endorsement Date: \_\_\_\_\_

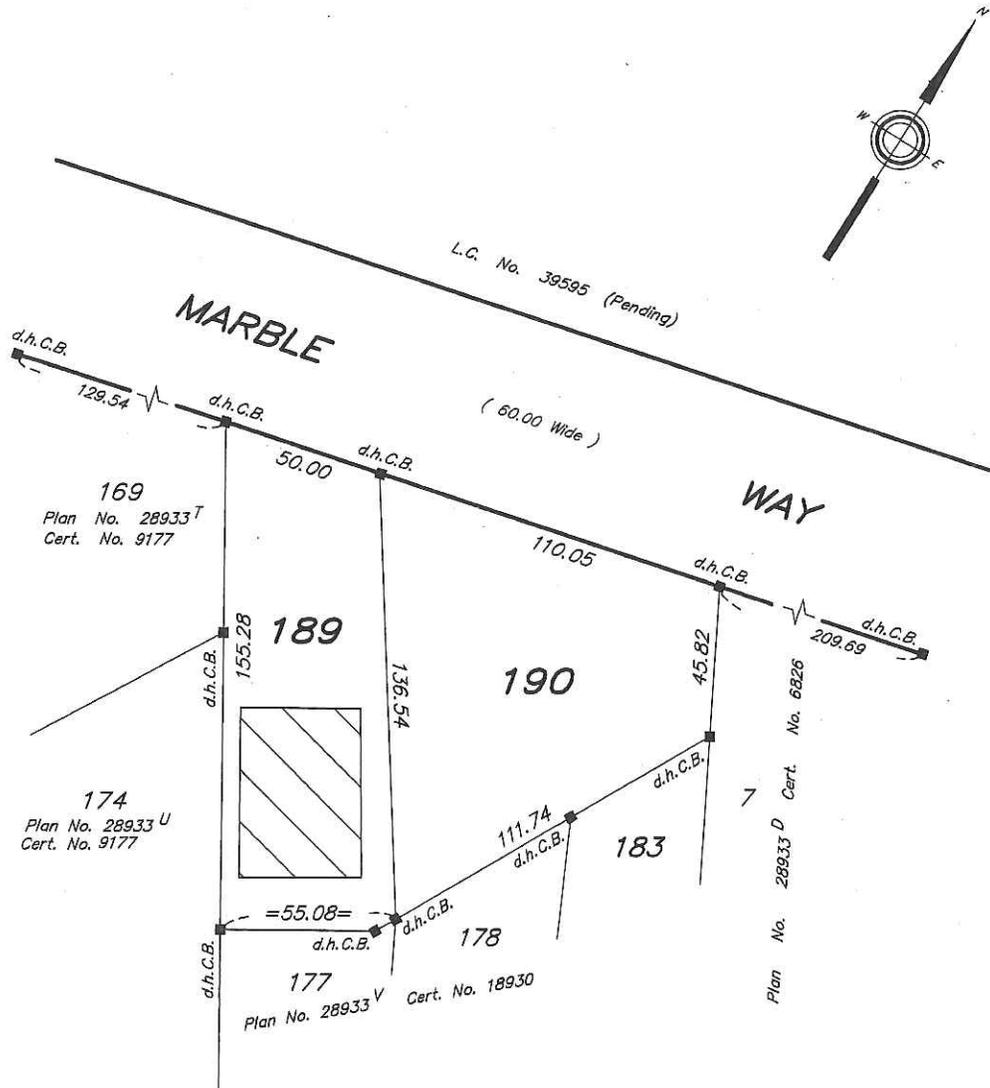


SUBDIVISION PLAN OF LAND IN NANTUCKET

Nantucket Surveyors LLC, Surveyors

May 15, 2006

28933-1



THIS PLAN FILED WITH CERTIFICATE NO 22143

Subdivision of Lot 184  
 Shown on Plan 28933-X  
 Filed with Cert. of Title No. 18930  
 Registry District of Nantucket County

Separate certificates of title may be issued for land  
 shown hereon as Lots 189 and 190  
 By the Court.

*Deborah J. Patterson*  
 Recorder

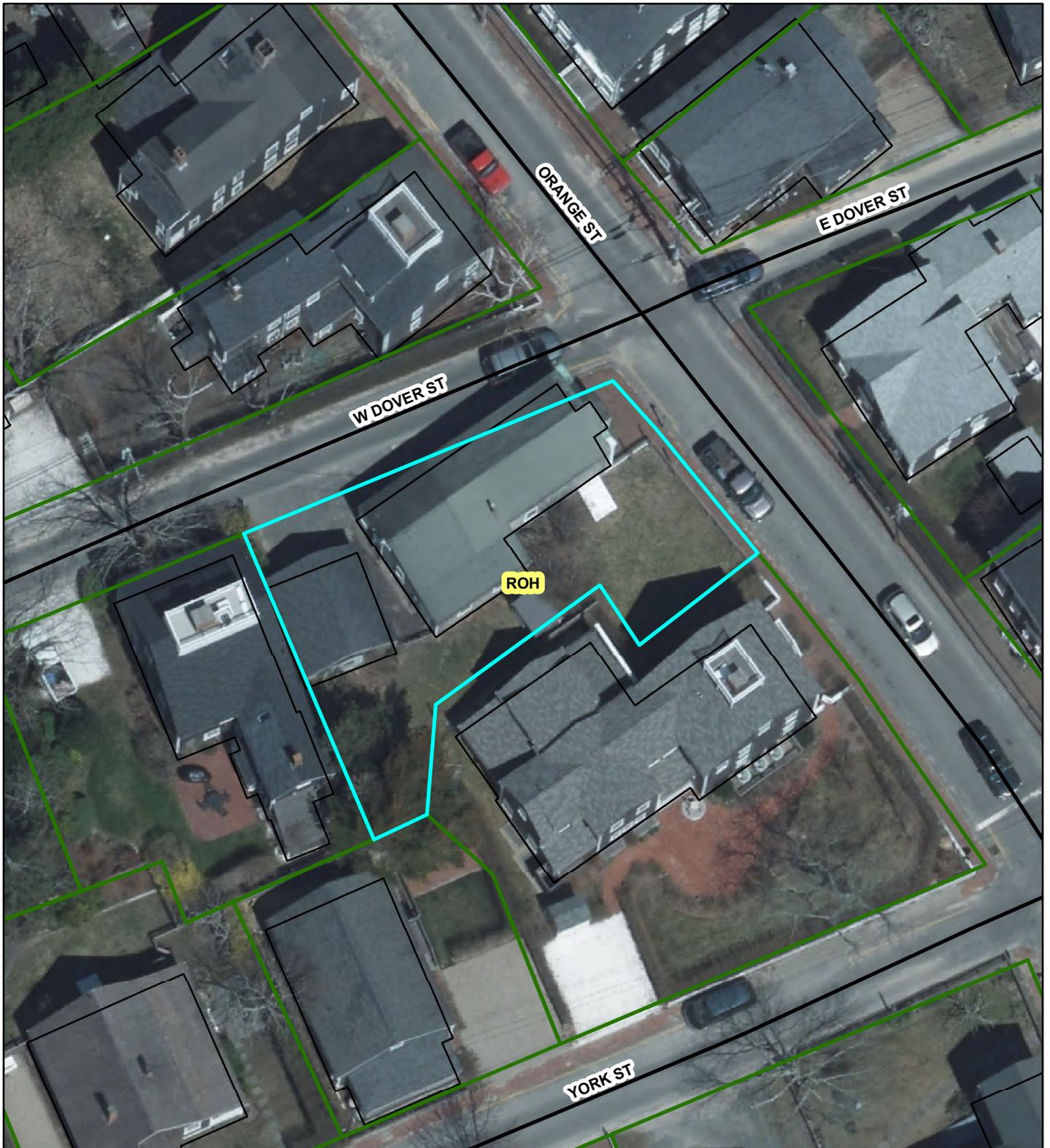
January 22, 2007

ST-07NG

Copy of part of plan  
 filed in  
**LAND REGISTRATION OFFICE**  
 Jan. 22, 2007  
 Scale of this plan 40 feet to an inch  
 G.T. Capellanis, Engineer for Court '531



ANR #7941  
79 Orange LLC  
79 Orange Street  
Map 55.4.1 Parcel 89.1





MAR 2 2016 AM 9:17

TOWN CLERK  
Town & County Building  
16 Broad St  
Nantucket, MA 02554

# PLANNING BOARD Nantucket Planning Board

FILE # 7941

## Form A Application for Endorsement of a Plan Believed Not to Require Approval (ANR)

Date: February 29, 2016 \*Name of Owner(s)/Applicant(s): 79 Orange LLC

\*Owner's/Applicant's address: 50 Cliff Road  
State: MA Zip Code: 02554

\*(include all names and addresses of the principals of the owner entity such as principal officer of corporation, trustees of the trust and partners of the partnership)

Location of Property (Street or Area): 79 Orange Street

Name of Registered Land Surveyor: Blackwell & Associates, Inc.  
Surveyor's address: 20 Teasdale Circle, Nantucket, MA. 02554

The owner's title to the land derived under deed from The Ramos Real Estate Trust, date July 29, 2014  
And recorded in Nantucket Registry of Deed, Book 1444 Page 75 or Land Court Certificate of  
Title # \_\_\_\_\_, registered in Nantucket District Book \_\_\_\_\_, Page \_\_\_\_\_ and shown on  
Assessor's Map# 55.4.1, Parcel # 89.1.  
To the Planning Board of the Town of Nantucket:

The undersigned wishes to record the accompanying plan and requests a determination and endorsement by said Board that approval by it under the Subdivision Control Law is not required. The undersigned believes that such approval is not required for the following reasons: (check all that apply)

- The accompanying plan is not a subdivision because it does not show a division of land (perimeter plan).
- The division of the tract of land shown on the accompanying plan is not a subdivision because every lot on the plan has frontage of at least such distance as is presently required by the *Nantucket Zoning By-Law* under Section 5 which requires \_\_\_\_\_ feet for erection of a building on such lot; and every lot shown on the plan has such frontage on:

**A.** a public way or a way which the City or Town Clerk certifies is maintained and used as a Public way, namely \_\_\_\_\_; **OR**

**B.** a way shown on a plan theretofore approved and endorsed in accordance with the Subdivision Control Law, namely \_\_\_\_\_ on \_\_\_\_\_ (date) and Subject to the following conditions \_\_\_\_\_; **OR**

**C.** a way in existence on \_\_\_\_\_ (date); the date when the Subdivision Control Law became effective in the Town of Nantucket, having in the opinion of the Planning Board, sufficient

width, suitable grades, and adequate construction to provide for the need to vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon, namely

---

- The division of the tract of land shown on the accompanying plan is not a subdivision because it shows a proposed conveyance or other instrument, namely \_\_\_\_\_, which adds to, takes away from or changes the size and shape of lots in such a manner so that no lot affected is left without frontage as required by the *Nantucket Zoning By-Law* under Section 5, which requires \_\_\_\_\_ feet.
  - \* The division of the tract of land shown on the accompanying plan is not a subdivision because two or more buildings, specifically DWELLING + GARAGE buildings were standing on the land prior to 1955, the date when the Subdivision Control Law went into effect in the Town of Nantucket, and one of such building remains standing on each of the lots; said buildings as shown and located on the accompanying plan. Evidence of the existence of such buildings prior to the effective date of the Subdivision Control Law is submitted as follows: 1955 TAX RECORDS AND AERIAL PHOTO
- 

- Other reasons or comments: (see M.G.L., Chapter 41, Section 81-I)
- 
- 

I hereby certify that the applicant(s) listed above have been authorized by me to file a plan with the Planning Board of Nantucket on property that I own.

Shela C. Fee  
Owner's Signature

Planning Board File # 7941

Endorsement Date: \_\_\_\_\_



Nantucket, Mass.

NAME OF CITY OR TOWN

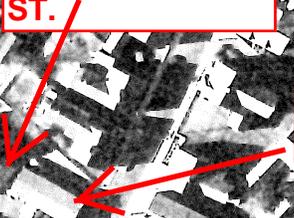
19 55 REAL ESTATE VALUATION LIST

Form 201

Line No.	NAME AND ADDRESS OF PERSONS ANSWERING AND DESCRIPTION OF PARCEL	LAND Exclusive of Buildings		BUILDINGS Exclusive of Land		TOTAL VALUEN of each Parcel	TAX	
		AREA	VALUE	DESCRIPTION	VALUE			
1	QUIGLEY, Oscar E. & Angie C., Wesco Place West Chester Street Surfside Road, South Portion Sh. 21, East portion Sh. 17, S. H.	4,875	150	Dwelling	3,500	3,650.	146 00	146.00
		5.8	160			160.	6 40	6.40
2	QUINN, Thomas A. New Lane	9,000	300	Dwelling	2,000	2,300.	92 00	92.00
3	RAMOS, Edmond J., Lot 2 & 6, off Sankaty Ave.	16,340	200			200.	8 00	8.00
4	RAMOS, Joaquin M. Lots 4 & 11, off Sankaty Ave.	17,840	250			250.	10 00	10.00
5	RAMOS, Joaquin M. & Alice M. Orange Street Orange Street " rear Orange & Dover Sts. Hulbert Street	10,410	1,550	Dwelling	3,000	7,630	305 20	305.20
		3,000	280	Store	1,400			
				Shop	1,000			
		4,890	750	2-car Garage Dwelling	2,400 150	3,300	132 00	132.00
6		10,500	1,050	Garage Dwelling	150 5,500	6,550.	262 00	262.00
7	RAMSDELL, Ellen L., Centre Street Centre Street	3,975	800	Dwelling Shop	1,900 300	3,000.	120 00	120.00
8	RAMSDELL, Frank W., West Chester Street Lot B-2, Pl. 15400 A-2, Madaket Lot A, Pl. 16956A, Madaket Lot C, Pl. 16956A	5,350	200			200.	8 00	8.00
		4 ac.	200	Dwelling	1,800	2,000.	80 00	80.00
		6 ac.	300	Dwelling Garage	1,500 150	1,950.	78 00	78.00
9	Lot B, Pl. 16956A, Madaket	3 ac.	150	Building	40	190.	7 60	7.60
10	RAMSDELL, Frank W. & Estella W. West Chester St. " "	6,000 5,600	300 300	Dwelling Garage	3,500 400	3,800. 700.	152 00 28 00	152.00 28.00

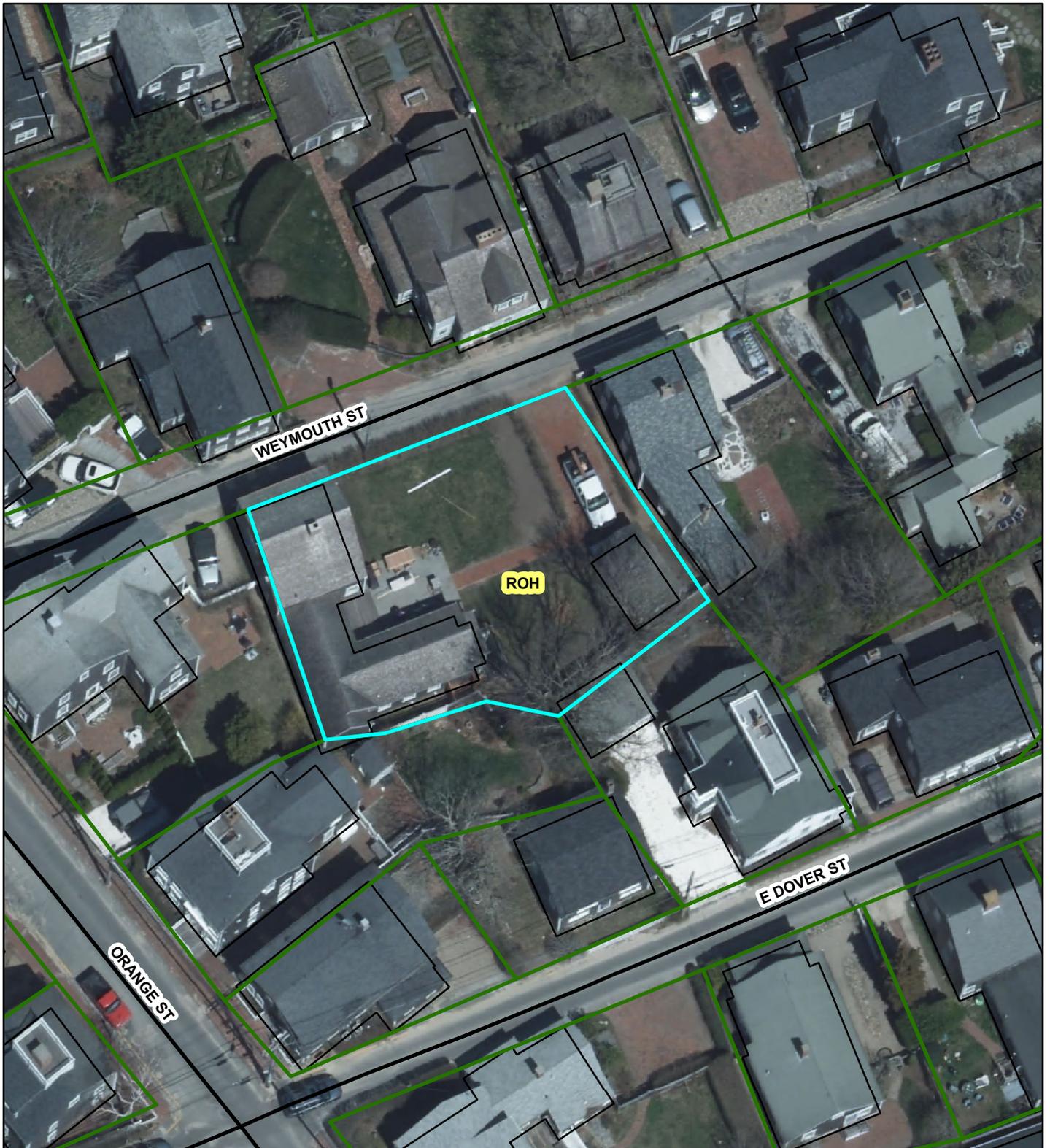
**BACK GARAGE  
@ 79 ORANGE  
ST.**

**79 ORANGE STREET  
DWELLING**





ANR #7942  
John & Susan Shephard  
10 Weymouth Street  
Map 55.4.1 Parcel 85



PLANNING BOARD

FILE # 7942



Nantucket Planning Board

Form A
Application for Endorsement of a Plan Believed Not to Require Approval (ANR)

Date: FEB 29, 2016 \*Name of Owner(s)/Applicant(s): JOHN R. & SUSAN D. SHEPHERD

\*Owner's/Applicant's address: 10 WEYMOUTH ST NANTUCKET, MA 02554
State: Zip Code:

\*(include all names and addresses of the principals of the owner entity such as principal officer of corporation, trustees of the trust and partners of the partnership)

Location of Property (Street or Area): #10 WEYMOUTH ST.

Name of Registered Land Surveyor:
Surveyor's address: EARLE & SULLIVAN, INC @ YOUNG'S WAY, NANTUCKET MA 02554

The owner's title to the land derived under deed from SUSAN J. SHEPHERD, date NOV. 29, 2012
And recorded in Nantucket Registry of Deed, Book 1355 Page 300 or Land Court Certificate of Title #
registered in Nantucket District Book, Page and shown on Assessor's Map# 55.4.1, Parcel # 85
To the Planning Board of the Town of Nantucket:

The undersigned wishes to record the accompanying plan and requests a determination and endorsement by said Board that approval by it under the Subdivision Control Law is not required. The undersigned believes that such approval is not required for the following reasons: (check all that apply)

- The accompanying plan is not a subdivision because it does not show a division of land (perimeter plan).
The division of the tract of land shown on the accompanying plan is not a subdivision because every lot on the plan has frontage of at least such distance as is presently required by the Nantucket Zoning By-Law under Section 5 which requires feet for erection of a building on such lot; and every lot shown on the plan has such frontage on:

A. a public way or a way which the City or Town Clerk certifies is maintained and used as a Public way, namely; OR

B. a way shown on a plan theretofore approved and endorsed in accordance with the Subdivision Control Law, namely on (date) and Subject to the following conditions; OR

C. a way in existence on (date); the date when the Subdivision Control Law became effective in the Town of Nantucket, having in the opinion of the Planning Board, sufficient

width, suitable grades, and adequate construction to provide for the need to vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon, namely

- The division of the tract of land shown on the accompanying plan is not a subdivision because it shows a proposed conveyance or other instrument, namely \_\_\_\_\_, which adds to, takes away from or changes the size and shape of lots in such a manner so that no lot affected is left without frontage as required by the *Nantucket Zoning By-Law* under Section 5, which requires \_\_\_\_\_ feet.

- ② The division of the tract of land shown on the accompanying plan is not a subdivision because two or more buildings, specifically ~~DWELLING STORAGE~~ buildings were standing on the land prior to 1955, the date when the Subdivision Control Law went into effect in the Town of Nantucket, and one of such building remains standing on each of the lots; said buildings as shown and located on the accompanying plan. Evidence of the existence of such buildings prior to the effective date of the Subdivision Control Law is submitted as follows: 1954 & 1955 ASSESSORS RECORDS AND 1951 AERIAL PHOTO FROM NHA COLLECTION

- Other reasons or comments: (see M.G.L., Chapter 41, Section 81-L)

I hereby certify that the applicant(s) listed above have been authorized by me to file a plan with the Planning Board of Nantucket on property that I own.

JOHN R. SHERMAN by ATTY. DAVID AUTHORIZED  
Owner's Signature

Planning Board File # 7942

Endorsement Date: \_\_\_\_\_



10-9-51-J-4783





We, JOHN O. FOX and ESTHER B. FOX, husband and wife, as tenants by the entirety,  
of Clinton, *in*ida County, New York,

being ~~married~~, for consideration paid, grant to  
~~xxxxx HOWARD xxx CORBIN xxx~~ NATALIE R. CORBIN a/k/a LAETITIA NATALIE CORBIN,  
of Huntington, County, West Virginia with quitclaim covenants  
the land in Nantucket, Nantucket County, Massachusetts, known and numbered  
as 10 Weymouth Street, with ~~xxxxxxxxxxxxxxxxxxxx~~ all buildings thereon, being  
more particularly bounded and described as follows:

- NORTHERLY by Weymouth Street;
- EASTERLY by land of Sarah J. Glidden, formerly of John R. Raymond;
- SOUTHERLY by land of Clarence Swift et ux and by land formerly of Edmund Z. Ryder; and
- WESTERLY by land of Mattie Barrett.

Said premises are conveyed subject to a mortgage to the Nantucket Institution for Savings, recorded in Nantucket Deeds, Book 118, page 133, and to a mortgage to the Island Service Co., recorded in Nantucket Deeds, Book 116, Page 426; both of which the grantees assume and agree to pay.

For our title see deed from Charlotte C. Harris et al dated March 14, 1955, recorded with Nantucket Deed, Book 115, Page 425.



tenancy by the entirety and other interests therein.

Witness our hands and seals this 20th day of October 1960

*John O. Fox*  
*Esther B. Fox*

THE STATE OF NEW YORK

~~CLINTON COUNTY NEW YORK~~  
County of *Clinton*

Then personally appeared the above named

*John O. Fox and Esther B. Fox*

and acknowledged the foregoing instrument to be their free act and deed, before me

*Frank N. Walker*  
Notary Public - Justice of the Peace

My commission expires 1961

November 4, 1960

Received and Entered

2 h. 42 m. P. M.

ATTEST:

*Frank J. [Signature]*

Register

NANTUCKET REGISTRY OF DEEDS Vol. 115

NL 63344

This conveyance shall include all furnaces, heaters, oil burners and tanks, gas heating appliances, stoves gas and electric fixtures, storm winosws and storm doors, screens, screen doors, awnings and all other fixtures of whatever kind and nature at present contained in said buildings and hereafter placed there- in prior to the full payment and discharge of this mortgage.

We also agree that in case so much of the grantee's deposits as is invested in loans secured by mortgages on taxable real estate shall not be exempt from a State tax, we will on demand pay the said grantee the same percentage on the debt secured hereby as it shall from time to time be required to pay as such State tax; that if the debt secured hereby shall not be paid when due, the holder hereof shall be entitled to thirty days' notice in writing beforepayment unless foreclosure proceedings have been begun; that in case any default in the condition of this mortgage shall exist for more than thirty days the entire mortgage debt shall become due at the option of the holder hereof; that in case of a foreclosure sale the holder hereof shall be entitled to retain one per cent. of the purchase money in addition to the costs, charges and expenses allowed under the Statutory Power of Sale; and in case proceedings to foreclose have been begun, the holder of this mortgage shall be entitled to collect all costs, charges and expenses up to time of payment; that we will keep the buildings now or hereafter standing on the granted premises insured against fire (and against other casualties and contingencies when required by the holder hereof) in the sum or sums satisfactory from time to time to the holder of this mortgage; that all insurance on said buildings shall be for the benefit of, deposited with and made first payable incase of loss to such holder.

This mortgage is upon the statutory condition, for any breach of which the mortgagor shall have the statutory power of sale.

WITNESS our hands and seal this 14th day of March 1955.

Edmund T. Pollard  
Gilda C. Pollard

THE COMMONWEALTH OF MASSACHUSETTS, Nantucket, ss. March 14th, 1955. Then personally appeared the above named Edmund T. Pollard and acknowledged the foregoing instrument to be his free act and deed, before me Roy E. Sanguinetti, Notary Public, My commission expires Nov. 3rd. 1955.

Mar. 14, 1955.

Received and entered  
*Joseph W. Bennett*

10 h. 32 m. A. M.  
Register

Attest:

AHA 707

We, Charlotte C. Harris, married to Lester S. Harris; Martin J. Foley married to Eleanor M. Foley; and Eleanor M. Foley married to Martin J. Foley; and Dorothy Proctor, Married to Linwood Proctor, of Nantucket, Nantucket County Massachusetts, for consideration paid grant to John O. Fox and Ester B. Fox, husband and wife as tenants by the entirety, of said Nantucket with QUITCLAIM COVENANTS.

Foley  
to

All of our respective undivided right, title and interests in and to the following parcel of real estate together with the dwelling house and all buildings thereon, located on Weymouth Street, bounded and described as follows: Northerly by Weymouth Street; Easterly by land of Sarah J. Glidden, formerly of John R. Raymond; Southerly by land of Clarence Swift et ux and byland formerly of Edmund Z. Ryder; and Westerly by land of Hattie Barrett.

Fox

For our titles see the following probates, all in Nantucket Probate Court: Arthur C. Manter, Florence E. Foley and Addie C. Manter.

Lester S. Harris, Linwood Proctor, Martin J. Foley and Eleanor M. Foley husbands and wife of said grantors, release to said grantee all rights of tenancy by the curtesy and dower and homestead and other interests therein.

NANTUCKET REGISTRY OF DEEDS VOL. 115

WITNESS our hands and seal this 14th day of March 1955.

Lester S. Harris  
Linwood E. Proctor  
Martin J. Foley

Eleanor M. Foley  
Charlotte Harris  
Dorothy Proctor

U. S. INT. REV. Stamps \$5.150 Cancelled. MASS. DEED EXCISE Stamps \$5.95 Can.

THE COMMONWEALTH OF MASSACHUSETTS Nantucket, ss. March 14th, 1955.  
Then personally appeared the above named Martin J. Foley and acknowledged the foregoing instrument to be his free act and deed, before me, Roy E. Sanguinetti, Notary Public, My commission expires N.v. 3rd. 1955.

Mar. 14, 1955.

Received and entered

11 h. & M.

Attest:

*John J. Gault*

Register.

Fox

We, John O. Fox and Esther B. Fox, husband and wife, of Nantucket, Nantucket County, Massachusetts, for consideration paid, grant to Nantucket Institution for Savings, a banking corporation duly organized under the laws of the Commonwealth of Massachusetts and having its usual place of business in said Nantucket, with MORTGAGE COVENANTS, to secure the payment of Thirty-five hundred (\$3,500.) Dollars payable as provided in our note of even date, the land in said Nantucket, together with the dwelling house and all buildings thereon, located on Weymouth Street, bounded and described as follows:  
Northerly by Weymouth Street; Easterly by land of Sarah J. Glidden, formerly of John H. Raymond; Southerly; by land of Clarence Swift et ux and by land formerly of Edmund Z. Ryder; and Westerly by land of Hattie Barrett.  
For our title see deed of Charlotte C. Harris et al recorded herewith.

to

Nant. Inst.  
for Savings

See Exhibits  
Book 115  
Page 528

This conveyance shall include all furnaces, heaters, oil burners and tanks, gas heating appliances, stoves, gas and electric fixtures, storm windows and storm doors, screens, screen doors, awnings and all other fixtures of whatever kind and nature at present contained in said buildings and hereafter placed therein prior to the full payment and discharge of this mortgage.

We also agree that in case so much of the grantee's deposits as is invested in loans secured by mortgages on taxable real estate shall not be exempt from a State tax, we will on demand pay the said grantee the same percentage on the debt secured hereby as it shall from time to time be required to pay as such State tax; that if the debt secured hereby shall not be paid when due, the holder hereof shall be entitled to thirty days' notice in writing before payment unless foreclosure proceedings have been begun; that in case any default in the condition of this mortgage shall exist for more than thirty days the entire mortgage debt shall become due at the option of the holder hereof; that in case of a foreclosure sale the holder hereof shall be entitled to retain one per cent. of the purchase money in addition to the costs, charges and expenses allowed under the Statutory Power of sale; and in case proceedings to foreclose have been begun, the holder of this mortgage shall be entitled to collect all costs, charges and expenses up to time of payment; that we will keep the buildings now or hereafter standing on the granted premises insured against fire (and against other casualties and contingencies when required by the holder hereof) in the sum or sums satisfactory from time to time to the holder of this mortgage; that all insurance on said buildings shall be for the benefit of, deposited with and made first payable in case of loss to such holder.

This mortgage is upon the statutory condition, for any breach of which the mortgagee shall have the statutory power of sale.

WITNESS our hands and seal this 14th day of March 1955.

John O. Fox  
Esther B. Fox

THE COMMONWEALTH OF MASSACHUSETTS, Nantucket, ss. March 14, th, 1955.



FEB 18 2016

19 56 REAL ESTATE VALUATION LIST

TOWN OF  
 NANTUCKET, MA

Line No.	NAME AND ADDRESS OF PERSONS ASSESSED AND DESCRIPTION OF PARCEL	LAND Exclusive of Buildings		BUILDINGS Exclusive of Land		TOTAL VALUE of each Parcel	TAX
		AREA	VALUE	DESCRIPTION	VALUE		
1	Fordyce, Wesley A. & Marguerite H. Con't. Angora St. Gardner St. Lot D Lot D Pl. 106750	8,540 25,480	260 3,000	Dwelling Garage Dwelling	600 200 4,000	1,060 7,000	42 40 280 00
2	Fortes, John J. York Lane York Lane	5,540	500	Dwelling	700	1,200	48 00
3	Foster, Antone Coon St. Coon St.	2,300	300	Dwelling	1,600	1,900	76 00
4	Fox, Alice F. 43 Forst St. Hartford, Conn. Lot D-1 Pl. 109370	4 ac.	600	Dwelling	2,700	3,300	132 00
5	Fox, John O. & Esther B. Fox. Weymouth St. Weymouth St.	6,370	650	Dwelling Gar.	2,000	3,050	122 00
6	Francis, Eleanor L. Francis St. Francis St.	19,715	250	Dwelling Shop	1,000 300	1,550	62 00
7	Francis, Elwyn, Jr. Centre St. Centre St.	2,920	800	Dwelling	3,000	3,800	152 00
8	Francis, Elwyn et al India St. Lower Plains, Lot G Pl. 15597A	16,700	50			50	2 00
	Francis, Florence D. India St.						2.00

SARAH F. ALGER, P.C.

ATTORNEYS AT LAW

TWO SOUTH WATER STREET • NANTUCKET, MASSACHUSETTS • 02554

TELEPHONE: 508-228-1118 FACSIMILE: 508-228-8004

SARAH F. ALGER  
sfa@sfapc.com

CHRISTINE A. JENNESS  
caj@sfapc.com

FIVE PARKER ROAD • POST OFFICE BOX 449  
OSTERVILLE • MASSACHUSETTS • 02655  
TELEPHONE: 508-428-8594 FACSIMILE: 508-420-3162

JOHN R. ALGER  
1931-2007

February 29, 2016

**BY HAND DELIVERY**

Barry Rector, Chair  
Nantucket Planning Board  
Two Fairgrounds Road  
Nantucket, Massachusetts 02554

Re: John R. Shepherd and Susan D. Shepherd  
Ten Weymouth Street  
Nantucket, Massachusetts (the "Locus")

Dear Mr. Rector:

I represent the owners of the properties at 1, 3, and 5 Weymouth Street (Dickie Investments, L.P., Goran and Melinda Puljic, and 4250 Vets Highway LLC), who are concerned about the proposed development of the Locus.

I understand that the Board may be receiving a filing for its March 7, 2016 meeting requesting the endorsement on an Approval-Under-The-Subdivision-Control-Law-Not-Required ("ANR") basis of a plan subdividing the Locus into two separate lots in accordance with the provisions of Mass. Gen. Laws c. 41, §81L.

The last sentence of the definition of "Subdivision" in Mass. Gen. Laws c. 41, §81L provides, in relevant part, as follows:

[t]he division of a tract of land on which two or more buildings were standing when the subdivision control law went into effect in the city or town in which the land lies into separate lots on each of which one of such buildings remains standing, shall not constitute a subdivision.

As you know, the subdivision control law went into effect in Nantucket in 1955.

I gather that the proposed subdivision is being made on the basis that each of the two resulting lots will contain a building that was standing in 1955 and remains standing today, one of which is a dwelling, and the other of which is a garage. There is no question as to the age of the dwelling and the fact that it well predates 1955, but there are significant questions as to the actual age of the garage structure.

SARAH F. ALGER, P.C.

Barry Rector, Chair  
Nantucket Planning Board  
February 29, 2016  
Page 2

I have not seen the proposed subdivision plan of the Locus (although I have seen a "conceptual plot plan" prepared by Nantucket Surveyors, LLC), nor have I seen any evidence that may have been submitted to the Board with the plan and application. I have been attending, however, meetings of the Nantucket Historic District Commission (the "HDC") at which the demolition of the garage is being discussed.

Although the HDC has made no final determination as to the age or historic significance of the garage, it has been alleged that the garage is of post-war construction, has modern-day garage doors, and is not one of the building shown on any of the available the Sanborn Fire Maps through 1949. In fact, it appears that some, if not all, of the old structures on the Locus, with the exception of the 1850 dwelling, were demolished.

I would ask that the Board look carefully at this issue before rendering its decision to endorse the ANR Plan of the Locus. In particular, the Board should require evidence to its satisfaction not only that a garage existed on the Locus prior to 1955, but also that the garage that is standing on the Locus today is the very same garage that was located on the Locus prior to 1955, and not a different or replacement structure.

When the application, plan, and any supporting materials are available, I may write to address additional concerns raised. In the meantime, I would request that this letter be brought to the attention of the Board.

Thank you for your attention to this matter.

Sincerely,



SFA/jtd

Cc: Mr. and Mrs. James A. Walker, Jr.  
Mr. Goran Puljic and Ms. Melinda Tweeddale  
Mr. Jeffrey Rimland

**VII. OLD BUSINESS**

1.	Von Kampen, Robert	3 Perry Lane	Solar panels on roof	67-903	Self
Sitting	Williams, Coombs, McLaughlin, Pohl, Glazer				
Alternates	Camp, Oliver, Kuhnert				
Recused	None				
Documentation	Associated site and elevation plans, photos, correspondence, and required historical documentation.				
Representing	<b>Robert Von Kampen</b> – Explained the overage power being generated can be credited toward his residence. The panels are no-glare black.				
Public	None				
Concerns (5:16)	<p><b>Williams</b> – This is probably the only location an array this large will work. The back section won't be visible.</p> <p><b>Glazer</b> – That will be a lot of solar panels and they overpower the neighborhood. Should be a smaller array on a less visible roof plane.</p> <p><b>Coombs</b> – Questions the necessity for such a large array on this building; they should be pulled back off the edge of the roof by one panel.</p> <p><b>Pohl</b> – No concerns; it could pass as a standing seam metal roof.</p> <p><b>McLaughlin</b> – It is visible but the location is remote.</p>				
Motion	<b>Motion to Approve due to the commercial location, architecture of the building, the black roof, and the structure is gable to the street. (McLaughlin)</b>				
Vote	Carried 3-1//Glazer opposed/Coombs abstain		Certificate #	65330	
2.	Shepherd, John	10 Weymouth Street	Move off grg to 11 Wigwam	55.4.1-85	Susan Shepherd
Sitting	Williams, Coombs, McLaughlin, Pohl, Glazer				
Alternates	Camp, Oliver, Kuhnert				
Recused	None				
Documentation	Associated site and elevation plans, photos, correspondence, and required historical documentation.				
Representing	<b>Susan Shepherd</b> – Mr. Paul Santos found a 1951 aerial showing this structure; the assessors information states 1954/1955.				
Public	<p><b>Melinda Pugilc</b>, 3 Weymouth Street – Reviewed the history of the area and the structure. This structure is part of the historic fabric of the neighborhood.</p> <p><b>Sarah Alger</b>, Sarah F. Alger P.C., for Ms Pugilc, James &amp; Claire Walker, 1 Weymouth Street and Jeffrey &amp; Susan Rimland, 5 Weymouth Street – Pointed out letters of objection from abutters that are in the file. Does not believe there is sufficient evidence as to the exact age of the structure. Objects to the “active role” the chair is taking in testifying as to the age of the structure for the applicant; the other commissioners have not had a chance to review the aerials in the file. At the Org meeting Sept 30, 2014, Town Counsel made it clear that the age is not the only guiding principal and HDC is to look at every project individually as the entire island is an historic district. Many houses along Weymouth were built between 1930 and 1950; some are dated from 1800s and 1700s; this is an extremely old street and unchanged. Removal of the structure opens the lot to larger structures; the HDC should have an idea of what will go in its place. Contends the old historic district (OHD) is being systematically destroyed by allowing the removal of the structures.</p>				
Concerns (5:26)	<p><b>Williams</b> – According to the Sanborne maps, this structure was not in this location until 1938. There are no maps until 1957 that show this structure and 1940s aerials photos are too hard to read. Town Counsel has ruled that the post-war World War II age of this structure is not sufficient to preserve the structure; preservation should be based upon the architectural style and historical contributing status. This is not a historic structure; it is an ancillary structure.</p> <p><b>Coombs</b> – The charge of the HDC is to maintain the streetscape. Have no plans of what will replace this; would also like to further research the age.</p> <p><b>McLaughlin</b> – Asked this to be held so that he can research the age of the structure.</p> <p><b>Pohl</b> – Agrees with Mr. McLaughlin; he would like to look at the aerial photos.</p> <p><b>Glazer</b> – She is in complete agreement.</p> <p><b>Williams</b> – She will go inside the structure to ascertain its age from the construction methods.</p>				
Motion	<b>Motion to Hold for more historic information. (Coombs)</b>				
Vote	Carried unanimously		Certificate #		
3.	Shepherd, Susan	11 Wigwam Road	Move on grg fm 10 Weymouth	77-56	Self
Sitting	Williams, Coombs, McLaughlin, Pohl, Glazer				
Alternates	Camp, Oliver, Kuhnert				
Recused	None				
Documentation	Associated site and elevation plans, photos, correspondence, and required historical documentation.				
Representing	<b>Susan Shepherd</b> – Presented project.				
Public	None				
Concerns (5:26)	<b>Williams</b> – This is no concern as long as it is behind the parking area.				
Motion	<b>Motion to Hold to track with the move off. (Coombs)</b>				
Vote	Carried unanimously		Certificate #		



ANR #7943  
Town of Nantucket  
Hulbert Street  
Map 30





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

# PLANNING BOARD

FILE # 7943

## Nantucket Planning Board

MAR 3 2016 AM 10:20

### Form A

### Application for Endorsement of a Plan Believed Not to Require Approval (ANR)

Date: March 1, 2016

\*Name of Owner(s)/Applicant(s): Town of Nantucket

\*Owner's/Applicant's address: 16 Broad Street State: MA Zip Code: 02554

\*(include all names and addresses of the principals of the owner entity such as principal officer of corporation, trustees of the trust and partners of the partnership)

Location of Property (Street or Area): Hulbert Street

Name of Registered Land Surveyor: Bracken Engineering, Inc.

Surveyor's address: 19 Old South Rd., Nantucket, MA 02554

The owner's title to the land derived under deed from Article 108 date 2011 ATM and recorded in Nantucket Registry of Deed, Books \_\_\_\_\_ Pages \_\_\_\_\_ or Land Court Certificate of Title # \_\_\_\_\_ registered in Nantucket Document Number \_\_\_\_\_, and shown on Assessor's Maps # 80 Parcels \_\_\_\_\_.

#### To the Planning Board of the Town of Nantucket:

The undersigned wishes to record the accompanying plan and requests a determination and endorsement by said Board that approval by it under the Subdivision Control Law is not required. The undersigned believes that such approval is not required for the following reasons: (check all that apply)

- The accompanying plan is not a subdivision because it does not show a division of land (perimeter plan).
- The division of the tract of land shown on the accompanying plan is not a subdivision because every lot on the plan has frontage of at least such distance as is presently required by the *Nantucket Zoning By-Law* under Section 5 which requires \_\_\_\_\_ feet for erection of a building on such lot; and every lot shown on the plan has such frontage on:
  - A. a public way or a way which the City or Town Clerk certifies is maintained and used as a Public way, namely \_\_\_\_\_; OR
  - B. a way shown on a plan theretofore approved and endorsed in accordance with the Subdivision Control Law, namely \_\_\_\_\_ on \_\_\_\_\_ (date) and Subject to the following conditions \_\_\_\_\_; OR
  - C. a way in existence on \_\_\_\_\_ (date); the date when the Subdivision Control Law became effective in the Town of Nantucket, having in the opinion of the Planning Board, sufficient width, suitable grades, and adequate construction to provide for the need to vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon, namely \_\_\_\_\_.

- The division of the tract of land shown on the accompanying plan is not a subdivision because it shows a proposed conveyance or other instrument, namely \_\_\_\_\_, which adds to, takes away from or changes the size and shape of lots in such a manner so that no lot affected is left without frontage as required by the *Nantucket Zoning By-Law* under Section 5, which requires \_\_\_\_\_ feet.
  
- The division of the tract of land shown on the accompanying plan is not a subdivision because two or more buildings, specifically \_\_\_\_\_ buildings were standing on the land prior to 1955, the date when the Subdivision Control Law went into effect in the Town of Nantucket, and one of such building remains standing on each of the lots; said buildings as shown and located on the accompanying plan. Evidence of the existence of such buildings prior to the effective date of the Subdivision Control Law is submitted as follows: \_\_\_\_\_  
 \_\_\_\_\_
  
- Other reasons or comments: (see M.G.L., Chapter 41, Section 81-L)

I hereby certify that the applicant(s) listed above have been authorized by me to file a plan with the Planning Board of Nantucket on property that I own.

*W. Small for TON*

Owner's Signature

Planning Board File # 7943

Endorsement Date: \_\_\_\_\_

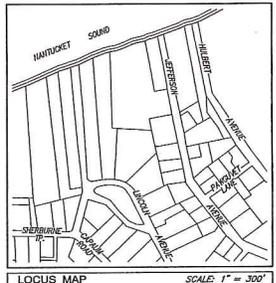
NANTUCKET HARBOR

PROPOSED 10' WIDE ACCESS EASEMENT (2762 ± s.f.) FOR THE BENEFIT OF THE TOWN OF NANTUCKET (EASEMENT FLUCTUATES WITH WATERS EDGE)

THE PLANNING BOARD DETERMINES THAT:

(b) PARCELS "C" "D" "E" DO CONTAIN AREAS SUBJECT TO PROTECTION UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT WHICH ARE REQUIRED TO BE EXCLUDED FROM LOT AREA UNDER THE NANTUCKET ZONING BYLAW, BUT STILL MAY BE SUBJECT TO PROTECTION UNDER STATE AND LOCAL WETLAND BYLAWS. DETERMINATION OF APPLICABILITY MAY BE OBTAINED THROUGH APPLICATION TO THE CONSERVATION COMMISSION.

(c) PARCELS "1" "2" "3" CONTAIN INADEQUATE LOT AREA, AS DEFINED IN THE NANTUCKET ZONING BYLAW, TO COMPLY WITH MINIMUM AREA REQUIREMENTS APPLICABLE UNDER SUCH BYLAW.



- NOTES:**
- LOCUS: HULBERT AVENUE ASSESSORS MAP 29
  - OWNER: TOWN OF NANTUCKET 16 BROAD STREET NANTUCKET, MA 02554
  - DEED REF: CERT #2283
  - PLAN REF: LCC #16186-A Plan No:2011-41
  - REFER TO ARTICLE 108 OF THE 2011 ANNUAL TOWN MEETING.
  - HULBERT AVENUE IS SHOWN AS HULBERT STREET ON LAND COURT PLAN #16186-A, PREPARED BY WILLIAM F. SWIFT, SURVEYOR, IN SEPTEMBER OF 1930.
  - TITLE TO THE LAND SHOWN ON LAND COURT PLAN #16186-A HAS BEEN IN THE NAME OF "TOWN OF NANTUCKET" SINCE THE ORIGINAL CERTIFICATE WAS ISSUED BY THE LAND COURT ON AUGUST 17, 1937. NO CONVEYANCES BY THE TOWN HAVE BEEN MADE.
  - THE PURPOSE OF THIS PLAN IS TO DIVIDE A PORTION OF HULBERT AVENUE INTO 3 PARCELS.
  - PARCELS 1 and 3 AS SHOWN ARE TO BE RETAINED BY THE TOWN OF NANTUCKET.
  - PARCEL 2 AS SHOWN IS TO BE CONVEYED TO, AND BE COMBINED WITH, ADJUTING LAND OWNED BY JOSEPH A. YOUNG, JOSEPH J. YOUNG and FRANCIS T. YOUNG.

**ZONE: R-40 REQUIRED**

LOT AREA: 40,000 ± s.f.  
 FRONTAGE: 75'  
 FRONT YARD: 30'  
 SIDE YARD: 10'  
 REAR YARD: 10'  
 GROUND COVER: 10%

- SURVEY MONUMENT LEGEND**
- CB/DH/ND ■ CONCRETE BOUND WITH DRILL HOLE FOUND
  - P/D ○ IRON PIPE FOUND
  - LR CAP/P/D ○ IRON ROD WITH CAP FOUND
  - IRON POST/P/D ○ IRON ROD WITH CAP FOUND
  - SSD/P/D ○ STEEL SURVEY MARKER FOUND

I CERTIFY THAT THIS PLAN WAS DRAWN FROM AN ACTUAL SURVEY MADE ON THE GROUND IN ACCORDANCE WITH THE LAND COURT INSTRUCTIONS OF 2008 ON JULY 6, 2015.



2/25/16 Alan M. Grady  
 Date ALAN M. GRADY, ELS #37752

**TRAVERSE CLOSURE**

ANGULAR ERROR: 00' 00" 34"  
 LINEAR ERROR: 0.047'  
 DIRECTION OF ERROR: S 42° 39' 30" E  
 PRECISION: 1:32,309

**EDM ACCURACY**

±(2mm + 2ppm x D) m.s.e.

**PLAN OF LAND IN NANTUCKET, MASS.**

BEING A SUBDIVISION OF:  
 PORTION OF UNCONSTRUCTED "HULBERT STREET"  
 SHOWN ON L.C. PLAN 16186-A (a.k.a. HULBERT AVENUE)  
 PREPARED BY  
 BRACKEN ENGINEERING, INC.  
 19 OLD SOUTH ROAD  
 NANTUCKET, MA 02554  
 tel: (508) 325-0044  
 fax: (508) 833-2282  
 SCALE: 1" = 30'  
 rev. NOVEMBER 11, 2015

APPROVAL BY THE NANTUCKET PLANNING BOARD NOT REQUIRED

FILE NUMBER: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_



#14 JEFFERSON AVENUE MAP 30 PARCEL 45 JANE CARRE S.S.V.A. LCC #16977-D

#16 JEFFERSON AVENUE MAP 30 PARCEL 19 CLIFFSIDE REGION, INC.

#10 JEFFERSON AVENUE MAP 30 PARCEL 19 GARDNER S. HADROW

#16 JEFFERSON AVENUE MAP 30 PARCEL 121 HONORABLE TRUST

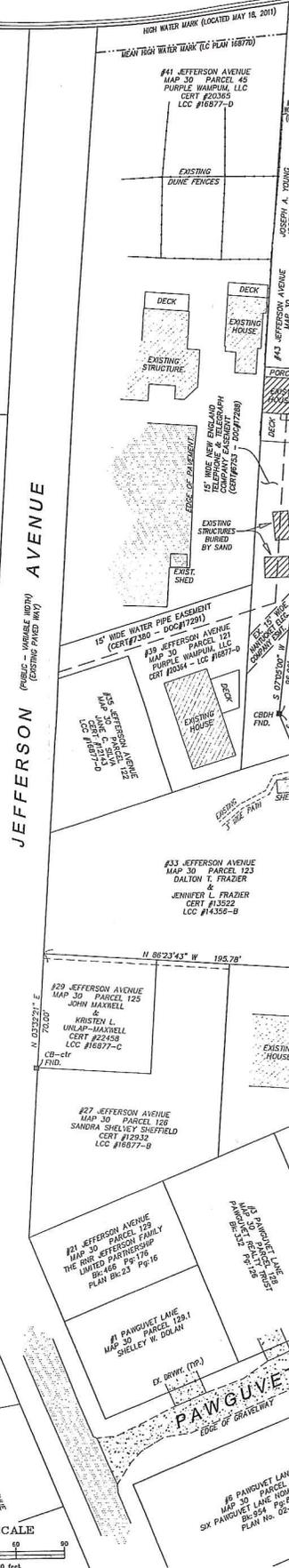
#14 JEFFERSON AVENUE MAP 30 PARCEL 121 HONORABLE TRUST

#10 JEFFERSON AVENUE MAP 30 PARCEL 121 HONORABLE TRUST

#10 JEFFERSON AVENUE MAP 30 PARCEL 121 HONORABLE TRUST

JEFFERSON AVENUE (PUBLIC - VISIBLE, W/DT) (EXISTING PAVED HWY)

PLAN SCALE  
 1 inch = 30 feet





ANR #7944  
NTP, LLC  
27 North Liberty Street  
Map 41 Parcel 453





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

MAR 2 2016 AM 9:15

# PLANNING BOARD Nantucket Planning Board

FILE # 7944 Form A Application for Endorsement of a Plan Believed Not to Require Approval (ANR)

Date: Feb. 24, 2016 \*Name of Owner(s)/Applicant(s): NTP LLC

\*Owner's/Applicant's address: 1 Chestnut Lane Medfield, MA 02052

State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

\*(include all names and addresses of the principals of the owner entity such as principal officer of corporation, trustees of the trust and partners of the partnership)

Location of Property (Street or Area): 27 North Liberty St.

Name of Registered Land Surveyor: Jeffrey Blackwell

Surveyor's address: 20 Teasdale Circle Nantucket, MA 02554

The owner's title to the land derived under deed from Roger-Kristen Heby, date 11/30/2015

And recorded in Nantucket Registry of Deed, Book 1513 Page 144 or Land Court Certificate of

Title # \_\_\_\_\_, registered in Nantucket District Book \_\_\_\_\_, Page \_\_\_\_\_ and shown on

Assessor's Map# 41, Parcel # 453.

To the Planning Board of the Town of Nantucket:

The undersigned wishes to record the accompanying plan and requests a determination and endorsement by said Board that approval by it under the Subdivision Control Law is not required. The undersigned believes that such approval is not required for the following reasons: (check all that apply)

- The accompanying plan is not a subdivision because it does not show a division of land (perimeter plan).
- The division of the tract of land shown on the accompanying plan is not a subdivision because every lot on the plan has frontage of at least such distance as is presently required by the *Nantucket Zoning By-Law* under Section 5 which requires \_\_\_\_\_ feet for erection of a building on such lot; and every lot shown on the plan has such frontage on:

A. a public way or a way which the City or Town Clerk certifies is maintained and used as a Public way, namely \_\_\_\_\_; OR

B. a way shown on a plan theretofore approved and endorsed in accordance with the Subdivision Control Law, namely \_\_\_\_\_ on \_\_\_\_\_ (date) and Subject to the following conditions \_\_\_\_\_; OR

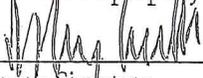
C. a way in existence on \_\_\_\_\_ (date); the date when the Subdivision Control Law became effective in the Town of Nantucket, having in the opinion of the Planning Board, sufficient

width, suitable grades, and adequate construction to provide for the need to vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon, namely

---

- ① ■ The division of the tract of land shown on the accompanying plan is not a subdivision because it shows a proposed conveyance or other instrument, namely Conveyance, which adds to, takes away from or changes the size and shape of lots in such a manner so that no lot affected is left without frontage as required by the *Nantucket Zoning By-Law* under Section 5, which requires \_\_\_\_\_ feet.
  
  - The division of the tract of land shown on the accompanying plan is not a subdivision because two or more buildings, specifically \_\_\_\_\_ buildings were standing on the land prior to 1955, the date when the Subdivision Control Law went into effect in the Town of Nantucket, and one of such building remains standing on each of the lots; said buildings as shown and located on the accompanying plan. Evidence of the existence of such buildings prior to the effective date of the Subdivision Control Law is submitted as follows: \_\_\_\_\_
  
  - Other reasons or comments: (see M.G.L., Chapter 41, Section 81-L)
- 
- 

I hereby certify that the applicant(s) listed above have been authorized by me to file a plan with the Planning Board of Nantucket on property that I own.

  
\_\_\_\_\_  
Owner's Signature

Planning Board File # 7944

Endorsement Date: \_\_\_\_\_

NANTUCKET REGISTRY OF DEEDS  
 Date: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Plan No.: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 SHEET 1 OF 1  
 RESERVED FOR REGISTRY USE

**OTHER INFORMATION**  
 DEED BK. 1513, PG. 144, 151  
 DEED BK. 1513, PG. 144, 151  
 ASSESSOR'S MAP 41, PARCEL 433  
 #27 NORTH LIBERTY STREET  
 JEFFREY KASCHULUK, TRUSTEE  
 DEED BK. 1513, PG. 170  
 DEED BK. 1513, PG. 170  
 ASSESSOR'S MAP 74, PARCEL 486  
 #29 NORTH LIBERTY STREET  
 JEFFREY KASCHULUK, TRUSTEE  
 DEED BK. 1513, PG. 170  
 DEED BK. 1513, PG. 170  
 ASSESSOR'S MAP 74, PARCEL 158  
 #31 NORTH LIBERTY STREET

**NOTE:**  
 THIS PLAN IS SUBJECT TO THE  
 US PATENT FROM THE U.S. GEOLOGICAL  
 SURVEY, DEPARTMENT OF THE INTERIOR,  
 LOT 4 IS TO BE COMBED WITH LOT 2.

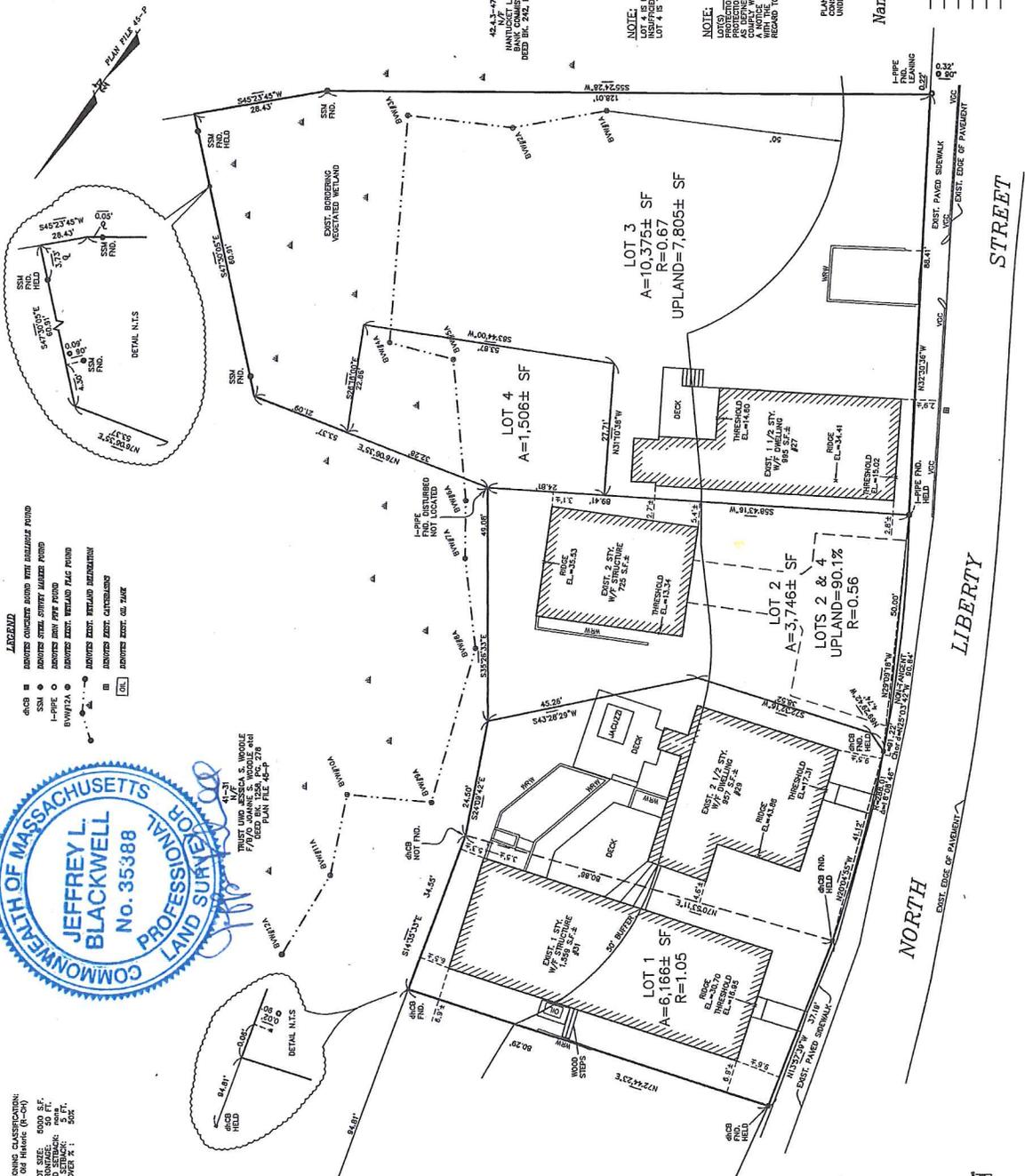
**NOTE:**  
 THIS PLAN IS SUBJECT IN PART TO  
 THE ZONING ORDINANCES AND  
 REGULATIONS OF THE TOWN OF  
 NANTUCKET, MASSACHUSETTS, AND  
 A NOTICE OF INTENT MAY BE REQUIRED TO BE FILED  
 WITH THE TOWN ENGINEER AND  
 REGARD TO PROPOSED CONSTRUCTION ON SUCH LOT(S).

PLANNING BOARD ENDORSEMENT DOES NOT  
 CONSTITUTE A DETERMINATION OF CONFORMANCE  
 UNDER ZONING.

**Nantucket Planning Board**  
 SUBMISSION CONTROL LAW  
 NOT REQUIRED

DATE SIGNED \_\_\_\_\_ FILE # \_\_\_\_\_

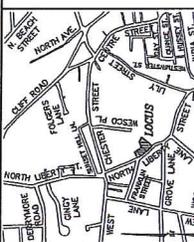
B7891



- LEGEND**
- ◻ ADJACENT CONCERNED ADJACENT PARCELS
  - ◻ ADJACENT STREET STREET LATERAL POND
  - ◻ ADJACENT DRAIN PIPE POND
  - ◻ ADJACENT EXIST. WETLAND FLAG POND
  - ◻ ADJACENT EXIST. WETLAND REDUCED/REMOVED
  - ◻ ADJACENT EXIST. CATCHMENT
  - ◻ ADJACENT EXIST. OLD LAKE



**CURRENT ZONING CLASSIFICATION:**  
 Residential Old Historic (R-OH)  
 MINIMUM LOT SIZE: 6000 S.F.  
 MINIMUM FRONT YARD SETBACK: 10 FT.  
 MINIMUM SIDE YARD SETBACK: 5 FT.  
 MINIMUM REAR YARD SETBACK: 5 FT.  
 MINIMUM FRONT YARD SETBACK: 10 FT.  
 MINIMUM REAR YARD SETBACK: 5 FT.



4-117  
 THOMAS M. MONTGOMERY  
 DEED BK. 1513, PG. 224  
 PLAN BK. 10, PG. 14

I HEREBY CERTIFY THAT THIS PLAN HAS BEEN  
 PREPARED IN ACCORDANCE WITH THE  
 REQUIREMENTS OF THE REGISTERED  
 PROFESSIONAL LAND SURVEYOR OF THE  
 COMMONWEALTH OF MASSACHUSETTS.

PROFESSIONAL LAND SURVEYOR DATE

ENGINE J. STROBOSCHKI OR LOT 1  
 SHOWN IN PLAN BOOK 10, PAGE 38 AND  
 LAND SHOWN BY PLAN BOOK 16, PAGE 78

**Plan of Land**  
 in  
 Nantucket, MA  
 Prepared for  
**JEFFREY KASCHULUK**  
 Scale: 1" = 10' February 29, 2016  
**BLACKWELL & ASSOCIATES, Inc.**  
 PROJECT NO. 10 NANTUCKET CIRCULAR  
 NANTUCKET, MASS. 02554  
 (508) 288-8026

GRAPHIC SCALE  
 1" = 10' (1" = 30.48m)  
 1" = 10' (1" = 30.48m)

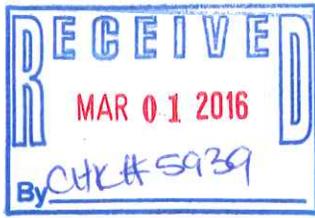
TYPING JOB 54  
 W. WAINWRIGHT/02571/VOR 02-24-2016.06g 2/29/2016 1:26:37 PM EST





ANR #7945  
NTP, LLC  
29 & 31 North Liberty Street  
Map 41 Parcel 158 & 486





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

*Math*

PLANNING BOARD

Nantucket Planning Board

MAR 2 2016 AM 9:14

FILE # 7945

Form A

Application for Endorsement of a Plan Believed Not to Require Approval (ANR)

Date: Feb. 24, 2016 \*Name of Owner(s)/Applicant(s): Jeffrey Kashchuluk, Tr of Nantucket Realty Trust

\*Owner's/Applicant's address: P.O. Box 241 Nantucket, MA 02554  
State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

\*(include all names and addresses of the principals of the owner entity such as principal officer of corporation, trustees of the trust and partners of the partnership)

Location of Property (Street or Area): 29 & 31 North Liberty St.

Name of Registered Land Surveyor: Jeffrey Blackwell  
Surveyor's address: 20 Teasdale Circle Nantucket, MA 02554

The owner's title to the land derived under deed from Michael + Clare Martine, date Jan. 15, 2016  
And recorded in Nantucket Registry of Deed, Book 1519 Page 170 or Land Court Certificate of Title # \_\_\_\_\_, registered in Nantucket District Book \_\_\_\_\_, Page \_\_\_\_\_ and shown on Assessor's Map# 41, Parcel # 158 + 486.  
To the Planning Board of the Town of Nantucket:

The undersigned wishes to record the accompanying plan and requests a determination and endorsement by said Board that approval by it under the Subdivision Control Law is not required. The undersigned believes that such approval is not required for the following reasons: (check all that apply)

- The accompanying plan is not a subdivision because it does not show a division of land (perimeter plan).
- The division of the tract of land shown on the accompanying plan is not a subdivision because every lot on the plan has frontage of at least such distance as is presently required by the *Nantucket Zoning By-Law* under Section 5 which requires 50 feet for erection of a building on such lot; and every lot shown on the plan has such frontage on:

A. a public way or a way which the City or Town Clerk certifies is maintained and used as a Public way, namely N. Liberty St.; OR

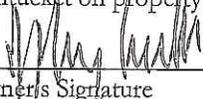
B. a way shown on a plan theretofore approved and endorsed in accordance with the Subdivision Control Law, namely \_\_\_\_\_ on \_\_\_\_\_ (date) and Subject to the following conditions \_\_\_\_\_; OR

C. a way in existence on \_\_\_\_\_ (date); the date when the Subdivision Control Law became effective in the Town of Nantucket, having in the opinion of the Planning Board, sufficient

width, suitable grades, and adequate construction to provide for the need to vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon, namely \_\_\_\_\_.

- The division of the tract of land shown on the accompanying plan is not a subdivision because it shows a proposed conveyance or other instrument, namely \_\_\_\_\_, which adds to, takes away from or changes the size and shape of lots in such a manner so that no lot affected is left without frontage as required by the *Nantucket Zoning By-Law* under Section 5, which requires \_\_\_\_\_ feet.
- The division of the tract of land shown on the accompanying plan is not a subdivision because two or more buildings, specifically \_\_\_\_\_ buildings were standing on the land prior to 1955, the date when the Subdivision Control Law went into effect in the Town of Nantucket, and one of such building remains standing on each of the lots; said buildings as shown and located on the accompanying plan. Evidence of the existence of such buildings prior to the effective date of the Subdivision Control Law is submitted as follows: \_\_\_\_\_
- Other reasons or comments: (see M.G.L., Chapter 41, Section 81-L)

I hereby certify that the applicant(s) listed above have been authorized by me to file a plan with the Planning Board of Nantucket on property that I own.

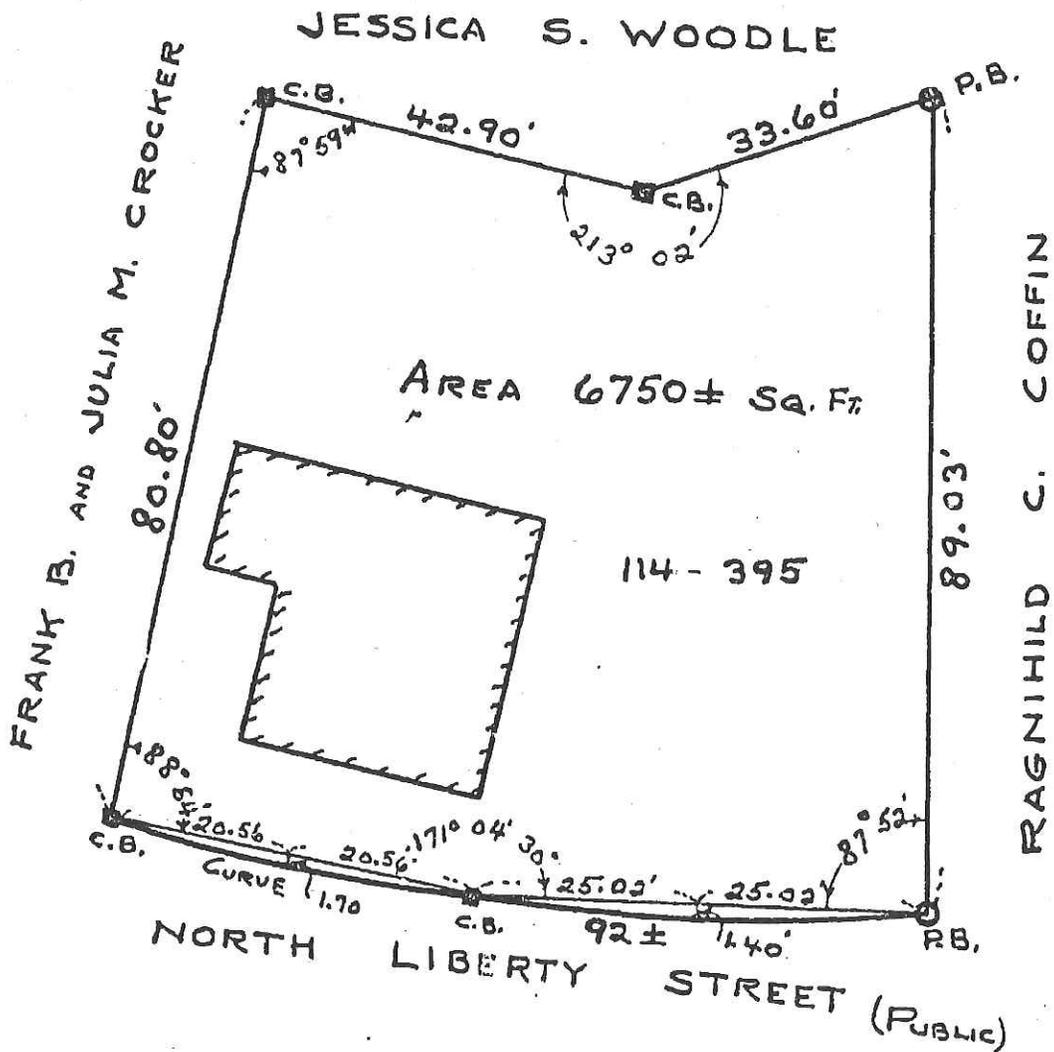
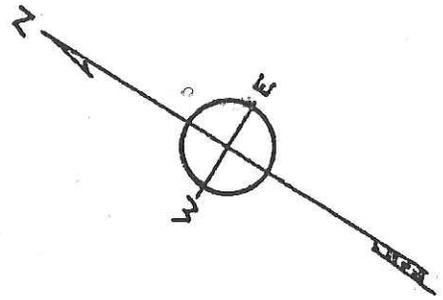
  
\_\_\_\_\_  
Owner's Signature

Planning Board File # 7945

Endorsement Date: \_\_\_\_\_



LAND OF:-  
 VALENTINO H. MAITINO &  
 EMMALINDA A. MAITINO  
 AUG. 18, 1958 SCALE 20'=1"  
 JOSIAH, S. BARRETT, ENGR.



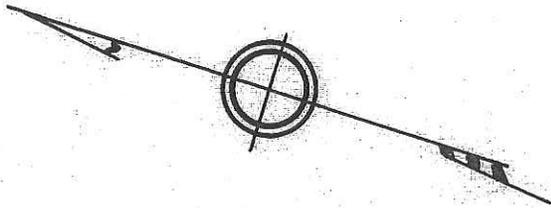
SEP 10 1959  
 1<sup>h</sup> 0<sup>m</sup> PM  
 RECEIVED AND ENTERED WITH  
 NANTUCKET COUNTY DEEDS BOOK OF  
 PLANS NO. 15 PAGE 78  
 ATTEST *Josiah S. Barrett*  
 REGISTER

LAND OF:

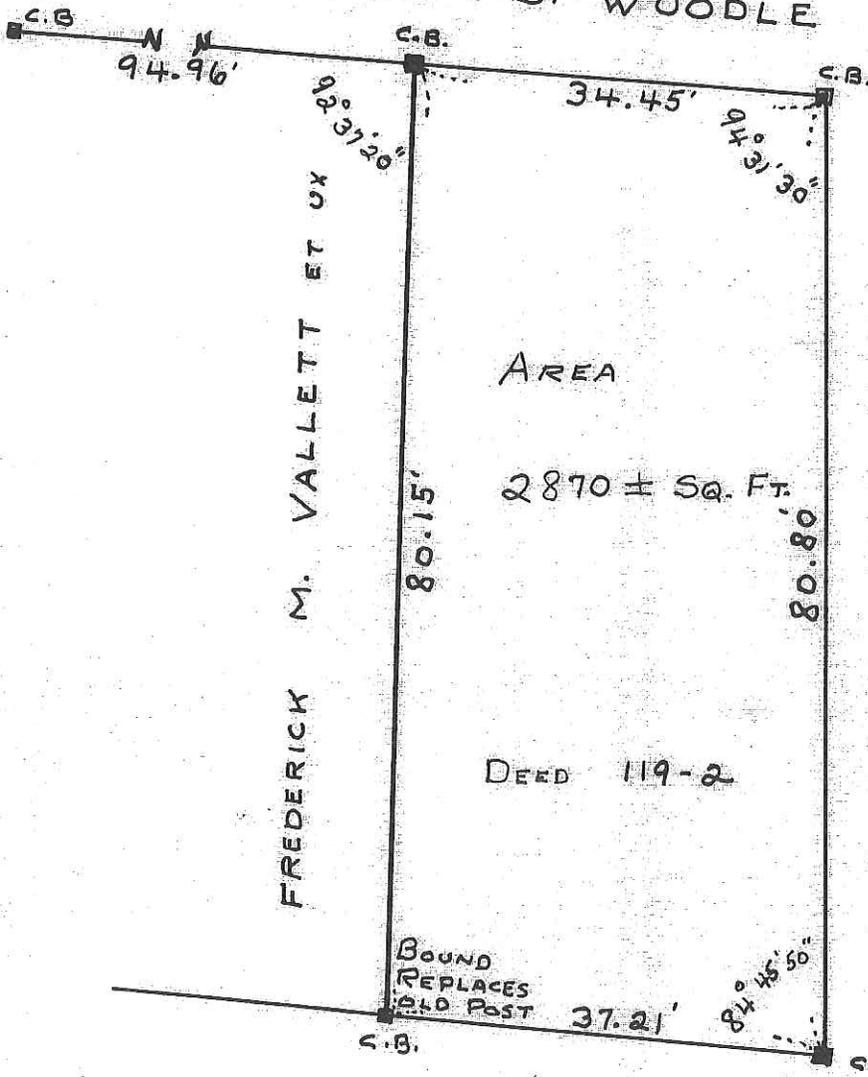
VALENTINO H. AND EMMALINDA A. MAITINO

SEPT. 10, 1959

SCALE 15'=1"



JESSICA S. WOODLE



FREDERICK M. VALLETT ET UX

VALENTINO H. MAITINO ET UX

NORTH LIBERTY STREET (PUBLIC)

JOSIAH S. BARRETT, ENGR.

SEP 10 1959  
 1 1/2 0 00 AM  
 RECEIVED AND ENTERED WITH  
 NANTUCKET COUNTY DEEDS BOOK OF  
 PLANS NO. 15 PAGE 78  
 ATTEST *Jessie S. Barrett*  
 REGISTER



# Nantucket Planning Board

## SECONDARY DWELLING REPORT

Prepared by: Holly E. Backus, Land Use Specialist

Meeting Date: March 7, 2016

181 Eel Point Road  
Assessors Map #33 Parcel #21

**Applicant**

181 Eel Point Road, LLC

**Owner**

Same



The site currently has an existing 1,955 square foot primary structure and a 1,562 square foot cottage that will be demolished. The applicant proposes to construct a 616 square foot second dwelling with an attached carport and a 2,985 square foot primary structure. The proposed secondary dwelling will be located on the southeast of the site, which has approximately 104,635 square feet of lot area and is zoned LUG-2. All properties surrounding the site are also zoned LUG-2 or LUG-3 and are entirely residential or vacant land.

Access to the site is along Eel Point Road; a 40' dead-end private dirt roadway. There is an existing dirt driveway, which will be reconfigured to contain a total of five (5) exterior parking spaces and one (1) interior parking space with an adequate on-site turn-around.

The site plan, as submitted, also shows a proposed 480 square foot studio and 200 square foot shed. The site plan, as submitted meets the requirements of Zoning Bylaw Sections 139-18 and 139-20.1.

Planning staff recommends approval of this application with the following conditions:

- (1) That the applicant shall submit a revised site plan showing just the proposed structures, parking and driveway;
- (2) That the traveled surface of Eel Point Road shall be improved (i.e.: grading and trimming of vegetation) to a minimum width of sixteen (16) feet. This shall be completed prior to the issuance of a Building Permit and prior to the issuance of a Certificate of Occupancy;
- (3) That the traveled surface of East Eel Point Road shall be graded from Eel Point Road to the northwestern boundary of the subject site. This shall be completed prior to the issuance of a Building Permit and prior to the issuance of a Certificate of Occupancy;
- (4) That any existing or future landscaping at the driveway entrances be limited to low growing plant material not to exceed three (3) feet in height;
- (5) That the driveways be cleared free of vegetation and obstruction to a width of twelve (12) feet and a height of thirteen (13) feet; and
- (6) That the applicant shall submit an As-Built prior to the final inspection by staff which shall take place prior to the issuance of a Certificate of Occupancy.



PAID  
FEB 11 2016  
BY: DS  
1973  
100

# Nantucket Planning Board

## Nantucket Planning Board

### Application for a Secondary Dwelling Permit

Applicant: 181 EEL POINT ROAD LLC

Mailing address: 2 BROAD ST NANTUCKET MA 02554

Daytime phone number: 508-228-2722 Fax: \_\_\_\_\_

E-mail Address: DOUG@BPC-ARCHITECTURE.COM

Owner (if other than applicant): \_\_\_\_\_

Mailing address: \_\_\_\_\_

#### Location of proposed secondary dwelling:

Street Address: 181 EEL POINT ROAD

Assessors Tax Map #: 33 Parcel #: 21

Size of Parcel: 104,635SF Zoning District: LUG 2

Secondary Dwelling # of Bedrooms: 2 Primary Dwelling # of Bedrooms: 5

#### \*\*\*\*\*Submission Requirements:

See attached checklist dated January 15, 2015.

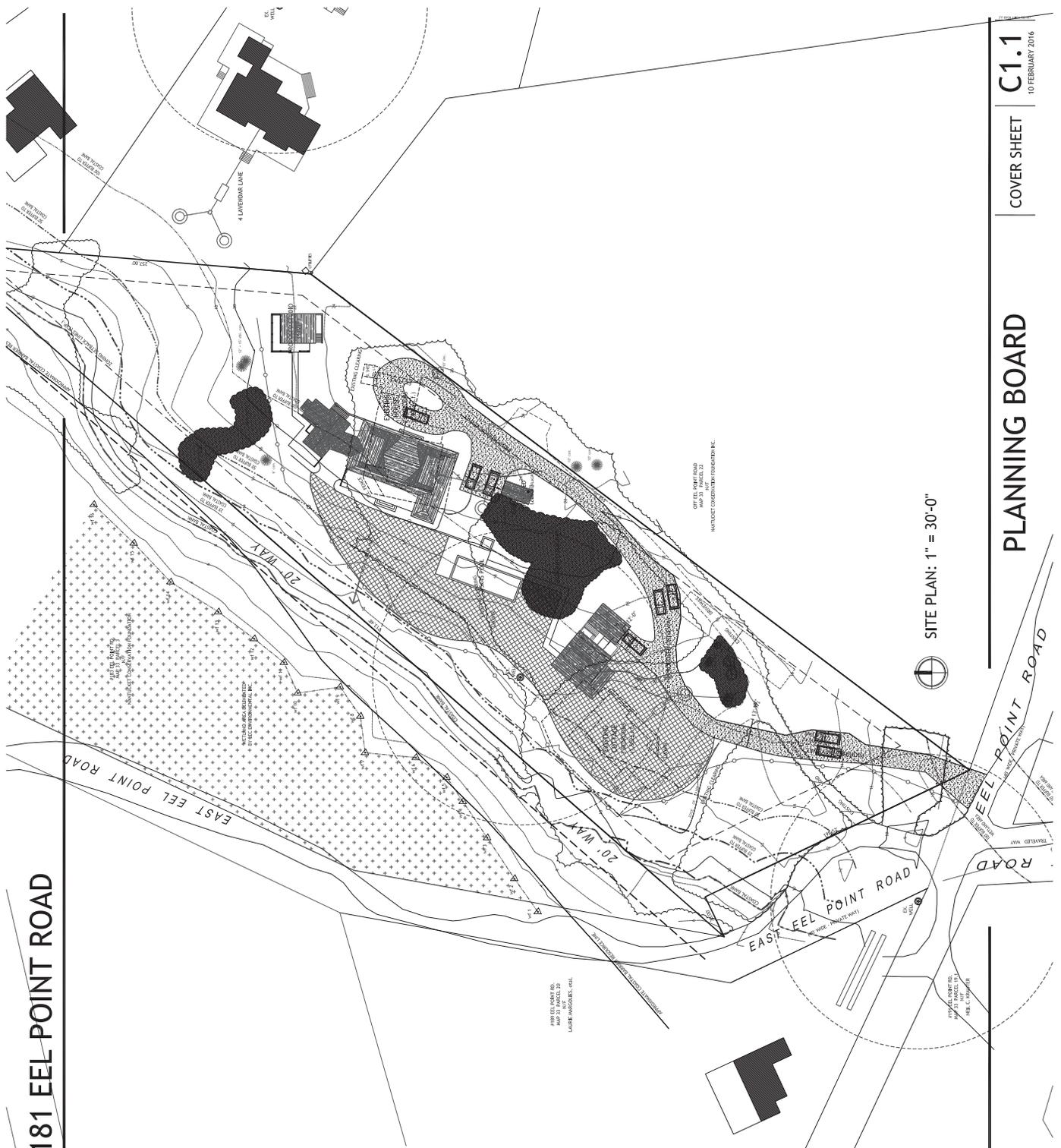
# 181 EEL POINT ROAD LLC - 181 EEL POINT ROAD



LOCUS PLAN: NTS



AERIAL VIEW: NTS



2 BROAD STREET  
 NANTUCKET, MA 02554  
 P 508 238 2722  
 F 508 274 8498

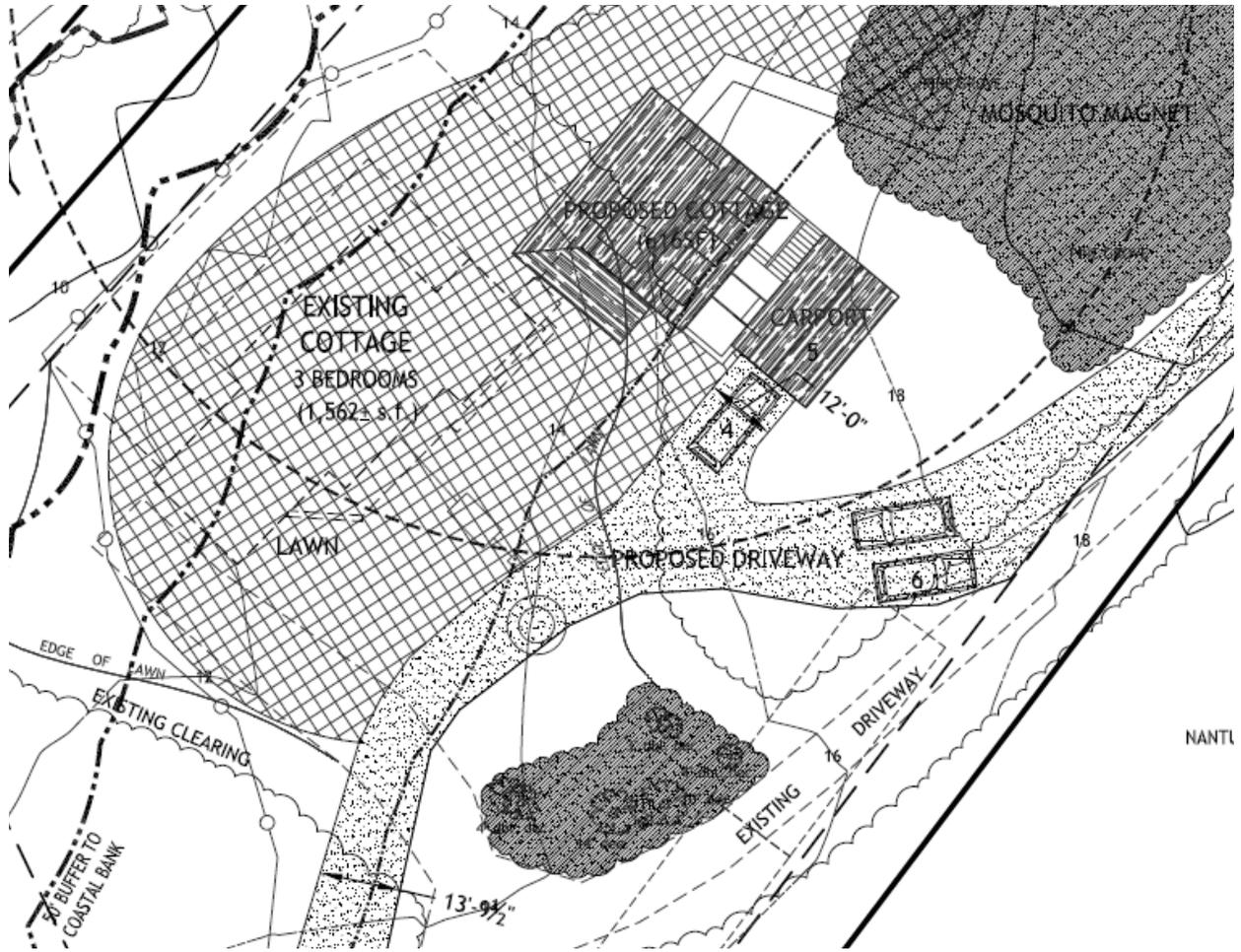
181 EPR LLC  
 181 EEL POINT ROAD  
 NANTUCKET, MA  
 MAP: 33, PARCELS: 21

## PLANNING BOARD

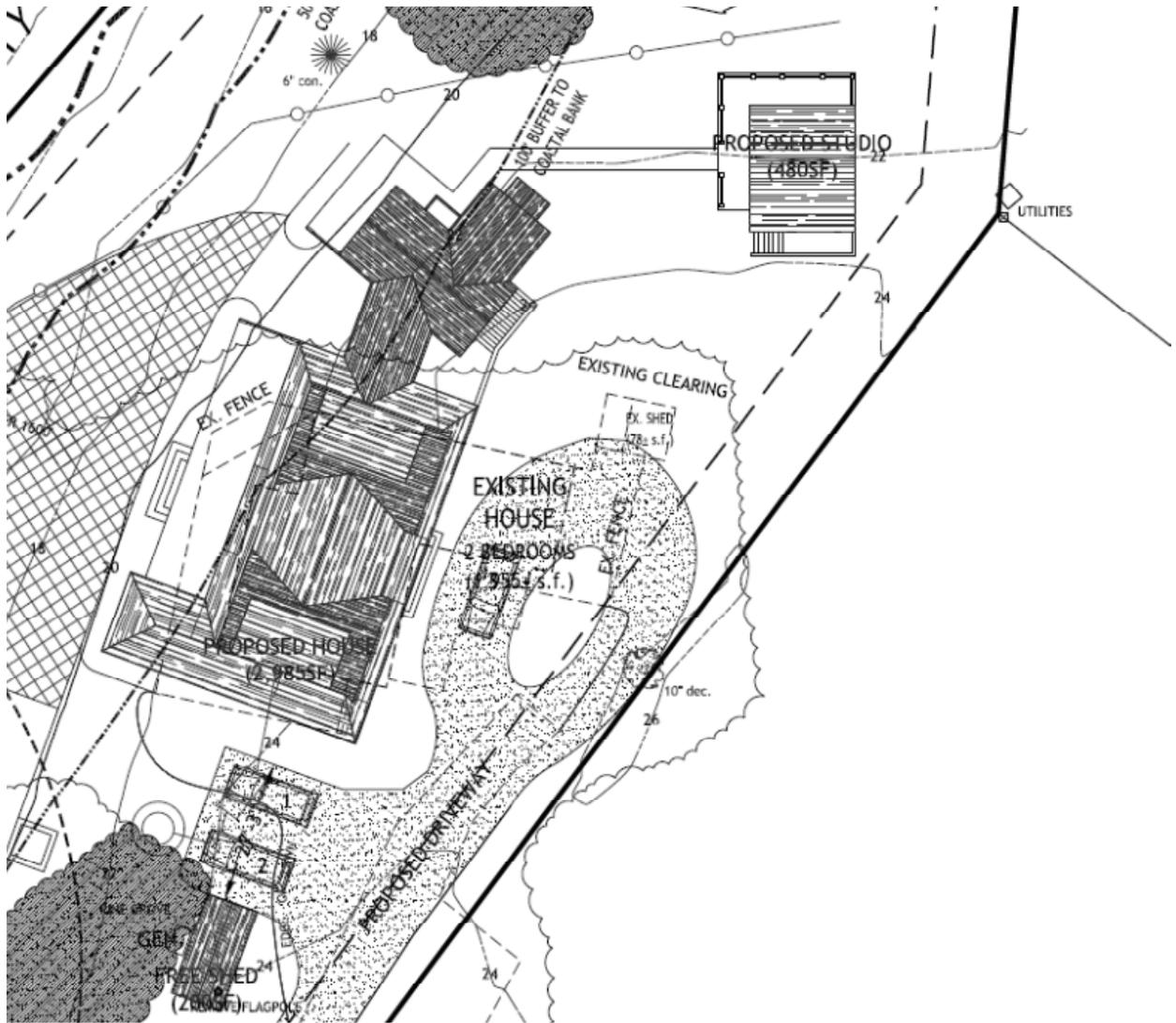
COVER SHEET | C1.1  
 10 FEBRUARY 2016



Closer detail of proposed structures



Closer detail of proposed structures



## Holly Backus

---

**From:** Doug Mills [doug@bpc-architecture.com]  
**Sent:** Friday, February 12, 2016 10:58 AM  
**To:** Holly Backus  
**Cc:** Catherine Ancero  
**Subject:** RE: 181 Eel Point Road - Secondary Dwelling Application  
**Attachments:** 181 EPR PLANNING BOARD.pdf

**Categories:** Planning Board Matters

Holly,

Here is the pdf of the 24x36 site plan. I can bring you 4 copies of this later today. I think if you zoom in on the pdf you'll find that everything can be read pretty easily. Thanks for your help!

Doug

---

**From:** Holly Backus [mailto:[hbackus@nantucket-ma.gov](mailto:hbackus@nantucket-ma.gov)]  
**Sent:** Friday, February 12, 2016 10:49 AM  
**To:** Doug Mills  
**Cc:** Catherine Ancero  
**Subject:** RE: 181 Eel Point Road - Secondary Dwelling Application

Hi Doug,

Yes, (4) parking spaces is required and you have provided that, thank you.  
I appreciate the clarification on the studio.

In regards to the site plan, I was able to see the square footages proposed. However, I believe the board may have difficult. Staff does need a smaller size to scan for our records, but if having a 24 x36 sheet is easier for your office, than please provide. The only drawback of that, is we would need one for each of the board members for their packet. Or maybe a simpler site plan with less layers?

At the end of the day, I just want to make sure I am accurately giving the correct information to the board for the staff report, so they can make a well informed decision. Again, I appreciate your help.

Thanks,

Holly E. Backus  
Land Use Specialist  
Town of Nantucket

---

**From:** Doug Mills [mailto:[doug@bpc-architecture.com](mailto:doug@bpc-architecture.com)]  
**Sent:** Friday, February 12, 2016 10:29 AM  
**To:** Holly Backus  
**Cc:** Catherine Ancero  
**Subject:** RE: 181 Eel Point Road - Secondary Dwelling Application

Holly,

All of the information you are looking for is on the site plan provided. My struggle is with keeping to an 11x17 sheet. If I could submit the 24x36 sheet at full size it might make things easier for everyone.

In terms of parking, we are required to have four I believe (2 per dwelling) and we are providing enough space to accommodate much more than that. We have numbered spaces 1-6.

The studio will literally be a painting studio. It won't even be equipped with a shower like most studios we are asked to design. I don't know what other documentation I could provide to you.

Please let me know how I should proceed.

Doug

---

**From:** Holly Backus [mailto:[hbackus@nantucket-ma.gov](mailto:hbackus@nantucket-ma.gov)]  
**Sent:** Friday, February 12, 2016 10:13 AM  
**To:** Doug Mills  
**Cc:** Catherine Ancero  
**Subject:** RE: 181 Eel Point Road - Secondary Dwelling Application

Hi Doug,

Thank you for your response.

Could I trouble you for a clearer site plan? I know if I'm having difficulty interpreting it, the board members definitely will.

Also, how many parking spaces proposed? 5 exterior and 1 interior?

They should know the existing vs. the proposed of everything: the ground cover, existing and proposed structures.

Also, about the studio; please confirm that it will meet the definition of a "studio" and will not be a habitable structure.

I appreciate your help.

Thanks!

Holly E. Backus  
Land Use Specialist  
Town of Nantucket

---

**From:** Doug Mills [mailto:[doug@bpc-architecture.com](mailto:doug@bpc-architecture.com)]  
**Sent:** Friday, February 12, 2016 9:49 AM  
**To:** Holly Backus  
**Cc:** Catherine Ancero  
**Subject:** RE: 181 Eel Point Road - Secondary Dwelling Application

Hello Holly,

Sorry for the confusion. Yes, we are proposing to demolish the existing main house and cottage and build two new dwellings. There will also be a studio and shed on the property. There will not be a third dwelling. Please let us know if you need further clarification. Thank you.



2 BROAD STREET NANTUCKET MA 02554

PHONE 508 228 2722 FAX 508 374 8498 CELL 508 680 4560

[www.bpc-architecture.com](http://www.bpc-architecture.com)

CHECK US OUT ON FB

---

**From:** Holly Backus [mailto:[hbackus@nantucket-ma.gov](mailto:hbackus@nantucket-ma.gov)]  
**Sent:** Friday, February 12, 2016 9:36 AM  
**To:** [doug@bpc-architecture.com](mailto:doug@bpc-architecture.com)  
**Cc:** Catherine Ancero  
**Subject:** 181 Eel Point Road - Secondary Dwelling Application

Good Morning Doug,

I am reviewing your Secondary Dwelling Application for 181 Eel Point Road that was dropped off in the office yesterday.

Could you please clarify what is being proposed as it is unclear on the application and site plans? Are the owner's proposing to demo the existing structures and build new with a proposed third structure in the future?

On a side note, we have amended the Secondary Dwelling and Tertiary Dwelling Applications where you can provide a brief description of the proposed work. I have attached a copy for your future submittals.

I appreciate any help you can provide.  
Thanks,

Holly E. Backus  
Land Use Specialist

Town of Nantucket  
Planning & Land Use Services  
2 Fairgrounds Road  
Nantucket, MA 02554

Tel: 508-325-7587 X 7026  
Fax: 508-228-7298  
[hbackus@nantucket-ma.gov](mailto:hbackus@nantucket-ma.gov)  
<http://www.nantucket-ma.gov>



---

No virus found in this message.

Checked by AVG - [www.avg.com](http://www.avg.com)

Version: 2016.0.7442 / Virus Database: 4522/11602 - Release Date: 02/11/16

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No virus found in this message.

Checked by AVG - [www.avg.com](http://www.avg.com)

Version: 2016.0.7442 / Virus Database: 4522/11602 - Release Date: 02/11/16

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No virus found in this message.

Checked by AVG - [www.avg.com](http://www.avg.com)

Version: 2016.0.7442 / Virus Database: 4522/11602 - Release Date: 02/11/16



# Nantucket Planning Board

## SECONDARY DWELLING REPORT

Prepared by: Holly E. Backus, Land Use Specialist

Meeting Date: March 7, 2016

1 Paul Jones Road  
Assessors Map #30 Parcel #618

Applicant  
Daniel Chen & Shirley Yu

Owner  
Same



The applicant is proposing to construct a 414 square foot second dwelling. The proposed secondary dwelling will be located on the north of the site, which has approximately 7,649 square feet of lot area and is zoned R-1.

The dwellings will be accessed by a shell driveway off Paul Jones Road, which is a private dirt road. The site will contain a total of two (2) exterior parking spaces and one (1) interior parking space for both the proposed primary and secondary dwellings.

The site plan, as submitted meets the requirements of Zoning Bylaw Sections 139-18 and 139-20.1.

Planning staff recommends approval of this application with the following conditions:

- (1) That the traveled surface of Paul Jones Road shall be improved (i.e.: grading and trimming of vegetation.) This shall be completed prior to the issuance of a Building Permit and prior to the issuance of a Certificate of Occupancy;
- (2) That any future landscaping at the driveway entrances be limited to low growing plant material not to exceed three (3) feet in height;
- (3) That the driveways be cleared free of vegetation and obstruction to a width of twelve (12) feet and a height of thirteen (13) feet; and
- (4) That the applicant shall submit an As-Built prior to the final inspection by staff which shall take place prior to the issuance of a Certificate of Occupancy.



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PAID  
PAID  
FEB 04 2016  
CK# 1140  
BY: ds CK# 1141 50

# Nantucket Planning Board

## Nantucket Planning Board

### Application for a Secondary Dwelling Permit

Applicant: Daniel and Shirley Chen / yu  
Mailing address: 56 Douglas Rd Glen Ridge NJ 07028  
Daytime phone number: 917-226-1160 Fax: \_\_\_\_\_  
E-mail Address: Shirley-yu@hotmail.com  
Owner (if other than applicant): \_\_\_\_\_  
Mailing address: \_\_\_\_\_

### Location of proposed secondary dwelling:

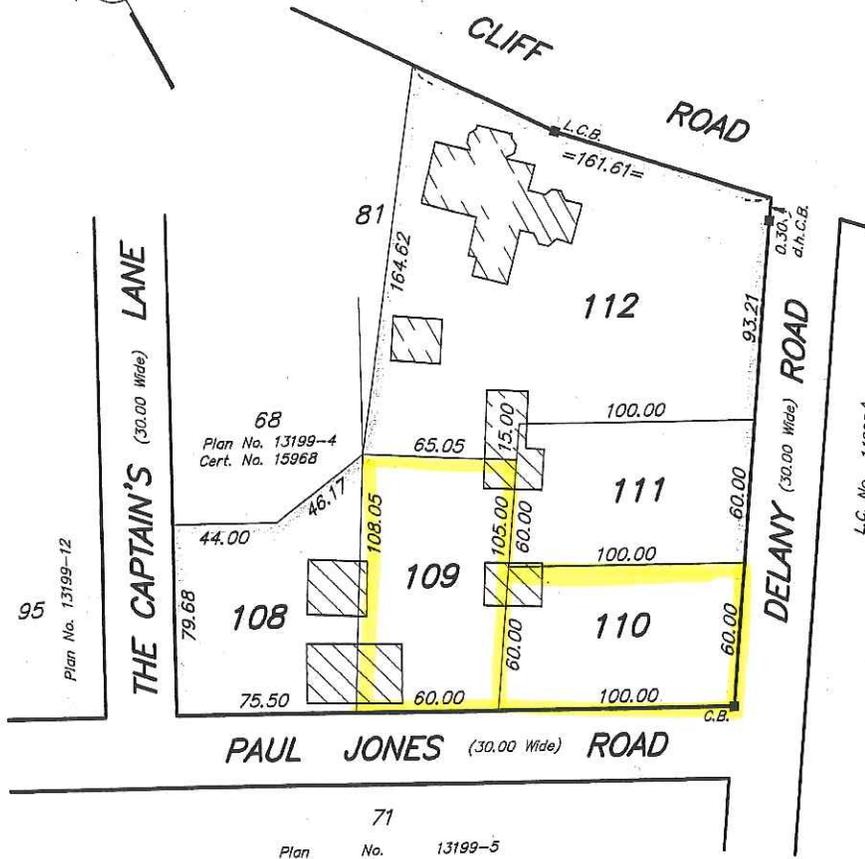
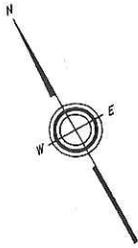
Street Address: ONE PAUL JONES RD 618 HEB  
Assessors Tax Map #: 30 Parcel #: 618 (LOT 109 + LOT B)  
Size of Parcel: 7580 ± SF Zoning District: R-1  
Secondary Dwelling # of Bedrooms: 1 Primary Dwelling # of Bedrooms: 6

### \*\*\*\*\*Submission Requirements:

See attached checklist dated January 15, 2015.

SUBDIVISION PLAN OF LAND IN NANTUCKET  
 Charles W. Hart and Associates, Inc., Surveyors  
 February 22, 2011

13199-18



THIS PLAN FILED WITH CERTIFICATE NO. 23735

Subdivision of Lot 82  
 Shown on Plan 13199-8  
 Filed with Cert. of Title No. 15968  
 Registry District of Nantucket County

Separate certificates of title may be issued for land  
 shown hereon as Lots 108, 109, 110, 111 and 112  
 By the Court.

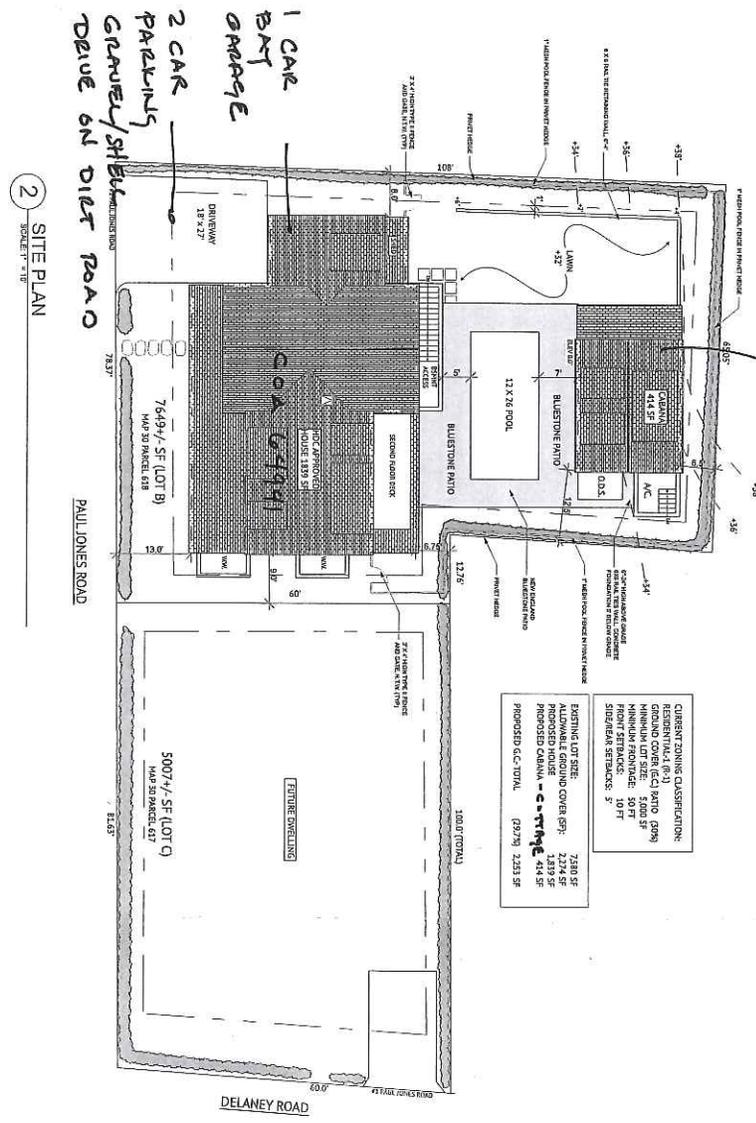
*Deborah J. Patterson*  
 Recorder

June 15, 2011

ST-09SC

Copy of part of plan  
 filed in  
**LAND REGISTRATION OFFICE**  
 June 15, 2011  
 Scale of this plan 50 feet to an inch  
 T.C. Pontbriand, Acting Engineer for Court

PROPOSED SECOND FLOORING 414 SF G.C.  
 HOI APPROVED CEAT # 65171



2 SITE PLAN  
 SCALE: 1" = 7'-0"

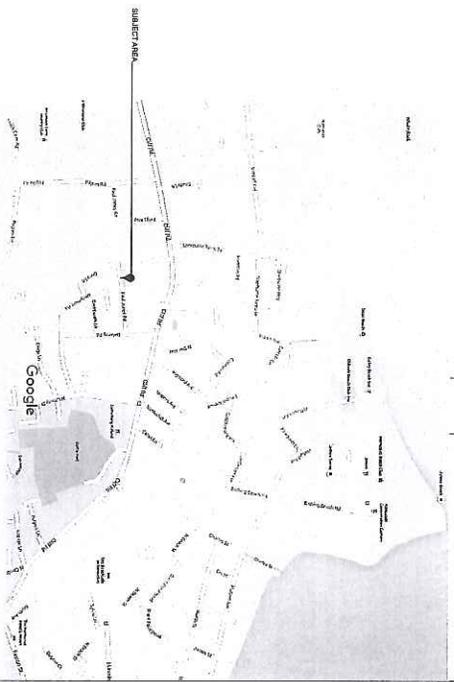
**CURRENT ZONING CLASSIFICATION:**  
 RESIDENTIAL (R-1) M10, G099  
 MINIMUM LOT SIZE: 5000 SF  
 MINIMUM FRONTAGE: 30 FT  
 MAXIMUM HEIGHT: 10 FT  
 SIDE SETBACKS: 5'

**EXISTING LOT SIZE:** 7180 SF  
**ALLOWABLE GROUND COVER (GC):** 22% SF  
**PROPOSED HOUSE:** 1319 SF  
**PROPOSED GARAGE - e-v-n-g:** 414 SF  
**PROPOSED C-C-TOTAL:** (1319) 2253 SF

**PAUL JONES ROAD CABANA/COTTAGE**  
**ONE PAUL JONES ROAD**  
**NANTUCKET, MA**

**DRAWING LIST**

COVER	SITE PLAN, LOCUS MAP
A.1.1	FLOOR PLANS & SCHEDULES
A.2.1	ELEVATIONS



**Thornwell Design LLC**  
 48 Dukess Road  
 Nantucket, Ma. 02554  
 Tele: 508 228 9161 Fax: 508 228 3165

**USE OF DRAWING**  
 This drawing is the sole property of the Designer and shall not be used for any other project without the written consent of the Designer. The Designer shall not be held responsible for any errors or omissions in this drawing, or for any consequences that may result from its use. This drawing is to be returned to the Designer when no longer required.

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**PAUL JONES ROAD CABANA/COTTAGE**  
 ONE PAUL JONES ROAD, NANTUCKET, MA  
 MAP 30 PARCEL 618

DATE	1/27/18
DESIGNER	1/27/18
REVISIONS	1/27/18
DATE	1/27/18
BY	1/27/18
DATE	1/27/18

**COVER**



# Nantucket Planning Board

## SECONDARY DWELLING REPORT

Prepared by: Holly E. Backus, Land Use Specialist

Meeting Date: March 7, 2016

8 Field Ave  
Assessors Map #80 Parcel #167

**Applicant**

Martha Dragon & Joe Dunn

**Owner**

Martha, Charles & Veronica Dragon



The applicant is proposing to construct an 824 square foot 2-story second dwelling at 8 Field Ave. The proposed two bedroom dwelling will be located on the southwest corner of the site, which contains approximately 35,719 square feet of lot area and is zoned LUG-1.

Access to the site is from Field Ave, which is a private dirt road. The site will contain a separate gravel driveway with a total of two (2) exterior parking spaces for the proposed secondary dwelling. The primary dwelling is currently accessed by a stone driveway with a total of two (2) exterior parking spaces.

Furthermore, the Applicant is requesting a waiver from the requirements of Section 139-20.1(B) (1) pursuant to Section 139-20.1(C) of the Nantucket Zoning Bylaw in order to allow two (2) curb cuts. This waiver is granted through special permit relief pursuant to a finding that (1) the structures and uses are in harmony with the general purposes and intent of Chapter 139 of the Bylaw; (2) the granting of a special permit would not have a significant and adverse effect on the scenic or historic integrity of the neighborhood, and (3) the relief is not contrary to sound traffic and safety considerations.

Below is a copy of the 1998 GIS aerial photograph that shows the other driveway that pre-existed prior to the adoption of Section 139-10.1 of the Nantucket Zoning Bylaw in 1998.

April 1998 Aerial from Town of Nantucket GIS



The site plan, as submitted meets the requirements of Zoning Bylaw Sections 139-18 and 139-20.1. Planning staff recommends approval of this application with the following conditions:

- (1) That more evidence is provided to the Board on the “existing earthen driveway, established prior to 1998.” From the 1998, it does not seem that the driveway was previously established.
- (2) That the traveled surface of Field Ave shall be improved (i.e.: grading and trimming of vegetation) to a minimum width of sixteen (16) feet from Blueberry Lane to the entrance to the site. This shall be completed prior to the issuance of a Building Permit and prior to the issuance of a Certificate of Occupancy;
- (3) That any future landscaping at the driveway entrances be limited to low growing plant material not to exceed three (3) feet in height;
- (4) That the driveways be cleared free of vegetation and obstruction to a width of twelve (12) feet and a height of thirteen (13) feet; and
- (5) That the applicant shall submit an As-Built prior to the final inspection by staff which shall take place prior to the issuance of a Certificate of Occupancy.



## Nantucket Planning Board

### Application for a Secondary Dwelling Permit

Applicant: Martha Dragon & Joe Dunn

Mailing address: PO Box 413, Goshen MA 01032-0413

Daytime phone number: 413 297 3334 Fax: Ø

E-mail Address: Jdremodel@verizon.net

Owner (if other than applicant): Veronica Dragon (POB 145 Nantucket) & Charles A. Dragon

Mailing address: POB 904, Nantucket

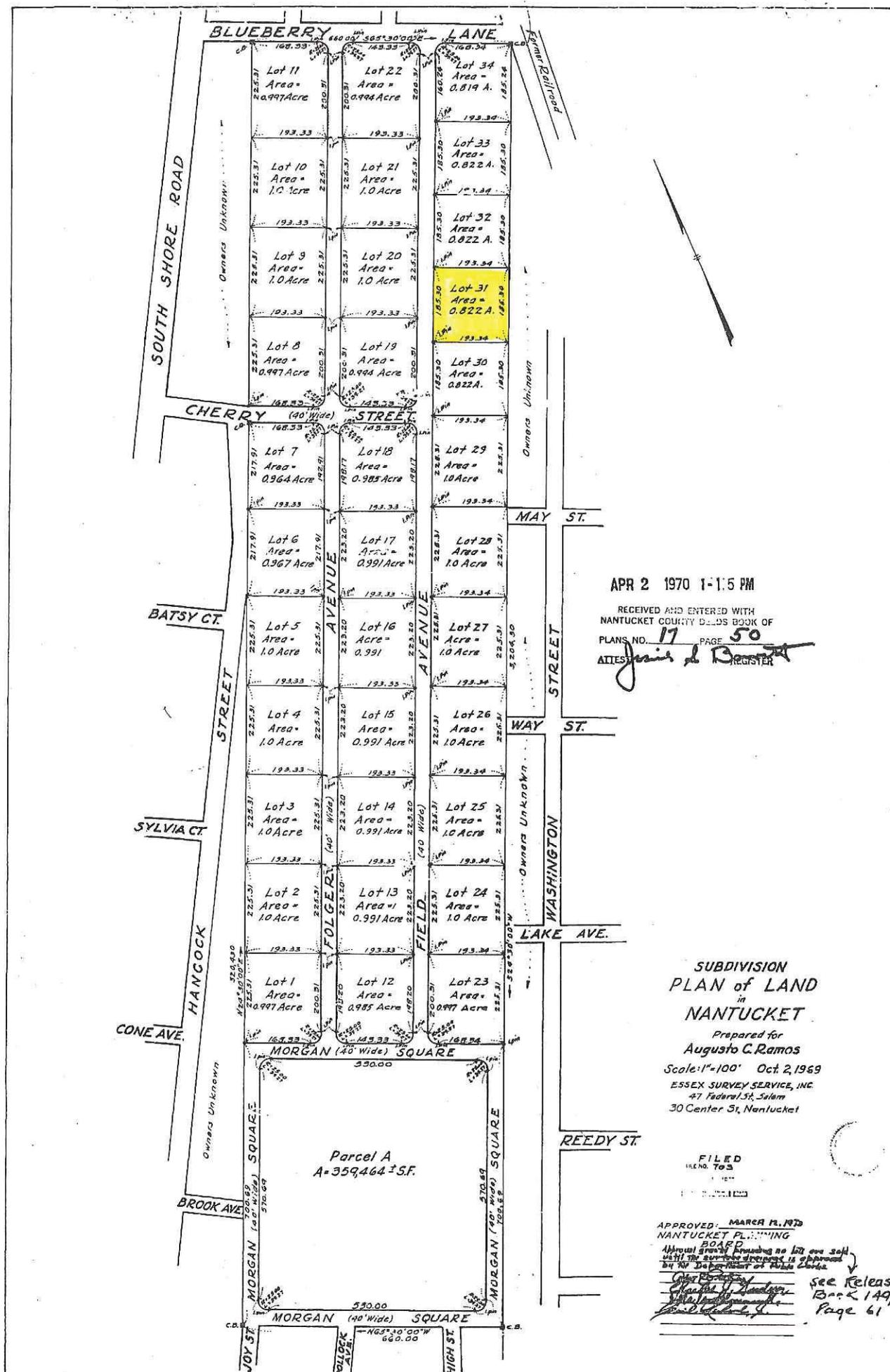
Location of proposed secondary dwelling:

Street Address 8 Field Ave

Assessors Tax Map # 80 Parcel # 167

Size of Parcel 0.82 Acres Zoning District LU6-1

Secondary Dwelling # of Bedrooms 2 Primary Dwelling # of Bedrooms 4



APR 2 1970 1-1:5 PM

RECEIVED AND ENTERED WITH  
 NANTUCKET COUNTY DEEDS BOOK OF  
 PLANS NO. 17 PAGE 50  
 ATTEST *James A. B...* REGISTER

**SUBDIVISION  
 PLAN of LAND  
 in  
 NANTUCKET**

Prepared for  
**Augusto C. Ramos**  
 Scale: 1"=100' Oct. 2, 1969  
 ESSEX SURVEY SERVICE, INC.  
 47 Federal St., Salem  
 30 Center St., Nantucket

FILED  
 REG. NO. 703

APPROVED: MARCH 12, 1970  
 NANTUCKET PLANNING  
 BOARD

Approval given provided no lot are sold  
 until the survey document is approved  
 by the Registrar of Deeds, Nantucket

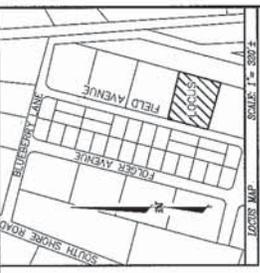
*James A. B...*  
*James A. B...*  
*James A. B...*

See Release -  
 Back 149  
 Page 61

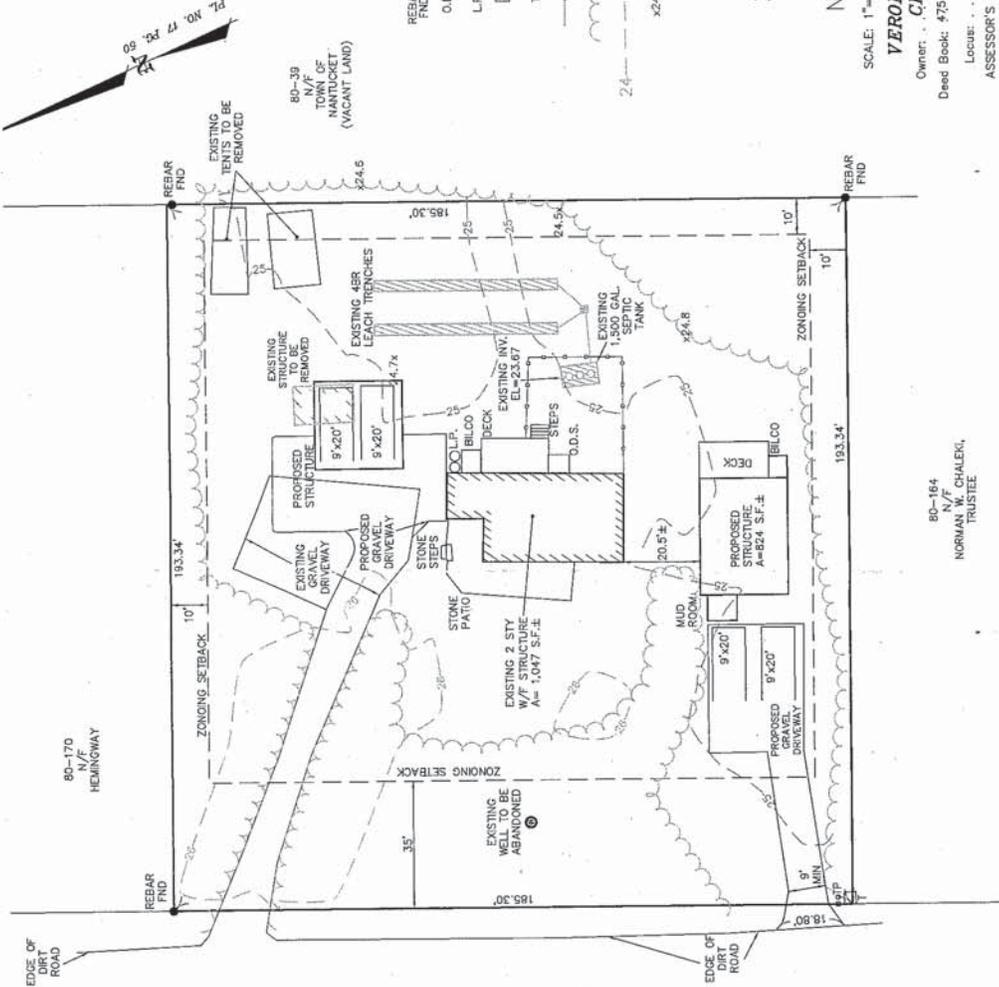
Secondary Dwelling  
8 Field Ave, Nantucket  
Ground Cover Summary

Existing Structures	Square feet
2-Bedroom house	1,032.00
Shed	160.00
Temp shed 1	200.00
Temp shed 2	200.00
<b>Existing Total Ground Cover</b>	<b>1,592.00</b>
<b>Proposed Secondary Dwelling</b>	<b>824.00</b>
2-Bedroom home (20% smaller than existing home)	
<b>Proposed changes to ground cover</b>	
Total horizontal land area	35,719.00
7% of total land area	2,500.33
<b>Total Proposed changes to groundcover</b>	<b>2,416.00</b>





FEB 19 2016



- LEGEND**
- REBAR FND
  - EXISTING BEAR FND
  - O.D.S.
  - L.P.O.
  - T.P.O.
  - REMOVES EXISTING BEAR FND
  - REMOVES EXISTING OUT DOOR SEWER
  - REMOVES EXISTING PROPANE TANK
  - REMOVES EXISTING TRANSFORMER
  - REMOVES EXISTING TELEPHONE FURNISHAL
  - REMOVES EXISTING SPIT RAIL FENCE
  - REMOVES EXISTING EDGE OF BRUSH
  - REMOVES EXISTING GRADE CONTOURS
  - x24.4
  - REMOVES EXISTING GRADE SPOT ELEVATION

**2ND DWELLING  
SITE PLAN  
OF LAND IN  
NANTUCKET, MA**

SCALE: 1" = 20' DATE: FEBRUARY 18, 2016  
**VERONICA J., MARTHA V., &  
CHARLES A. DRAGON**  
 Owner: . . . #8 FIELD AVENUE, . . . 167, . . .  
 Deed Book: 475, PG. 40 . Plan Book: 17, PG. 59, LOT 31  
 Locust: . . . #8 FIELD AVENUE, . . . 167, . . .  
 ASSESSOR'S MAP: . . . PARCEL: . . . 167, . . .  
**BLACKWELL & ASSOCIATES, Inc.**  
 Professional Land Surveyors  
 20 TEASDALE CIRCLE  
 NANTUCKET, MASS 02554  
 (508) 228-8026



LOT AREA: 35,825 S.F.±  
 LOT CREATED: APRIL 2, 1970

B8022

**Edicting:**  
 80-416 N/F  
 TORY N. & LINDA M. (LOT SERVED BY TOWN WATER AND SEWER)

**2ND DWELLING SIZE DIFFERENTIAL**  
 EXISTING DWELLING:  
 A=1,047 S.F.±  
 PROPOSED 2ND DWELLING:  
 A=824 S.F.± (78.7%± EXISTING)



80-420 N/F  
 SARA ANNE & JUSTIN ROBERT BROOKS (LOT SERVED BY TOWN WATER AND SEWER)

**OWNER OF RECORD**  
 VERONICA J., MARTHA V., & CHARLES A. DRAGON  
 DEED BOOK: 475, PG. 40  
 PLAN BOOK: 17, PG. 59, LOT 31  
 ASSESSOR'S MAP: . . . PARCEL: 167  
 #8 FIELD AVENUE



# Nantucket Planning Board

## SECONDARY DWELLING REPORT

Prepared by: Holly E. Backus, Land Use Specialist

Meeting Date: March 7, 2016

8 Micheme Lane

Assessors Map #: 67 Parcel #: Portion of 162.3

**Applicant**

Jonathan Fethersone-Witty

**Owner**

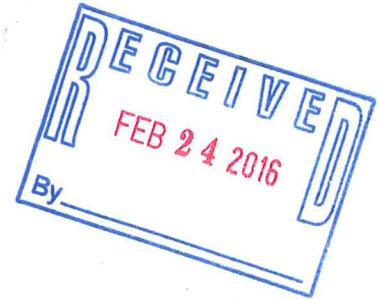
Same



The applicant is proposing to construct an 800 square foot 2 ½ story secondary dwelling. The proposed secondary dwelling will be located on the northwest portion of the site, which has approximately 30,812 square feet of lot area and is zoned R-20. The proposed secondary dwelling will be accessed off of Micheme Lane by a “pervious” driveway. Five (5) parking spaces are required; however nine (9) exterior parking spaces are shown on the proposed site plan.

Planning staff recommends approval of this application with the following conditions:

- (1) That an amended site plan shall be provided to staff with the appropriate driveway apron and driveway surface indicated;
- (2) That the apron at the intersection with Madaket Road shall be constructed with a minimum depth of ten (10) feet and a maximum width of fifteen (15) feet, flared to a width not to exceed nineteen (19) feet, pursuant to Nantucket Zoning Bylaw Section 139-20.1(B)(2)(d);
- (3) That any future landscaping at the driveway entrance be limited to low growing plant material not to exceed three (3) feet in height;
- (4) That the driveway shall be cleared free of vegetation and obstruction to a minimum width of twelve (12) feet and a height of thirteen (13) feet; and
- (5) That the applicant shall submit an As-Built prior to the final inspection by staff which shall take place prior to the issuance of a Certificate of Occupancy.



# Nantucket Planning Board

## Nantucket Planning Board

### Application for a Secondary Dwelling Permit

Applicant: Jonathan Featherstone - Kitty

Mailing address: PO Box 2324, Nantucket, MA 02584

Daytime phone number: 508 415 6381 Fax: \_\_\_\_\_

E-mail Address: juraj@thejbstudio.com

Owner (if other than applicant): \_\_\_\_\_

Mailing address: \_\_\_\_\_

#### Location of proposed secondary dwelling:

Street Address: 8 Micheme Ln.

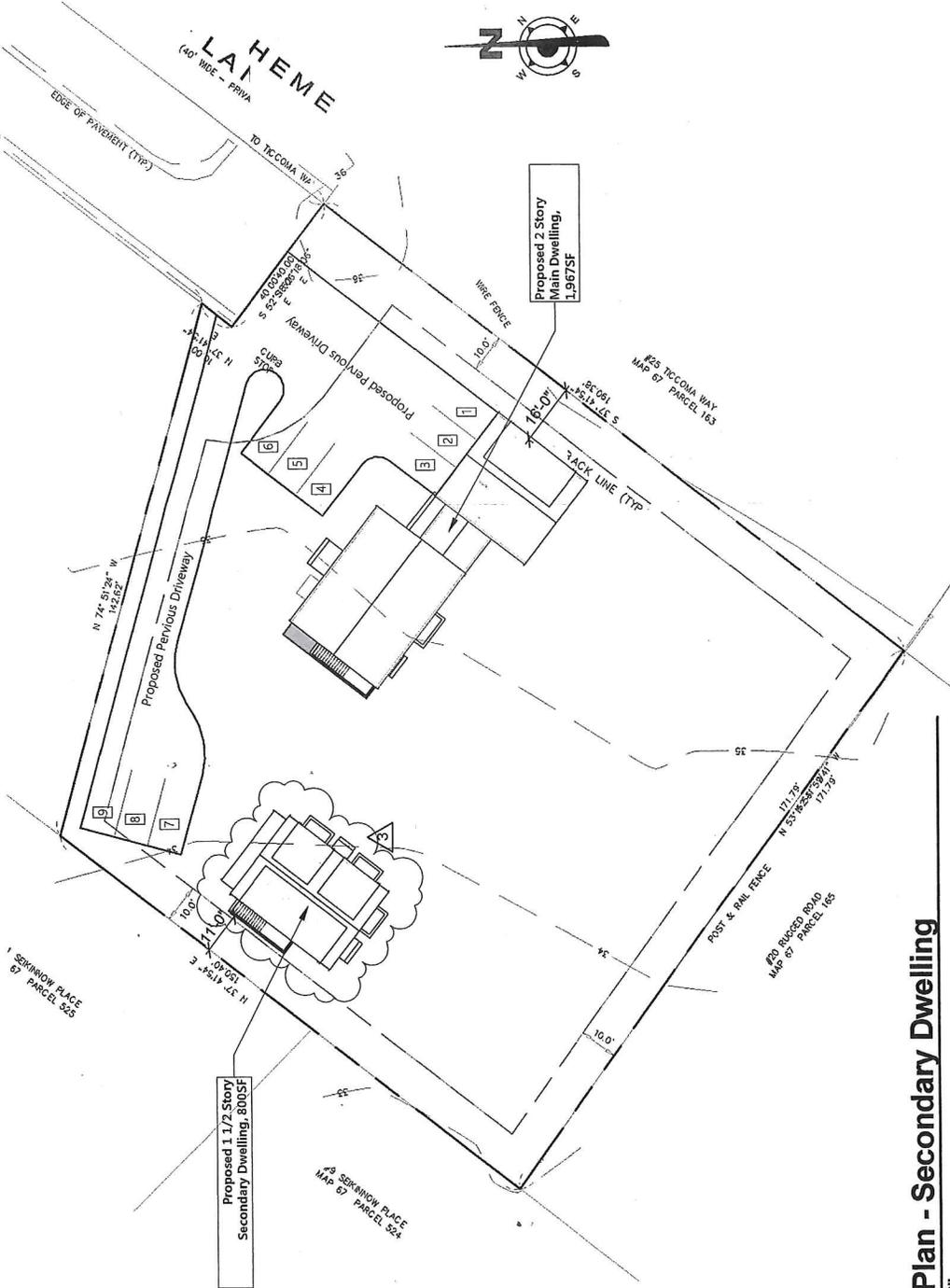
Assessors Tax Map #: 67 Parcel #: 162.3

Size of Parcel: 30,812 SF Zoning District: R-20

Secondary Dwelling # of Bedrooms: 3 Primary Dwelling # of Bedrooms: 3

#### \*\*\*\*\*Submission Requirements:

See attached checklist dated January 15, 2015.



**1 Site Plan - Secondary Dwelling**

1" = 30'-0"



JB Studio  
 PO Box 3741  
 Nantucket, MA 02584  
 tel: (508) 332-9654  
 email: jurg@theJBStudio.com  
 www.theJBStudio.com

**Featherstone-Witty Residence**

8 Micheme Ln., Nantucket, MA 02554

Sheet

02.24.16

**C.102**

Site Plan

Scale

1" = 30'-0"

Bl: Pg: 0 Page: 0  
Doc: PLAN 08/06/2013 02:09 pm

NANTUCKET REGISTRY  
OF DEEDS  
Date: 04/22/13  
Time: 02:54:33  
Page No.: 2013-24  
Name: Campbell, Jennifer  
Sheet 1 of 1

REVISIONS

Date	By	Comments
1/4/22/12	FB	COMMENTS



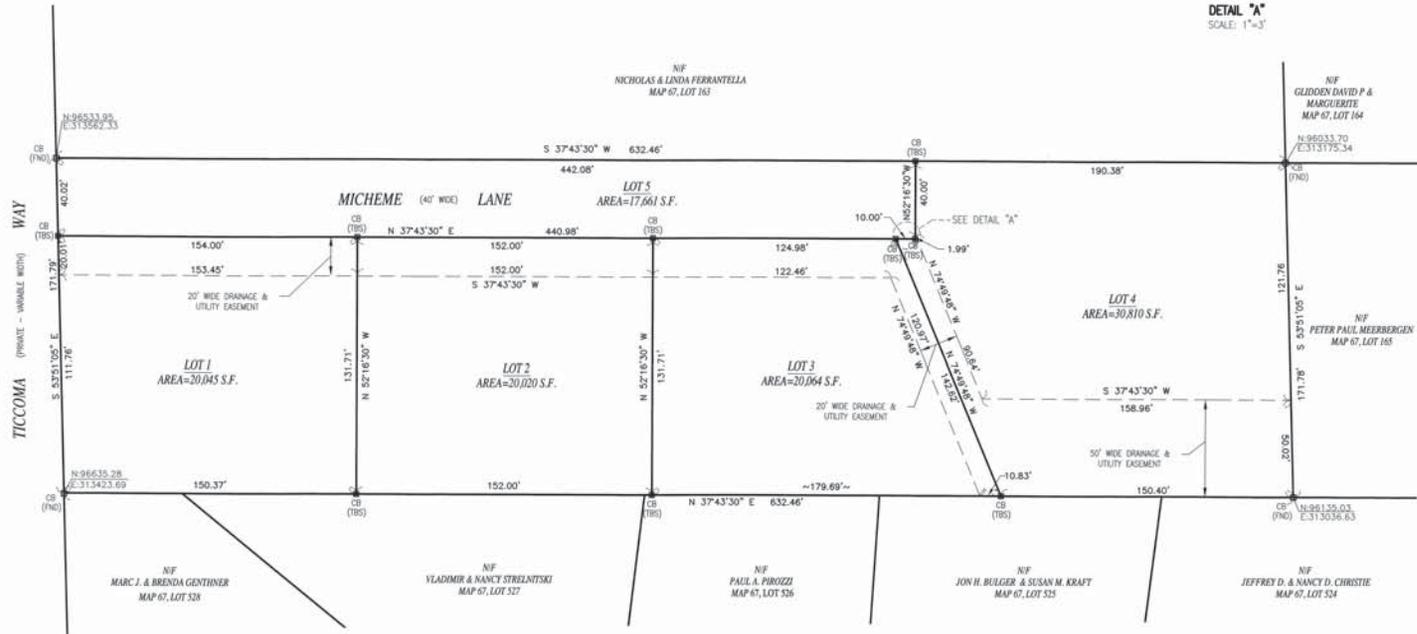
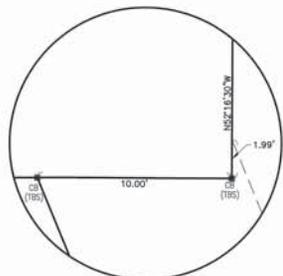
**Hayward-Boynnton & Williams**  
A THOMPSON FARLAND COMPANY  
30 N. WATER STREET, NEW BEDFORD, MA 02740 P: 508.712.2478 F: 508.712.2481  
4 COURT STREET, SUITE 107, TANTON, MA 02786 P: 508.822.8871 F: 508.860.8891  
WWW.THOMPSONFARLAND.COM

DRAWN BY: MJT  
DESIGNED BY: MJT  
CHECKED BY: CAF/BJM

**DEFINITIVE SUBDIVISION**  
21 TICCOMA WAY  
ASSESSORS MAP 67 LOT 162  
NANTUCKET, MASSACHUSETTS

PREPARED BY: OSCAR SQUARED, INC.  
TANTON, MA 02786

FEBRUARY 20, 2012  
SCALE: 1"=30'  
JOB NO. 6023  
LATEST REVISION:  
APRIL 22, 2012  
LOTING SHEET  
SHEET 2 OF 6



**NANTUCKET PLANNING BOARD**

APPROVED CONDITIONALLY SUBJECT TO THE COMPLETION OF ALL REQUIRED GROUNDWORK AS SHOWN ON THESE PLANS AND AS SET FORTH IN THE COVENANT.

DATE APPROVED: 04-09-12  
DATE SIGNED: 02-08-13

THIS APPROVAL IS SUBJECT TO A COVENANT DULY EXECUTED DATED THE 5th DAY OF July, 2012, RUNNING WITH THE LAND TO BE DULY RECORDED BY OR FOR THE OWNER OF THE RECORD.

THIS PLAN IS SUBJECT TO ALL CONDITIONS OF THE NANTUCKET PLANNING BOARD CERTIFICATE OF ACTION DATED June 4, 2008, FILED WITH THE NANTUCKET TOWN CLERK ON June 5, 2008, AND HEREMITH RECORDED AS PART OF THIS PLAN.

THIS SUBDIVISION IS LIMITED TO THE FOUR (4) LOTS SHOWN. ANY FURTHER RE-SUBDIVISION SHALL REQUIRE THAT A NEW DEFINITIVE SUBDIVISION BE SUBMITTED FOR APPROVAL.

**NANTUCKET TOWN CLERK**

I HEREBY CERTIFY THAT THERE HAS BEEN NO APPEAL TAKEN TO THIS PLANNING BOARD ACTION DURING THE TWENTY DAY STATUTORY APPEAL PERIOD.

DATE: 9-6-12  
TOWN CLERK, TOWN OF NANTUCKET

I HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS

Brian J. Murphy, P.E.  
DATE: 4/21/12

**NOTES:**

- THIS PROPERTY IS LOCATED IN A SUB-URBAN RESIDENTIAL (SR-20) DISTRICT. THIS PARCEL IS LOCATED IN THE NANTUCKET PUBLIC WELHEAD RECHARGE (PWR) AND MASS DEP ZONE 8 OVERLAY DISTRICTS.
- MINIMUM REQUIRED BUILDING SETBACKS: FRONT=30', SIDE=10', REAR=10'.
- MINIMUM REQUIRED LOT AREA = 20,000 S.F.
- MINIMUM FRONTAGE = 75' (STANDARD LOTS), 50' (PER SECTION 139-3.3.8)
- MAXIMUM REQUIRED GROUND COVER DENSITY = 12.5%
- THIS PROPERTY IS REFERENCED AS ASSESSOR'S MAP 67, LOT 162.
- THERE ARE NO WETLAND AREAS CONTAINED WITHIN THIS LOT.
- THE SUBJECT PARCEL IS NOT LOCATED WITHIN ANY SPECIAL FLOOD HAZARD ZONE AS DETERMINED BY FEMA MAP COMMUNITY PANEL #200203-00120 DATED NOVEMBER 6, 1996.
- CONCRETE BOUNDS ARE TO BE REINFORCED CONCRETE, FIVE (5) INCHES BY FIVE (5) INCHES BY THIRTY (30) INCHES.
- LOTS 1, 2, 3 & 4 DO NOT CONTAIN AREAS SUBJECT TO PROTECTION UNDER THE MASSACHUSETTS WETLANDS PROTECTION. ALL PROPOSED LOTS CONFORM TO THE NANTUCKET ZONING BY-LAWS.
- PLAN REFERENCES:  
A. PLAN BOOK 13, PAGE 92  
B. PLAN BOOK 17, PAGE 103  
C. PLAN 50-J
- DEED REFERENCE: BOOK 1278, PAGE 164
- COORDINATES SHOWN ARE BASED UPON THE MASSACHUSETTS STATE PLANE SYSTEM ISLAND ZONE.
- LOT #5 (PROPOSED KNOWING) TO BE DEEDED TO HOMEOWNERS ASSOCIATION PER PLANNING BOARD REQUIREMENTS.



# Nantucket Planning Board

## SECONDARY DWELLING REPORT

**Prepared by:** Holly E. Backus, Land Use Specialist

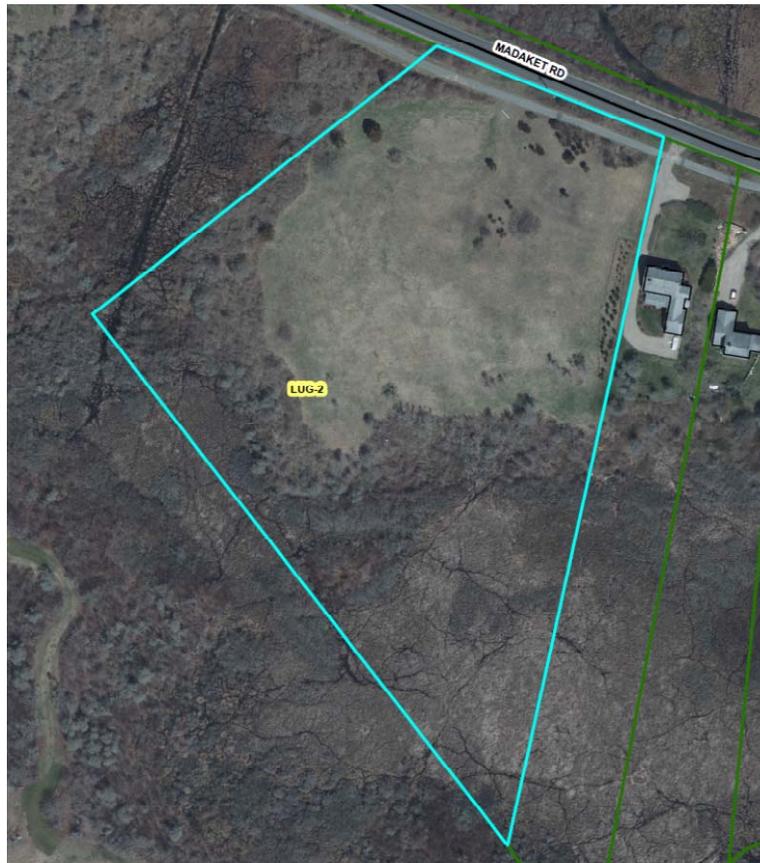
**Meeting Date:** March 7, 2016

**78 Madaket Road**

Assessors Map #: 41 Parcel #: Portion of 462.6

**Applicant**  
William Raftery

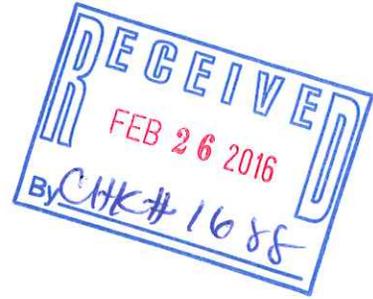
**Owner**  
Same



The applicant is proposing to construct a 700 square foot secondary dwelling. The proposed secondary dwelling will be located on the southeast portion of the site, which has approximately 80,014 square feet of lot area and is zoned LUG-2. The proposed secondary dwelling will be accessed off of Madaket Road by a driveway with a Belgian block apron. Four (4) exterior parking spaces are shown on the proposed site plan.

Planning staff recommends approval of this application with the following conditions:

- (1) That an amended site plan shall be provided to staff with the appropriate intensity regulations and driveway surface indicated;
- (2) That the apron at the intersection with Madaket Road shall be constructed with a minimum depth of ten (10) feet and a maximum width of fifteen (15) feet, flared to a width not to exceed nineteen (19) feet, pursuant to Nantucket Zoning Bylaw Section 139-20.1(B)(2)(d);
- (3) That any future landscaping at the driveway entrance be limited to low growing plant material not to exceed three (3) feet in height;
- (4) That the driveway shall be cleared free of vegetation and obstruction to a minimum width of twelve (12) feet and a height of thirteen (13) feet; and
- (5) That the applicant shall submit an As-Built prior to the final inspection by staff which shall take place prior to the issuance of a Certificate of Occupancy.



# Nantucket Planning Board

## APPLICATION FOR A SECONDARY (2<sup>ND</sup>) DWELLING PERMIT

Date Submitted: 2/25/16 Fee Amount: \$100 -

Applicant: VAL OLIVER

Mailing address: PO BOX 3057 NANTUCKET, MA 02584

Daytime phone number: (508) 325-4319 Fax: \_\_\_\_\_

E-mail Address: ackval62@gmail.com

Owner (if other than applicant): WILLIAM RAPTORY

Mailing address: 3 HAMMINS CROSSING POB, MA 02030

Signature of Property Owner(s) [Signature]

**Location of proposed secondary (2<sup>ND</sup>) dwelling:**

Street Address: 78 MARKET ROAD

Assessors Tax Map #: 41 Parcel #: 402.6

Size of Parcel: 80,04 SF Zoning District: R20 LVG-2

Secondary Dwelling # of Bedrooms: 2

Primary Dwelling # of Bedrooms: 5

Number of Parking Spaces required (See Chapter 139-18 of the Bylaw): 4

Number of Parking Spaces provided: 4

Please provide a brief description of the proposed second dwelling:

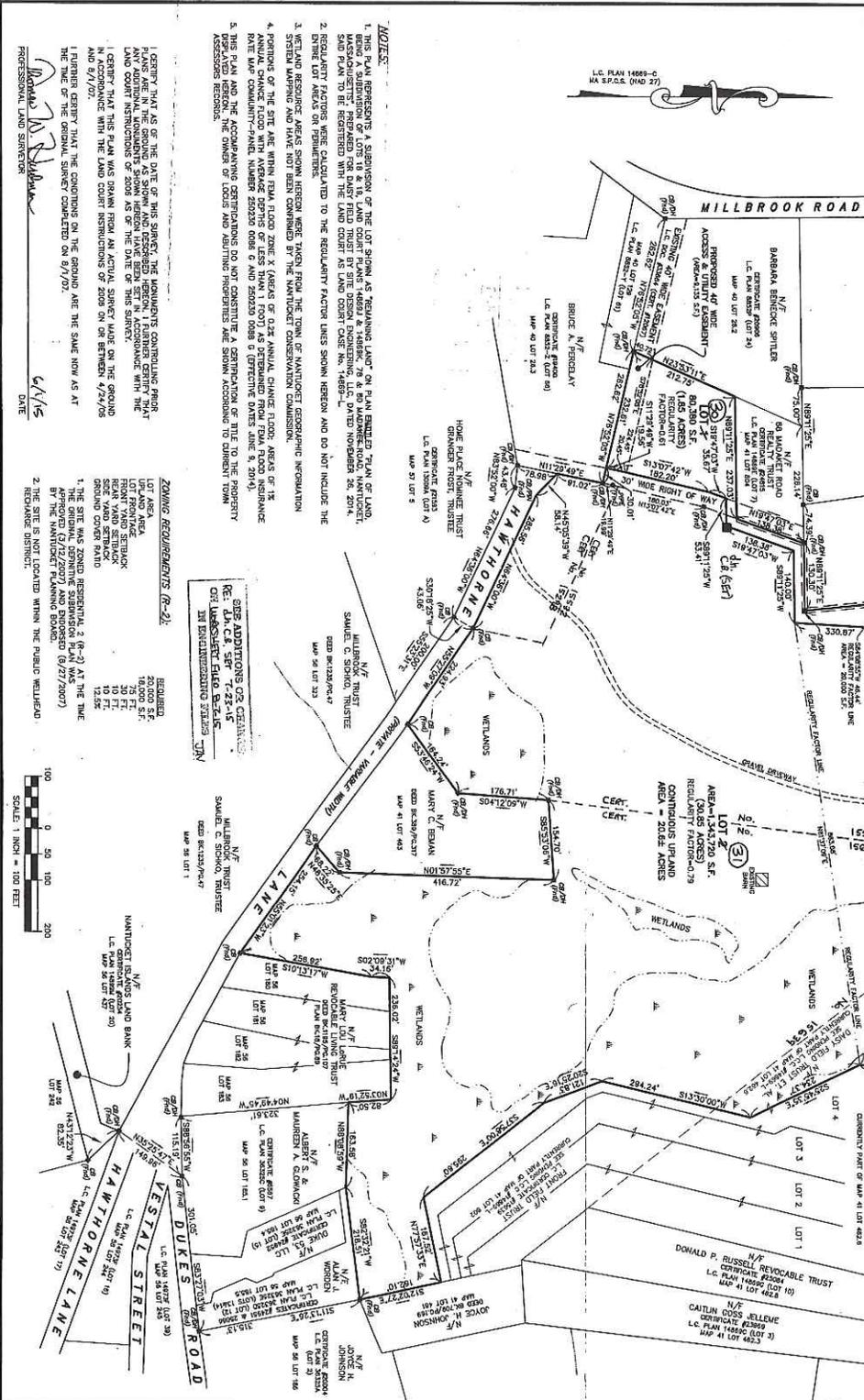
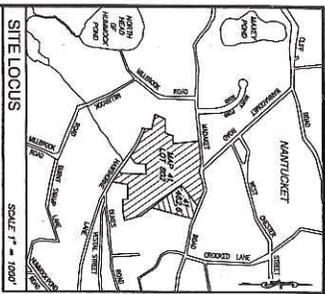
\*\*\*PLEASE DO NOT WRITE "SEE ATTACHED."\*\*\*

700 SF COTTAGE WITH 2 BEDROOMS, 2 BATHS - BEHIND MAIN HOUSE AND POOL

**HEB**







**NOTES:**

- THIS PLAN REPRESENTS A SUBDIVISION OF THE LOT SHOWN AS 'REMAINING LOTS' ON PLAN ENTERED TOWN OF NANTUCKET RECORDS UNDER MAP NO. 41 LOT 282. THIS PLAN IS A REVISION OF THE PLAN ENTERED UNDER MAP NO. 41 LOT 282. THIS PLAN IS A REVISION OF THE PLAN ENTERED UNDER MAP NO. 41 LOT 282.
- THE PLANNING BOARD DETERMINES THAT THE ASSUMED WETLANDS PROTECTION ACT IS APPLICABLE TO THIS PLAN. TO COMPLY WITH THE WETLANDS PROTECTION ACT, THE APPLICANT SHALL SUBMIT TO THE NANTUCKET CONSERVATION COMMISSION WITH THIS PLAN A WETLANDS PROTECTION ACT REPORT AND A WETLANDS PROTECTION ACT PLAN.
- THE APPLICANT SHALL SUBMIT TO THE NANTUCKET CONSERVATION COMMISSION WITH THIS PLAN A WETLANDS PROTECTION ACT REPORT AND A WETLANDS PROTECTION ACT PLAN.
- THE APPLICANT SHALL SUBMIT TO THE NANTUCKET CONSERVATION COMMISSION WITH THIS PLAN A WETLANDS PROTECTION ACT REPORT AND A WETLANDS PROTECTION ACT PLAN.
- THE APPLICANT SHALL SUBMIT TO THE NANTUCKET CONSERVATION COMMISSION WITH THIS PLAN A WETLANDS PROTECTION ACT REPORT AND A WETLANDS PROTECTION ACT PLAN.

**LEGEND:**

- CONCRETE BOUND W/DRILL HOLE
- WETLANDS

**FOR LOTS 30+31**

**14869 N**

**LAND COURT CASE PLAN 14869-N**

**FILED**

**DATE: DECEMBER 1, 2014**

**ISSUED FOR: AIR ENDSUBMENT**

**PLAN OF LAND**

**BEING A SUBDIVISION OF LOTS SHOWN ON LAND COURT CASE PLAN 14869-N**

**80 MADAKET ROAD**

**NANTUCKET, MASSACHUSETTS**

**PREPARED FOR FRONT FIELD TRUST**

**DATE ENDORSED: 11-10-14**

**PLANNING BOARD FILE NO. 3744**

**PLANNING BOARD ENDORSEMENT DOES NOT CONSTITUTE A REPRESENTATION OF COMPLETING LANDS SURVEY.**

**FORMING TITLE: PLAN OF LAND**

**SCALE: 1" = 100'**

**SHEET NO. 1 OF 1**

**SITE DESIGN ENGINEERING, LLC.**

11 GOSWAM STREET  
NANTUCKET, MA 02554  
WWW.SITEDESIGNENGINEERING.COM

**6 of 6**

NO.	DATE	DESCRIPTION	APPROVED



# Nantucket Planning Board

## TERTIARY DWELLING REPORT

Prepared by: Holly E. Backus, Land Use Specialist

Meeting Date: March 7, 2016

8 Tripp Drive

Assessors Map: #80 Parcel: #51

**Applicant**

Doris C. Strang

**Owner**

Same



The Applicant is proposing to construct a one 1-bedroom tertiary dwelling with a gross floor area of 550 square feet. The site contains a 1,880 square foot primary dwelling unit under construction that will be owner occupied once completed. The proposed tertiary dwelling will be located within the basement of the primary structure, which is located on the southeast portion of the site. The site contains approximately 80,003 square feet of lot area and is zoned LUG-2. The Applicant is proposing a total of 6 bedrooms, which is consistent with the requirements of the Zoning Bylaw.

Access to the site is from Tripp Drive, a private paved roadway. Access to the Tertiary Dwelling is from a shared driveway with the existing secondary dwelling. Six (6) exterior parking spaces are shown on the site plan. The site plan, as submitted, meets all of the requirements of Zoning Bylaw Sections 139-18 and 139-20.1.

Planning staff recommends approval of this application with the following conditions:

- (1) That any landscaping at the driveway entrance be limited to low growing plant material not to exceed three (3) feet in height; and,
- (2) That the applicant shall submit an As-Built prior to the final inspection by staff which shall take place prior to the issuance of a Certificate of Occupancy.



# Nantucket Planning Board

## APPLICATION FOR A TERTIARY (3rd) DWELLING PERMIT

Date Submitted: 2/22/16 Fee Amount: \$100.00 Number: 3

Applicant: Doris C. Strang

Mailing address: 8 Tripp Dr. Nantucket, MA 02554

Daytime phone number: 508-221-8403 Fax: \_\_\_\_\_

E-mail Address: doriscstrang@comcast.net

Owner (if other than applicant): \_\_\_\_\_

Mailing address: \_\_\_\_\_

Signature of Property Owner(s) Doris C. Strang

Location of proposed tertiary (3<sup>RD</sup>) dwelling:

Street Address: 8 Tripp Drive

Assessors Tax Map #: 80 Parcel #: 50

**HEB**

Size of Parcel: 1.84 AC Zoning District: LUG2

Tertiary Dwelling # of Bedrooms: 1

Secondary Dwelling # of Bedrooms: 2

Primary Dwelling # of Bedrooms: 3

Number of Parking Spaces required (See Chapter 139-18 of the Bylaw): \_\_\_\_\_

Number of Parking Spaces provided: 2

### OCCUPANCY: (Circle which unit will be owner occupied)

Primary  
after it is completed

Secondary

Tertiary  
for now 550 sq ft.

**OWNERSHIP TITLE REFERENCES:**

**RECORDED LAND** (Registry of Deeds Title References)

DEED noted in Book 14, Page 650

Lot(s) # 1 shown on Plan \_\_\_\_\_

**REGISTERED LAND** (Land Court Title References)

Certificate of Title Number \_\_\_\_\_

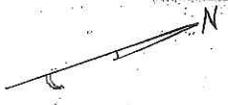
Lot (s) # \_\_\_\_\_ shown on Land Court Plan# \_\_\_\_\_

Please provide a brief description of the proposed third dwelling:

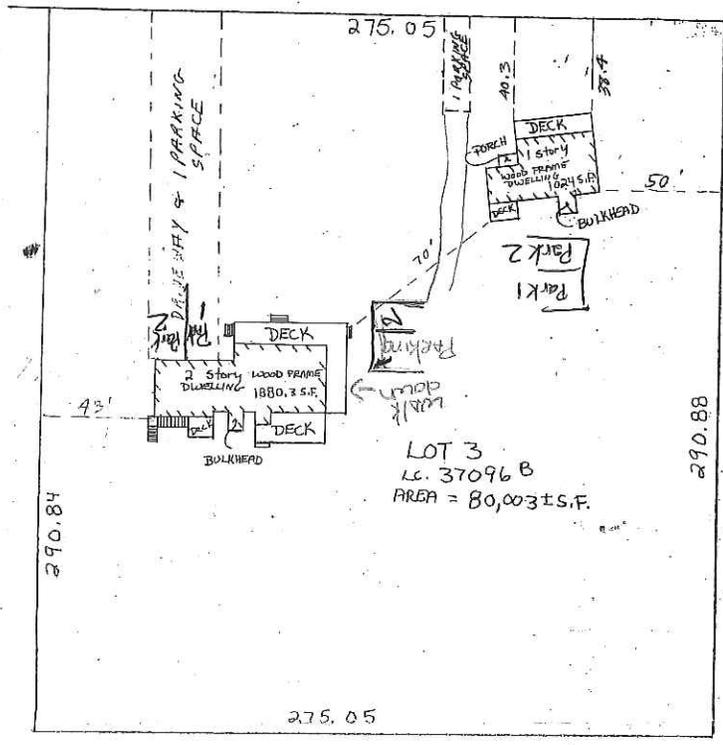
**\*\*\*PLEASE DO NOT WRITE "SEE ATTACHED."\*\*\***

Our primary home burned on 2/15/15. We are rebuilding & have amended our permit to finish the basement while that is being done so we have a place to live. Our garden hose to our camper kept freezing. My handicap parents live in our 2nd dwelling now for 23 years! I can not move them. The basement has 4 full egress windows & a full door walk down plus stair up to the primary dwelling.

**\*\*\*Submission Requirements: See attached checklist:**



TRIPP DRIVE  
(40' WIDE)



**APPROVED**

NANTUCKET BUILDING DEPT.

Date 9-24-92 # 8066-91

By [Signature]

ZONING: JVG-2  
 MINIMUM LOT SIZE 80,000 S.F.  
 MINIMUM FRONTAGE: 150'  
 FRONT YARD SETBACK: 35'  
 REAR & SIDE SETBACK: 15'  
 GROUND COVER RATIO: 4%  
 EXISTING GROUND COVER 3.6%  
 PLOT PLAN OF LAND IN  
 NANTUCKET, MASS.

SCALE 1" = 50'

DATE: Sept 21, 1992

JOHN J. SHUGRUE INC.  
 57 OLD SOUTH ROAD  
 NANTUCKET, MA. 02554

FOR: Doris Catherine Strang

THE STRUCTURES SHOWN  
ARE LOCATED AS SHOWN.

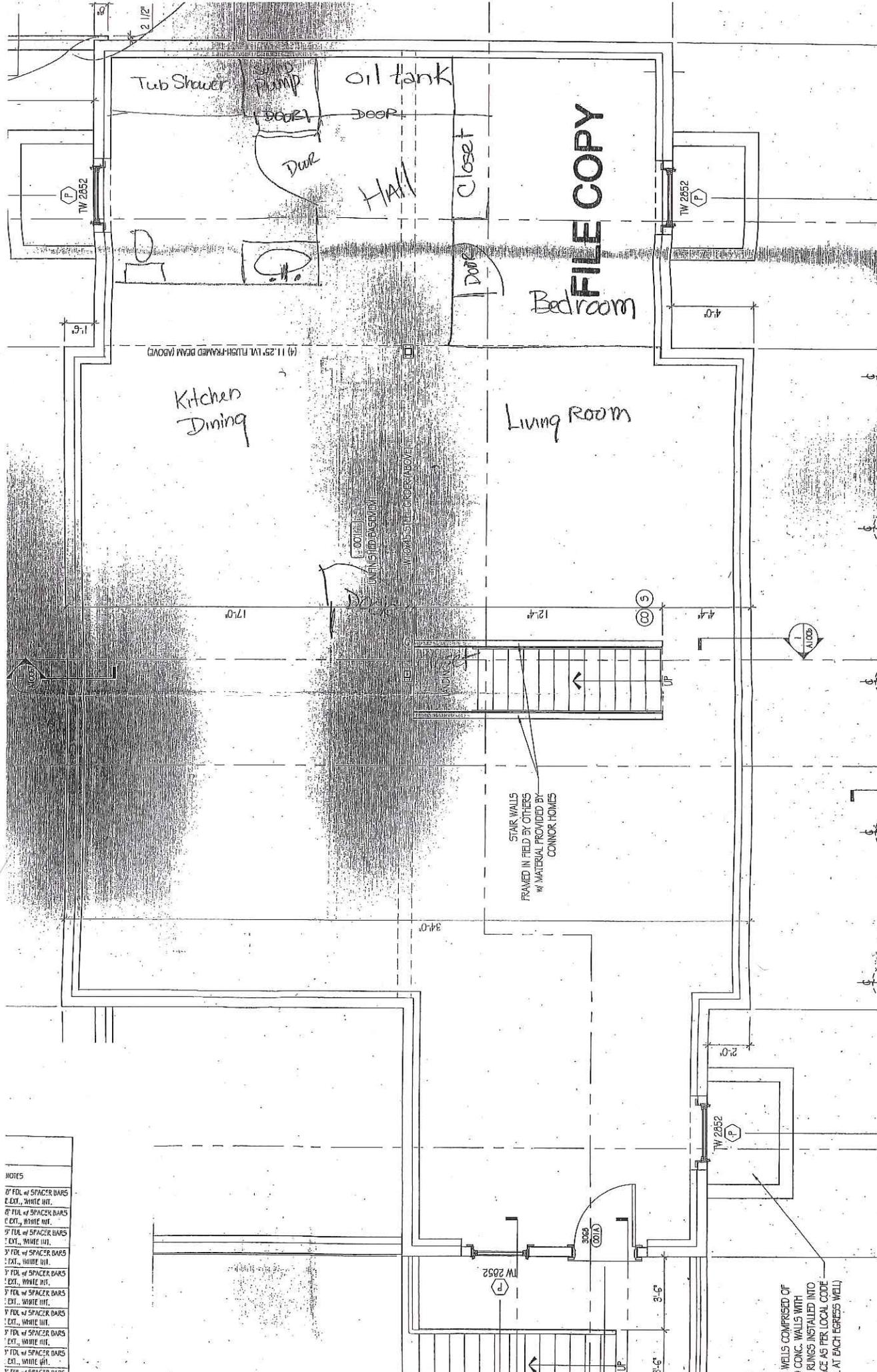
[Signature]  
 JOHN J. SHUGRUE PLS

DATE: SEPT 21, 1992



ASSESSORS MAP 80 PARCEL NO. 51

# 3019



- NOTES
- 0" FDL w/ SPACER BARS
  - E. EXT., WHITE INT.
  - 6" FDL w/ SPACER BARS
  - C. EXT., WHITE INT.
  - 9" FDL w/ SPACER BARS
  - E. EXT., WHITE INT.
  - 3" FDL w/ SPACER BARS
  - E. EXT., WHITE INT.
  - 3" FDL w/ SPACER BARS
  - E. EXT., WHITE INT.
  - 3" FDL w/ SPACER BARS
  - E. EXT., WHITE INT.
  - 3" FDL w/ SPACER BARS
  - E. EXT., WHITE INT.
  - 3" FDL w/ SPACER BARS
  - E. EXT., WHITE INT.
  - 3" FDL w/ SPACER BARS
  - E. EXT., WHITE INT.
  - 3" FDL w/ SPACER BARS
  - E. EXT., WHITE INT.

15 WELLS COMPRISED OF 3" CONCRETE WALLS WITH REINFORCING BARS INSTALLED INTO FACE AS PER LOCAL CODE AT EACH EGRESS WELL

AMEND #1

# TOWN OF NANTUCKET

## BUILDING DEPARTMENT

Fee \$2776.00

No. 1122-15

Office of the Building Inspector

**August 3, 2015**

# BUILDING PERMIT

THIS PERMIT CERTIFIES THAT DORIS STRANG HAS PERMISSION TO CONSTRUCT A SINGLE FAMILY DWELLING LOCATED ON 8 TRIPP DRIVE PROVIDED

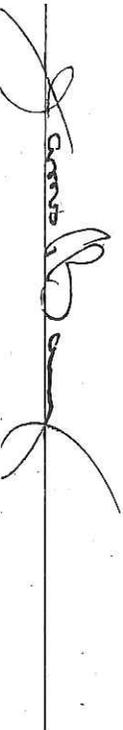
THAT THE PERSON ACCEPTING THIS PERMIT SHALL CONFORM TO THE TERMS OF THE APPLICATION ON FILE IN THE BUILDING DEPARTMENT AND TO THE PROVISIONS OF THE STATUTES AND THE ORDINANCES RELATING TO THE CONSTRUCTION, MAINTENANCE AND INSPECTION OF BUILDINGS IN THE TOWN OF NANTUCKET, AND THE MASSACHUSETTS STATE BUILDING CODE 780 CMR 8<sup>th</sup> EDITION.

A CERTIFICATE OF OCCUPANCY WILL BE ISSUED UPON RETURN OF THIS PERMIT ONLY AFTER ALL THE REQUIRED INSPECTIONS HAVE BEEN SIGNED AND DATED BY THE APPROPRIATE INSPECTOR.

THIS PERMIT SHALL BECOME INVALID SIX MONTHS FROM THE DATE OF ISSUE IF THE WORK PERMITTED HAS NOT COMMENCED OR IS NOT PROGRESSING CONTINUOUSLY TO COMPLETION AS FAR AS REASONABLY PRACTICABLE.

PERSONS CONTRACTING WITH UNREGISTERED CONTRACTORS DO NOT HAVE ACCESS TO THE GUARANTY FUND M.G.L. c142A

THIS CARD MUST BE DISPLAYED IN A CONSPICUOUS PLACE ON THE PREMISES



DEPARTMENT HEALTH PERMIT NUMBER 371-90

INSPECTOR

DATE

DPW/SEWER

FINAL

PLANNING BOARD

FINAL

PLUMBING

15-595

ROUGH

us DalBarnett

10/6/15

WIRING

TEMPORARY

ALARM/LOW VOLTAGE

SERVICE

ROUGH

ROUGH

FINAL

FINAL

GAS

ROUGH

FINAL

63773 5/26/15

H.D.C

FINAL

64124 7/23/15 REMOVE GARAGE FIRE DEPARTMENT

FUEL & MECH/ALARM

SHEET METAL PERMIT

ROUGH

FINAL

ZONING 7/30/15

FINAL

BUILDING RES CHECK WALL R20, WALL BELOW GRADE R23, CEILING R38 3 BEDROOMS, 4 BATHS REQUIRES COMPLIANCE WITH THE 110 MPH WIND BORNE DEBRIS REGULATIONS FOR ONE AND TWO FAMILY DWELLINGS

FOOTINGS

*[Signature]*

8/14/15

FOUNDATION

ROUGH

INSULATION

FIREPLACE

S Boff

11/25/15

Amendment # 11-35-15  
Approval Date 11/25/15  
Plan # 2115-515  
Type *Basement + Finish Basement*  
Building Official *S.B.*

# TOWN OF NANTUCKET, MASS.

Certificate of Occupancy No. 8066-92

This certifies that the... STRUCTURE... located at No. 8, TRIPP...

XXXXX DRIVE, NANTUCKET... Zone... IJG. 2... conforms substantially to the approved

lot plan and detailed statements for which Building Permit No. 8066-91 was issued

..... AUGUST 2, 1991 Nantucket

This certificate therefore is issued to DORIS STRANG to occupy or

use said premises or building or part thereof for the following purpose.....

CONSTRUCT A 2 STORY, 4 BEDROOM SINGLE FAMILY DWELLING WITH FULL

BASEMENT AND GARAGE WITH DORMER (STORAGE ONLY)

subject to and in accordance with all the provisions of the Zoning By-Law of the Town of Nantucket.

Dated... SEPTEMBER 23, 1992

*Arnold J. Strang*  
Building Inspector

8051

NT

FEES \$ 887.00

2 1991

MIT

HAS

642002 LOCATED

PROVIDED THAT THE APPLICATION FEE AND THE COST OF BUILDING PERMITS ARE IN ACCORDANCE WITH THE BUILDING CODE 780 CMR.

PERMIT ONLY AFTER THE APPLICANT HAS BEEN INSPECTED BY A QUALIFIED INSPECTOR.

ALL REQUIRED INSPECTIONS HAVE BEEN SIGNED AND PAID BY THE APPLICANT. THIS PERMIT SHALL BECOME INVALID 6 MONTHS FROM THE DATE OF ISSUE IF THE WORK PERMITTED HAS NOT COMMENCED OR IS NOT PROCEEDING CONTINUOUSLY TO COMPLETION AS FAR AS REASONABLY PRACTICABLE.

THIS CARD MUST BE DISPLAYED IN A CONSPICUOUS PLACE ON THE PREMISES.

8066-92

CERTIFICATE OF OCCUPANCY NO.

*Arnold J. Strang*

BUILDING INSPECTOR

# TOWN OF NANTUCKET

## BUILDING DEPARTMENT

80-51

# TOWN OF NANTUCKET, MASS.

**Certificate of Occupancy No.** 8067-92

This certifies that the.....**STRUCTURE**....., located at No.....**8 TRIP P**.....  
**XXXXX DRIVE, NANTUCKET**..... Zone.....**LHG 2**..... conforms substantially to the approved

lot plan and detailed statements for which Building Permit No.....**8067-91**..... was issued

.....**AUGUST. 2,**....., 19 **91** Nantucket

This certificate therefore is issued to ... **DORIS STRANG**..... to occupy or

use said premises or building or part thereof for the following purpose.....

.....**CONSTRUCT A 1 STORY 2 BEDROOM SINGLE FAMILY DWELLING WITH**.....

.....**FULL BASEMENT - SECOND DWELLING**.....

subject to and in accordance with all the provisions of the Zoning By-Law of the Town of Nantucket.

Dated...**SEPTEMBER 23,** 1992.....

*Ronald J. Haney*  
Building Inspector.

SEE \$ 312.00

2 1991

# MIT

.....**HAS**.....

Being **LOCATED**

**PROVIDED THAT THE APPLICATION STATES AND THE LOCATION OF BUILDINGS IS IN ACCORDANCE WITH THE ZONING CODE 780 CMR.**

**PERMIT ONLY AFTER REVIEW BY THE BUILDING DEPARTMENT INSPECTOR.**

**IF THE WORK PERFORMED IS IN ACCORDANCE WITH THE ZONING CODE 780 CMR.**

**THIS CARD MUST BE DISPLAYED IN A CONSPICUOUS PLACE ON THE PREMISES.**

8667-92

**CERTIFICATE OF OCCUPANCY NO.**

*Ronald J. Haney*

**BUILDING INSPECTOR**

## Catherine Ancero

---

**From:** David Armanetti [darmanetti@richmondco.com]  
**Sent:** Friday, March 04, 2016 9:58 AM  
**To:** Catherine Ancero  
**Cc:** Holly Backus  
**Subject:** RE: #7716 Valero Subdivision

Hi Catherine –

Your timing is impeccable on this. I was just actually about to send you an email. Last night, I noticed that the continuance for that matter only carried through to the Monday (March 7) date.

Given the compression of time between last night and Monday, they are not ready to proceed yet, so respectfully request a continuance through to the April 11, 2016 meeting.

Does this email suffice for that purpose, or do you need a separate letter ? Please advise.

Thanks for your continued guidance and assistance.

Dave

---

**From:** Catherine Ancero [<mailto:CAncero@nantucket-ma.gov>]  
**Sent:** Friday, March 04, 2016 9:54 AM  
**To:** David Armanetti <[darmanetti@richmondco.com](mailto:darmanetti@richmondco.com)>  
**Cc:** Holly Backus <[hbackus@nantucket-ma.gov](mailto:hbackus@nantucket-ma.gov)>  
**Subject:** RE: #7716 Valero Subdivision

Morning David-

Do you have anything new for Monday night's meeting (March 7<sup>th</sup>)? We are putting the packet together which will go out today. Please let me know as soon as possible.

*Thank you,*

*Catherine Ancero,  
Administrative Specialist  
Planning Board*

*Planning and Land Use Services (PLUS)  
Planning Board Office  
2 Fairgrounds Road  
Nantucket, MA 02554*

*Telephone#: 508.325.7587 (PLUS) Ext. 7008  
Facsimile#: 508.228.7298*

Email: [cancero@nantucket-ma.gov](mailto:cancero@nantucket-ma.gov)

Town website: <http://www.nantucket-ma.gov>





# Nantucket Land Council, Inc.

Six Ash Lane  
Post Office Box 502  
Nantucket, Massachusetts 02554  
508 228-2818  
Fax 508 228-6456  
nlc@nantucketlandcouncil.org  
www.nantucketlandcouncil.org

**Board of Directors**

March 3, 2016

Lucy S. Dillon  
*President*

Paul A. Bennett  
*Vice President*

William Willet  
*Vice President*

Howard N. Blitman  
*Treasurer*

Sara P. Congdon  
*Assistant Treasurer*

Susan E. Robinson  
*Clerk*

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Karen K. Clark  
William M. Crozier, Jr.  
Christine Donelan  
Josh Eldridge  
Robert Friedman  
Nancy Gillespie  
Wade Greene  
Mary Heller  
Charles A. Kilvert III  
Laurel Ried Langworthy  
Matthew B. Liddle  
Peter McCausland  
Fritz McClure  
Eileen P. McGrath  
Paul P. Moran  
Carl H. Sjolund  
H. Brooks Smith  
James W. Sutherland, Ph.D.  
David Troast  
Peter Watrous  
Jon Wisentaner

Barry Rector, Chairman  
Nantucket Planning Board  
2 Fairgrounds Rd  
Nantucket, MA 02554

Re: #7716 Lombardi Subdivision Modification Request Pochick Ave

Dear Mr. Rector,

As a follow up to the comments I made at the last Public Hearing regarding the above referenced request, I am submitting a memorandum authored by Jonathon Witten, an attorney with extensive experience in municipal law and is currently Town Counsel for Stow and Marion and Special Town Counsel for Middleborough, Wareham, Bourne and Hanover.

The Nantucket Land Council supports Mr. Witten's assertion that the restriction against subdivision is a distinct and separate recorded deed restriction which is an interest in land held by the Town of Nantucket. Although the Nantucket Planning Board were given certain powers as stated in the restriction, per Massachusetts General Law any release or waiver would ultimately need Town Meeting approval.

We welcome any additional opinion by Nantucket Town Council on this matter as it appears to be of the utmost importance for protecting the rights and authority of Town Meeting.

**Honorary Directors**

Jean Haffenreffer  
Suzanne Mueller

**Staff**

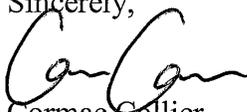
Cormac Collier  
*Executive Director*

Emily Molden  
*Resource Ecologist*

Emma Johnson  
*Development Director*

Thank you for your time and attention to this matter.

Sincerely,

  
Cormac Collier  
Executive Director



**HUGGINS AND WITTEN, LLC**

156 Duck Hill Road  
Duxbury, Massachusetts 02332 and  
1172 Beacon Street, Suite 202  
Newton, Massachusetts 02461  
781-934-0084  
781-934-2666 (facsimile)  
[jon@hugginsandwitten.com](mailto:jon@hugginsandwitten.com)

**MEMORANDUM**

TO: Cormac Collier, Executive Director, Nantucket Land Council, Inc.

FROM: Jonathan Witten, Huggins and Witten, Inc. /s/ *Jonathan Witten*

RE: Restrictions recorded against lots on Pochick Avenue, Nantucket, MA

DATE: March 3, 2016

COPY: Peter Fenn, Esq.

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As you have requested, I have reviewed the Declaration of Restrictions and Easements (“restrictions”) recorded on August 10, 1999 at Book 0631, Page 058 (Mark Lombardi, grantor) and recorded against Lots 3, 4, 4A and 5 off Pochick Avenue, Nantucket, and researched whether the Planning Board has the authority to “waive the restriction” as claimed by Sections 5.02 and 5.09 of the above noted instrument.<sup>1</sup>

I have also reviewed the “Grant of Right of Enforcement of Restrictions” recorded by the grantor on August 10, 1999 at Book 0631, Page 70, which granted to the Town of Nantucket, “acting by and through the Planning Board”, the right to enforce the above noted restrictions.

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<sup>1</sup> Section 5.02 reads in relevant part, “Upon the recordation of such a grant with Nantucket Registry of Deeds, no provision hereof relating to any Restriction, the right of enforcement of which has been granted to the Town, may be amended without the written and recorded consent of a majority of the Planning Board.”

Section 5.09 reads, in its entirety, “5.09 Release of Waiver of Restrictions. The Developer, so long as the Developer (including any successor Developer) shall own any Lot, and thereafter the Association, shall have the right to release, waive, or modify any restriction hereunder, except that restriction set forth in Paragraph 3.02 hereof, and those restrictions the right of enforcement of which has been granted to the Town of Nantucket, acting by and through its Planning Board as set forth in Paragraph 5.02 hereof.”

Cormac Collier  
March 3, 2016  
Page 2 of 2

Question Presented:

Is Town Meeting approval required to release the above noted restrictions or, does the language of Sections 5.02 and 5.09, purporting to grant that power solely to the Planning Board, control?

Discussion:

Assuming *arguendo* that the Planning Board can appropriately be delegated the authority to “enforce” (and arguably “release”) the restrictions, the restrictions are, nonetheless, interests in land granted to, accepted by and now held by the Town of Nantucket (see Blakeley v. Gorin, 365 Mass. 590, 596 (1974), deed restrictions are interests in real property, see also, Ward v. Prudential Insurance Co. of America, 299 Mass. 559, 565 (1938), “The right to enforce restrictions is an interest in land”).

As interests in real property, they can only be “released” or “waived” pursuant to the terms and conditions of G.L. c.40, s.3 (requiring a majority vote of Town Meeting to convey municipal property, see Harris v. Wayland, 16 Mass. App.Ct. 583 (1983)) or pursuant to the terms and conditions of G.L.c. 40, s.15A (requiring a more detailed process and a 2/3 vote of Town Meeting where the land is held for a “specific purpose”, see id.).

Regardless of which section applies (s.3 or 15A), it appears clear that the Town of Nantucket holds interests in land through the grants contained in 1999 instrument identified above and, although the grant oddly names the Town of Nantucket as the grantee and the Planning Board as empowered to “release” the same, the Town of Nantucket holds the interest in land and that interest, if it is to be released, must be released by Town Meeting and not solely by the Planning Board.

Please advise if you have any questions or if I can clarify the discussion above.

Thank you.

## Catherine Ancero

---

**From:** John Brescher [john@gliddenandglidden.com]  
**Sent:** Friday, March 04, 2016 10:07 AM  
**To:** Catherine Ancero  
**Cc:** Holly Backus  
**Subject:** RE: #05-16 Nantucket Boating Club Inc

Please continue this to April, if you don't mind!

John B. Brescher, Esquire  
Glidden & Glidden, P.C.  
37 Centre Street / PO Box 1079  
Nantucket, Massachusetts 02554  
508-228-0771  
508-228-6205 (fax)  
[john@gliddenandglidden.com](mailto:john@gliddenandglidden.com)

---

**From:** Catherine Ancero [<mailto:CAncero@nantucket-ma.gov>]  
**Sent:** Friday, March 04, 2016 10:07 AM  
**To:** John Brescher <[john@gliddenandglidden.com](mailto:john@gliddenandglidden.com)>  
**Cc:** Holly Backus <[hbackus@nantucket-ma.gov](mailto:hbackus@nantucket-ma.gov)>  
**Subject:** RE: #05-16 Nantucket Boating Club Inc

Morning John-

The Planning Board packet will be going out TODAY! Do you have any additional information that need to be included in the packet? If so please let me know as soon as possible.

*Thank you,*

*Catherine Ancero,  
Administrative Specialist  
Planning Board*

*Planning and Land Use Services (PLUS)  
Planning Board Office  
2 Fairgrounds Road  
Nantucket, MA 02554*

*Telephone#: 508.325.7587 (PLUS) Ext. 7008  
Facsimile#: 508.228.7298*

*Email: [cancero@nantucket-ma.gov](mailto:cancero@nantucket-ma.gov)*

*Town website: <http://www.nantucket-ma.gov>*







#7917 Woodland Hill  
Definitive Subdivision  
4 North Mill Court, LLC  
Map 55 Parcels 919 through 928



Town and County of Nantucket  
Board of Selectmen • County Commissioners

Robert R. DeCosta, Chairman  
Rick Atherton  
Matt Fee  
Tobias Glidden  
Dawn E. Hill Holdgate



16 Broad Street  
Nantucket, Massachusetts 02554

Telephone (508) 228-7255  
Facsimile (508) 228-7272  
[www.nantucket-ma.gov](http://www.nantucket-ma.gov)

C. Elizabeth Gibson  
Town & County Manager

July 2, 2015

Rick Beaudette, Esq.  
Vaughan, Dale, Hunter and Beaudette  
PO Box 659  
Nantucket, MA 02554

Dear Rick:

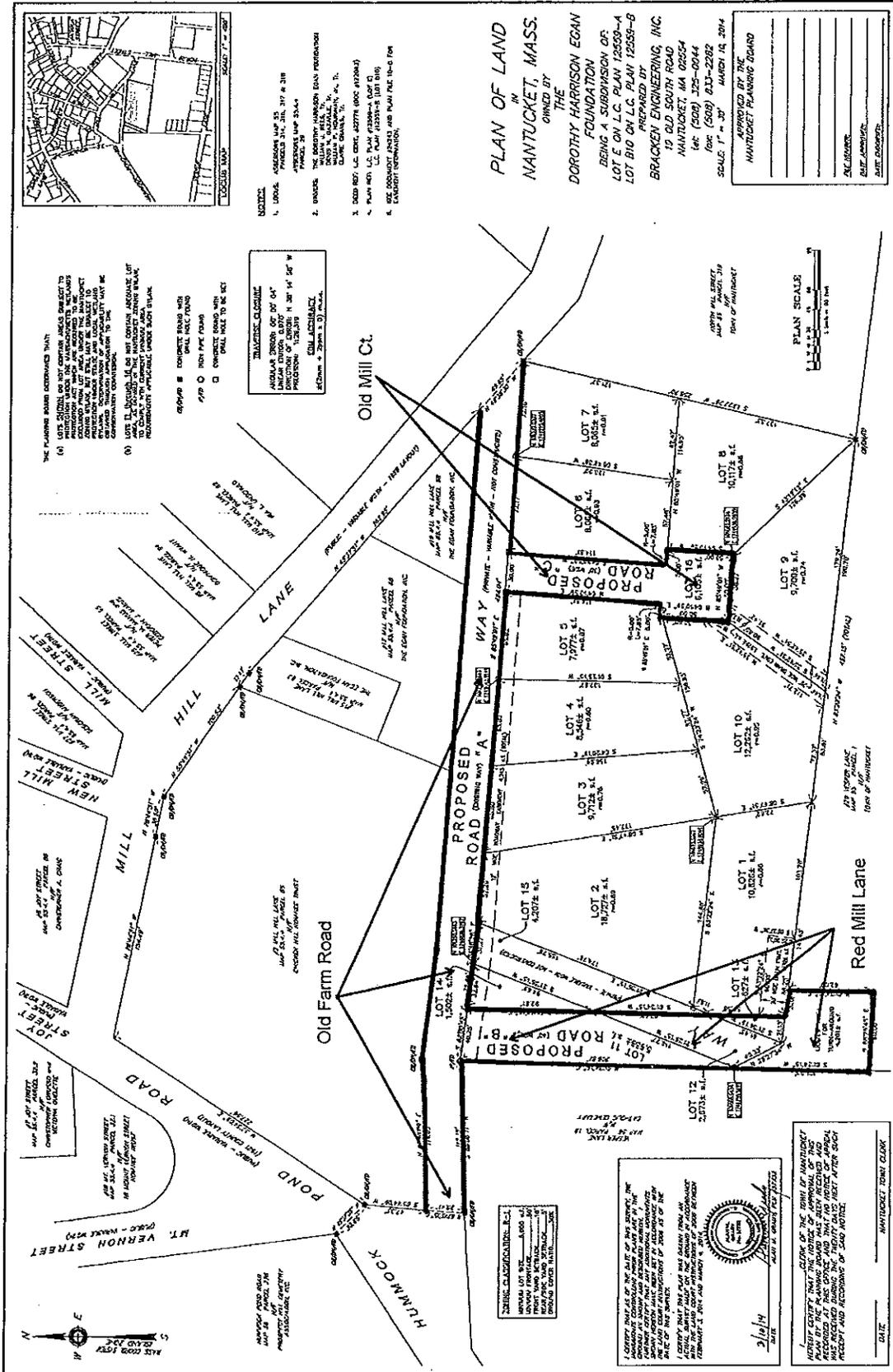
At its June 17, 2015 meeting, the Board of Selectmen voted to approve the request of GG Development, LLC to name the roads in the Woodland Hill Subdivision "Old Farm Road," "Red Mill Lane" and "Old Mill Court", as identified on the attached plan.

Sincerely,

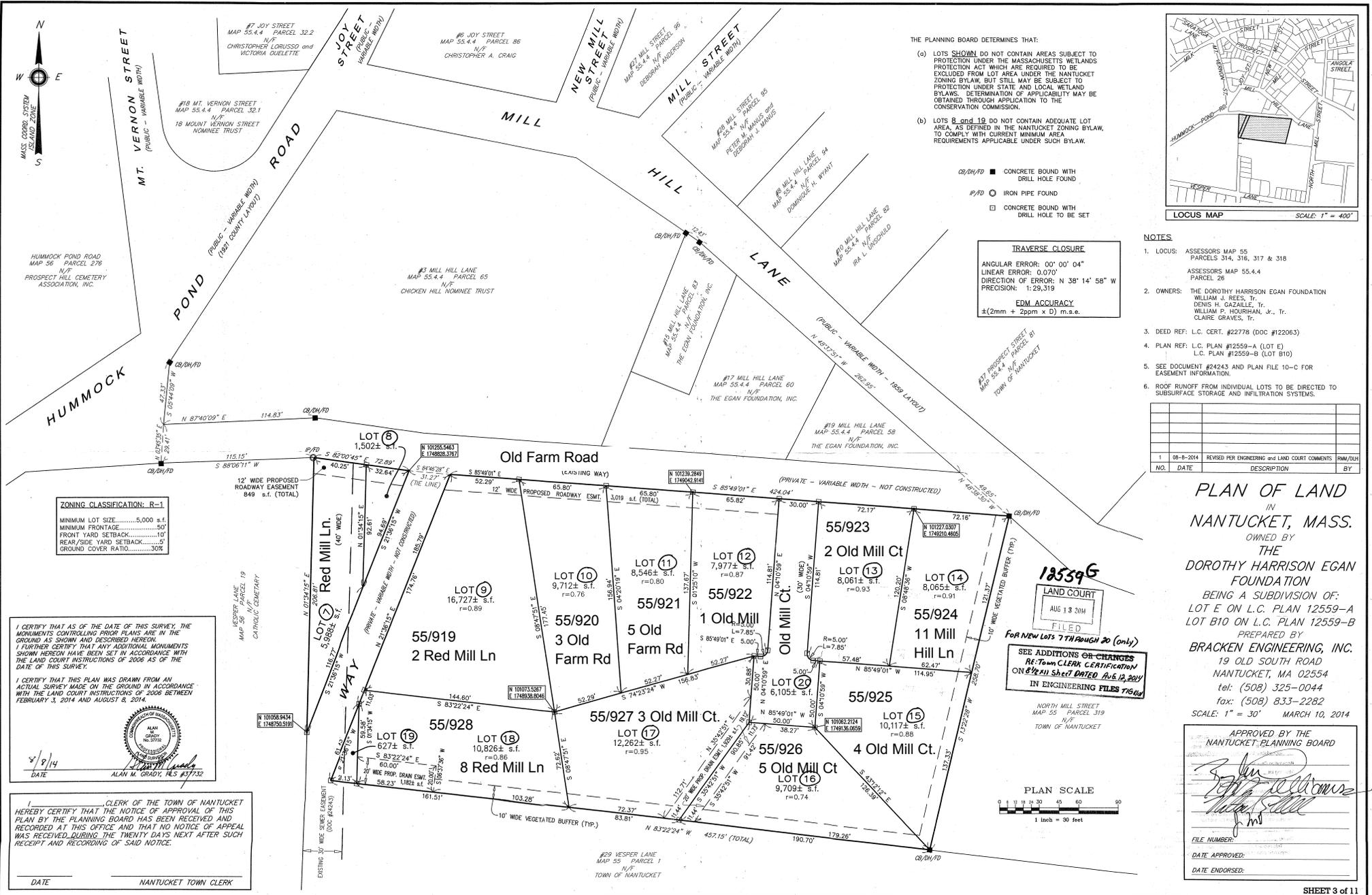
A handwritten signature in blue ink that reads "Erika".

Erika D. Mooney  
Project Administrator

Cc: Assessor  
Police Department  
Leslie Snell, PLUS  
Fire Department  
DPW  
GIS



Road Names: A. Old Farm Road B. Red Mill Lane C. Old Mill Ct.



**ZONING CLASSIFICATION: R-1**

MINIMUM LOT SIZE.....5,000 s.f.  
 MINIMUM FRONTAGE.....50'  
 FRONT YARD SETBACK.....10'  
 REAR/SIDE YARD SETBACK.....5'  
 GROUND COVER RATIO.....30%

I CERTIFY THAT AS OF THE DATE OF THIS SURVEY, THE MONUMENTS CONTROLLING PRIOR PLANS ARE IN THE GROUND AS SHOWN AND DESCRIBED HEREON.  
 I FURTHER CERTIFY THAT ANY ADDITIONAL MONUMENTS SHOWN HEREON HAVE BEEN SET IN ACCORDANCE WITH THE LAND COURT INSTRUCTIONS OF 2006 AS OF THE DATE OF THIS SURVEY.

I CERTIFY THAT THIS PLAN WAS DRAWN FROM AN ACTUAL SURVEY MADE ON THE GROUND IN ACCORDANCE WITH THE LAND COURT INSTRUCTIONS OF 2006 BEGINNING FEBRUARY 3, 2014 AND AUGUST 8, 2014.



DATE: 8/14  
 ALAN M. GRADY, PLS #31732

I, \_\_\_\_\_, CLERK OF THE TOWN OF NANTUCKET HEREBY CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE PLANNING BOARD HAS BEEN RECEIVED AND RECORDED AT THIS OFFICE AND THAT NO NOTICE OF APPEAL WAS RECEIVED DURING THE TWENTY DAYS NEXT AFTER SUCH RECEIPT AND RECORDING OF SAID NOTICE.

DATE: \_\_\_\_\_ NANTUCKET TOWN CLERK

- THE PLANNING BOARD DETERMINES THAT:
- (a) LOTS SHOWN DO NOT CONTAIN AREAS SUBJECT TO PROTECTION UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT WHICH ARE REQUIRED TO BE EXCLUDED FROM LOT AREA UNDER THE NANTUCKET ZONING BYLAW, BUT STILL MAY BE SUBJECT TO PROTECTION UNDER STATE AND LOCAL WETLAND BYLAWS. DETERMINATION OF APPLICABILITY MAY BE OBTAINED THROUGH APPLICATION TO THE CONSERVATION COMMISSION.
  - (b) LOTS 8 and 19 DO NOT CONTAIN ADEQUATE LOT AREA, AS DEFINED IN THE NANTUCKET ZONING BYLAW, TO COMPLY WITH CURRENT MINIMUM AREA REQUIREMENTS APPLICABLE UNDER SUCH BYLAW.

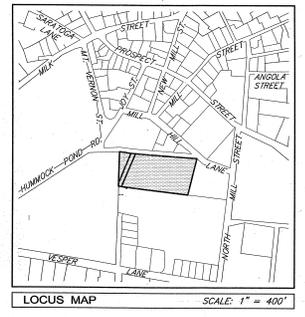
- CB/DH/FO CONCRETE BOUND WITH DRILL HOLE FOUND
- IP/FO IRON PIPE FOUND
- CONCRETE BOUND WITH DRILL HOLE TO BE SET

**TRAVERSE CLOSURE**

ANGULAR ERROR: 00° 00' 04"  
 LINEAR ERROR: 0.070'  
 DIRECTION OF ERROR: N 38° 14' 58" W  
 PRECISION: 1:28,319

**EDM ACCURACY**

±(2mm + 2ppm x D) m.a.e.



- NOTES**
- LOCUS: ASSESSORS MAP 55 PARCELS 314, 316, 317 & 318 ASSESSORS MAP 55.4.4 PARCEL 28
  - OWNERS: THE DOROTHY HARRISON EGAN FOUNDATION WILLIAM J. REES, Tr. DENIS H. GAZAILLE, Tr. WILLIAM P. HOURIHAN, Jr., Tr. CLAIRE GRAVES, Tr.
  - DEED REF: L.C. CERT. #22778 (DOC #122063)
  - PLAN REF: L.C. PLAN #12559-A (LOT C) L.C. PLAN #12559-B (LOT B10)
  - SEE DOCUMENT #24243 AND PLAN FILE 10-C FOR EASEMENT INFORMATION.
  - ROOF RUNOFF FROM INDIVIDUAL LOTS TO BE DIRECTED TO SUBSURFACE STORAGE AND INFILTRATION SYSTEMS.

NO.	DATE	DESCRIPTION	BY
1	08-8-2014	REVISED PER ENGINEERING and LAND COURT COMMENTS	RMM/DJH

**PLAN OF LAND**  
 IN  
**NANTUCKET, MASS.**  
 OWNED BY  
 THE  
**DOROTHY HARRISON EGAN**  
**FOUNDATION**  
 BEING A SUBDIVISION OF:  
 LOT E ON L.C. PLAN 12559-A  
 LOT B10 ON L.C. PLAN 12559-B  
 PREPARED BY  
**BRACKEN ENGINEERING, INC.**  
 19 OLD SOUTH ROAD  
 NANTUCKET, MA 02554  
 tel: (508) 325-0044  
 fax: (508) 833-2282  
 SCALE: 1" = 30' MARCH 10, 2014

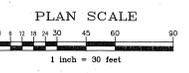
**12539G**

LAND COURT  
 AUG 13 2014  
 FILED

FOR NEW LOTS 7 THRU 20 (only)

SEE ADDITIONS OR CHANGES  
 RE: TOWN CLERK CERTIFICATION  
 ON 8/22/14 SHEET DATED AUG 13, 2014  
 IN ENGINEERING FILES 7164

NORTH MILL STREET  
 MAP 55 PARCEL 319  
 N/A  
 TOWN OF NANTUCKET

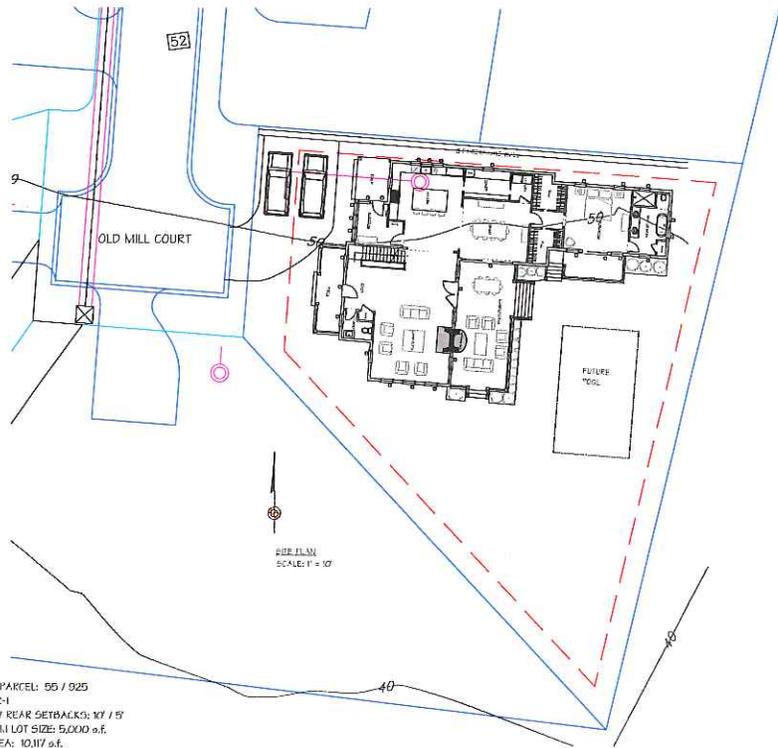
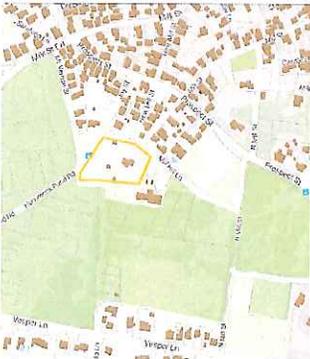


APPROVED BY THE  
 NANTUCKET PLANNING BOARD

FILE NUMBER: \_\_\_\_\_  
 DATE APPROVED: \_\_\_\_\_  
 DATE ENDORSED: \_\_\_\_\_

RECEIVED  
MAR 03 2016  
By \_\_\_\_\_

THE BRODERICK RESIDENCE  
4 OLD MILL COURT  
NANTUCKET, MA 02554



MAP & PARCEL: 55 / 925  
ZONE: R-1  
FRONT / REAR SETBACKS: 17 / 5'  
MINIMUM LOT SIZE: 5,000 s.f.  
LOT AREA: 10,117 s.f.  
GROUND COVER RATIO: 30 %  
PROPOSED NEW GROUND COVER: 2,311 s.f.  
TOTAL GROUND COVER: 2,311 s.f.  
ALLOWABLE GROUND COVER: 3,055 s.f.

FELTON KERRIGAN & ASSOCIATES  
15 COMMERCIAL WHARF  
NANTUCKET, MASSACHUSETTS  
508.225.2044

FEES/CHARGES

MAP & PARCEL  
55 / 925 / 2016  
SCALE: AS NOTED

THE BRODERICK RESIDENCE  
4 Old Mill Court  
Nantucket, MA

BY SIGNATURE

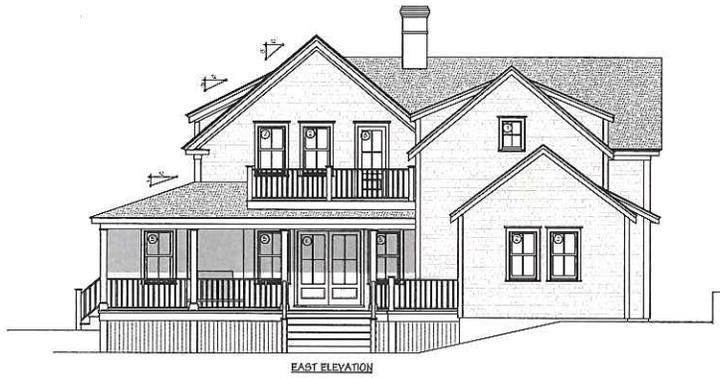
A



Roofdeck Max Height		200-0706	
Area	Roof Deck	Height	Notes
1	Roof Deck	4'-0"	Roof Deck
2	Roof Deck	4'-0"	Roof Deck
3	Roof Deck	4'-0"	Roof Deck
4	Roof Deck	4'-0"	Roof Deck
5	Roof Deck	4'-0"	Roof Deck
6	Roof Deck	4'-0"	Roof Deck
7	Roof Deck	4'-0"	Roof Deck
8	Roof Deck	4'-0"	Roof Deck
9	Roof Deck	4'-0"	Roof Deck
10	Roof Deck	4'-0"	Roof Deck
11	Roof Deck	4'-0"	Roof Deck
12	Roof Deck	4'-0"	Roof Deck
13	Roof Deck	4'-0"	Roof Deck
14	Roof Deck	4'-0"	Roof Deck
15	Roof Deck	4'-0"	Roof Deck
16	Roof Deck	4'-0"	Roof Deck
17	Roof Deck	4'-0"	Roof Deck
18	Roof Deck	4'-0"	Roof Deck
19	Roof Deck	4'-0"	Roof Deck
20	Roof Deck	4'-0"	Roof Deck
21	Roof Deck	4'-0"	Roof Deck
22	Roof Deck	4'-0"	Roof Deck
23	Roof Deck	4'-0"	Roof Deck
24	Roof Deck	4'-0"	Roof Deck
25	Roof Deck	4'-0"	Roof Deck
26	Roof Deck	4'-0"	Roof Deck
27	Roof Deck	4'-0"	Roof Deck
28	Roof Deck	4'-0"	Roof Deck
29	Roof Deck	4'-0"	Roof Deck
30	Roof Deck	4'-0"	Roof Deck
31	Roof Deck	4'-0"	Roof Deck
32	Roof Deck	4'-0"	Roof Deck
33	Roof Deck	4'-0"	Roof Deck
34	Roof Deck	4'-0"	Roof Deck
35	Roof Deck	4'-0"	Roof Deck
36	Roof Deck	4'-0"	Roof Deck
37	Roof Deck	4'-0"	Roof Deck
38	Roof Deck	4'-0"	Roof Deck
39	Roof Deck	4'-0"	Roof Deck
40	Roof Deck	4'-0"	Roof Deck
41	Roof Deck	4'-0"	Roof Deck
42	Roof Deck	4'-0"	Roof Deck
43	Roof Deck	4'-0"	Roof Deck
44	Roof Deck	4'-0"	Roof Deck
45	Roof Deck	4'-0"	Roof Deck
46	Roof Deck	4'-0"	Roof Deck
47	Roof Deck	4'-0"	Roof Deck
48	Roof Deck	4'-0"	Roof Deck
49	Roof Deck	4'-0"	Roof Deck
50	Roof Deck	4'-0"	Roof Deck



ARCHITECTURAL ACCOUNTS  
 15 CONGRESS STREET  
 HARTFORD, CONNECTICUT  
 06102-2644  
 860.228.2644  
 THE PROSPECTIVE RESIDENCE  
 4 ONE MILL COURT  
 HARTFORD, CT  
 2



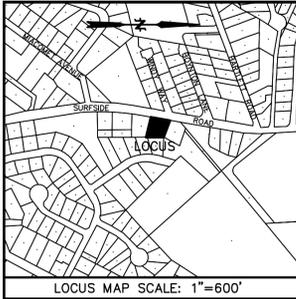
FILTON ROWLAND ASSOCIATES  
15 CENTRAL STREET  
NORFOLK, MASSACHUSETTS  
508.252.2044

RESIDENCE

REV 2008  
SCALE 3/4" = 1'-0"

THE RESIDENCE RESIDENCE  
4 Old Mill Court  
Northampton, MA

3



**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.139-18)

PARKING SPACES REQUIRED	
#46 SURFSIDE ROAD	
RESTAURANT 30 SEATS 1 SP/3 SEATS	10
8 EMPLOYEES X 1 SP/3 EMPLOYEES ON PEAK SHIFT	3
APARTMENTS 2 BEDROOMS X 1 SP/BEDROOM	2
<b>TOTAL</b>	<b>15</b>
#46A SURFSIDE ROAD	
OFFICES 690 SF X 1 SP/200 SF GFA	3
APARTMENTS 2 BEDROOMS X 1 SP/BEDROOM	2
<b>TOTAL</b>	<b>5</b>

PARKING SPACES	REQUIRED	PROVIDED
STANDARD	19	17
ACCESSIBLE	1	2
<b>TOTAL</b>	<b>20</b>	<b>19*</b>

\*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.
- FOUR 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**

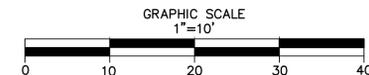
- REMOVE ALL CONSTRUCTION DEBRIS.
- MAINTAIN ALL EROSION CONTROL UNTIL DISTURBED AREAS HAVE BEEN STABILIZED WITH NEW GROWTH FOR A PERIOD OF 60 DAYS.
- REMOVE ALL EROSION CONTROL AND CLEAN UP SITE.

**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.

## Catherine Ancero

---

**From:** Peter Kyburg [pkyburg@gmail.com]  
**Sent:** Friday, March 04, 2016 10:29 AM  
**To:** Catherine Ancero; Leslie Snell; Sol Costa; P. John Ogren, Jr.  
**Subject:** 4 Lovers Lane/Planning Board Meeting

Catherine:

Pursuant to the above captioned, and in preparation for the Meeting Scheduled for March 7, 2016, please let the Board know the following:

The Applicant will reduce the number of seats in the restaurant from 70 to 52 in order to reduce the number of parking spaces required under the permit as well as to alleviate some traffic and parking concerns. We believe this will help our application in the following additional ways. It will allow us to provide all required parking on currently paved surfaces obviating the need for further paving. This will also decrease the number of parking spaces required (we currently have 38) so as to provide for the required additional green space. This also allows for more room in the parking areas for turning or loading. We will try to have all deliveries made in the AM. However, as we all know, weather can sometimes affect the frequency of boats and thus impact delivery times. We do not expect that delivery trucks will enter the parking area if it is in the middle of a "rush" time, so called. Deliveries are likely to be made from smaller, panel trucks, by hand trollys from the Lovers Lane area in that unlikely event.

We will provide you with a new plan for Monday.

Please let us know with what else we may provide you to help in your deliberations.

Thank you,

Peter.

--

--

Peter D. Kyburg, Esq.  
Law Offices of Peter D. Kyburg, P.C.  
18 Broad Street  
Nantucket, MA 02554  
Telephone (508) 228-2790

Fax (508) 228-7852

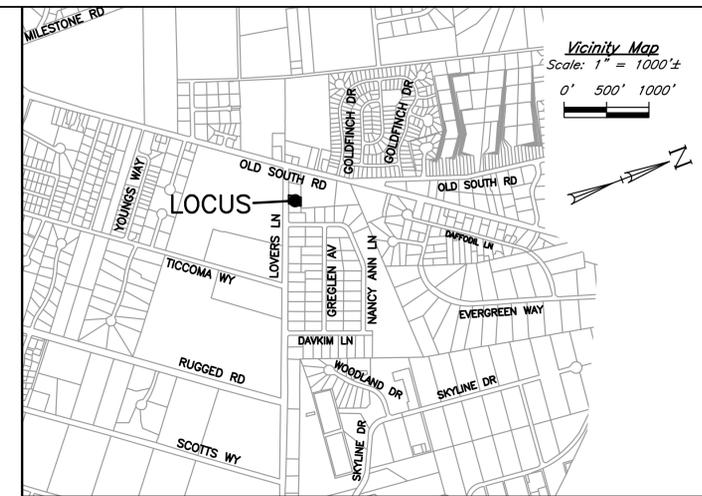
email: [pkyburg@gmail.com](mailto:pkyburg@gmail.com)

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Prepared For:  
 Applicant  
 Auction House Realty Trust  
 Peter D. Kyburg, Trustee  
 18 Broad Street  
 Nantucket, MA 02554  
 508-228-2790

Prepared By:  
 Hayes Engineering, Inc.  
 603 Salem Street  
 Wakefield, MA 01880  
 Ph: 781.246.2800  
 Fax: 781.246.7596  
 www.hayeseng.com

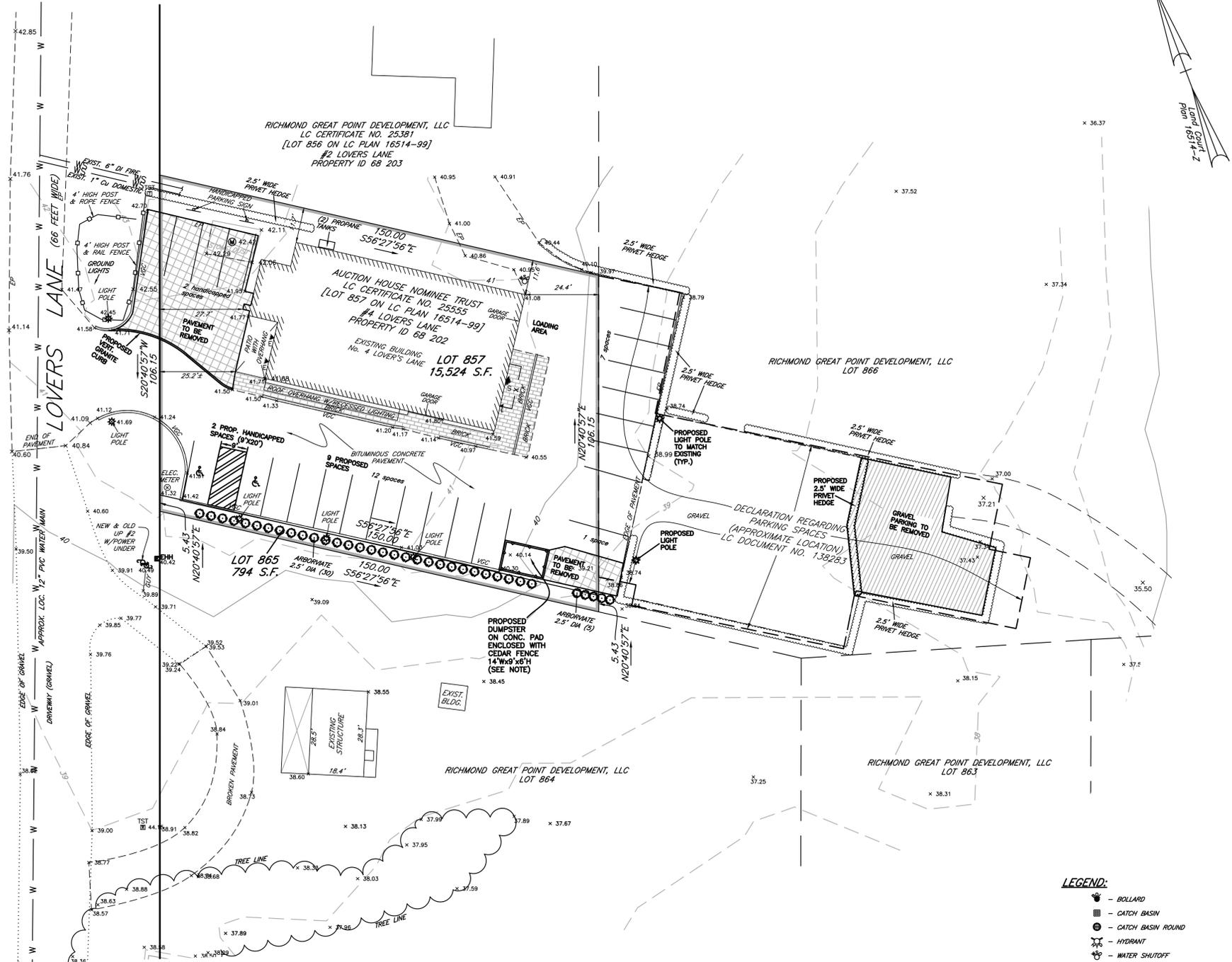
Design By: JO  
 Drawn By: JO  
 Checked By: Project File: NAN-0142  
 Comp. No: NAN66  
 Issued For Permit  
 Issued For Review  
 Issued For Bid  
 Issued For Construction  
 Not For Construction

No.	Revision	Date
10		
9		
8		
7		
6		
5		
4		3/7/2016
3		1/29/2016
2		Parking Calculations; Parking Layout
1		Loading, Lighting, Dumpster, Misc.
		Pavement, Dumpster, Misc.
		12/22/2015

Scale: 1" = 20'  
 0' 10' 20' 40'  
 Date: December 7, 2015

Drawing Title:  
**Major Commercial Development  
 Site Plan  
 4 Lovers Lane  
 NANTUCKET, MASS.**

Seal:  
 Drawing No.:  
**SP1**  
 SHEET 2 OF 2



ZONE	CN	SITE
<b>DIMENSIONAL CONTROLS</b>	<b>REQUIRED/ALLOWED</b>	<b>PROVIDED</b>
FRONT YARD SETBACK	10 ft.	25.2± ft.
SIDE YARD SETBACK	5 ft.	11.6 ft.
REAR YARD SETBACK	10 ft.	24.4 ft.
MIN. FRONTAGE	50 ft.	111.58 ft.
MIN. LOT AREA	7,500 s.f.	16,318 sf.
MAX. GROUND COVER RATIO	40%	23.5%
MIN. OPEN AREA	30%	30.2%

**EASEMENT OPEN AREA (LOT 866):**  
 EASEMENT AREA = 8,842± S.F.  
 OPEN AREA IN EASEMENT = 2,700± S.F.  
 EASEMENT OPEN AREA PERCENTAGE = 30.5±%

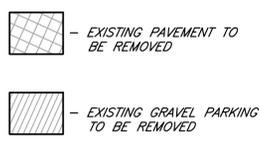
**PARKING REQUIREMENTS:**

- RESTAURANTS: 1.0 PARKING SPACE PER 3 SEATS  
 REQUIRED: 52 seats X 1 sp./3 seats = 17.3 spaces
- EMPLOYEES: 1.0 PARKING SPACE PER 3 EMPLOYEES ON PEAK SHIFT  
 REQUIRED: 6 employees X 1 sp./3 employees = 2 spaces
- TOTAL REQUIRED: 19 spaces
- PROPOSED: 19 PARKING SPACES (17 & 2 HP paved spaces)

- NOTES:**
- PROPERTY BOUNDARIES DEPICTED ON THIS PLAN ARE THE RESULT OF AN ACTUAL FIELD SURVEY PERFORMED BY HAYES ENGINEERING, INC. ON JULY 16, 2015.
  - LOT 865 IS NOT TO BE CONSIDERED A SEPARATE BUILDING LOT BUT IS TO BE HELD IN COMMON OWNERSHIP WITH ADJOINING LAND OF AUCTION HOUSE NOMINEE TRUST [LOT 857 ON LC PLAN 16514-99] TO FORM ONE BUILDING LOT (TOTAL AREA = 16,318 S.F.) (rf = 0.954).
  - LOT 865 DEPICTED HEREON IS TAKEN FROM "SUBDIVISION PLAN OF LAND IN NANTUCKET, MASS." DATE JULY 16, 2015 PREPARED BY HAYES ENGINEERING, INC.
  - TOPOGRAPHIC INFORMATION DEPICTED HEREON IS THE RESULT OF AN ACTUAL FIELD SURVEY PERFORMED BY HAYES ENGINEERING, INC. ON THE FOLLOWING DATES:
    - SEPTEMBER 22, 2014
    - JUNE 16, 2015
    - SEPTEMBER 17, 2015
    - DECEMBER 4, 2015
  - THE DATUM IS NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).
  - THE ENTIRE PARCEL IS LOCATED WITHIN THE WATER RESOURCE PROTECTION DISTRICT, ZONE II WELLHEAD PROTECTION AREA.
  - THE UNDERGROUND UTILITIES SHOWN HAVE BEEN COMPILED FROM FIELD SURVEY INFORMATION AND AVAILABLE EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. FURTHER, THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES AND DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE.

**REFUSE DUMPSTER ENCLOSURE:**

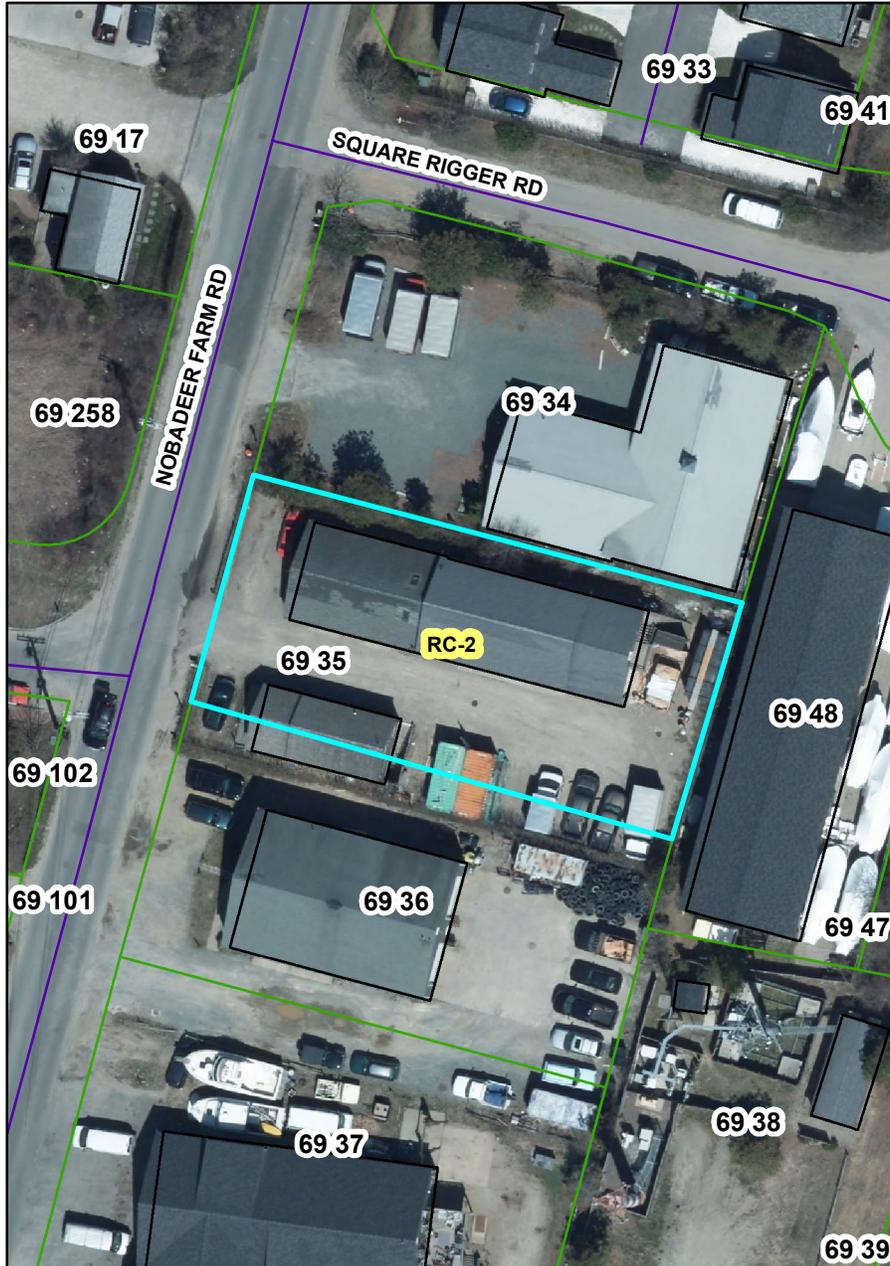
Refuse dumpster enclosure is proposed to be comprised of five foot (5') high natural cedar (wooden) plank fence panels, topped with one foot (1') high natural cedar (wooden) one inch (1") diameter "criss-cross / diamond" pattern lattice, topped with two inch (2") high natural cedar (wooden) horizontal beam pieces, to create a finished appearance at the top of the fence panels. The enclosure will include two door panels (swinging out), centered in the side of the enclosure facing the parking lot and drive aisle, which will be installed to allow for access to the enclosure and to secure the enclosure; the door panels will be comprised of the same materials, at the same height, with galvanized steel latch mechanisms. The enclosure will be supported by four inch (4") diameter pressure treated vertical posts, anchored into the concrete refuse dumpster pads (the posts will be spaced at approximately four foot (4') to five foot (5') intervals). The panels will be secured to the posts with galvanized steel brackets, attached to the inside of the fence panels. The bottom of the fence panels will be installed beginning at approximately four inches (4") above grade, to allow for air circulation, and to provide for the passage of small rodents and wildlife.



- LEGEND:**
- - BOLLARD
  - - CATCH BASIN
  - ⊙ - CATCH BASIN ROUND
  - ⊕ - HYDRANT
  - ⊖ - WATER SHUTOFF
  - ⊗ - WATER METER
  - ⊘ - WATER GATE
  - ⊙ - IRRIGATION CONTROL VALVE
  - ⊙ - SEWER MANHOLE
  - ⊙ - MANHOLE
  - ⊙ - WELL
  - ⊙ - UTILITY POLE
  - - SIGN
  - BIT BERM - BITUMINOUS CONCRETE CURB
  - CCB - CAPE COD BERM
  - VGC - VERTICAL GRANITE CURB
  - CONC - CONCRETE
  - TRANS PAD - TRANSFORMER AND CONCRETE PAD
  - - EDGE OF PAVEMENT
  - x 37.54 - EXISTING SPOT ELEVATION
  - - EXISTING CONTOUR
  - - EXISTING FENCE
  - ⊙ - EXISTING SPOT LIGHT
  - ⊙ - EXISTING EXTERIOR LIGHT
  - ⊙ - EXISTING LIGHT POLE



Planning Board #61-15  
Seamus M. Crowley & Elizabeth Gennaro  
46 Nobadeer Farm Road  
Map 69 Parcel 35



Holly Backus

PLANNING BOARD

**From:** Ed Pesce [epesce@comcast.net]  
**Sent:** Sunday, February 07, 2016 11:03 AM  
**To:** Leslie Snell  
**Cc:** Catherine Ancero; Holly Backus; Leo Asadoorian; Arthur Gasbarro; Bill Hunter  
**Subject:** Nantucket Windows & Doors MCD - Engineering Review Report  
**Attachments:** Nantkt Window & Doors- Engr. Review - 6 Feb 2016.pdf

FILE # 61-15

Hi Leslie,

Please find attached the engineering review report for the Nantucket Windows & Doors MCD at 46 Nobadeer Farm Road.

With the latest revised plan (revised February 1, 2016), all comments have been adequately addressed, and I recommend approval of the Site Plan.

As always, let me know if you have any questions.

Thank you,

ED

---

**Edward L. Pesce, P.E., LEED® AP**

*Pesce Engineering & Associates, Inc.*

451 Raymond Road  
Plymouth, MA 02360

Office: 508-743-9206

Fax: 508-743-0211

Cell: 508-333-7630

[epesce@comcast.net](mailto:epesce@comcast.net)



**PESCE ENGINEERING & ASSOCIATES, INC. PLANNING BOARD**

451 Raymond Road  
Plymouth, MA 02360

Phone: 508-743-9206 Cell: 508-333-7630  
epesce@comcast.net

FILE # 61-15

February 6, 2016

Nantucket Planning Board  
Attn: Ms. Leslie Snell, AICP, LEED @ AP  
Deputy Director, Planning & Land Use Services  
2 Fairgrounds Road  
Nantucket, MA 02554

RE: Engineering Review of the Proposed **Nantucket Windows & Doors, Inc. Major Commercial Development (MCD)**, 46 Nobadeer Farm Road, Nantucket, MA

Dear Mrs. Snell & Members of the Board:

Pesce Engineering & Associates, Inc. is pleased to provide you this engineering review of the proposed **Nantucket Windows & Doors MCD**, located at 46 Nobadeer Farm Road, Nantucket, MA. We have evaluated the plans for consistency with the Town's Zoning Bylaw, and general conformance with the Massachusetts Stormwater Management Regulations.

We have reviewed the following information to prepare this letter report:

- Letter from Blackwell & Associates, Inc. to the Nantucket Planning Board, Re: Nantucket Windows & Doors, Inc. MCD, 46 Nobadeer Farm Road, dated February 1, 2016.
- Revised Site Development Plan entitled "MCD Site Plan Review In Nantucket, MA," 1 sheet, prepared by Blackwell & Associates, Inc., dated January 7, 2016, and revised February 1, 2016.
- Letter from the Wannacommet Water Company to Ms. Holly Backus, Nantucket Planning Board, RE: Certificate of Water Quality Compliance: Major Commercial Development Special Permit Application, Forty six Nobadeer farm Road Condominium; 46 Nobadeer Farm Road.

The proposed development is located on approximately 0.28 acres of land situated at 46 Nobadeer Farm Road. The site is located in the Residential Commercial – 2 (RC-2) Zoning District. No wetland areas are located on or abutting the subject parcel.

The applicant proposes to develop this parcel by constructing a new 2,440 sf warehouse addition to the existing 2-story commercial building on the site. There are no new water or sewer services planned for this project. The following are our review comments:

We have discussed several aspects of this project via numerous e-mails and phone calls with Blackwell & Associates, and Ms. Holly Backus. As a result, the highlights of the proposed development on the Site Plan, including the recent changes, are as follows:

- New 2,440 sf warehouse addition.
- New pedestrian crosswalk across Nobadeer Farm Road, including HP sidewalk ramps along Nobadeer Farm Road (abutting the property). The new crosswalk will connect to the existing brick sidewalk on Hanabea Lane.
- New 100-gal. leaching pit to support the drainage for the parking area. The roof downspouts from the new addition will also be piped to this leaching structure ,
- Removal of the existing porch and HP ramp at the existing 1 ½ story building on the south border of the property. NOTE: Mr. Butler, Building Inspector, has stated that this ramp is not necessary for this existing building.
- Six parking spaces, including 1 HP space.
- Loading zone area and turnaround area, with a "No Parking" sign for the turn around area.
- New asphalt driveway apron off Nobadeer Farm Road, and a new concrete ramp area in front of the new addition.

Based on the above list of design features, and the proposed revisions, which include drainage and site improvements, we have no further engineering review comments. We recommend approval of the proposed MCD Site Plan by the Planning Board.

Thank you again for this opportunity to assist the Planning Board in their review of this project. As always, please call if you have any questions or comments.  
Sincerely,

PESCE ENGINEERING & ASSOCIATES, INC.



Edward L. Pesce., P.E., LEED ® AP  
Principal

cc:

Art Gasbaro, PE, PLS LEED AP, Blackwell & Associates, Inc.  
Leo Asadoorian, PS, CSE, Blackwell & Associates, Inc.



#07-16 Brass Lantern Inn  
Brass Lantern, LLC  
11 North Water Street  
Map 42.4.2 Parcel 54.1



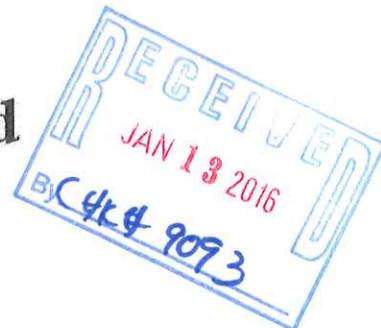
Town Clerk  
Town & County Building  
16 Broad St  
Nantucket, MA 02554



JAN 13 2016 PM 3:16

# Nantucket Planning Board

## Application for a Special Permit



Date: January 11, 2016

File #: 07-16

Name of development: Brass Lantern Inn

Owner(s) name(s): Brass Lantern LLC

Mailing address: c/o Sarah F. Alger, P.C., 2 South Water Street, Nantucket, MA 02554  
Phone number: 508-228-1118 Fax number: 508-228-8004 E-mail: sfa@sfapc.com

Applicant's name: Same as above.

Mailing address: \_\_\_\_\_  
Phone number: \_\_\_\_\_ Fax number: \_\_\_\_\_ E-mail: \_\_\_\_\_

Engineer / surveyor's name: Nantucket Surveyors LLC

Mailing address: 5 Windy Way, Nantucket, MA 02554  
Phone number: 508-228-0240 Fax number: 508-228-9856 E-mail: psantos@nantucketsurveyors.com

Location of lot(s):

Street address 11 North Water Street, Nantucket, Massachusetts

Tax Assessors Map 42.4.2 Parcel 54.1

Nantucket Registry of Deed: Plan Book 20 and Page 2 **OR**  
Plan File # \_\_\_\_\_ **OR** Land Court Plan # \_\_\_\_\_ at Certificate # \_\_\_\_\_

Size of parcel: 0.17 acres sq. ft. Zoning District: Residential Old Historic (ROH)

Special Permit sought: (check one)

- Cluster subdivision
- Commercial WECS
- Driveway Access/Curb Cut Special Permit
- Harbor Overlay District (HOD)
- Major Commercial Development (MCD)

- Multi-family Special Permit
- Moorlands Management District Subdivision or Construction (MMD)
- NEHOD (Neighborhood Employee Housing Overlay District)
- MRD (Major Residential Development)
- MIPOD (Mid-Island Planned Overlay District)
- Other Uses Requiring a Special Permit (specify all uses and *Nantucket Code* sections)

Section	Description
139-2	Definitions and word usage-Transient Residential Facilities
139-16.C.(2)	Intensity Regulations- unintentional setback intrusions
139-18	Off-street parking requirements
139-23	Site plan review
139-33	Alteration and extension of a pre-existing nonconforming structure and use

Specify all associated Zoning Code relief sought:

Section	Description
	See attached Addendum.

*Only the zoning relief expressly requested above will be considered as part of this application.*

If applying for a Major Commercial Development, specify how the application will comply with Section 139-11 (J) of the *Zoning Code of the Town of Nantucket*, also known as the Town's Affordable Housing Effort:

---



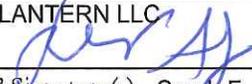
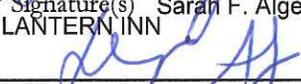
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Planning Board filing fee due: \$ 250.00

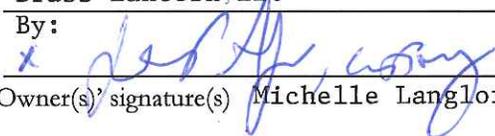
Engineering Inspection Escrow Deposit due: \$ \_\_\_\_\_

I/ we hereby certify that the applicant(s) cited above have been authorized by me/ us to file a Special Permit application with the Planning Board on property that I/ we own.

Nantucket Planning and Land Use Services ▪ 2 Fairgrounds Road ▪ Nantucket ▪ MA ▪ 02554 ▪ (508) 325-7587

BRASS LANTERN LLC  
By:   
Owner(s)' Signature(s) Sarah F. Alger, its attorney  
BRASS LANTERN INN  
by:   
Applicant's Signature Sarah F. Alger, its attorney

I/we Michelle Langlois, as Manager, the undersigned, hereby authorize  
Sarah F. Alger to act as agent(s) on my/our behalf and to  
make any necessary revisions on this filed application as they may be requested by the Board to meet its governing  
rules and guidelines.

Brass Lantern, LLC  
By:   
Owner(s)' signature(s) Michelle Langlois, Manager

**Check List:**

- Planning Board Special Permit abutters list – to be obtained at the Tax Assessor's office
- Completed application form entitled "Application to the Planning Board for a Special Permit"
- Application fee of \$250.00 payable to Town of Nantucket
- Abutters fee of \$6.11 per abutters payable to Pitney Bowes Reserved Funds
- Four (4) sets of mailing labels with each abutter's name and address
  - 1" x 2 5/8" size, typed labels, are preferred
  - duplicate labels are not necessary if the same owner is listed for more than one abutting property
- Completed application form
- Town Clerk's stamped application (provide 2 copies-one for Town Clerk and one for Planning Board)

BRASS LANTERN LLC  
 By: [Signature]  
 Owner(s) Signature(s) Sarah F. Alger, its attorney  
 BRASS LANTERN INN  
 by: [Signature]  
 Applicant's Signature Sarah F. Alger, its attorney

I/we Michelle Langlois, as Manager, the undersigned, hereby authorize  
Sarah F. Alger to act as agent(s) on my/our behalf and to  
 make any necessary revisions on this filed application as they may be requested by the Board to meet its governing  
 rules and guidelines.

Brass Lantern, LLC  
 By: [Signature: Michelle Langlois]  
 Owner(s) signature(s) Michelle Langlois, Manager

Check List:

- Planning Board Special Permit abutters list – to be obtained at the Tax Assessor's office
- Completed application form entitled "Application to the Planning Board for a Special Permit"
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- Town Clerk's stamped application (provide 2 copies-one for Town Clerk and one for Planning Board)

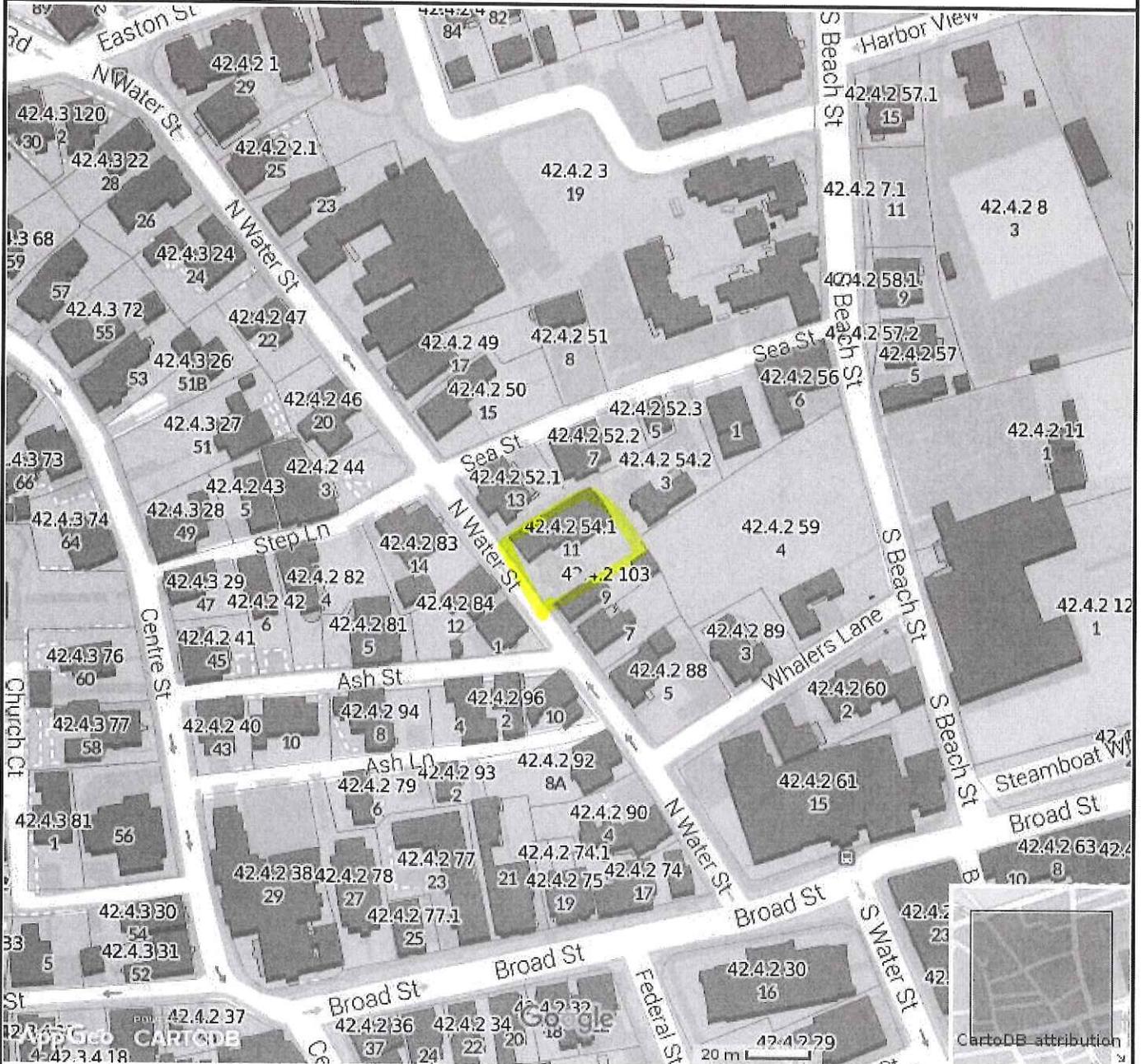
ADDENDUM

11 North Water Street  
Nantucket Planning Board  
Special Permit

The Applicant proposes to alter and extend the preexisting, nonconforming transient residential facility (inn) on the locus by demolishing a portion of the existing structure, constructing an addition, reconfiguring and increasing the number of guest rooms by seven (7) from seventeen (17) to twenty-four (24), and adding one (1) one-bedroom manager's apartment with kitchen and a commercial kitchen. As so improved, the inn will have a total of twenty-four guest (24) rooms, one (1) one-bedroom manager's apartment with kitchen, three (3) staff sleeping rooms with kitchen, and a commercial kitchen. The existing structure is nonconforming as to height, having height of about thirty-four (34) feet, and the structure as proposed will be no higher. Two (2) stacked parking spaces will be provided on site, where thirteen (13) are required as follows:

<b>Parking Table</b>			
<u>Use</u>	<u>Requirement</u>	<u>Proposed Use</u>	<u>Required Spaces</u>
Transient Residential Facility	3 spaces plus 1 space for each 3 rental units over 2	24	10
Apartment/Bedrooms	0.3 space/bedroom	4	1
Employees	1 space/each 3 employees on peak shift	6	2
<b>Total</b>			<b>13</b>

# 11 North Water



**Property Information**

**Property ID** 42.4.2 54.1  
**Location** 11 N WATER ST  
**Owner** BRASS LANTERN LLC



MAP FOR REFERENCE ONLY  
 NOT A LEGAL DOCUMENT

Town and County of Nantucket, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Parcels updated December, 2014  
 Properties updated January, 2015





1424

Brass Lantern Inn  
11 North Water St.  
Nantucket, MA 02554



First Floor Plan

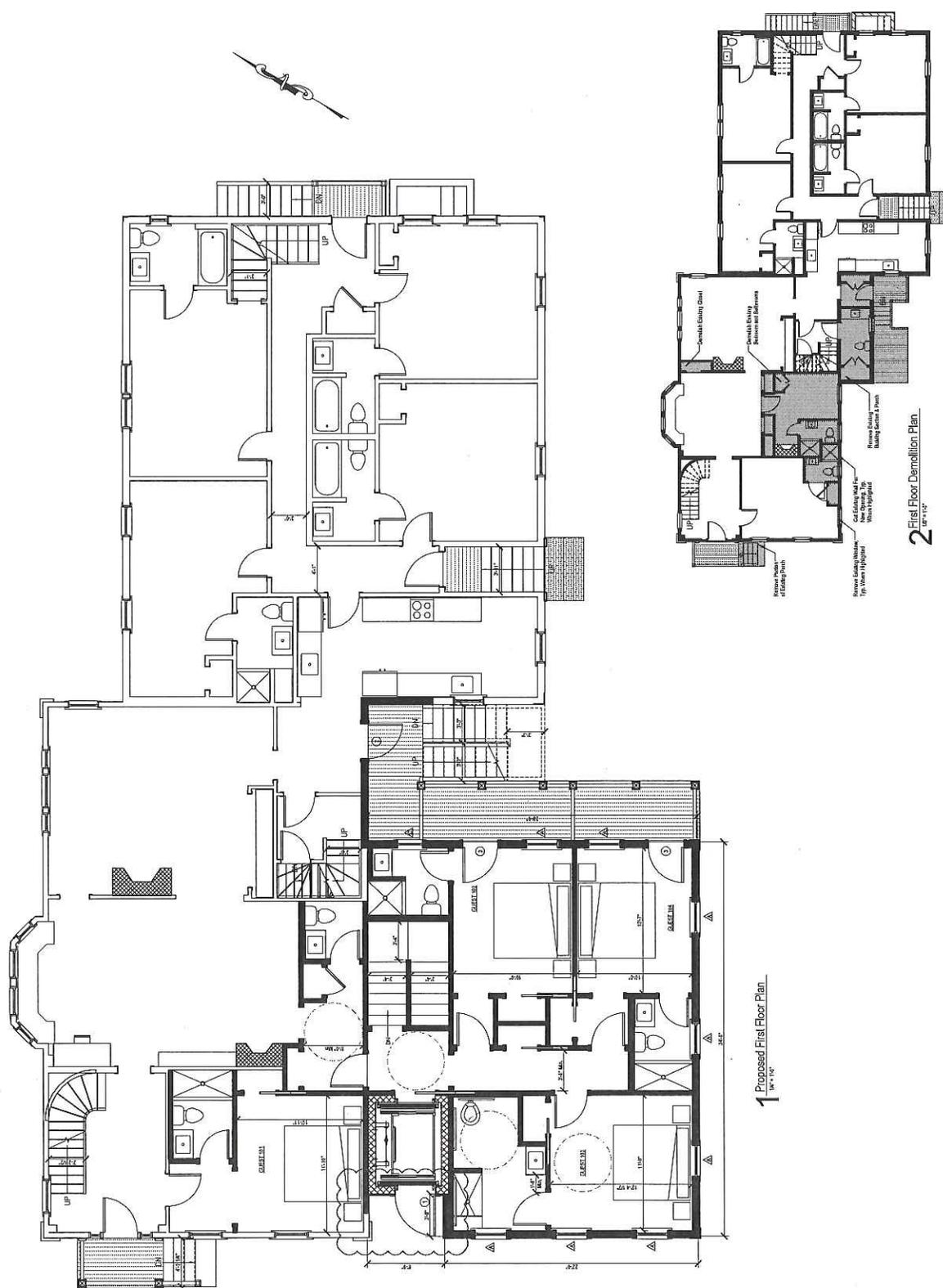
**Site Information**  
 02.47 (N.A.)  
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 1.E. 15  
 2.00B.L.14  
 15.00A.2.00B.H.11  
 16.00L.14  
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**SHSHEET INDEX**  
 01.1 Site Plan, Lot 14  
 02.1 Foundation Plan  
 03.1 Foundation Plan  
 04.1 Second Floor Plan  
 05.1 Third Floor Plan  
 06.1 Staircase  
 07.1 Elevations

**NOTES**  
 1. All work shall be in accordance with the Massachusetts Building Code, 806 CMR, and all applicable local ordinances.  
 2. The owner shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.  
 3. The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.  
 4. The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.  
 5. The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.

A.1.1  
1424

REVISIONS



12.22.15

HDC Submission



1424

Brass Lantern Inn  
11 North Water St.  
Nantucket, MA 02554



Third Floor Plan

Site Information

Map of Project: 0421 (A1)  
 Location: Nantucket, MA  
 Project Name: Brass Lantern Inn  
 Date: 12.22.15  
 Author: [Name]  
 Project Manager: [Name]  
 Project Engineer: [Name]

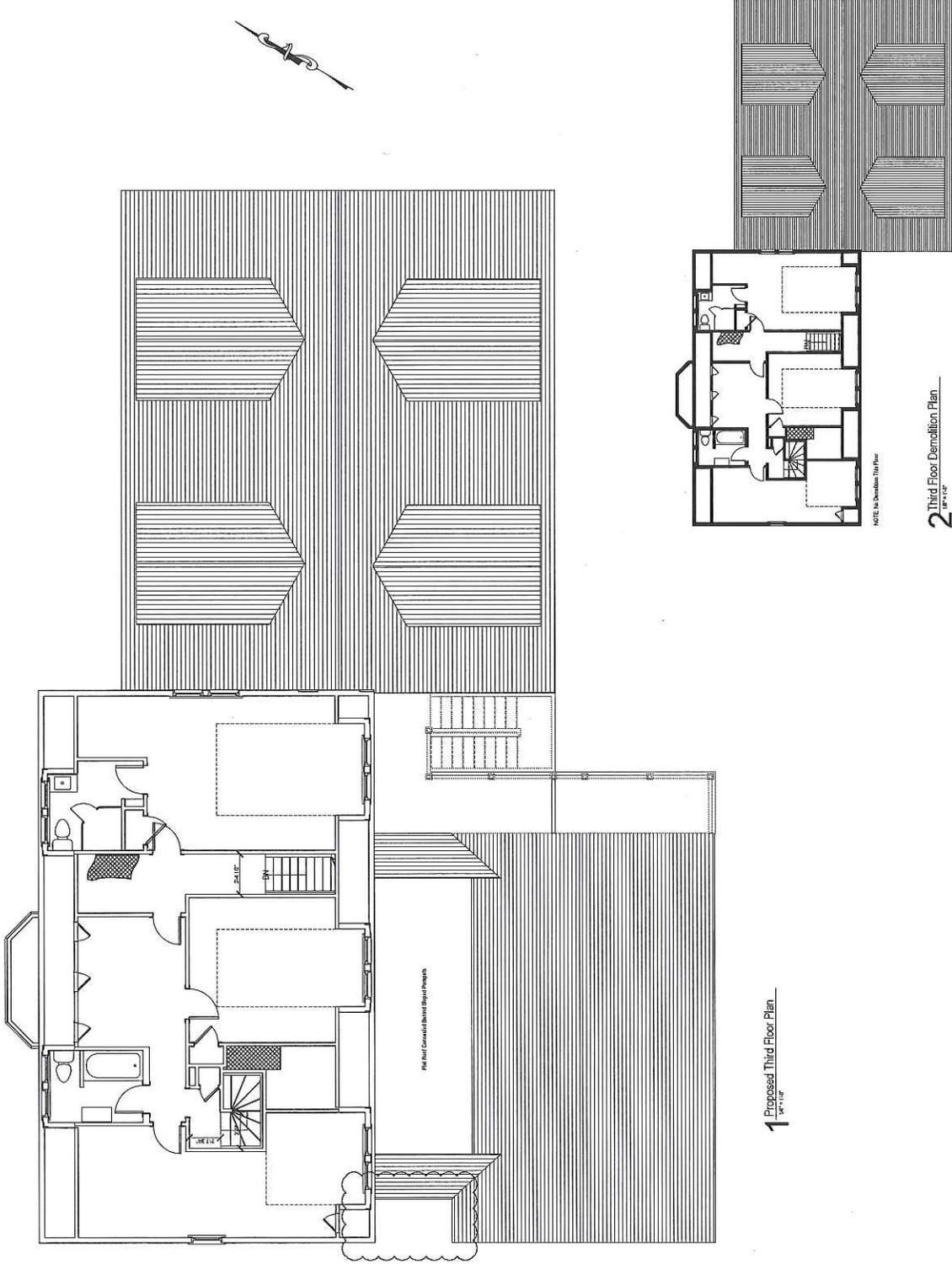
Intended for the use of the client and the architect. This drawing is not to be used for any other purpose without the written consent of the architect. The client and the architect shall be responsible for the accuracy of the information provided in this drawing. The architect shall not be responsible for the accuracy of the information provided in this drawing.

SHEET INDEX

C.1.1 Site Plan, Lot Map  
 A.1.1 Preliminary Plan  
 A.1.2 Second Floor Plan  
 A.1.3 Third Floor Plan  
 A.2.1 Elevations  
 A.2.2 Elevations

A.1.3  
1424

NOTES:  
 1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.  
 2. ALL MATERIALS AND FINISHES ARE TO BE AS SHOWN ON THE DRAWINGS.  
 3. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND REGULATIONS.  
 4. THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.  
 5. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.  
 6. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED IN THIS DRAWING.



1 Proposed Third Floor Plan  
12/22/15

2 Third Floor Demolition Plan  
12/22/15

12.22.15

HDC Submission

**1424**  
**Brass Lantern Inn**  
 11 North Water St.  
 Nantucket, MA 02554



EMCRIBUS  
 COMMERCIAL BUILDING GROUP

**Elevations**

**Site Information**

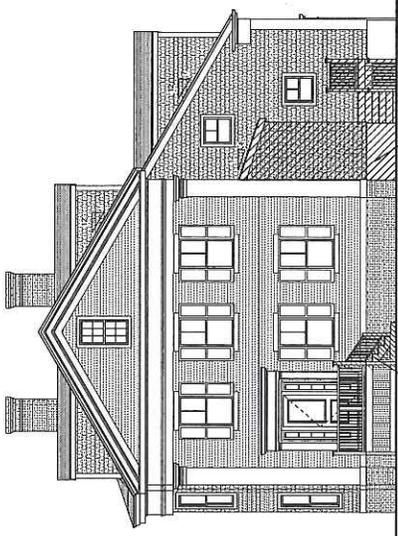
Map & Parcel: 44-21-14-1  
 Lot: LC  
 Zoning: R-1  
 Project Name: Brass Lantern Inn  
 Architect: EMCRIBUS  
 Date: 12/22/15  
 Project C.C.: 1508-12-15  
 Date of Approval: 12/22/15

Information for this set was taken from the Nantucket Planning Board's records. All work shall be in accordance with the Nantucket Planning Board's records. All work shall be in accordance with the Nantucket Planning Board's records.

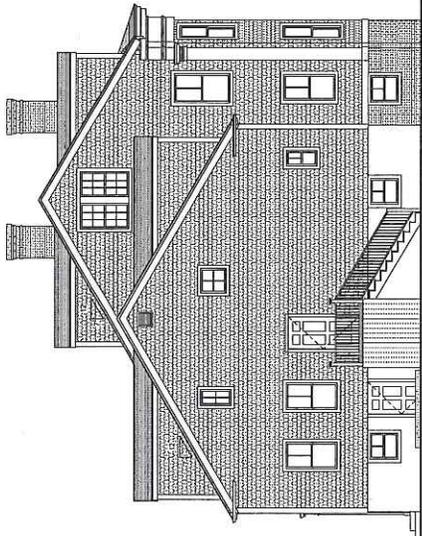
**Revisions**

**A.2.1**  
**1424**

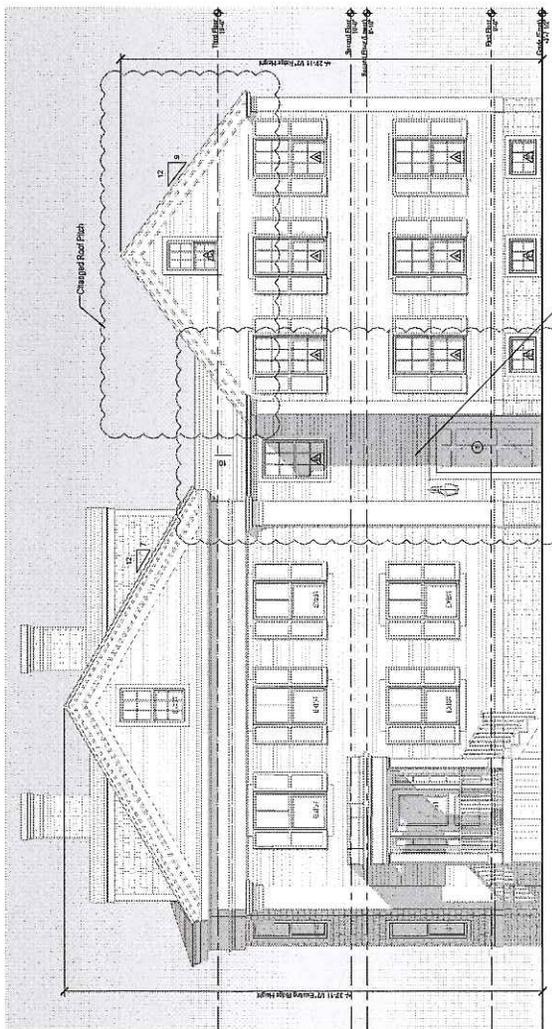
NOTE: All clouds refer to suggested changes made since initial 12/15/15 meeting.



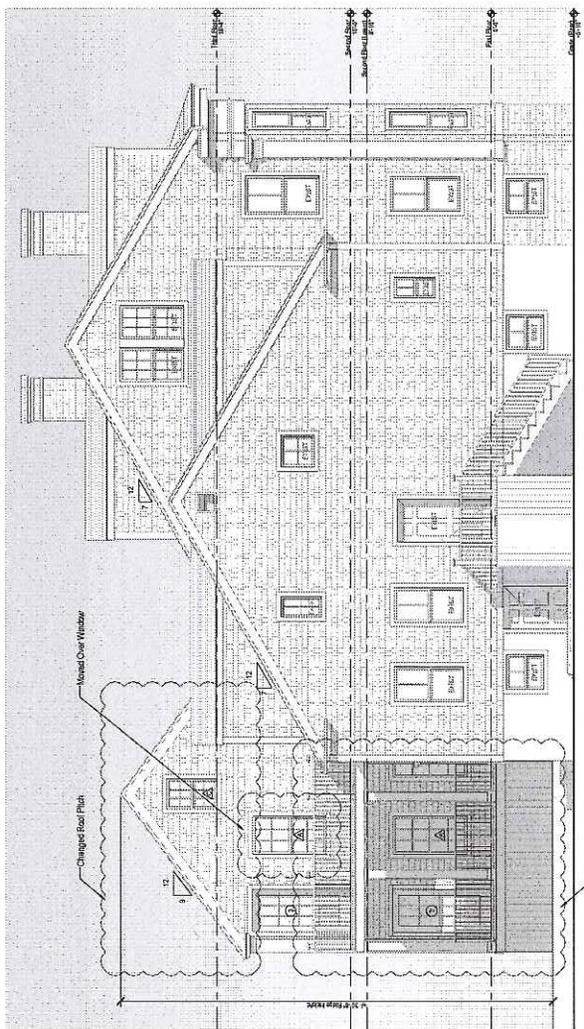
**2** Demolition West Elevation  
 2" = 1'-0"



**4** Demolition East Elevation  
 2" = 1'-0"



**1** Proposed West Elevation  
 2" = 1'-0"



**3** Proposed East Elevation  
 2" = 1'-0"

12.22.15

HDC Submission







#09-16 Sanford Boat Building Condo - Amendment to #17-11  
Vanilla Day, LLC  
2C Sanford Road, Unit 6  
Map 55 Parcel 267



PLANNING BOARD

FILE # 09-16



Nantucket Planning Board

Application for an Amendment to a Previously Granted Special Permit

Date: Dec 7/16

Name of Development: SANFORD BOAT BLDG CONDO.

Planning Board File No.: ZBA FILE NUMBERS 103-92 and 014-08

Owner(s)' Name(s): VINILADAP LLC

Mailing Address: 8 STEAMBOAT WHARF

Phone number: 508-332-9638 Fax number: \_\_\_\_\_ E-mail: \_\_\_\_\_

Applicant's Name: SCOTT KOPP

Mailing Address: \_\_\_\_\_

Phone number: \_\_\_\_\_ Fax number: \_\_\_\_\_ E-mail: \_\_\_\_\_

Engineer/Surveyor: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone number: \_\_\_\_\_ Fax number: \_\_\_\_\_ E-mail: \_\_\_\_\_

Location of Lots:  
Street Address: 22 SANFORD ROAD Unit G.

Tax Assessor's Map: 55-809 Parcel: 55-267

Nantucket County Registry of Deeds: # 042196

Land Court Plan 35 560-6 LOT 23 or Plan Book \_\_\_\_\_ Page \_\_\_\_\_

or Plan File #: CONDO PLAN 207-66

Size of Parcel \_\_\_\_\_ square feet

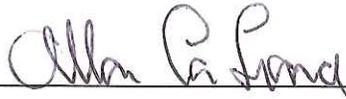
Zoning District \_\_\_\_\_

Describe proposed modification in detail:

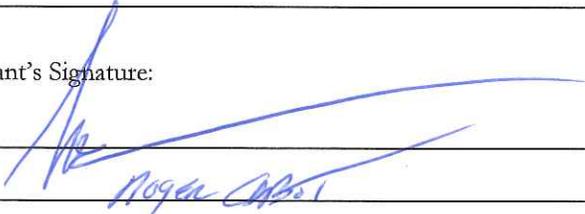
Modification of special permit # 17-11 section 139-126  
to allow change to unit G from retail (camera store) to takeout  
ford. no new seating, kitchen exists, one more loop line and  
Register, open interior wall from unit 4 to unit G  
basically make the room larger.

I/we hereby certify that the applicant cited above have been authorized by me/us to file a Special Permit application with the Nantucket Planning Board on property that I/we own.

Owner(s)' Signature(s):



Applicant's Signature:



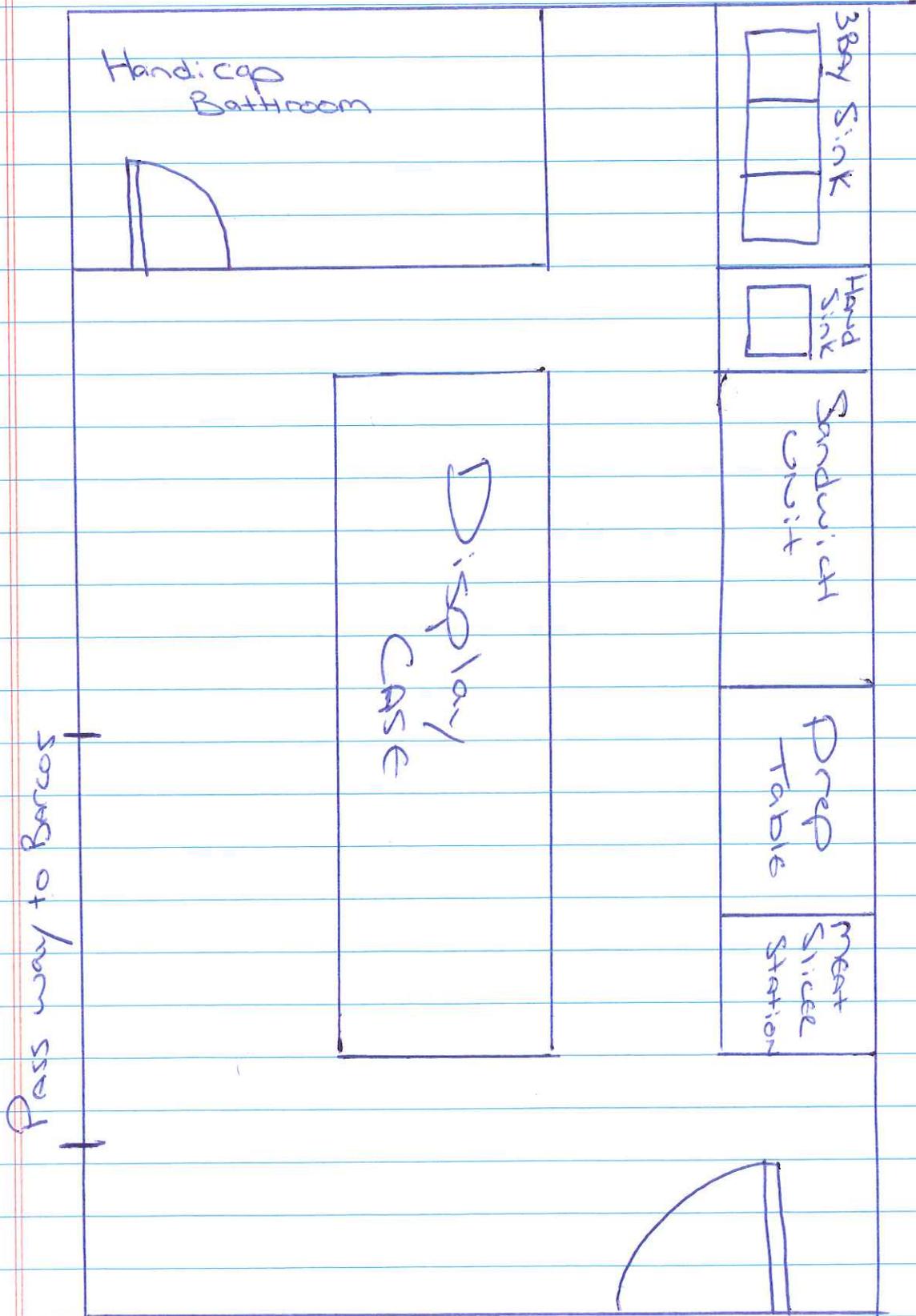
I/we \_\_\_\_\_, the undersigned, hereby authorize \_\_\_\_\_ to act as agent(s) on my/our behalf and to make any necessary revision on this filed application as may be requested by the Board to meet its governing rules and guidelines.

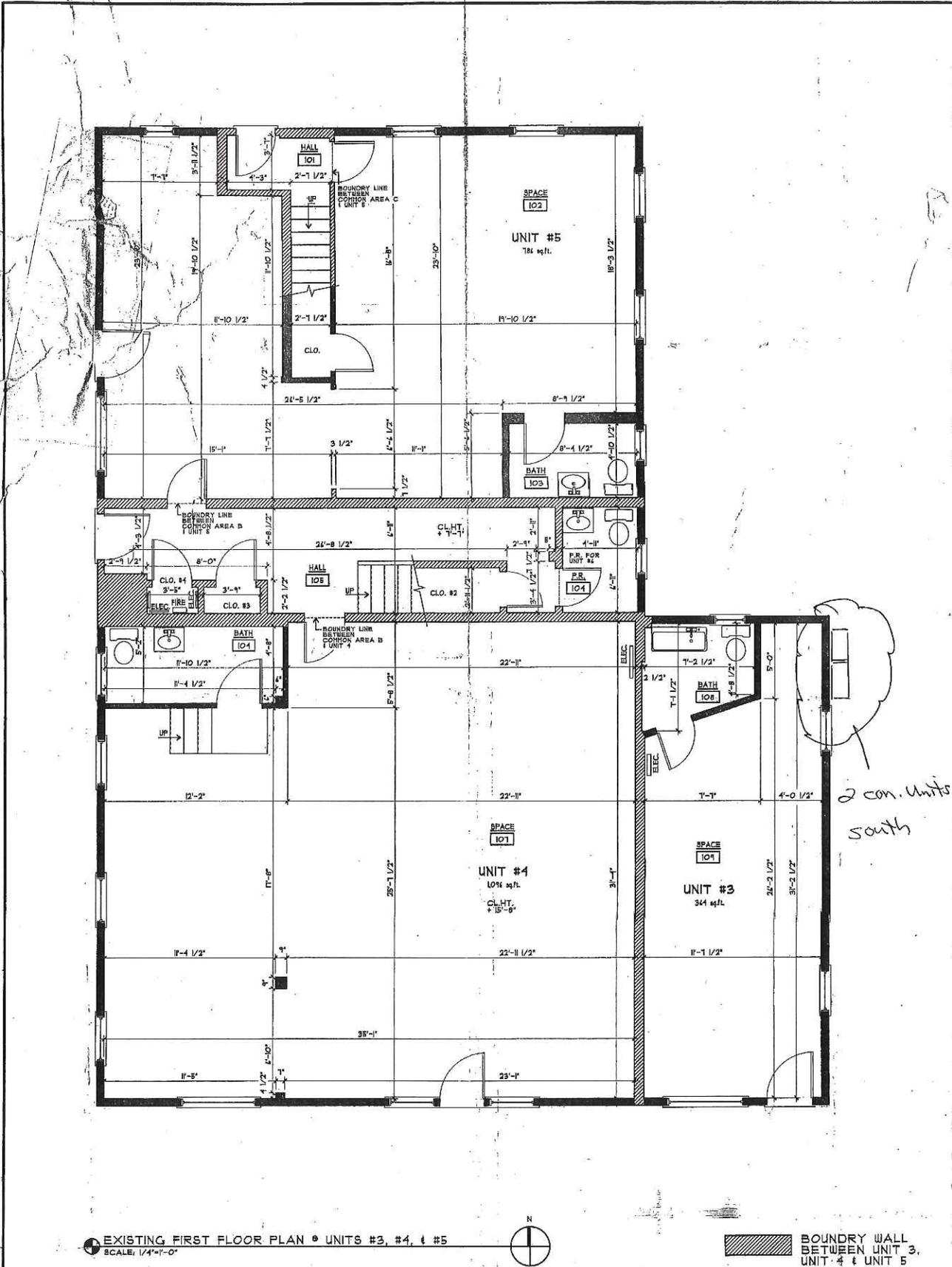
Owner(s)' Signature(s):

**This application must be accompanied by a filing fee of \$250.00 payable to Town of Nantucket plus \$6.74 per abutters notice payable to Pitney Bowes Reserved Funds to cover the mailing of the public notices to the abutters and for the notices to abutters of the Board's decision, four sets of mailing labels (1 inch in height and 2.63 inches in width), as well sufficient materials (e.g. site plan, list of proposed modifications, drainage calculations, engineering changes, etc.) as necessary to permit the Planning Board to adequately evaluate the proposal. A list of abutters may be obtained from the Nantucket Tax Assessors office at 37 Washington Street. Each abutters name and address shall be recorded on the mailing labels. If the special permit modification pertains to a Major Commercial Development (MCD) the establishment of an escrow account may be necessary.**

In addition, a "pdf" electronic copy of applications, plans and materials is requested. Electronic and pdf's can be submitted by disks or email to [cancero@nantucket-ma.gov](mailto:cancero@nantucket-ma.gov).

# Sandwich Shop







# Nantucket Planning Board

## Approval of a Mid Island Planned Overlay District Special Permit

Project: Sanford Boat Building Condominium Unit 1  
2 Sanford Road, Unit 1  
(Tax Assessors Map 55, Parcel 806)  
(Certificate of Title No. C57)

Owner: Edward J. Sanford and Matthew S. Sanford, Trustees of the Lower Pleasant Trust  
Applicant: Dominic Treadwell

Previously Granted Special Permits  
Zoning Board File #103-92 (registered as Document No. 59488)  
Zoning Board File #014-08 (registered as Document No. 124623)

September 12, 2011  
Resigned July 8, 2013

### Background:

The Sanford Boat Building was constructed in 1977 and converted to office/retail space in 1983. The units within the structure later contained retail, office, and personal service uses. In 1992, a special permit was issued by the Zoning Board of Appeals granting the following:

- seven (7) of the required parking spaces were waived with twenty-two (22) spaces provided;
- the required off-street loading facility was waived; and
- a portion of the required 20% open space was waived with 19.74% provided.

In 2008, an application was filed with the Zoning Board of Appeals requesting a clarification to the previously granted permit. Several items, including a handicap access ramp, had been placed within areas previously counted toward the open space requirement. Due to the statutory zoning exemption for handicap access, the Board found that no additional relief from the open space requirement was necessary.

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~~When the site was included in the Mid-Island Planned Overlay District (MIPOD) the Planning Board became the special permit granting authority.~~

### Description of Project and Proposed Modification:

---

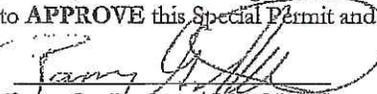
The applicant is seeking a special permit for a take-out food establishment within Unit 1 of the Sanford Boat Building. Unit 1 is located in the lower level facing Pleasant Street. Specifically, the applicant proposes an eighteen (18) seat coffee shop with on-site roasting facilities and the sale of pastries or other food generally associated with a coffee shop. The hours of operation are proposed from 6:00 AM to 8:00 PM. Unit 1 has available for use four (4) shared parking spaces, however, the parking requirement for this proposal is eleven (11) spaces as follows:

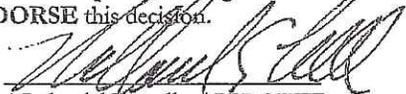
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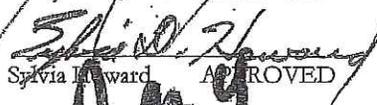
RECEIVED  
2013 APR 23 AM 10 12  
NANTUCKET TOWN CLERK

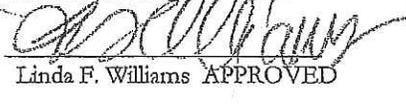
3. That the applicant shall provide a minimum of one (1) outdoor garbage receptacle near the entrance to the establishment.

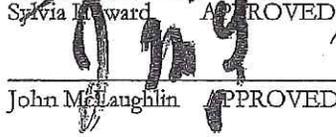
On September 12, 2011 the Planning Board voted 5-0 to close the public hearing. The Board also voted 5-0 to **APPROVE** this Special Permit and to **ENDORSE** this decision.

  
Barry G. Rector APPROVED

  
Nathaniel Lowell APPROVED

  
Sylvia Howard APPROVED

  
Linda F. Williams APPROVED

  
John McLaughlin APPROVED

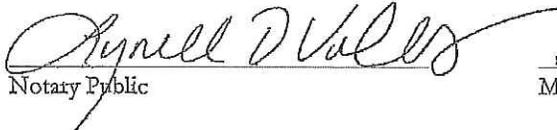
COMMONWEALTH OF MASSACHUSETTS

Nantucket, SS

July 17, 2013

On the 17<sup>th</sup> day of July, 2013 before me, the undersigned notary public,

personally appeared Sylvia Howard, 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.

  
Notary Public

  
LYNELL D. VOLLANS  
Notary Public  
Commonwealth of Massachusetts  
My Commission Expires  
December 28, 2018

  
LYNELL D. VOLLANS  
Notary Public  
Commonwealth of Massachusetts  
My Commission Expires  
December 28, 2018



CHK# 17890

RECEIVED

# Nantucket Planning Board

2014 SEP 12 PM 3 44

NANTUCKET TOWN CLERK

## Application for an Amendment to a Previously Granted Special Permit

Date: \_\_\_\_\_

Name of Development: Sanford Boat Building Condominium

~~Planning Board File No.:~~ ZBA File numbers 103-92 and 014-08

Owner(s)' Name(s): Vanilla Day, LLC

Mailing Address: c/o Reade, Gullicksen, Hanley & Gifford, LLP- P.O. Box 2669, Nantucket, MA 02584

Phone number: 508-228-3128 Fax number: 508-228-5630 E-mail: kag@readelaw.com

Applicant's Name: same

Mailing Address: \_\_\_\_\_

Phone number: \_\_\_\_\_ Fax number: \_\_\_\_\_ E-mail: \_\_\_\_\_

~~Engineer/Surveyor:~~ \_\_\_\_\_

~~Mailing Address:~~ \_\_\_\_\_

~~Phone number:~~ \_\_\_\_\_ ~~Fax number:~~ \_\_\_\_\_ ~~E-mail:~~ \_\_\_\_\_

### Location of Lots:

Street Address: 2 D Sanford Road (Unit 4, Sanford Boat Building Condominium)

Tax Assessor's Map: 55-809 ~~Parcel:~~ (part of 55-267)

Nantucket County Registry of Deeds: Certificate of Title No. U42196

~~Land Court Plan~~ 35 560-G, Lot 23 ~~or Plan Book~~ ~~Page~~ \_\_\_\_\_

~~or Plan File #:~~ see Condominium plan 2007-66

Size of Parcel 12,120 square feet

Zoning District Residential Commercial (RC); Mid-Island Planned Overlay District (MIPOD)

Describe proposed modification in detail:

( SEE ATTACHED )

# Nantucket Planning Board

(Attachment)

## Application for an Amendment to a Previously Granted Special Permit

### Describe proposed modification in detail:

Applicant proposes to use Unit 4 for a takeout food establishment with one station. Present ZBA decisions provide for this unit to be used for retail or office; present use is retail. Applicant desires to preserve ability to return use to retail or office. Parking requirement will be six spaces (5 for takeout food establishment with one station; 1 for up to 3 employees).

Floor area is 1,096 sq. ft., so with up to 3 employees, the requirement is six spaces also. Take-out food establishment is allowed by special permit in this district. Planning Board has exclusive jurisdiction over this special permit and modification because locus is situated in MIPOD.

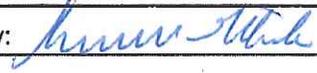
Open Space required for commercial lot, not constituting a Major Commercial Development (MCD), is 20%. Special permit relief is requested under Zoning By-Law §139-16-E (3) to reduce open space to about 19.975% to allow for condensers for refrigeration equipment.

I/we hereby certify that the applicant cited above have been authorized by me/us to file a Special Permit application with the Nantucket Planning Board on property that I/we own.

Owner(s)' Signature(s):

Vanilla Day, LLC

By:



Kenneth A. Gullicksen

Applicant's Signature:

(same)

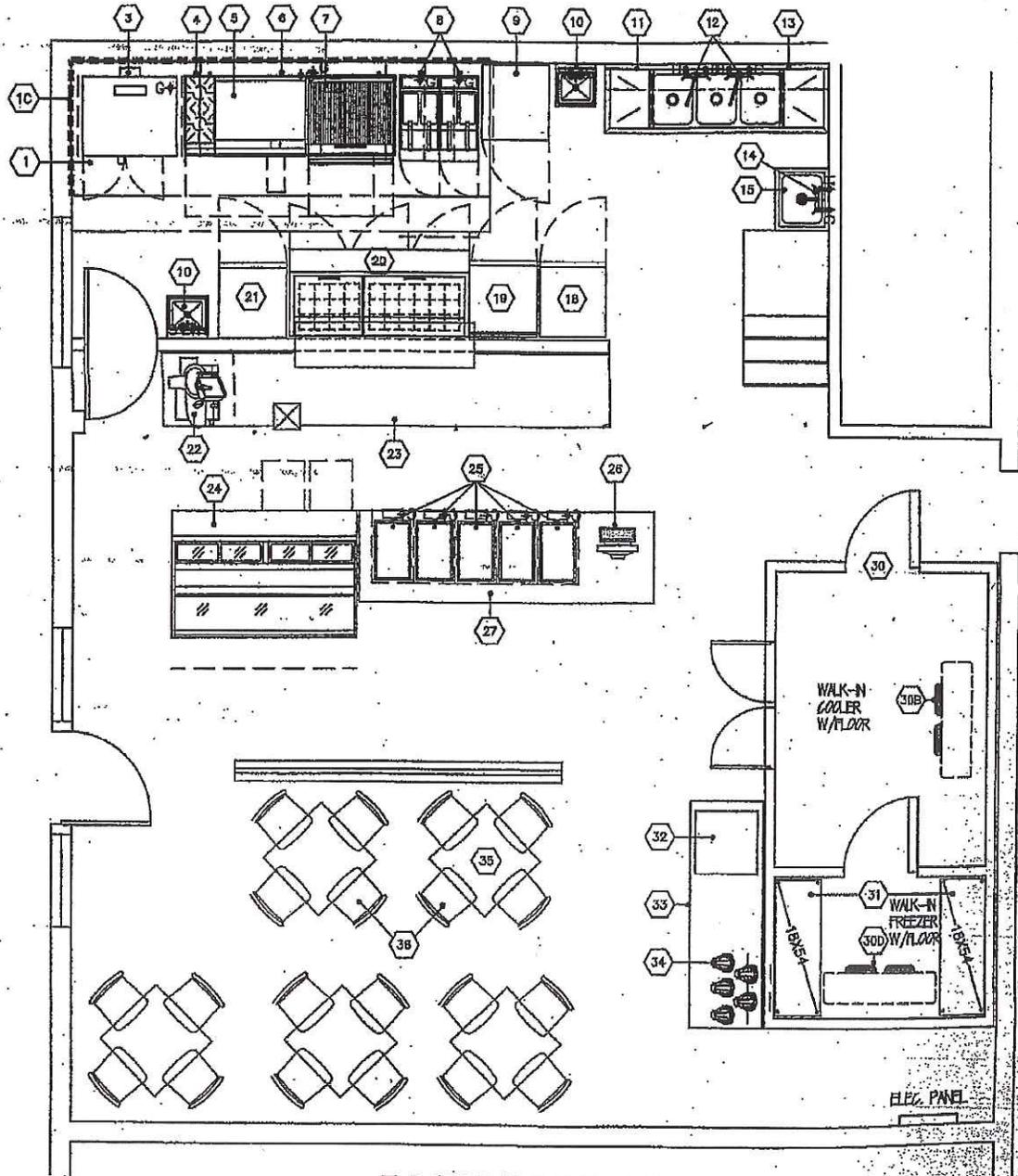
I/we \_\_\_\_\_, the undersigned, hereby authorize \_\_\_\_\_ to act as agent(s) on my/our behalf and to make any necessary revision on this filed application as may be requested by the Board to meet its governing rules and guidelines.

Owner(s)' Signature(s):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

This application must be accompanied by a filing fee of \$250.00 payable to Town of Nantucket plus \$6.11 per abutters notice payable to Pitney Bowes Reserved Funds, four sets of mailing labels (1 inch in height and 2.63 inches in width), as well sufficient materials (e.g. site plan, list of proposed modifications, drainage calculations, engineering changes, etc.) as necessary to permit the Planning Board to adequately evaluate the proposal. A list of abutters may be obtained from the Nantucket Tax Assessors office. Each abutters name and address shall be recorded on the mailing labels. If the special permit modification pertains to a Major Commercial Development (MCD) the establishment of an escrow account may be necessary.

SANFORD BOAT BUILDING CONDOMINIUM  
 UNIT 4  
 PROPOSED FLOOR PLAN



**EQUIPMENT PLAN**

1/4" = 1' - 0"

**EQUIPMENT SCHEDULE**

NO.	DESCRIPTION	QTY	UNIT	MANUFACTURER	MODEL	DATE	REVISION	BY	CHECKED	APPROVED
1	LD WATER		(IN)							
2	T WATER		(IN)							
3	RECT DRAIN		(IN)							
4	AIR DRAIN		(IN)							
5	SOLE		(IN)							
6	TUH									
	ITEM									
	EQUIPMENT									

2 condensing units (1 freezer - loading) 24" x 47" x 30"

Pipes under brick pavers to crawl space

Brand - "American Land"

Plants 5.6 ft. x 22.0 ft.

### PARKING

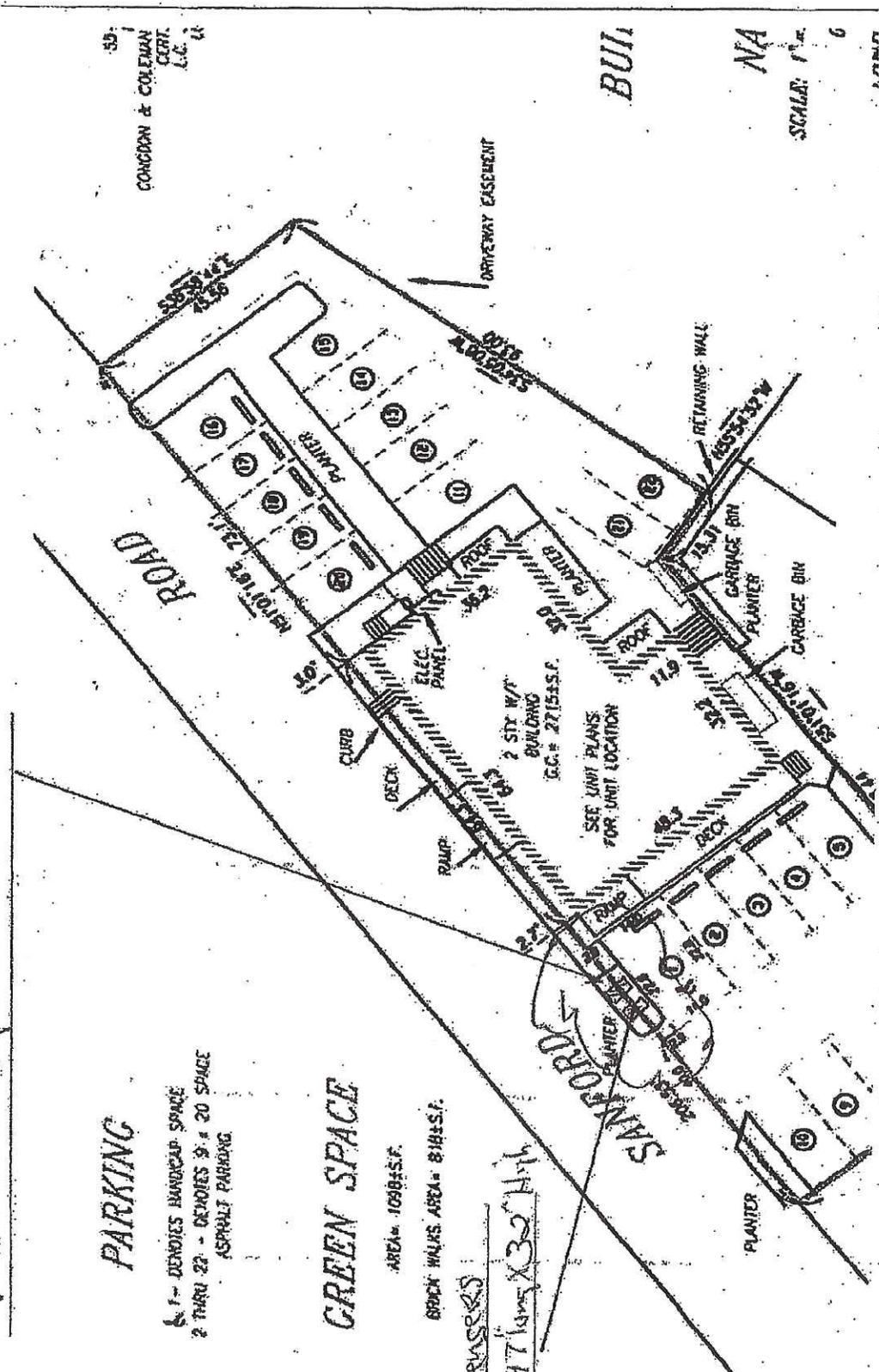
- 1 - DEMOLISH HANDICAP SPACE
- 2 THRU 22 - DEMOLISH 9' x 20' SPACE
- ASPHALT PARKING

### GREEN SPACE

AREA = 1098 S.F.

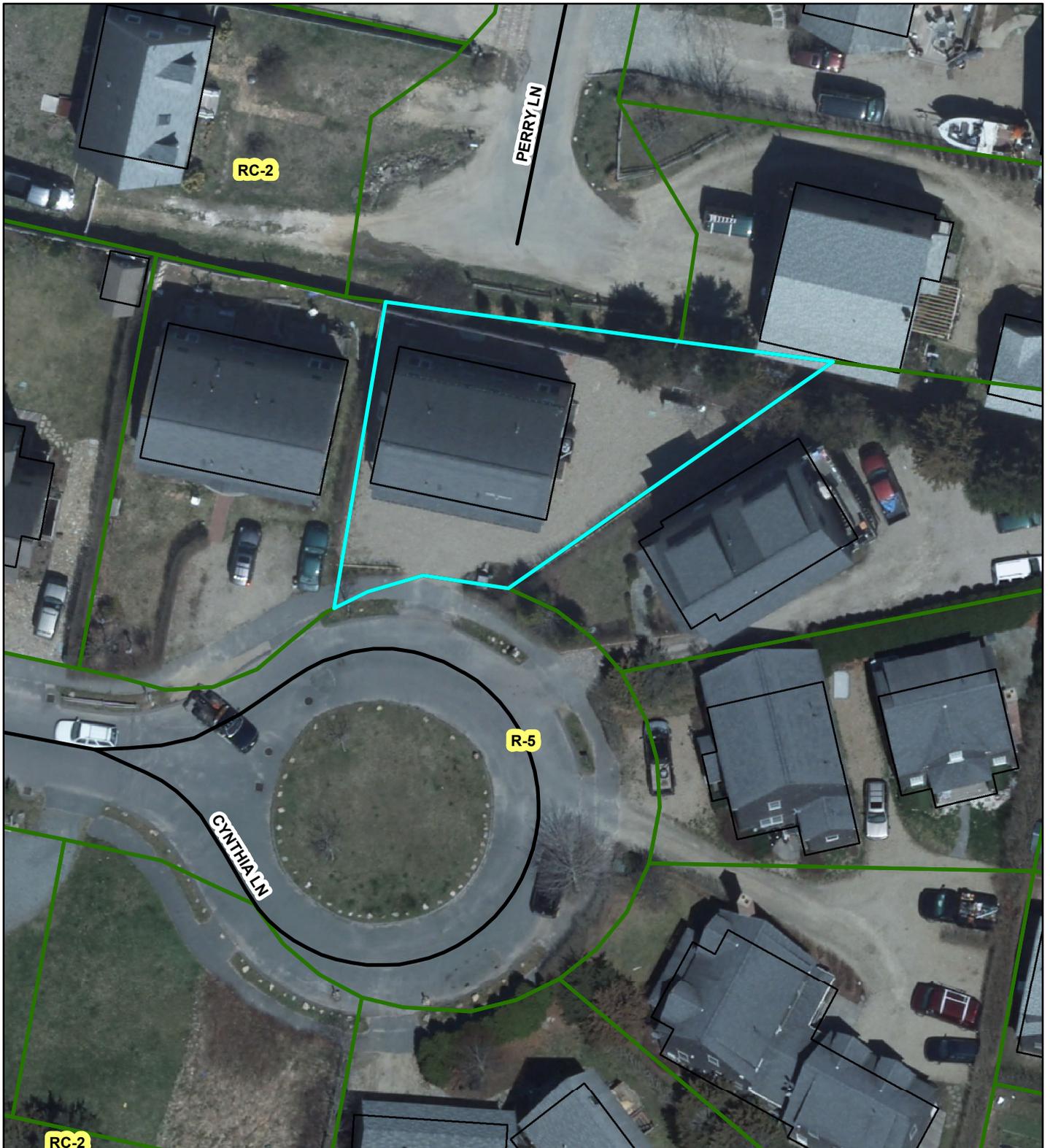
BRICK WALKS AREA = 818 S.F.

# 2 Condensers  
23" x 47" long x 30" High





#11-16 Special Permit  
Nantucket Island Resorts, LLC  
16 Cynthia Lane  
Map 67 Parcel 459





FEB 9 2016 AM 10:07

Town Clerk *M. H.*  
Town & County Building  
16 Broad St  
Nantucket, MA 02554

# Nantucket Planning Board

## Application for a Special Permit



Date: February, 2016

File #: 11-16

Name of development: \_\_\_\_\_

Owner(s) name(s): Nantucket Island Resorts LLC

Mailing address: c/o 2 Whaler's Lane, PO Box 659, Nantucket, MA 02554

Phone number: 508-228-4455 Fax number: 508-228-3070 E-mail: rick@vdhlaw.com

Applicant's name: same

Mailing address: same

Phone number: same Fax number: same E-mail: same

Engineer / surveyor's name: Nantucket Surveyors

Mailing address: 5 Windy Way, Nantucket, MA 02554

Phone number: 508-228-0240 Fax number: 508-228-9856 E-mail: \_\_\_\_\_

Location of lot(s):

Street address 16 Cynthia Lane

Tax Assessors Map 67 Parcel 459

Nantucket Registry of Deed: Plan Book 2012 and Page 74 OR

Plan File # \_\_\_\_\_ OR Land Court Plan # \_\_\_\_\_ at Certificate # \_\_\_\_\_

Size of parcel: 5,100 square feet sq. ft. Zoning District: R-5

Special Permit sought: (check one)

- Cluster subdivision
- Commercial WECS
- Driveway Access/Curb Cut Special Permit
- Harbor Overlay District (HOD)
- Major Commercial Development (MCD)

*Deed Book 648 Page 142*

- Multi-family Special Permit
- Moorlands Management District Subdivision or Construction (MMD)
- NEHOD (Neighborhood Employee Housing Overlay District)
- MRD (Major Residential Development)
- MIPOD (Mid-Island Planned Overlay District)
- Other Uses Requiring a Special Permit (specify all uses and *Nantucket Code* sections)

Section	Description
<u>139-12</u>	<u>Special Permit for Neighborhood Employee Housing</u>
<u>139-23</u>	<u>Site Plan Review</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

Specify all associated Zoning Code relief sought:

Section	Description
<u>139-12</u>	<u>Special Permit for Neighborhood Employee Housing</u>
<u> </u>	<u> </u>

*Only the zoning relief expressly requested above will be considered as part of this application.*

If applying for a Major Commercial Development, specify how the application will comply with Section 139-11 (J) of the *Zoning Code of the Town of Nantucket*, also known as the Town's Affordable Housing Effort:

\_\_\_\_\_

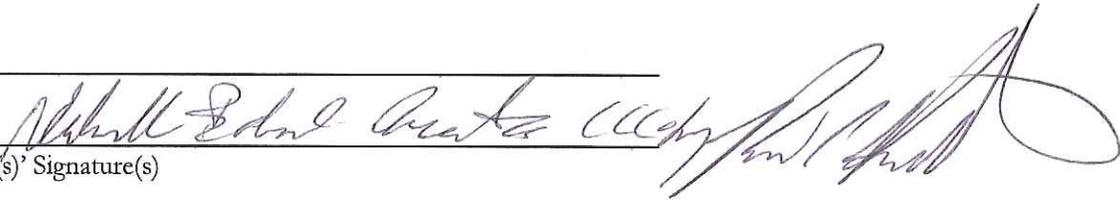
\_\_\_\_\_

Planning Board filing fee due: \$ 250

Engineering Inspection Escrow Deposit due: \$ \_\_\_\_\_

I/ we hereby certify that the applicant(s) cited above have been authorized by me/ us to file a Special Permit application with the Planning Board on property that I/ we own.

\_\_\_\_\_  
Owner(s)' Signature(s)



\_\_\_\_\_  
Applicant's Signature

I/we \_\_\_\_\_, the undersigned, hereby authorize  
\_\_\_\_\_ to act as agent(s) on my/our behalf and to  
make any necessary revisions on this filed application as they may be requested by the Board to meet its governing  
rules and guidelines.

\_\_\_\_\_  
Owner(s)' signature(s)

**Check List:**

- Planning Board Special Permit abutters list – to be obtained at the Tax Assessor's office
- Completed application form entitled "Application to the Planning Board for a Special Permit"
- Application fee of \$250.00 payable to Town of Nantucket
- Abutters fee of \$6.11 per abutters payable to Pitney Bowes Reserved Funds
- Four (4) sets of mailing labels with each abutter's name and address
  - 1" x 2 5/8" size, typed labels, are preferred
  - duplicate labels are not necessary if the same owner is listed for more than one abutting property
- Completed application form
- Town Clerk's stamped application (provide 2 copies-one for Town Clerk and one for Planning Board)

VAUGHAN, DALE, HUNTER AND BEAUDETTE

PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

WHALER'S LANE

P.O. BOX 659

NANTUCKET, MASSACHUSETTS 02554

TEL: (508) 228-4455

FAX: (508) 228-3070

EDWARD FOLEY VAUGHAN

KEVIN F. DALE

RICHARD P. BEAUDETTE

—  
LORI D'ELIA

BRYAN J. SWAIN

RECEIVED  
FEB 09 2016  
By CIV # 15095 EEF  
CHC # 15095/Abutter

WILLIAM F. HUNTER  
OF COUNSEL

February 8, 2016

Catherine Ancero  
Administrative Specialist  
Nantucket Planning Board  
2 Fairgrounds Road  
Nantucket, Massachusetts 02554

*Re: Nantucket Island Resorts  
Special Permit Application  
Neighborhood Employee Housing  
16 Cynthia Lane, Nantucket, MA 02554*

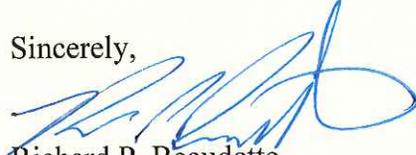
Dear Catherine:

Our client, Nantucket Island Resorts LLC, hereby requests Special Permit Relief for Neighborhood Employee Housing with respect to the property located at 16 Cynthia Lane, Nantucket, MA 02554 (the "Premises"). Further to this application, enclosed please find the following documents:

1. Application for Special Permit.
2. An existing conditions plan.
3. A proposed site plan prepared by Nantucket Surveyors, LLC, dated February 5, 2016.
4. Certified Lists of the Parties in Interest (Abutters) to the Application and four sets of mailing labels.

Please note that the Applicant reserves the right to supplement this application with the additional materials and information at a later time. Please mark this matter for hearing by the Planning Board at its meeting scheduled for March 7, 2016. Please feel free to call me should you or any of the Staff or Board members have questions or concerns.

Sincerely,



Richard P. Beaudette

RPB/ldd  
Enclosures  
cc: Nantucket Island Resorts LLC

2012 09/26/2012 01:43 PM  
 Bk: P: 0 Page: 0  
 Doc: PLAN 10/30/2012 01:43 PM

NANTUCKET REGISTRY  
 OF DEEDS  
 Date: 10/30/2012  
 Time: 1:43 PM  
 Plan No.: 2012-11  
 Registry #:  
 Stanley H. Fenwick  
 Registrar

Sheet 1 of 2



LEGEND  
 DENOTES EXCLUSIVE USE AREA UNIT#1 = 1,130 SQ.FT.  
 EXCLUSIVE USE AREA UNIT#1 = 2,240 SQ.FT.



DENOTES EXCLUSIVE USE AREA UNIT#2  
 EXCLUSIVE USE AREA UNIT#1 = 2,240 SQ.FT.

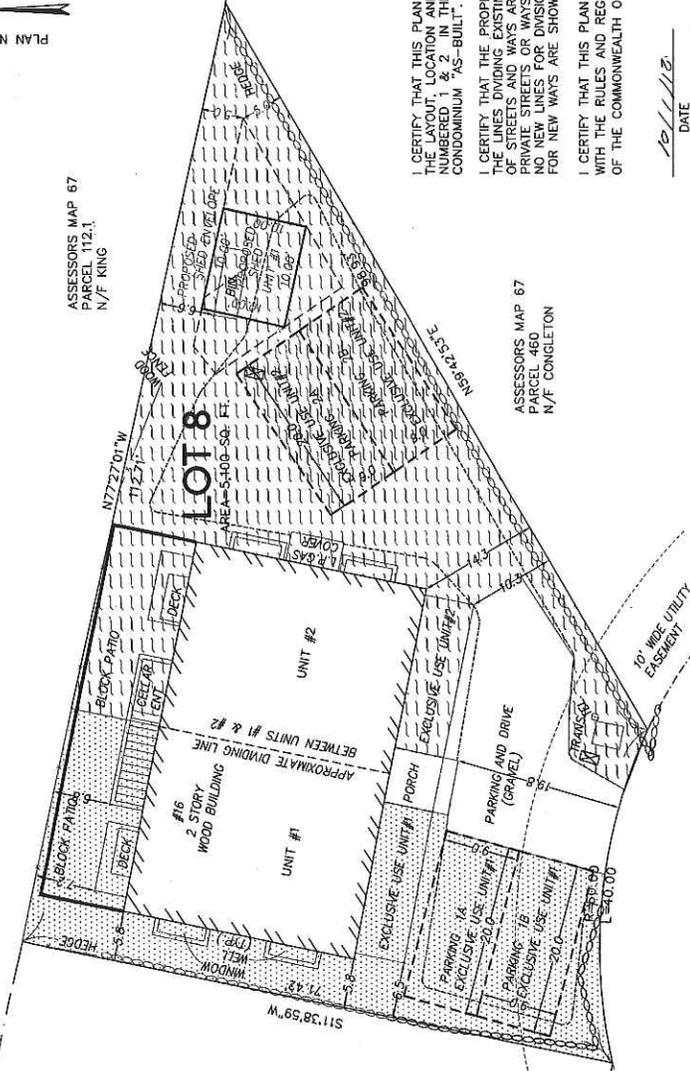
\*AREAS NOT MARKED EXCLUSIVE ARE COMMON

ZONING CLASSIFICATION: RC-2  
 MINIMUM LOT SIZE = 5,000 SQ. FT.  
 MINIMUM FRONTAGE = 40  
 MINIMUM SIDE SETBACK = 5 FT.  
 REAR YARD SETBACK = 5 FT.  
 SIDE YARD SETBACK = 5 FT.  
 GROUND COVER RATIO = 50%  
 GROUND COVER RATIO 24.12% (EXISTING)

ASSESSORS MAP 67  
 PARCEL 112.1  
 N/F KING

ASSESSORS MAP 67  
 PARCEL 458  
 N/F LELLE & MEENAN

ASSESSORS MAP 67  
 PARCEL 460  
 N/F CONGLTON



CYNTHIA LANE

I CERTIFY THAT THIS PLAN FULLY AND ACCURATELY DEPICTS THE LAYOUT, LOCATION AND DIMENSIONS OF THE PROPOSED UNITS NUMBERED 1 & 2 IN THE 16 CYNTHIA LANE CONDOMINIUM "AS-BUILT".

I CERTIFY THAT THE PROPERTY LINES SHOWN HEREON ARE THE LINES DIVIDING EXISTING AND PROPOSED PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED, AND THAT NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIP OR FOR NEW WAYS ARE SHOWN.

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.



DATE 10/11/12

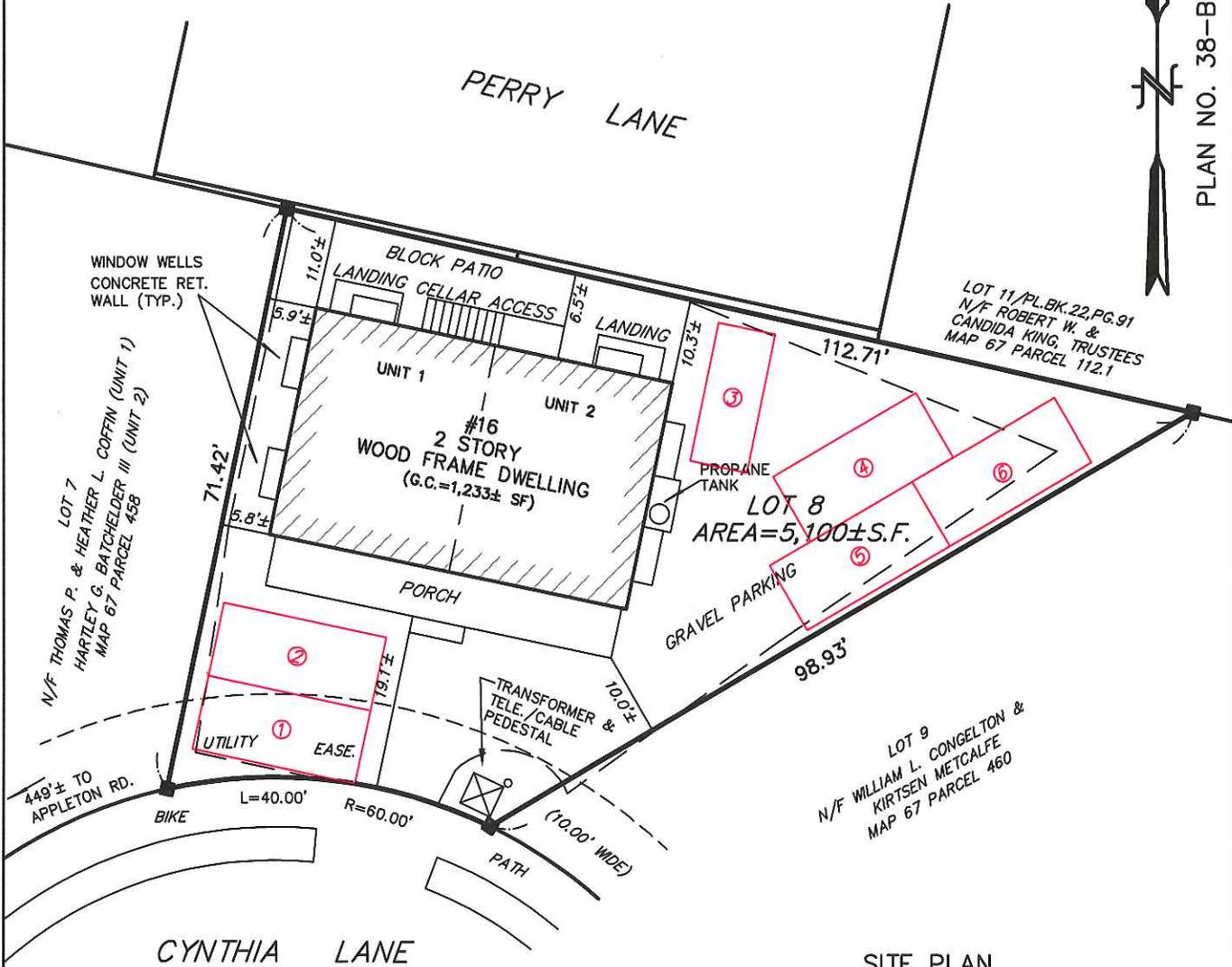
**"MASTER DEED SITE PLAN"**  
 "16 CYNTHIA LANE" CONDOMINIUM  
 (NANTUCKET COUNTY)

OWNED BY: DONNA M. DORAN  
 PREPARED FOR: DONNA M. DORAN  
 SCALE 1" = 10 FT  
 DECEMBER 18, 2011  
 APRIL 25, 2012 \*OCTOBER 1, 2012 (REVISED)  
 ASSESSORS MAP 67 PARCEL 459  
 DEED BOOK 646, PAGE 142

SHEET 1 OF 2

ON ISLAND SURVEY CO. INC.  
 JOSEPH MARCKLINGER  
 PROFESSIONAL LAND SURVEYOR  
 P.O. BOX 896  
 NANTUCKET, MA. 02554  
 (508) 228-8031

PARKING TABLE	
9' x 20'	5
7' x 17'	1
TOTAL	6



PLAN NO. 38-B

UNIT 1: MIDATLANTIC IRA, LLC fbo PATRICE GALLAGHER IRA & PATRICE GALLAGHER  
Dd. Bk. 1351, Pg. 76  
UNIT 2: PATRICE GALLAGHER  
Dd. Bk. 1380, Pg. 139

ZONING CLASSIFICATION  
DISTRICT: R-5 (PWR)  
MINIMUM LOT SIZE = 5,000 S.F.  
MINIMUM FRONTAGE = 50'  
FRONT YARD SETBACK = 10'  
SIDE LINE SETBACK = 10' ONE SIDE 5' THEREAFTER  
REAR LINE SETBACK = 5'  
MAX. GROUND COVER RATIO = 40%  
GROUND COVER RATIO = 24.2% ±

FOR PROPERTY LINE DETERMINATION THIS PLOT PLAN RELIES ON CURRENT DEEDS AND PLANS OF RECORD, VERIFIED BY FIELD MEASUREMENTS AS SHOWN HEREON. THIS PLAN IS NOT REPRESENTED TO BE A TITLE EXAMINATION OR A RECORDABLE SURVEY.

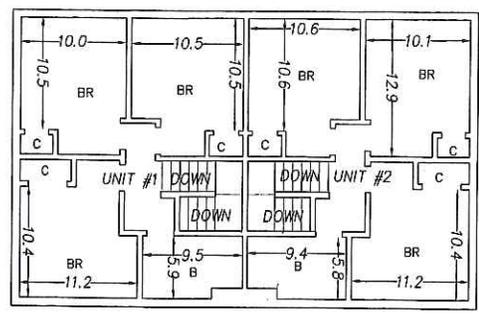
NB.252/106

SITE PLAN  
16 CYNTHIA LANE CONDOMINIUM  
IN  
NANTUCKET, MASSACHUSETTS  
SCALE: 1"=20' DATE: 2/4/16  
DEED REFERENCE: Dd. Bk.1351, Pg.36  
(MASTER DEED)  
PLAN REFERENCE: PLAN NO. 2012-74  
ASSESSOR'S REFERENCE:  
MAP: 67 PARCEL: 459  
PREPARED FOR:  
NEW ENGLAND DEVELOPMENT  
NANTUCKET SURVEYORS LLC.  
5 WINDY WAY  
NANTUCKET, MA. 02554

N-10734

K:\085 9632-10999\10000\10700\10730\10734\AUTOCAD\N10734 SITE PLAN.dwg, 2/5/2016 11:18:38 AM, DWG To PDF.pc3

PLAN NO. 38-B

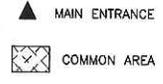


UNIT # 1      UNIT # 2

**SECOND FLOOR  
 CYNTHIA LANE**

**MAIN ENTRANCE**

- BMT DENOTES BASEMENT
- BR DENOTES BEDROOM
- U DENOTES UTILITY ROOM
- B DENOTES BATHROOM
- C DENOTES CLOSET
- K DENOTES KITCHEN
- S DENOTES STORAGE
- L DENOTES LAUNDRY



COMMON AREA = 80 SQ. FT.      SCALE 1 IN. = 8 FT  
 UNIT 1 = 1,616 SQ. FT.  
 UNIT 2 = 1,578 SQ. FT.

MANUCCET REGISTER  
 OF DEEDS  
 Date: 10/30/2012  
 Title: 1:44:04  
 Plan No.: 2012-14  
 Signature: Joseph H. Marcklinger  
 No. 30330

Sheet 2 of 2

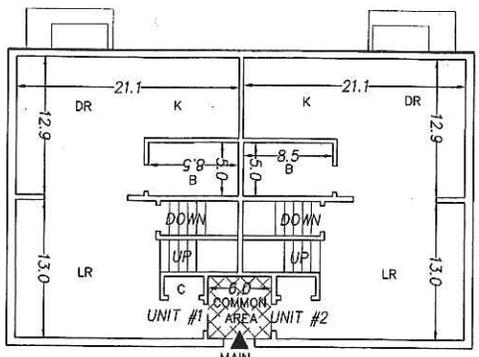


I CERTIFY THAT THIS PLAN FULLY AND ACCURATELY DEPICTS THE LAYOUT, LOCATION, UNIT NUMBER AND DIMENSIONS OF UNITS 1 & 2 IN THE "16 CYNTHIA LANE" CONDOMINIUM, "AS-BUILT"

I CERTIFY THAT THE PROPERTY LINES SHOWN HEREON ARE THE LINES DIVIDING EXISTING OWNERSHIP, AND THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED, AND THAT NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIP OR FOR NEW WAYS ARE SHOWN.

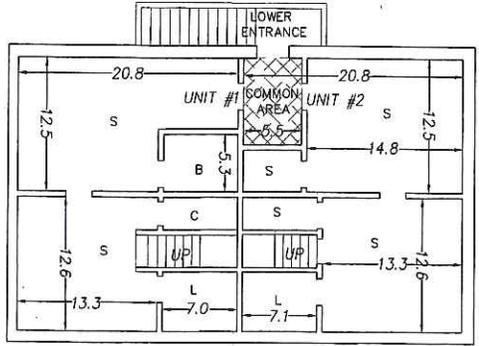
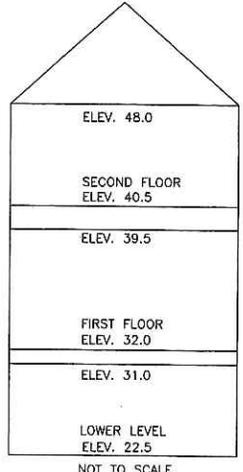
I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

10/1/12  
 DATE



UNIT # 1      UNIT # 2

**FIRST FLOOR  
 CYNTHIA LANE**



UNIT # 1      UNIT # 2

**LOWER LEVEL  
 CYNTHIA LANE**

ON ISLAND SURVEY CO. INC.  
 JOSEPH MARCKLINGER  
 PROFESSIONAL LAND SURVEYOR  
 P.O. BOX 896  
 NANTUCKET, MA. 02554  
 (508) 228-8031

**"FLOOR PLANS"**  
 "16 CYNTHIA LANE" CONDOMINIUM  
 UNITS 1 & 2  
 (NANTUCKET COUNTY)

OWNED BY: DONNA M. DORAN  
 PREPARED FOR: DONNA M. DORAN  
 SCALE 1 IN. = 8 FT  
 DECEMBER 18, 2011  
 APRIL 25, 2012  
 ASSESSORS MAP 67 PARCEL 459  
 DEED BOOK 648, PAGE 142  
 SHEET 2 OF 2

**DEED**

I, MYLES M. REIS, of Nantucket Massachusetts, for consideration paid in the amount of \$160,000.00, grant to DONNA M. DORAN, of 25 Lincoln Parkway, Buffalo, New York 14222, with QUITCLAIM COVENANTS,

That certain parcel of land situated in Nantucket, Nantucket County, Massachusetts, now known and numbered as 16 Cynthia Lane, bounded and described as follows:

- SOUTHERLY by Cynthia Lane, in a curved line, forty (40.00) feet;
- WESTERLY by Lot 7 on plan hereinafter mentioned, seventy-one and 42/100 (71.42) feet;
- NORTHERLY by lands now or formerly of Nancy P. Haynes et al and now or formerly of Robert H. and Veronica A. Peaker, one hundred twelve and 71/100 (112.71) feet; and
- SOUTHEASTERLY by Lot 9 on said plan, ninety-eight and 93/100 (98.93) feet.

Said land is shown as Lot 8 upon a plan by Nantucket Surveyors Inc., dated October 5, 1985, recorded with Nantucket Deeds in Plan File 38-B. Said land contains 5,100 square feet, more or less, according to said plan.

Said land is conveyed subject to the following matters:

(a) Provisions of an Order of Taking by the Town of Nantucket for a municipal sewer easement, dated May 28, 1986, recorded with Nantucket Deeds in Book 250, Page 172.

(b) Provisions of a Covenant with the Nantucket Planning Board dated June 11, 1990, recorded with Nantucket Deeds in Book 347, Page 302, as affected by a Form J Release dated December 14, 1998, recorded with Nantucket Deeds in Book 604, Page 166, by which the Premises were released from such Covenant in accordance with the terms thereof.

(c) Provisions of a Declaration of Restriction in favor of the Nantucket Planning Board dated June 20, 1990, recorded with Nantucket Deeds in Book 347, Page 308.

(d) Provisions of a Grant of Easement to New England Telephone and Telegraph Company dated September 28, 1998, recorded with Nantucket Deeds in Book 596, Page 163.

BOOK 6648 PAGE 143

(e) Provisions of a Declaration of Restrictions and Easements dated April 15, 1999, recorded with Nantucket Deeds in Book 619, Page 88, as affected by Release dated November 30, 1999, recorded with Nantucket Deeds in Book 643, Page 44.

(f) Real estate taxes assessed by the Town of Nantucket for the fiscal year 2000.

For title, see deed recorded with Nantucket Deeds in Book 185, Page 283.

Executed and sealed on January 12, 2000.

*Myles M. Reis*  
Myles M. Reis

COMMONWEALTH OF MASSACHUSETTS

Nantucket, ss.

January 12, 2000

Then personally appeared the above-named Myles M. Reis, and acknowledged the foregoing instrument to be his free act and deed, before me,

*Laura K Lombardi*  
Notary Public

Printed name: *Laura K Lombardi*  
My commission expires: *9/2/05*

f:\up\reis\myles\synthial\lots.ded

19782 1/20/00  
K 9200.00  
ENUNTER

NANTUCKET  
REG DEEDS 16  
NANTUCKET

Cancelled

01/20/00 12:11PM 01  
000000 10998

FEE 9729.60

CASH 9729.60

Nantucket County Received & Entered  
Date: JAN 20 2000 Time: 11:05 AM  
Attest: *James F. Kelly* Register of Deeds

End of  
Instrument

## Holly Backus

---

**From:** Catherine Ancero  
**Sent:** Thursday, February 11, 2016 1:45 PM  
**To:** Holly Backus  
**Subject:** FW: special permits

PLANNING BOARD

FILE # 11-16

---

**From:** Bryan Swain [mailto:bryan@VDHLAW.COM]  
**Sent:** Tuesday, February 09, 2016 12:54 PM  
**To:** Catherine Ancero  
**Cc:** Richard Beaudette  
**Subject:** RE: special permits

Hello Catherine,

There will be 12 employees at 16 Cynthia.

Thanks.

Bryan Swain

---

**From:** Catherine Ancero [mailto:CAncero@nantucket-ma.gov]  
**Sent:** Tuesday, February 09, 2016 11:20 AM  
**To:** Bryan Swain <bryan@VDHLAW.COM>  
**Subject:** RE: special permits

Hi Bryan-  
No need to worry you are all set. We will have both Special Permit application on for the March 7<sup>th</sup> meeting!

Thanks,  
Catherine

---

**From:** Bryan Swain [mailto:bryan@VDHLAW.COM]  
**Sent:** Tuesday, February 09, 2016 10:49 AM  
**To:** Catherine Ancero  
**Subject:** special permits

Hello Catherine,

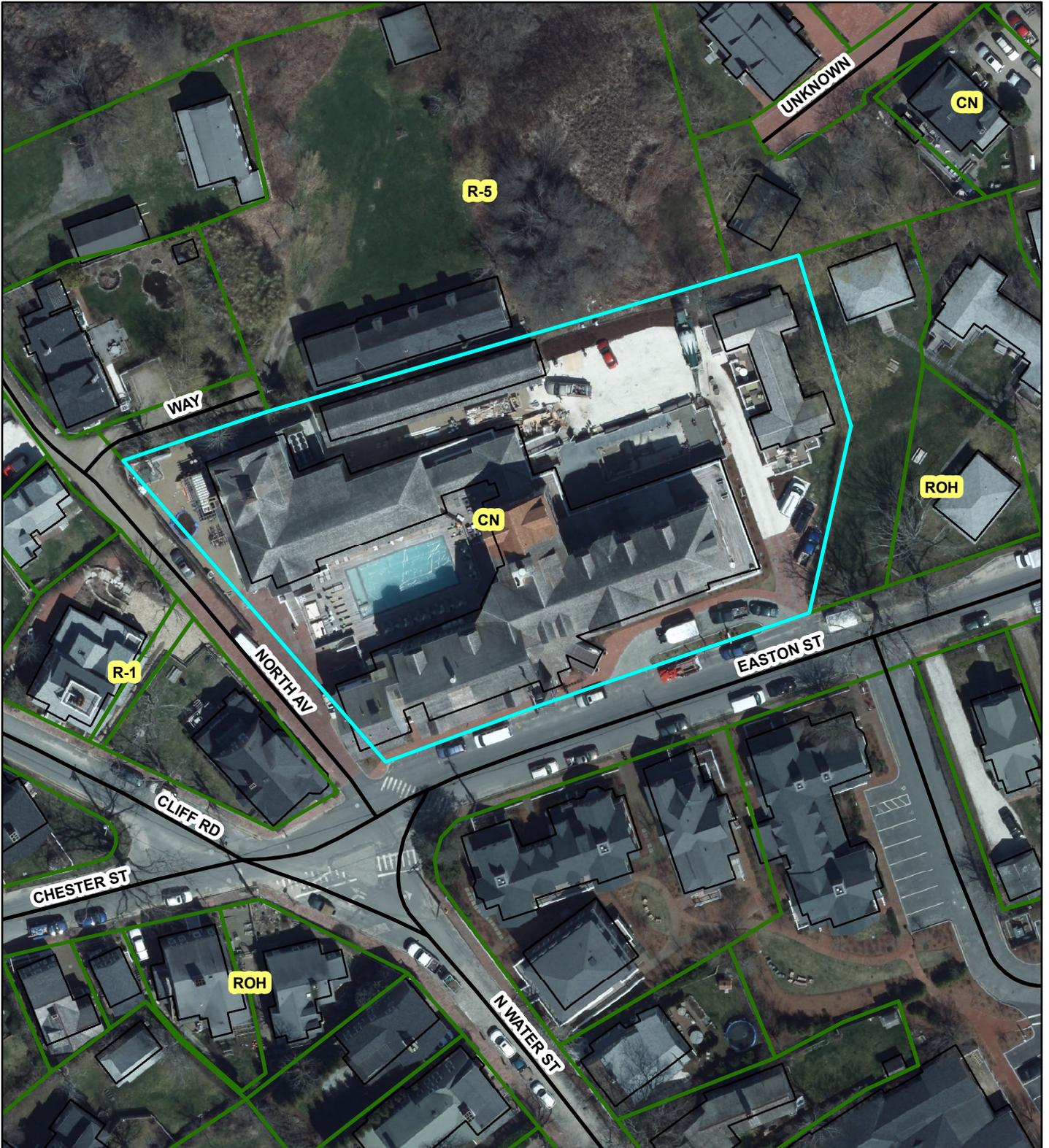
Could you explain the issue with the I&M legal notice? I should have written it down. I already forgot what you told me.  
Thanks.

Best Regards,

Bryan Swain, Esq.  
Vaughan, Dale, Hunter, and Beaudette, P.C.  
Whaler's Lane, P.O. Box 659  
Nantucket, MA 02554  
(Phone) 508-228-4455  
(Fax)508-228-3070



#12-16 Amendment  
To MCD Special Permit #02-12  
77 Easton Street  
Map 42.4.1 Parcel 35



PLANNING BOARD

FILE # 12-16



Nantucket Planning Board

Application for an Amendment to a Previously Granted Special Permit

Date: February 12, 2016

Name of Development: The Nantucket Hotel

Planning Board File No.: \_\_\_\_\_

Owner(s)' Name(s): Nantucket Hotel Holdings, LLC

Mailing Address: 77 Easton St., Nantucket, MA 02554

Phone number: 617-571-3339 Fax number: \_\_\_\_\_ E-mail: msnider@stanmar-inc.com

Applicant's Name: Mark Snider

Mailing Address: same as above

Phone number: \_\_\_\_\_ Fax number: \_\_\_\_\_ E-mail: \_\_\_\_\_

Engineer/Surveyor: Jerry Burke

Mailing Address: same as above

Phone number: 508-310-7827 Fax number: \_\_\_\_\_ E-mail: JBurke@stanmar-inc.com

Location of Lots:  
Street Address: 77 Easton Street

Tax Assessor's Map: 42.41 Parcel: 35

Nantucket County Registry of Deeds:

Land Court Plan \_\_\_\_\_ or Plan Book \_\_\_\_\_ Page \_\_\_\_\_

or Plan File #: \_\_\_\_\_

Size of Parcel 1.27 acres square feet

Zoning District CN

Describe proposed modification in detail:

(see attached)

I/we hereby certify that the applicant cited above have been authorized by me/us to file a Special Permit application with the Nantucket Planning Board on property that I/we own.

Owner(s)' Signature(s):

\_\_\_\_\_  
*Mark A. Snider*  
\_\_\_\_\_

Applicant's Signature:

\_\_\_\_\_  
*Mark A. Snider*  
\_\_\_\_\_

I/we *Mark A. Snider*, the undersigned, hereby authorize \_\_\_\_\_ to act as agent(s) on my/our behalf and to make any necessary revision on this filed application as may be requested by the Board to meet its governing rules and guidelines.

Owner(s)' Signature(s):

\_\_\_\_\_  
*Mark A. Snider*  
\_\_\_\_\_

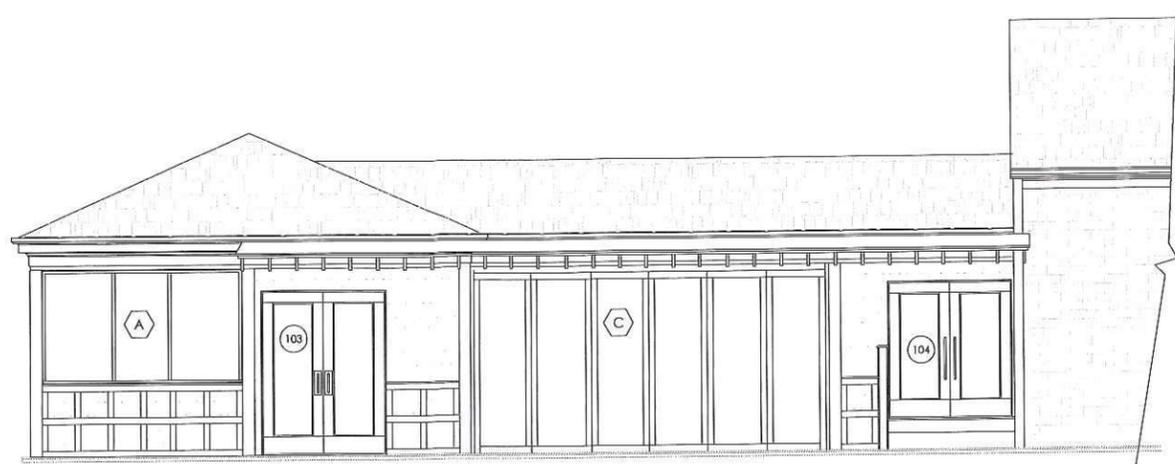
**This application must be accompanied by a filing fee of \$250.00 payable to Town of Nantucket plus \$6.11 per abutters notice payable to Pitney Bowes Reserved Funds, four sets of mailing labels (1 inch in height and 2.63 inches in width), as well sufficient materials (e.g. site plan, list of proposed modifications, drainage calculations, engineering changes, etc.) as necessary to permit the Planning Board to adequately evaluate the proposal. A list of abutters may be obtained from the Nantucket Tax Assessors office. Each abutters name and address shall be recorded on the mailing labels. If the special permit modification pertains to a Major Commercial Development (MCD) the establishment of an escrow account may be necessary.**

The Nantucket Hotel is requesting two changes, a modification of a previously granted MCD, Section 139.11 and an expansion of a pre-existing non-conforming ground cover use in Section 139-33A(2).

Our approved MCD permit in 2012 permitted us to have 60 guest bedrooms in total on the property. As we have retrofitted the existing buildings over the past 5 years to accommodate our guests to the best of our ability, our present count within our existing structures is 52 guest bedrooms, a shortfall of 8 bedrooms. We are requesting permission to add a small two level addition to accommodate 2 new guest bedrooms bringing us closer to our permitted allowance (there would then be 54 guest bedrooms versus the permitted allowance of 60). The two level addition would have a footprint of approximately 500 square feet, increasing our ground cover. The addition would be attached to the existing white townhouse partially on top of the existing pool deck area and partially over the existing employee stairway/two car parking area facing North Avenue. The only access to these rooms would be from the interior of the building, not on North Avenue. The new addition would further screen the pool area from neighbors living on the other side of North Avenue. As part of this improvement we are also requesting permission to add a bathroom to an existing bedroom, overlooking the pool above an existing pool level bathroom. This addition does not increase ground cover.

Our terrace dining is presently covered by a roof but we do not have walls other than curtain walls. This has created problems for us whenever the weather is stormy, especially as the hotel is open year-round and the handicap platform that accesses the ballroom is outside. We are requesting permission to enclose 2100 square feet, the area already used for dining, with an additional small enclosed area on our existing deck that allows us to bring the handicap platform inside.

Please see attached plans.



door and window elevation 1

SCALE: 1/4" = 1'-0"

Window and Door Schedule

Windows

- Type A 3 Section, single lite, fold out, track mounted window, no casing
- Type B 2 Section, single lite, fold out, track mounted window, no casing
- Type C 6 Section, single lite, fold out, track mounted window wall, no casing
- Type D 2 over 2 Double hung, 1 x 4 casing

Doors

- Door 101 6080 Painted, double door, single lite, push/pull w/ closer, 1 x 4 casing
- Door 102 6080 Painted, double door, single lite, push/pull w/ closer, no casing
- Door 103 6080 Painted, double door, single lite, push/pull w/ closer, no casing
- Door 104 6070 Painted, double door, single lite, push/pull w/ closer, no casing

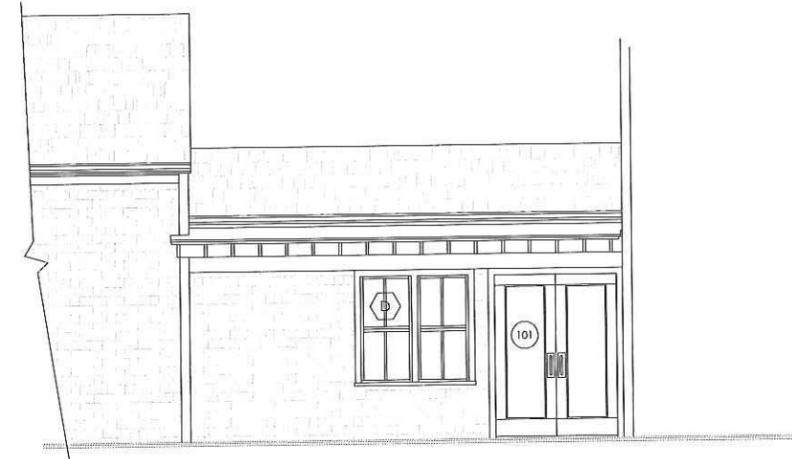
Railings

- Open Railing Cedar rail cap and 2 x 2 ballusters with 2 x 4 bottom rail, painted
- Vertical Rail Primed 1 x 6 T & G vertical siding over framed wall with cedar rail cap, painted
- Panel Railing Painted panels applied over framing with 1/4" panel dividers, painted



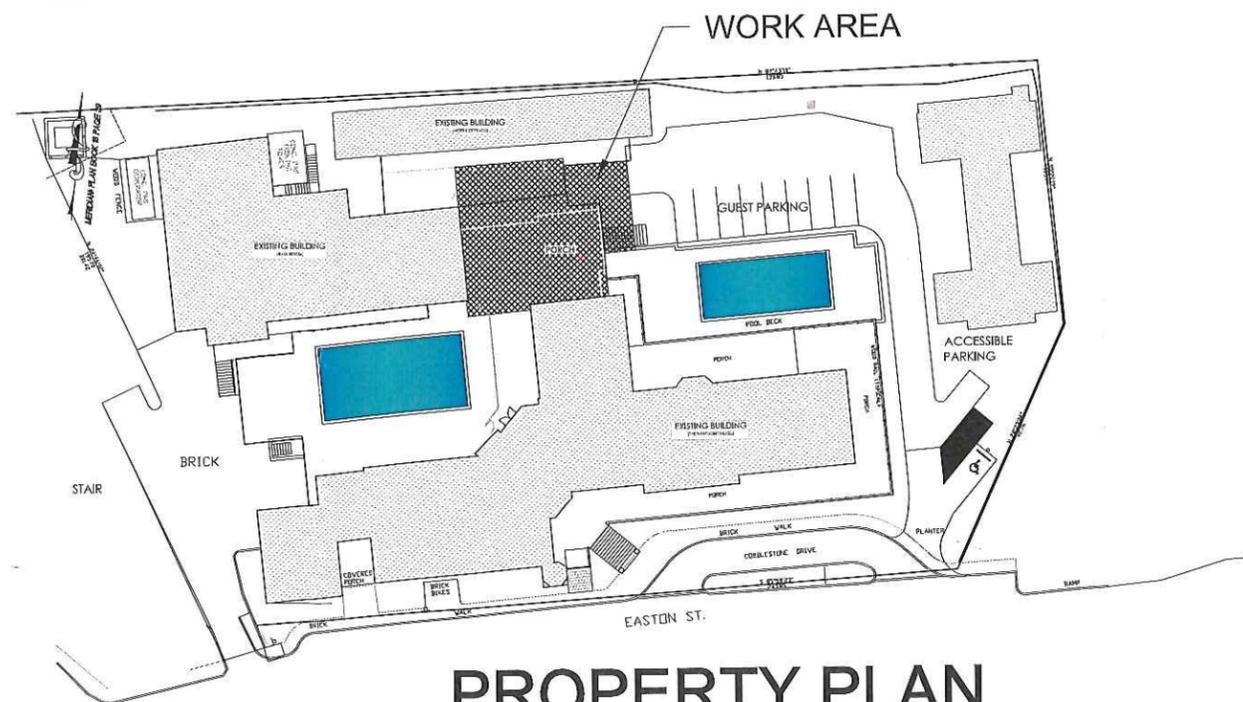
door and window elevation 2

SCALE: 1/4" = 1'-0"

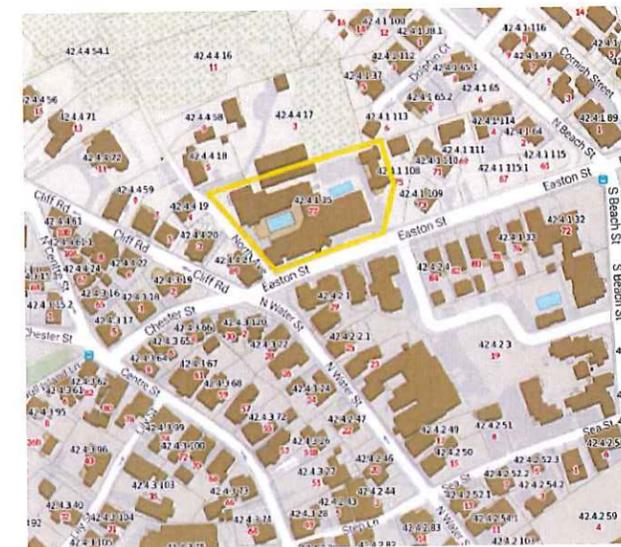


door and window elevation 3

SCALE: 1/4" = 1'-0"



PROPERTY PLAN



LOCUS MAP

THE NANTUCKET  
HOTEL & RESORT  
77 Easton Road, Nantucket, MA

Breeze Terrace  
Modifications

HDC Submission

ISSUANCE	
REVISION	
DATE	February 8, 2014
SCALE	Varies
DRAWN BY	GTB
CHECKED BY	MAS
TITLE	

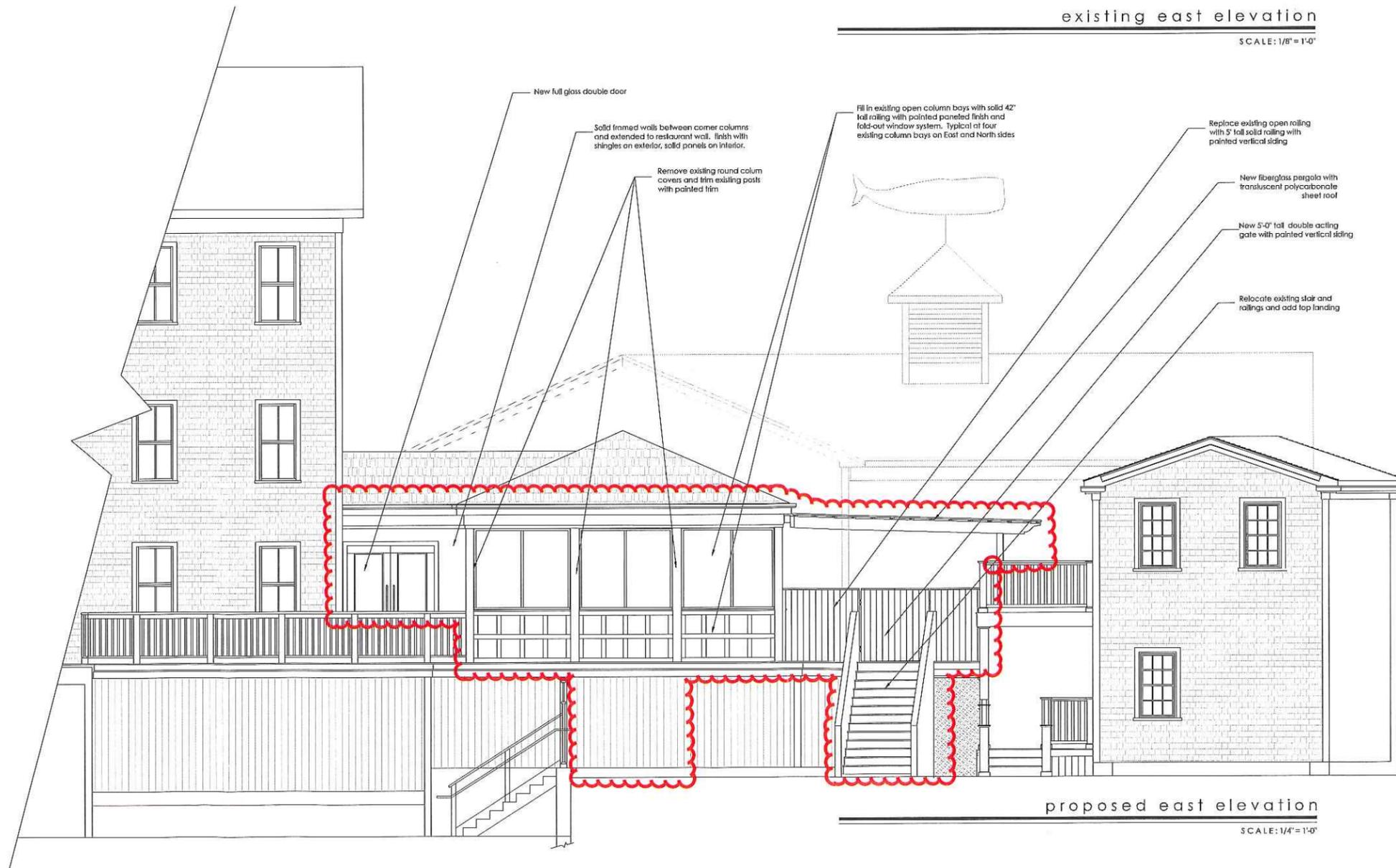






existing east elevation

SCALE: 1/8" = 1'-0"



proposed east elevation

SCALE: 1/4" = 1'-0"

THE NANTUCKET  
HOTEL & RESORT  
77 Easton Road, Nantucket, MA

Breeze Terrace  
Modifications

HDC Submission

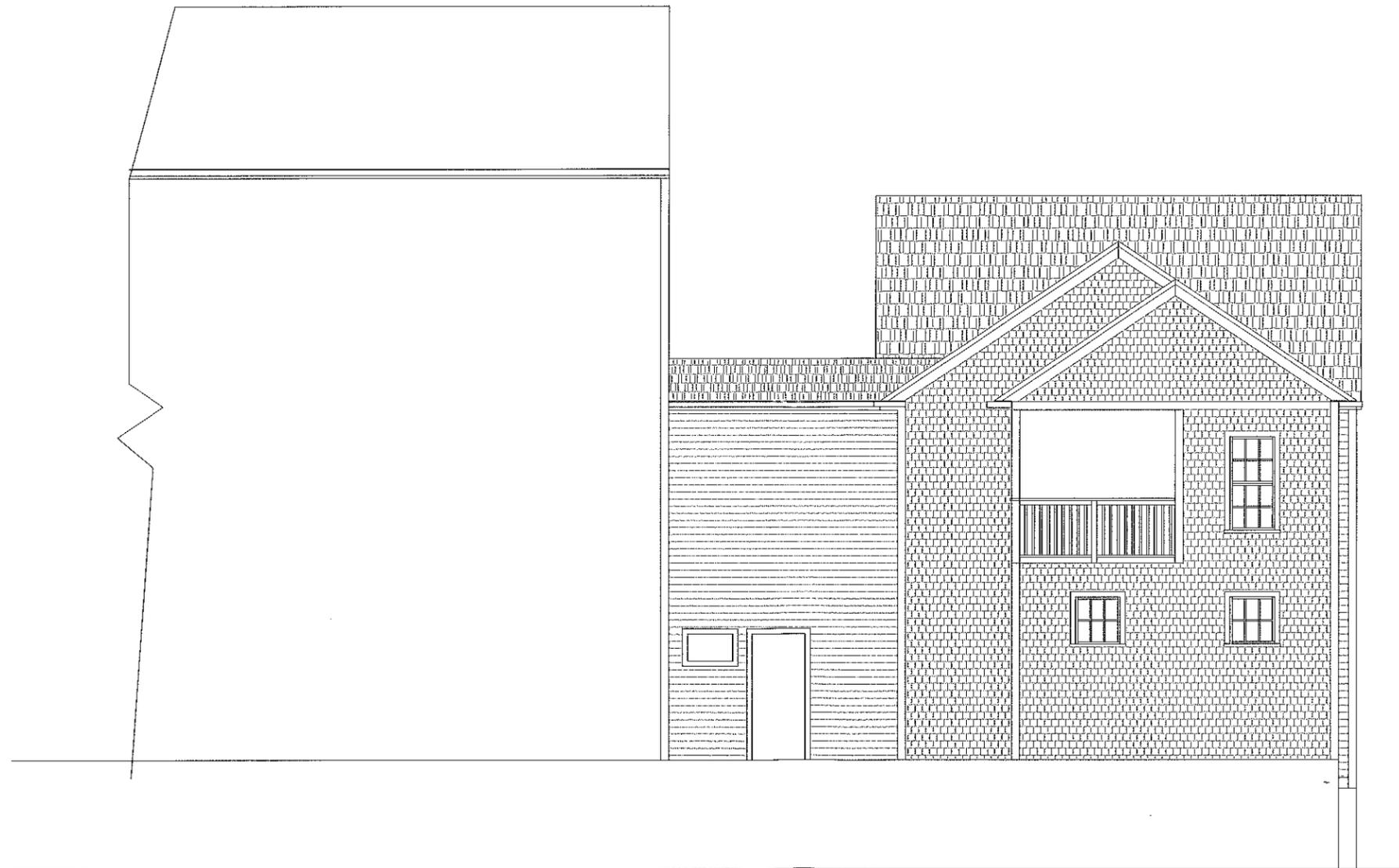
DATE	February 8, 2016
SCALE	Varies
DRAWN BY	GTB
CHECKED BY	MAAS
TITLE	

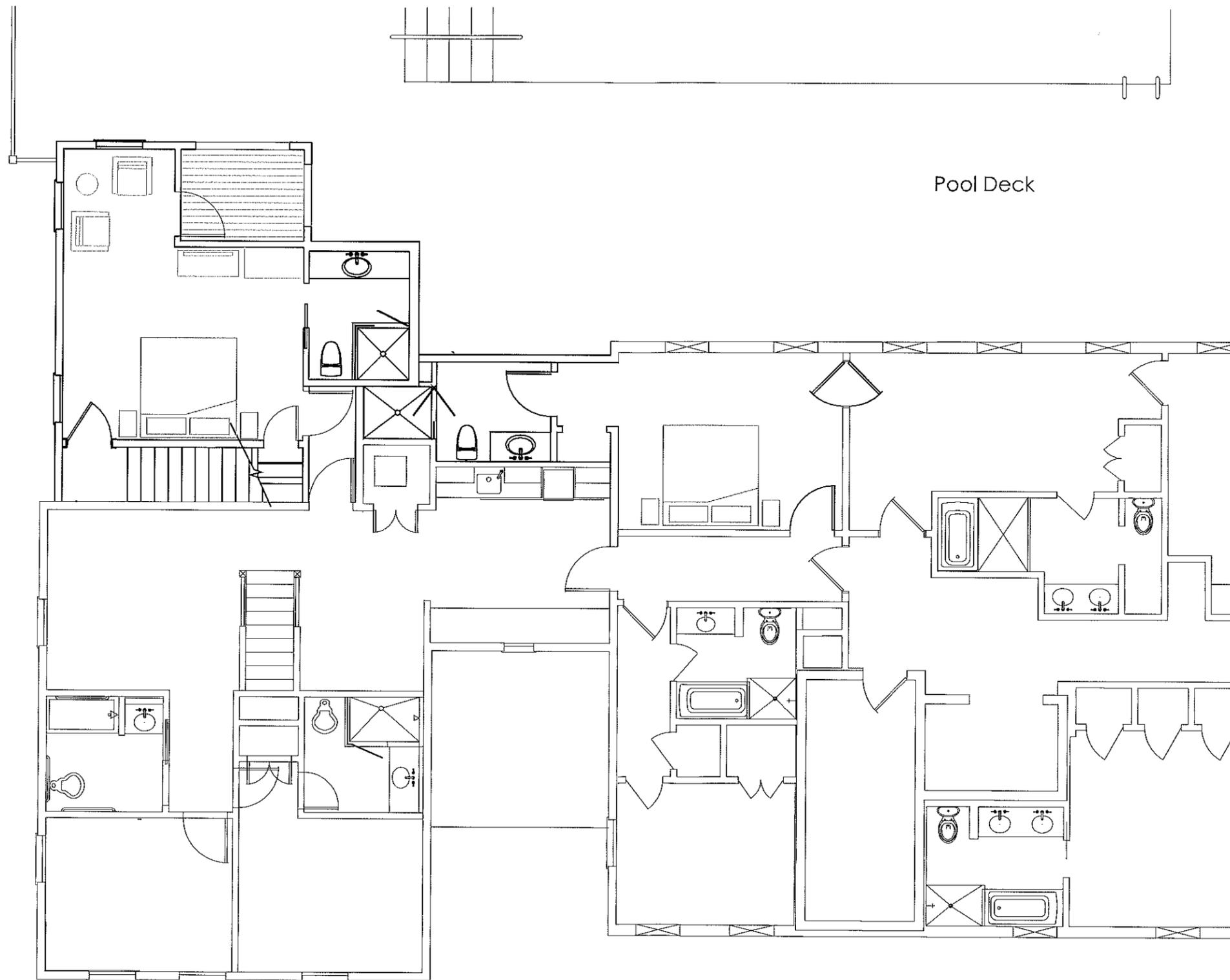


Proposed  
New

EXISTING









TOWN OF NANTUCKET  
100 STATE STREET  
NANTUCKET, MA 01904

12 JAN 27 PM 3:40

RECEIVED

# Nantucket Planning Board

## MAJOR COMMERCIAL DEVELOPMENT SPECIAL PERMIT DECISION

### POINT BREEZE HOTEL – MODIFICATION #4

Applicant: Nantucket Hotel Holdings, LLC  
Owner: 77 Easton Street, LLC

77 Easton Street  
Tax Assessors Map 42.4.1 Parcel 35  
Nantucket Registry of Deeds Book 1235, Page 267

#### Previous Decisions

Special Permit #12-05 (#22-05) filed in Nantucket Registry of Deeds Book 1044, Page 299  
Modification #1 Planning Board File #14-07 – Denial not filed at Nantucket Registry of Deeds  
Modification #2 Planning Board File 26-07 – Approval not filed at Nantucket Registry of Deeds  
Modification #3 Planning Board File #03-11 filed in Nantucket Registry of Deeds Book 1272, Page 320

January 19, 2012

#### GENERAL DESCRIPTION

The Nantucket Planning Board at the January 19, 2012 public hearing considered the application of Nantucket Hotel Holdings, LLC (hereafter the applicant) for a Major Commercial Development (MCD) Special Permit Modification pursuant to Zoning Bylaw section 139-11. The Point Breeze project began in 2006 and has been subject to significant delays due to changes in ownership and other issues beyond the control of the current applicant, who is proposing modifications to the MCD that will alter the operations of the site to that of a traditional hotel.

#### PROPOSED MODIFICATIONS:

The applicant is proposing modifications to the structure, approved site improvements, the special permits for waivers from the Zoning Bylaw that were previously approved, and the conditions listed in the 2006 decision of the Planning Board. The chart on the following page numerically illustrates the intensity of the modifications between the original special permit and the proposed modifications:

SITE USES				
Use	Intensity		Change	Total
	Existing	Proposed		
<b>Guest Rooms/Suites, total, consisting of:</b>	<b>29</b>	<b>45</b>	<b>16</b>	<b>45</b>
Guest Bedrooms (note these bedroom are included in the guest rooms/suites noted above)	39	60	21	60
<b>Restaurant seats, total, consisting of:</b>	<b>406</b>	<b>284</b>	<b>-122</b>	<b>284</b>
Restaurant	122	0	-122	0
Porch, seats	84	68	-16	68
Lounge, seats	21	21	0	21
Bar, seats	24	24	0	24
Chef's table/Wine Tasting, seats	18	18	0	18
Terrace, seats	65	15	-50	15
Covered Porch, seats	48	48	0	48
Pool, seats	24	40	16	40
New 4 <sup>th</sup> Floor Lounge	0	50	50	50
<b>Ballroom, seats</b>	<b>300</b>	<b>300</b>	<b>0</b>	<b>300</b>
<b>Meeting/Function Room, seats</b>	<b>30</b>	<b>30</b>	<b>0</b>	<b>30</b>
<b>Retail Space</b>	<b>438</b>	<b>438</b>	<b>0</b>	<b>438</b>
<b>Spa, occupancy</b>	<b>40</b>	<b>40</b>	<b>0</b>	<b>40</b>
<b>Screening Room, occupancy</b>	<b>25</b>	<b>0</b>	<b>-25</b>	<b>0</b>
<b>Storage, square-feet</b>	<b>1574</b>	<b>1574</b>	<b>0</b>	<b>1574</b>
<b>Office, square-feet</b>	<b>234</b>	<b>234</b>	<b>0</b>	<b>234</b>
<b>Staff Rooms</b>	<b>18</b>	<b>13</b>	<b>-5</b>	<b>13</b>

A detailed description of each requested modification is listed below.

Modifications to the Structures:

1. Increase the number of guest rooms/suites from twenty-nine (29) to forty-five (45) and the number of guest bedrooms from thirty-nine (39) to sixty (60). Note: the total number of bedrooms are included within the rooms/suites.
2. Remove the proposed one hundred and twenty-two (122) seat restaurant. The restaurant area will be replaced with guest rooms included in the chart above.
3. The existing first floor restaurant (to be eliminated) and lobby area will be re-developed into guest rooms, a small fitness and/or meeting room, a gift store (relocated) and small kitchen for the café. Exterior doors shall be added from some of the new first floor accommodations on the rear (North side) of the main building to allow access to the existing Porch.

4. Construct a new swimming pool (25'x50') within the existing open terrace between the hotel and ballroom. A privacy shield consisting of fencing and landscaping will be constructed on the western side of the pool to screen the view of the pool from abutting properties on North Avenue.
5. The existing pool behind the main hotel building will be modified to a lap pool with a hot tub at the western end. The previously proposed hot tubs along the northern edge of the pool will be removed and replaced with a walkway in order to comply with accessibility requirements.
6. The stairway at the southwestern entrance to the ballroom will be reduced in size and utilized only for delivery/staff and emergency access. The main ballroom entrance will be from the eastern building entryway on the hotel terrace. A new handicap ramp will also be constructed at the eastern ballroom entrance.
7. The basement will be expanded by approximately thirty-six (36) feet by eighteen (18) feet on the western side of the terrace. This expansion is intended to provide two (2) additional one-bedroom manager's apartments as well as additional deck space for the new pool. This will increase the site groundcover by approximately six hundred and forty-eight (648) square-feet and will also reduce the amount of available open space.
8. A fourth floor guest suite will be removed and this space re-configured to create a bar/lounge area. The maximum occupancy for the bar/lounge area shall be fifty (50) persons.
9. An elevated deck will be added on the West side of the main building overlooking the pool deck at the second and third level overlooking the Terrace along with developing a common lounge area at these levels.
10. The existing interior layout for the two (2) townhouses shall be adjusted to add bedrooms to the ground level (screening room).
11. The existing interior layout of the North Cottage currently consisting of six (6) staff apartments will be re-configured into guest rooms. The bedrooms added in the North Cottage are included in the total bedroom count for the site.
12. The previously proposed underground parking garage and valet parking area on North Avenue will be removed. The applicant is proposing to construct a parking lot on the opposite side of the property behind the hotel and also along the eastern property line. The parking area is proposed to provide up to ten (10) parking spaces. The location of this parking area is subject to review and approval by the Conservation Commission. These spaces have been included in the parking waiver in the event that they are not approved by the Conservation Commission.
13. A handicap ramp will be constructed to access the main entrance in place of the approved handicap lift. The ramp will be located along the front porch of the hotel.
14. Several fourth floor dormer changes are proposed in order to accommodate double width windows similar to other existing double wide dormers in the building. This modification is subject to review by the Historic District Commission (HDC) and will have no bearing on the MCD special permit.
15. Reduce the number of staff rooms from the stated eighteen (18) rooms to thirteen (13) rooms. The on-site employee housing will accommodate approximately twenty-six (26) persons.

#### Modifications to the site plan

1. The MCD requires North Avenue to be reconstructed to a width of fourteen (14) feet which consists of a ten (10) foot traveled way and four (4) foot sidewalk. The sidewalk will be eliminated and the roadway will be expanded to fourteen (14) feet in width. Construction in this manner will provide better access for delivery vehicles and get the vehicles off North Avenue faster. The roadway will be surfaced with brick/granite pavers from Easton Street to the northern side of the proposed driveway curb cut as originally required. The

existing sidewalk at the intersection of North Avenue and Easton Street will be reconstructed to provide proper handicap ramp access.

2. The twelve (12) foot wide fire access lane on the east side of the site will be constructed as a driveway access to the rear and eastern parking areas. The driveway length and/or location may be modified subject to Conservation Commission review of the driveway and rear parking area.
3. The street lights adjacent to Easton Street will be reduced from four (4) to one (1). Additional lighting will be added as necessary through the use of bollard style and building mounted lighting.
4. A 2,000 gallon underground oil tank is proposed on the western edge of the property to provide heating oil for the buildings. The tank will be placed within a concrete vault capable of containing a minimum volume of 3,000 gallons. The specific design and specifications for this tank are subject to the review and approval of the Nantucket Fire Department. If the location of the underground tank is modified, the Board will consider this to be a field change to be included in the final As-Built plan.
5. **Parking**
  - a. A new parking lot will be located behind the hotel and along the eastern property line. The parking area is proposed to provide up to ten (10) parking spaces. The location of this parking area is subject to review and approval by the Conservation Commission. These spaces have been included in the parking waiver in the event that they are not approved by the Conservation Commission.
  - b. The thirteen (13) space underground parking garage and associated valet parking area on North Avenue as well as three (3) spaces along North Avenue will be eliminated.
  - c. The project will provide seventeen (17) spaces on-site located as follows, two (2) previously approved spaces will remain adjacent to North Avenue (three (3) additional spaces will be constructed to the extent they can be accommodated within this area), five (5) previously approved short term spaces located in the pick-up/drop off area adjacent to Easton Street, and ten (10) new spaces proposed to be located along the eastern and northern property lines. If the proposed (10) new spaces are not approved by the Conservation Commission then seven (7) on-site parking spaces will be provided. The existing permit waives two hundred and eight (208) spaces and this amendment requests the waiver be reduced to two hundred (200) spaces.

<b>PARKING</b>				
Use	Approved	Parking Required	Proposed	Parking Required
Guest Rooms (2 spaces +1 space per 3 units)	29	12	45	17
Ballroom (1 space per 3 persons of occupancy)	300	100	300	100
Restaurant (1 space per 8 seats)	406	51	284	36
Spa (1 space per 3 persons of occupancy)	40	13	40	13
Retail (including one employee) (1 space per 200 square feet)	438	3	438	3
Screening Room (1 space per 4 seats)	25	6	0	0

Meeting Rooms (1 space per 3 persons of occupancy)	30	10	30	10
Office (1 space per 200 square feet)	234	1	234	1
Storage (1 space per 900 square feet)	1574	2	1574	2
Employees (1 space per 3 peak shift employees)	36	12	36	12
Dormitory (1 space + ½ per each employee over 2)	36	19	26	13
Total	-	229	-	207

### **Modifications to Previously Issued Special Permits and Waivers**

The 2006 decision granted special permits for waivers from specific sections of the Zoning Bylaw which are identified below, along with requested amendments and or additions.

- 139-10B(2)      Personal services in the LC district  
Modification Granted: Section 139-10 was removed from the Zoning Bylaw, therefore, the Special Permit should reference section 139-7 (Use Chart) of the Zoning Bylaw.
  
- 139-10B(4)      Restaurants and Hotels in the LC district  
Modification Granted: Section 139-10 was removed from the Zoning Bylaw, therefore, the Special Permit should reference section 139-7 (Use Chart) of the Zoning Bylaw.
  
- 139-11J            Inclusionary Housing  
Modification Granted: to include employee housing for up to twenty-six (26) employees in place of the current approval for thirty-six (36) employees.
  
- 139-17             Height Limitation.  
Modification Not Required.
  
- 139-18B(2)      Parking Requirements  
Modification Granted: to reduce the parking space waiver from two hundred and eight (208) spaces to two hundred (200) spaces.
  
- 139-19G           Screening Requirements  
Modification Not Required.
  
- 139-19D           Number of Driveways  
Modification Not Required.
  
- 139-19G           Driveway Width  
Modification Not Required.
  
- 139-20.1B(1)    Driveway Access  
Modification Not Required.
  
- 139-23G           Traffic Study  
Modification Not Required.

139-33A Alteration/Expansion of a Pre-Existing Use or Structure  
Modification Not Required.

### New Special Permit Requests

139-7A Offices

Special Permit Not Required: the office is ancillary to the primary hotel use.

139-7A Theaters & Auditorium

Special Permit Granted: to allow for the continued use of the ballroom and function rooms incidental to the project use.

139-7A Employer Dormitory

Special Permit Partially Granted: employer dormitories, as defined in the Section 139-2 of the Zoning Bylaw are permitted in the Country Overlay District (COD) only. However, the Planning Board may approve on or off site employee housing as part of the MCD. The Planning Board approves five (5) on-site dwelling units and additional facilities to accommodate up to twenty-six (26) employees on-site.

139-11G Open Space

Special Permit Granted: to waive the requirement to provide 30% open space. The proposed parking lot and building additions will reduce the amount of open space to less than 30%.

139-11I Setbacks

Special Permit Granted: to reduce the required five (5) foot side/rear building setback to three (3) feet to allow construction of a stairway at the northwest corner of the North Cottages building. The new stairway is required to provide proper emergency egress to the second floor of the building.

139-18A(3) Parking Spaces

Special Permit Granted: to reduce the required parking space dimensions from nine (9) feet by twenty (20) feet to nine (9) feet by eighteen (18) feet. This waiver will maximize the number of on-site parking spaces.

139-18A(5) Parking Aisle Width

Special Permit Granted: to reduce the required parking aisle width of twenty-four (24) feet to twenty-two (22) feet. The modified aisle width is adequate for the types of vehicles that will utilize the parking area.

139-19E Two-Way Driveway Width

Special Permit Granted: to reduce the two-way driveway width from twenty (20) feet to twelve (12) feet. This waiver is necessary to provide access over a previously approved twelve (12) foot emergency access way to rear parking lot.

139-20A Off-Street Loading

Special Permit Not Required: the Board finds that one (1) loading zone is adequate for the project.

139-20B(6) Driveway Width

Special Permit Granted: to adjust the previously approved curb cut width of forty-three (43) feet to allow a wider curb cut width of approximately seventy (70) feet. The dimensions of North Avenue do not allow for a straight entry driveway and loading zone on the property and thereby require a wider curb cut for proper and efficient access so vehicles back into the property as close to Easton Street as possible so as to limit the use of North Avenue.

139-20.1.B.(2)(b) Driveway Access

Special Permit Granted: to allow a driveway access to be located within twenty-five (25) feet of the curbline of an intersecting street. The proposed site driveway/delivery curb cut on North Avenue

will be less than twenty-five (25) feet from Easton Street in order to provide more efficient vehicle access.

### **Modifications to 2006 Special Permit Conditions.**

#### 1. Required Plan Modifications

- 1.1. *Modification Not Required.* Bike racks will be provided as originally required.
- 1.2. *Modification Not Required.* Final plans will be provided to the Board as required. The final plans will include all required additions and/or revisions.
- 1.3. *Modification Not Required.* A final as-built of all site improvements will be provided to the Board as required.

#### 2. Programmatic Issues

- 2.1. *Modification Granted* to increase the maximum number of guest rooms/ suites to forty-five (45) and the bedroom count to sixty (60) with total room occupancy not to exceed two hundred and forty (240) people.
- 2.2. *Modification Granted* to reduce the total occupancy of the restaurant space four hundred and six (406) seats to two hundred and eighty-four (284) seats. This reflects the removal of one hundred and twenty-two (122) seats. The total restaurant seats are specified in the chart entitled "Site Uses" on page two (2) of this decision.
- 2.3. *Modification Not Required.* The total occupancy of the ballroom shall not exceed three hundred (300) people.
- 2.4. *Modification Not Required.* During the months of July and August the total capacity of the ballroom and the restaurant shall not exceed five hundred and fifty (550) people.
- 2.5. *Modification Granted* to extend the prohibition on exterior construction from June 15 to June 30. The end of the restriction will remain at September 15.
- 2.6. *Modification Granted* to modify the Hours of Operation so that the spa/fitness facility and retail are all operated under the same parameters, 6:00 a.m. to 10:00 p.m. The hours for the restaurant and function room are to remain at 6:00 a.m. to 1:00 a.m.
- 2.7. *Modification Granted* to remove the restrictions on deliveries and trash removal. The removal of this restriction is consistent with other MCD Special Permits. The applicant will work with neighbors to make all reasonable efforts to prevent deliveries and trash removal before 8 a.m.
- 2.8. *Modification Not Required.* Deliveries will take place on the project site within the designated loading area off of North Avenue.
- 2.9. *Modification Partially Granted* to remove the requirement to supply NRTA passes to employees at no cost to the employee. This condition is inconsistent with other MCD approvals, which do not contain this stipulation. A minimum of twenty (20) NRTA passes shall be purchased by June 15 of each year, with additional passes being purchased as needed after said date.
- 2.10. *Modification Partially Granted* to remove the requirement to supply complimentary NRTA passes to guests. The applicant may work with the NRTA to provide a voucher or other type of pass that is suitable for hotel guests. The applicant shall submit a report, which shall include the number and type of NRTA passes purchased, to the Planning Board for each of the first two (2) years of operation upon completion of the project the issuance of a Certificate of Occupancy for all structures. The report shall be submitted no later than November 15 of each year.
- 2.11. *Modification Not Required.* The hotel guest rooms will be constructed as required.

- 2.12. *Modification Not Required.* The applicant will comply with the outdoor function restrictions.
- 2.13. *Modification Not Required.* The applicant will comply with the outdoor amplified music restrictions.
- 2.14. *Modification Not Required.* The applicant will comply with the outdoor un-amplified music restrictions.
- 2.15. *Modification Not Required.* The majority of the required utility work within North Avenue is complete and the applicant will complete any outstanding work.

3. Administrative

- 3.1. *Modification Not Required.* Pre-construction meetings have already taken place and there is no longer a need for this condition. Required Town and utility agencies will be notified prior to re-starting construction activities and meetings with these organizations will take place as needed on a continuous basis during construction.
- 3.2. *Modification Not Required.* An updated construction management plan is not required.
- 3.3. *Modification Not Required.* Certificates of Occupancy for employee housing will be obtained as required.
- 3.4. *Modification Not Required.* The required escrow deposit is complete.
- 3.5. *Modification Not Required.* The required traffic study payment is complete.

4. Easements

- 4.1. *Modification Granted* to modify the easement as necessary to accommodate construction of an access ramp and new hotel entry stairs from the Easton Street drop off area. Modification may consist of relocating the sidewalk and associated easement directly adjacent to the southerly property line in the location of the landscape island.

5. Parking and Traffic

- 5.1. *Modification Not Required.* The majority of the work within Easton Street is complete and any remaining items will be completed.
- 5.2. *Modification Not Required.* The required “delta” island at the intersection of North Water Street and Easton Street is complete.
- 5.3. *Modification Not Required.* The pick-up/drop off area will be restricted to fifteen (15) minute parking.
- 5.4. *Modification Granted* to eliminate the required monitoring of the 15 minute parking restriction in the pick-up/drop off area.
- 5.5. *Modification Not Required.* Two (2) employee parking spaces will be provided as required.
- 5.6. *Modification Not Required.* Complimentary shuttle service will be provided.
- 5.7. *Modification Not Required.* The applicant will develop a reservation policy that discourages guests from bringing automobiles to the island.
- 5.8. *Modification Not Required.* The applicant will work with the Board to review any complaints issued regarding the project.

6. Employee Housing

- 6.1. *Modification Granted* to provide on-site employee housing for up to twenty-six (26) persons in place of thirty-six (36).
- 6.2. *Modification Not Required.* An employee housing management plan will be provided prior to occupying the employee housing.
- 6.3. *Modification Not Required.* No outdoor storage of employee personal belongings will be allowed.

### **MCD Special Permit Amendments**

1. Remove reference to zoning bylaw section 139-10 Limited Commercial (LC) District. The site is located within the LC district however this specific Section of the Zoning Bylaw was repealed in 2008. The use allowances for the LC district were moved to Section 139-7A of the Zoning Bylaw.
2. References to the remaining two hundred and eighty-four (284) restaurant seats shall include the total number of seats permitted on the site for any type of restaurant use, as noted in the chart entitled "Site Uses" on page two (2) of this decision.

### **BASIS OF THE FINDINGS**

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

- An Application for an Amendment to a Previously Granted Special Permit dated December 22, 2011;
- A letter from Site Design Engineering (consultants for the applicant) dated December 22, 2011;
- A preliminary set of plans titled "Point Breeze Hotel," sheets A1-0 through A1-4, dated January 9, 2012;
- The original MCD decision dated July 24, 2006;
- A staff report dated January 14, 2012;
- Testimony received and representations made at the public hearing held on January 19, 2012. Minutes of this meeting are on file at the Planning Office;
- Other assorted documents on file with the Planning Board.

### **FINDINGS**

Based on review of this application in accordance with the Nantucket Zoning Bylaw, plans and other materials submitted by the applicant, and testimony received at the public hearings, the Planning Board finds that:

- That the proposed modifications do not affect the intent or findings of the original decision as amended;
- That the proposal, although it includes an increase in bedrooms, will lessen the overall intensity of the site through reductions in restaurant seating. The decrease in intensity will be a benefit to the surrounding area;
- That the reduced restaurant seating will reduce the parking demand;
- That the increase in hotel bedrooms and guest suites will positively benefit the downtown area by creating more rooms available for tourists. Nantucket has experienced a decline in hotel rooms in recent years. The current proposal will operate as traditional hotel and add to the available room count, unlike the proposal by the previous owner, who planned to operate the hotel as a private club;
- That the operation of the site as a traditional hotel is in keeping with the character of the surrounding areas.

The Planning Board closed the public hearing on January 19, 2012.

### **DECISION**

The Nantucket Planning Board hereby APPROVES this application based on a 5-0 vote in favor of approval. The Board's approval is based and conditioned upon compliance with the "Proposed Modifications" and "Findings" as set forth in this decision, and as shown on the plans and documents referenced herein. The Planning Board renders this decision based on compliance with its findings that the requested Amendment to the Special Permit as Amended along with the plans submitted conform with the Nantucket Zoning Bylaw for Major Commercial Development (139-11) and further, that the Applicant has met the procedural and substantive requirements of Sections 139-11 (Major Commercial Development) and 139-30 (Special Permits) of the Nantucket Zoning Bylaw.

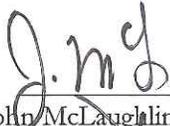
The Planning Board also sets forth the following conditions:

1. That the modifications to the previously granted decision (Planning Board File #12-05 (#22-05)) listed in the "Proposed Modifications" section of this decision shall be granted;
2. That the modifications to the conditions included in the previously granted decision (Planning Board File #12-05 (#22-05)) listed in the "Proposed Modifications" section of this decision shall be granted;
3. That special permits for waivers from the Zoning Bylaw shall be granted as specified in the "Proposed Modifications" section of this decision;
4. That the final plans, including at a minimum, site plans, construction details, floor plans, and elevations, shall be submitted to the Planning Board for endorsement within six (6) months from the date of this decision (January 19, 2012);
5. That the applicant shall, to the extent practicable, implement measures to reduce noise generated by the chiller. The applicant acknowledges that this is a concern to the abutting property owners and has agreed to explore options to reduce the noise;
6. That the applicant shall, to the extent practicable, implement measures to reduce noise generated by the transformer and improve the appearance through screening around this structure. This may require approval from National Grid. To meet this condition, the applicant must demonstrate that they have contacted National Grid and made an effort to address the noise issue. Documentation must be submitted prior to the issuance of a Certificate of Occupancy;
7. That the applicant shall, to the extent practicable, relocate the fire hydrant located on the northwest corner of the site. This may require approval from the Nantucket Fire Department and/or Wannacomet Water Company. Documentation must be submitted prior to the issuance of a Certificate of Occupancy.

**SIGNATURE PAGE TO FOLLOW**

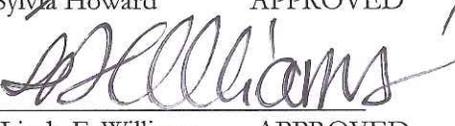
**RECORD OF VOTE**

On January 19, 2012 the Planning Board voted 5-0 to close the public hearing, **APPROVE** the application, and to **ENDORSE** this decision.

  
John McLaughlin APPROVED

  
Sylvia Howard APPROVED

  
Nathaniel Lowell APPROVED

  
Linda F. Williams APPROVED

\_\_\_\_\_  
Joseph Marcklinger APPROVED

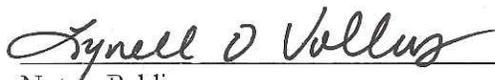
**COMMONWEALTH OF MASSACHUSETTS**

Nantucket, SS

January 27, 2012

On the 27<sup>th</sup> day of January, 2012, before me, the undersigned notary public,

personally appeared Sylvia Howard, 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.

  
\_\_\_\_\_  
Notary Public



**LYNELL D. VOLLANS**  
Notary Public  
Commonwealth of Massachusetts  
My Commission Expires  
**December 28, 2018**



# TOWN OF NANTUCKET BOARD OF APPEALS NANTUCKET, MA 02554

Agenda  
(Subject to Change)

Thursday, March 10, 2016

**1:00 PM**

4 Fairgrounds Road  
Public Safety Facility – Community Room

➤ **CALL TO ORDER:**

1 ➤ **APPROVAL OF THE AGENDA:**

➤ **APPROVAL OF THE MINUTES:**

- February 11, 2016

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➤ **OLD BUSINESS:**

- 076-11 Sachems Path, LLC Sachems Path 40B Singer/Maguire  
Request for determination that a change to a condition in the Amended and Restated Comprehensive Permit, requested by the Nantucket Historic District Commission, are insubstantial and may therefore be approved as a minor amendment.
- 04-16 Donald J. Mackinnon, Trustee of Nantucket 106 Surfside Realty Trust – *a/k/a* SURFSIDE COMMONS 40B 106 Surfside Road Mackinnon  
Extended Close of Public Hearing deadline September 30, 2016 (180 days from Initial Public Hearing with Extension)  
Decision Action deadline November 10, 2016 (40 days from close of Public Hearing)  
**CONTINUED TO APRIL 14, 2016**
- 06-16 1620 Capital, LLC 25 Broadway Brescher  
Action deadline May 11, 2016

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➤ **NEW BUSINESS:**

- 05-16 William J. Stone, II 8 Atlantic Avenue Jensen  
Action deadline June 8, 2016  
Applicant is requesting Special Permit relief pursuant Zoning Bylaw Section 139-16.C(2) to validate unintentional front and rear yard setback intrusions, both of which relate to the siting of stoops and stairs required by Building Code. In the alternative and to the extent necessary, the applicant seeks modification of prior Variance relief to validate the site of the dwelling. The Locus, an undersized lot of record created pursuant to M.G.L. Chapter 41 Section 81L, is situated at 8 Atlantic Avenue, is shown on Assessor's Map 55 Parcel 18, and as Lot 62 on Plan No. 2011-5. Evidence of owner's title is recorded at Book 1234, Page 237 on file at the Nantucket County Registry of Deeds. The site is zoned Residential 1 (R-1).
  
- 09-16 Jennifer Regan 36 York Street Hanley  
Action deadline June 8, 2016  
Applicant is requesting modification of prior Special Permit relief granted pursuant to Zoning By-law Section 139-33.A to allow the alteration of a pre-existing nonconforming structure by lifting the structure to install a new foundation and basement. The structure, subsequent to the approved repositioning on the new foundation, is sited 1.5 inches closer in two corners abutting the westerly side and northerly front yard lot lines, but no closer to the side and front yard setbacks than said structure at its closest points. In the alternative, Applicant is requesting Variance relief pursuant to Section 139-32 from the intensity regulations in Section 139-16 to validate the unintentional change in setback distances as they pertain to the subject portions of the structure. The Locus, an undersized lot of record situated at 36 York Street, is shown on Assessor's Map 55.4.1 as Parcel 103 and upon Plan Book 22, Page 120. Evidence of owner's title is recorded at Book 1254, Page 178 on file at the Nantucket County Registry of Deeds. The site is zoned Residential 1 (R-1).
  
- 10-16 MHD Parnters Real Estate, LLC 4 Goose Cove Lane Brescher  
Action deadline June 8, 2016  
Applicant is requesting Variance relief pursuant to Zoning By-law Section 139-32 from the intensity regulations in the Village Height Overlay District (VHOD). Specifically, applicant intends to relocate an existing cottage from another property onto the subject premises, a vacant oversized lot. In 2009, the VHOD was adopted and the structure, which is 25.5 feet above average mean grade, was rendered pre-existing nonconforming. The maximum allowable height in the VHOD is 25 feet pursuant to Section 139-12.K(1). The structure, upon being relocated, will continue to be nonconforming with respect to height but will conform to all other intensity regulations of the Village Residential zoning district. The Locus is situated at 4 Goose Cove Lane, is shown on Assessor's Map 59.4 as Parcel 30, and as Lot 894 upon Land Court Plan No. 3092-119. Evidence of owner's title is registered at Certificate of Title 25954 on file at the Nantucket County District of the Land Court. The site is zoned Village Residential (VR) and is sited within the Village Height Overlay District (VHOD).

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➤ **ADJOURNMENT.**