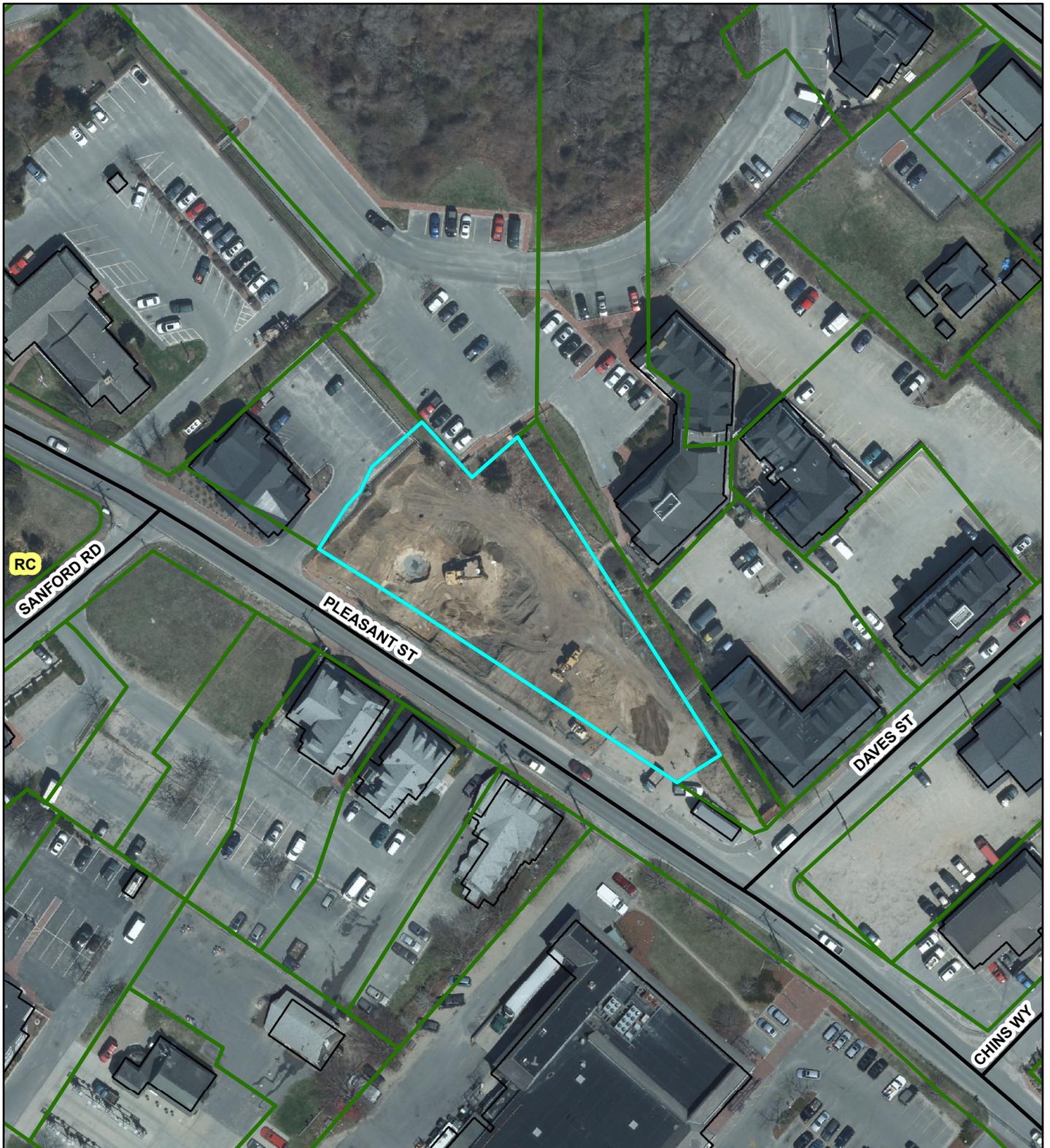




#09-12 Cape Cod 5  
112 Pleasant Street  
Map 55 Parcel 149  
Performance Security Release





**PESCE ENGINEERING & ASSOCIATES, INC.**

**451 Raymond Road  
Plymouth, MA 02360**

Phone: 508-743-9206 Fax: 508-743-0211  
[epesce@comcast.net](mailto:epesce@comcast.net)

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June 7, 2016

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

**RE: Updated Construction Inspection at the Cape Cod Five Cents Savings Bank, 112 Pleasant Street**

Dear Ms. Snell & Members of the Board:

Pesce Engineering & Associates, Inc. is pleased to provide you this letter report of our updated on-site inspection findings of the construction of the Cape Cod Five Cents Savings Bank and site layout located at 112 Pleasant Street, Nantucket, MA.

Our original on-site inspection took place on November 11, 2013, and an inspection letter was provided, dated November 12, 2013. In addition to a recent site inspection, we have reviewed the following new information to prepare this letter report:

- *“Existing Conditions Site Plan of Land in Nantucket, MA, prepared for The Cape Cod Five Cents Savings Bank,”* 2 sheets, prepared by Blackwell & Associates, Inc., dated March 23, 2016.

Based on our recent site inspection, a few items remain from our previous inspection report that have not been addressed with the information received.

**Construction Items that are Incomplete or are Unaddressed:**

1. The light post bases are constructed in the locations as shown on the original design plans except for one post. This missing light post is located on the left side of the access drive to Nantucket Commons (on the west side of the drive, but to the east side of the (5) space parking area adjacent to the property line). Also, it is recommended that the lighting be inspected during evening hours to confirm the lighting will not impact abutters.
2. There is an additional manhole behind the bank and adjacent to UG-Basin #3. Additional information is required to determine the purpose of this manhole (Does it connect multiple roof leaders?).
3. No indication of the locations of roof leader drains that were intended to be piped to the underground basins are shown on the plans. These should be located in

the field or from constructions records, and added to the Existing Conditions Plans.

4. The two trench drains observed were found to be full of sediment and should be cleaned (one at 5 parking spaces near UG-Basin #1, and one at the end of the access drive to Nantucket Commons). Additionally, all drainage structures should be pumped/cleaned, and documentation of this cleaning by a subcontractor should be provided to the Board.
5. Only one cleanout cover to grade was found during the inspection. This is assumed to be the inspection port for UG-Basin #3. No inspection ports were visible for UG- Basins #1 or #2. All inspection ports must be located, and covers installed to grade to allow for future inspections.
6. The invert elevations for the Drain Manhole (DMH) next to CB-1, which is connected to the 12-inch drain line from Pleasant Street appear to be constructed incorrectly (the inlet elevation is lower than the outlet), or the inlet and outlet invert elevations have been transposed. This should be checked and corrected as appropriate. Alternatively, if these are in fact correct, then the applicant's engineer should provide documentation that this system will work effectively in a "surcharge" condition.

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.



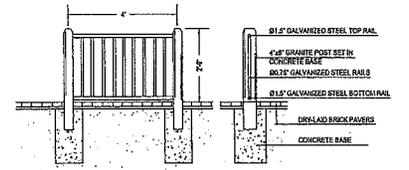
Edward L. Pesce., P.E., LEED® AP  
Principal

cc: Jeff Blackwell, Blackwell & Associates, Inc.

**LANDSCAPE SCHEDULE**

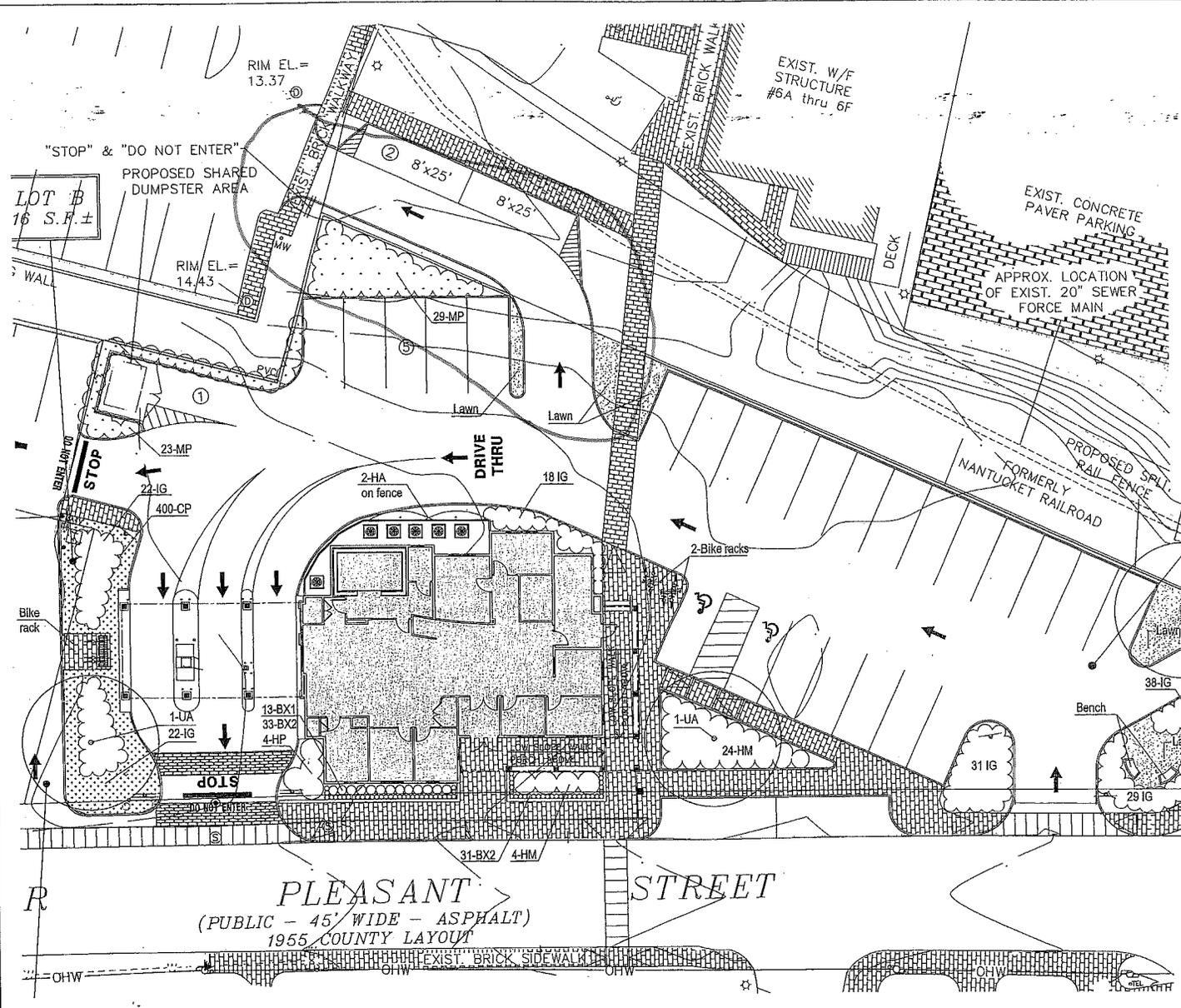
NO.	QTY	DESCRIPTION	CONTRACTOR	EQ.	REMARKS
1	1	REINFORCED CONCRETE	WHEATSE	1'-0"	CA
2	2	REINFORCED CONCRETE	WHEATSE	1'-0"	CA
3	10	BURR BEECH PLANT	WHEATSE	32-36"	#2 CA
4	10	BURR BEECH PLANT	WHEATSE	12-18"	#1 B
5	10	ORANGE JASMINE PLANT	WHEATSE	12-18"	#1 CA
6	10	ORANGE JASMINE PLANT	WHEATSE	12-18"	#1 CA
7	10	ORANGE JASMINE PLANT	WHEATSE	12-18"	#1 CA
8	10	ORANGE JASMINE PLANT	WHEATSE	12-18"	#1 CA
9	10	ORANGE JASMINE PLANT	WHEATSE	12-18"	#1 CA
10	10	ORANGE JASMINE PLANT	WHEATSE	12-18"	#1 CA
11	10	ORANGE JASMINE PLANT	WHEATSE	12-18"	#1 CA
12	10	ORANGE JASMINE PLANT	WHEATSE	12-18"	#1 CA
13	10	ORANGE JASMINE PLANT	WHEATSE	12-18"	#1 CA
14	10	ORANGE JASMINE PLANT	WHEATSE	12-18"	#1 CA
15	10	ORANGE JASMINE PLANT	WHEATSE	12-18"	#1 CA
16	10	ORANGE JASMINE PLANT	WHEATSE	12-18"	#1 CA
17	10	ORANGE JASMINE PLANT	WHEATSE	12-18"	#1 CA
18	10	ORANGE JASMINE PLANT	WHEATSE	12-18"	#1 CA
19	10	ORANGE JASMINE PLANT	WHEATSE	12-18"	#1 CA
20	10	ORANGE JASMINE PLANT	WHEATSE	12-18"	#1 CA

NOTE: ALL LANDSCAPE COLORS BETWEEN SQUARES SHOULD BE SHOWN IN THE PLAN AND THE PLAN LIST THE PLANT SPECIES.



PROPOSED BICYCLE STAND  
Front Elevation, Scale 1/2" = 1'-0"

PROPOSED BICYCLE STAND  
Cross Section, Scale 1/2" = 1'-0"



**PROPOSED LANDSCAPE PLAN**  
112 Pleasant Street, Nantucket MA

Scale: 1" = 10' Rev. July 19th, 2012

MARTIN MCDONOVAN & MIROSLAVA AHERN  
Landscape Architects



RECEIVED  
2012 JUL 24 AM 11 25  
NANTUCKET TOWN CLERK

# Nantucket Planning Board

## MAJOR COMMERCIAL DEVELOPMENT SPECIAL PERMIT DECISION

112 PLEASANT STREET

July 9, 2012

Special Permit #09-12

Applicant: Atlantic Development

Owner: Laura Viera Labbe, Trustee of Pleasant Street Nominee Trust

112 Sparks Avenue

Tax Assessors Map 55 Parcel 149

Shown in Plan Book 22, Page 38 on file at the Nantucket Registry of Deeds

### General Description

The Nantucket Planning Board, at public hearings on April 09, 2012, May 21, 2012, June 11, 2012, and July 09, 2012 considered the application of Atlantic Development Corporation for Major Site Plan Review (139-23) and Special Permits pursuant to the following sections of the Nantucket Zoning Bylaw: Residential Commercial District Uses (139-7); Major Commercial Development (139-11); Off Street Parking (139-18); Screening, Driveways and Lighting (139-19); and Driveway Access (139-20.1).

The site is located in the Residential Commercial (RC) district, Mid-Island Planned Overlay District (MIPOD), Town Overlay District (TOD), Neighborhood Employee Housing Overlay District (NEHOD), and the Public Wellhead Recharge Overlay District (PWR). It consists of approximately 24,208 square-feet (0.56 acres) of land with frontage on Pleasant Street and Dave Street. The site currently contains a dwelling and an abandoned commercial structure, formerly used by the United States Postal Service. Abutting properties include Dan's Pharmacy, Nantucket Commons, and the Town of Nantucket. Across Pleasant Street, there are numerous commercial businesses including Stop and Shop, Glidden's Seafood, Tresses and the Day Spa, and Geronimo's (a pet store). This section of the MIPOD is predominantly commercial at the street level, with ancillary residential uses on the second and third floors of mixed-use structures.

### Proposal

The applicant is proposing to construct a two (2) story banking facility with drive-through service provided by three (3) lanes on the west side of the structure. Two (2) lanes will be dedicated for teller service and one (1) lane will be dedicated for Automated Teller Machine (ATM) use only. The uses within the structure are as follows:

- First Floor: approximately 3,200 square feet of retail banking space
- Second Floor: approximately 3,200 square feet of office space to support the retail banking component
- Basement: approximately 3,200 square feet of storage, mechanical systems, computer equipment, and staff amenity areas to support the retail banking component

The applicant is also proposing to dedicate a portion of the site as a public park and Nantucket Regional Transit Authority (NRTA) bus stop. The location of this site within the MIPOD is important to implementing concepts contained within the Mid-Island Area Plan (MIAP). The redevelopment of this site, which has recently been poorly maintained, will create an anchor for other development sites in the vicinity.

#### Access

Vehicular access to the site is proposed from a single driveway entrance off of Pleasant Street. Access within the site will be one-way, with the entrance to the site approximately one hundred (100) feet from the Dave Street intersection. There will be three (3) options for exiting the site: via a one-way exit into Nantucket Commons (provided that the necessary access rights are obtained), a one-way exit into the Dan's Pharmacy parking lot, or through the drive-through service lanes. There is no pass through lane in the drive-through unless a lane is vacant, therefore, that exit is primarily available to those utilizing the teller lanes or the ATM.

The Planning Board retained TetraTech to perform a peer review of the access for this site. The Board had concerns about the proximity of the drive-through lanes and the two (2) way driveway providing access to the abutting site, Dan's Pharmacy. TetraTech provided suggestions to address these concerns, which the applicant included in their revised plans, as follows:

- Increasing the width between the drive-through lane exit and the Dan's Pharmacy driveway;
- Posting of directional and safety signs within the site;
- Planting low growing vegetation between the sites so that they are clearly separated, but sight visibility is not impaired; and
- Installation of a Belgian block (or other similar material) warning strip at the drive-through exit to caution drivers existing on to Pleasant Street.

Pedestrian access to the site will be available through the Pleasant Street sidewalk and a formalized pedestrian connection to the Nantucket Commons sidewalk system. The applicant is proposing to increase the width of the Pleasant Street sidewalk to six and a half (6.5) feet and to install a new sidewalk extending from Pleasant Street through the site and across land owned by the Town of Nantucket (11 Dave Street, Map 55 Parcel 428) to the existing sidewalk system in Nantucket Commons. Rights to construct the sidewalk on land owned by the Town of Nantucket will need to be obtained, therefore, any improvements proposed on the Town owned land are not a requirement to obtain any permits related to this decision. A new crosswalk extending across Pleasant Street to the existing sidewalk in front of Tresses and the Day Spa will be installed in front of the banking structure.

As noted elsewhere in this Decision, the applicant has agreed to seek permission from Nantucket Commons and the Town of Nantucket to construct various improvements as shown upon the approved plans within lands of Nantucket Commons and of the Town, and to enable pedestrians and vehicles to use these improvements as described elsewhere in this Decision. However, the obtaining of such permission and the construction of such improvements is not a condition of this Decision, nor of the issuance of building permits for the construction of the building and other improvements upon the subject property and the issuance of a Certificate of Occupancy for such building and other improvements as approved by this Decision. It shall, however, be the obligation of the applicant and its successors in title to construct the improvements contemplated by this Decision upon the lands of Nantucket Commons and of the Town of Nantucket at such time as permission therefor has been obtained.

Parking

The chart below illustrates the parking spaces required as defined in section 139-18 of the Zoning Bylaw.

Parking Requirements for Mid-Island Square		
Use of the Site	Parking Requirement	Parking Spaces Required
<b>Bank</b>		
Retail Banking Service	1/200 sq. ft.	$6,165/200 = 31$
Storage	n/a	0
Employees	1/3 peak shift employees	$24/3 = 8$
<b>Total Number of Required Spaces</b>		<b>39</b>

Twenty-six (26) parking spaces are provided on-site. Two (2) additional spaces will be located off of the driveway connecting the site to Nantucket Commons. This driveway and parking area is located on land currently owned by the Town of Nantucket. The applicant is working with the Town on obtaining a long-term lease (or other arrangement) to occupy a portion of this parcel (11 Dave Street, Map 55 Parcel 428). Since this process is not completely within the control of the applicant, any permits related to this decision are not dependent upon this work being completed. To further address the demand for parking in the MIPOD, two (2) parallel spaces will be constructed along Pleasant Street to supplement the on-site parking and to begin implementation of on-street parking along Pleasant Street as suggested in the MIAP.

The Board notes that a principle of the MIPOD is to encourage shared parking and walking from one business to another. There are approximately eight hundred (800) parking spaces serving businesses in the area within one thousand (1,000) feet of this site.

Stormwater Drainage and Treatment Systems

The project proposes to mitigate post development stormwater runoff through the use of subsurface infiltration systems. The runoff will be collected in deep-sump hooded catch basins, routed to Stormceptor stormwater treatment units, and then discharged to two (2) subsurface infiltration systems. The roof run-off for the proposed structure will also be piped into this system.

The proposed design will result in a net reduction of runoff contributing to the surrounding public ways and will allow for safe recharge into the aquifer. 80% of all Total Suspended Solids (TSS) will be removed. All plans and calculations were reviewed by the engineering consultant for the Planning Board, Pesce Engineering & Associates, Inc. and were found to conform to all applicable standards and requirements. Review by the Wannacomet Water Company has not been finalized, however, the issuance of a Certificate of Water Quality Compliance is expected.

Utilities

The proposed structures will be served by municipal sewer and water systems. All other utilities providing service to the proposed structures will be located underground within the site in conformance with the requirements of the respective utility.

Open Space

Approximately 26% of the site is designated as open space, which is less than the minimum requirement of 30% for Major Commercial Developments. However, section 139-11G(3) of the Zoning Bylaw provides the Planning Board the flexibility of recognizing off-site improvements to meet the open space ratios if the off-site improvements provide "benefits to the community and neighborhood". The Board notes that extensive streetscape improvements, including: a new brick sidewalk along the Pleasant Street frontage of the site, a new brick sidewalk pedestrian connection between Pleasant Street and Nantucket Commons, and a new NRTA stop incorporating alternative pavement materials such as Belgian Block. The applicant is also

dedicating a portion of the site to a small park with a landscaped seating area and a new NRTA bus stop shelter. The proposed improvements have a higher aesthetic value to the MIPOD than other less obvious open spaces (i.e. small grass strips scattered throughout the parking area) that could be included on the plan to merely meet the open space requirement, but not enhance the area.

#### *Landscaping & Lighting*

The applicant represented at the public hearings that extensive landscaping will be installed throughout the interior of the site, around the perimeter of the site, and within the portion of the Town of Nantucket owned parcel (11 Dave Street, Map 55 Parcel 428) directly adjacent to the proposed NRTA bus stop shelter and surrounding landscaped seating area. Improvements include the removal and re-landscaping of the entire parking area that previously served the Post Office. A detailed landscaping plan will be included in the final set of plans to be submitted by the applicant for endorsement.

Outdoor lighting will be kept to a minimum and will include lamp post style pole mounted lighting in the parking areas and wall mounted lighting on the proposed structures. All lighting will be designed in accordance with Chapter 102 of the Nantucket Town Code.

#### **Basis of the Findings**

The Board's findings and decision refer to the following plans, letters, and reports submitted by the applicant:

- An application to the Planning Board for a Special Permit dated March 09, 2012 and received by the Town Clerk and the Planning Board on March 12, 2012;
- Plans entitled "Proposed Bank MCD, 112 Pleasant Street, Nantucket, MA" sheets 1-6, prepared by Blackwell & Associates, Inc., dated March 8, 2012 and revised through June 29, 2012. This approval is based on final plans to be modified in accordance with this decision;
- A document entitled "Project Development Report for Proposed Bank" prepared by Blackwell & Associates, Inc., dated March 9, 2012;
- A document entitled "Drainage Report Executive Summary Relative to a Major Commercial Development at 112 Pleasant Street, Nantucket, MA, 02554" prepared by Blackwell & Associates, Inc., dated March 9, 2011 and revised through June 28, 2012. The Board notes that this document included the "Stormwater Operation & Management Plan";
- A document entitled "Proposed Bank, 112 Pleasant Street, Nantucket, MA, MCD Traffic Assessment" prepared by Bristol Traffic & Transportation Consulting LLC, dated March 7, 2012;
- A letter/traffic report from Bristol Traffic & Transportation Consulting LLC, dated April 30, 2012;
- A letter responding to the Pesce Engineering & Associates, Inc. review from Blackwell & Associates, Inc. dated May 7, 2012;

Findings were also based upon the following:

- Staff Reports dated April 5, 2012, May 21, 2012, and June 7, 2012;
- A letter from Pesce Engineering & Associates, Inc. (engineering consultants for the Planning Board) dated April 5, 2012;
- A letter/traffic report from TetraTech (transportation and traffic engineering consultants for the Planning Board) dated June 7, 2012;
- Representation and testimony received in connection with the public hearings held April 09, 2012, May 21, 2012, June 11, 2012, and July 09, 2012. Minutes of each meeting are on file with the Planning Office and the Town Clerk;
- Other assorted documents, including a letter of support from abutting property owners Theresa M. Davis and Jan Jaeger, dated June 20, 2011, are 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 the following Major Site Plan review objectives have been satisfied:

- The proposal is consistent with the local bylaws of the Town of Nantucket and/or applicable provisions of the Massachusetts General Laws.
  - The site is been located in a commercial zoning district since 1972.
- Public amenities and abutting properties have been adequately protected by:
  - The proposed donation of a portion of the site to construct a park with a seating area and a NRTA bus stop shelter. This donation removes lot area for commercial use from the site, and it is anticipated that it will be maintained for pedestrian use;
  - A vehicular connection to the Nantucket Commons site (provided that access rights are obtained) will alleviate congestion along Pleasant Street;
  - Reconstruction and widening of the sidewalk on the north side of Pleasant Street and the addition of a pedestrian connection from Pleasant Street to the existing sidewalk system within Nantucket Commons;
  - Extensive landscaping and screening throughout the site, as well as around the periphery of the site;
  - An adequate provision of on-site parking and loading facilities;
- Adequate protection of unique natural, scenic, or historic features of the site, and the minimization of the obstruction of scenic views have been provided:
  - The site currently contains two (2) poorly maintained structures and does not contain unique natural, scenic, historic features, or scenic views.
- The safety and convenience of pedestrian and vehicular movement within the site and in relation to rights-of-way and properties in proximity have been addressed by:
  - Vehicular access entering the site is provided from Pleasant Street. Alternative ways to exit the site have been provided so that the traffic is dispersed;
  - The applicant has agreed to reconstruct and widen the sidewalk along the north side of Pleasant Street. A six and a half (6.5) foot wide brick sidewalk will be constructed along the Pleasant Street frontage of the site;
  - Vehicular connections to the Dan's Pharmacy and Nantucket Commons (provided that access rights are obtained) sites will alleviate congestion along Pleasant Street and will encourage pedestrian activity through the use of common parking areas.
- Adequate sewage and refuse disposal, and drainage of surface and subsurface water have been provided by:
  - The site will be connected to the municipal sewer system;
  - A dumpster location is shown on the plans. The dumpster will be shared between the proposed bank and Dan's Pharmacy;
  - The project proposes to mitigate post development stormwater runoff through the use of subsurface infiltration systems designed. Pesce Engineering & Associates, Inc. reviewed the plans and confirmed that the post-development stormwater runoff will be contained on the site and will result in a net reduction of runoff contributing to the surrounding public ways.
- Adequate protection of the island's sole source aquifer is provided by:
  - The proposed design will allow for safe recharge into the aquifer;
  - The stormwater treatment system for the site will remove at least 80% of the total suspended solids (TSS);
- Protection of the public health and safety within and adjacent to flood hazard areas is not applicable. According to current FEMA maps, the site is not located within a flood zone;
- Off-street parking and loading are adequate:
  - The traffic and parking analysis peer review from TetraTech documented that the proposed site circulation and parking are adequate for the proposed use;

- The parking waiver of fourteen (14) spaces requested by the applicant is reasonable, given the number of public and private (shared) parking spaces in the vicinity of the site.
- Traffic and safety impacts upon public and private public rights-of-way have been minimized:
  - Vehicular access entering the site is provided from Pleasant Street. Alternative ways to exit the site have been provided so that the traffic is dispersed;
  - The applicant has agreed to reconstruct and widen the sidewalk along the north side of Pleasant Street. A six and a half (6.5) foot wide brick sidewalk will be constructed along the Pleasant Street frontage of the site;
  - Vehicular connections to the Dan's Pharmacy and Nantucket Commons (provided that access rights are obtained) sites will alleviate congestion along Pleasant Street and will encourage pedestrian activity through the use of common parking areas.
- The sewer and water supply systems are adequate.
  - The site will utilize connections to the municipal sewer and water systems.
- The project will not place excessive demands on Town services or infrastructure.
  - The Board finds no evidence that any public amenity will be adversely affected.

The Board also finds that the proposed project advances the following objectives of the MIPOD:

- Promotes consistency and quality in the planning and siting of the buildings, uses, and streetscape and public/private improvements:
  - The proposed bank structure and NRTA bus stop shelter are located close to the street;
  - A brick sidewalk will be constructed between the façade of the bank and the vehicular travel lane;
  - The applicant represented that significant landscaping will be installed both within the site and around the periphery;
  - The parking area will be screened from on-coming traffic travelling west by the NRTA bus stop shelter and associated landscaping and from on-coming traffic travelling east by the bank structure. Landscaping between the parking area and the street will provide additional screening.
- Creates a pedestrian friendly environment:
  - The applicant has agreed to reconstruct and widen the sidewalk along the north side of Pleasant Street. A six and a half (6.5) foot wide brick sidewalk will be constructed along the Pleasant Street frontage of the site;
  - The applicant will provide a pedestrian connection from Pleasant Street to the existing sidewalk network within Nantucket Commons;
  - Redevelopment of this site will enhance the streetscape along Pleasant Street. Specifically, siting the structure close to the street, providing a pedestrian seating area around the NRTA bus stop shelter, and providing significant landscaping throughout the site will enhance this section of the MIPOD;
- Increases safety to pedestrians, bicyclists, and motorists and relieves traffic congestion:
  - Pedestrian infrastructure will be increased with the reconstruction of the brick sidewalk along the Pleasant Street frontage of the site and addition of the sidewalk to Nantucket Commons;
  - A vehicular connection to the Dan's Pharmacy and Nantucket Commons (provided that access rights are obtained) sites will alleviate congestion along Pleasant Street;
  - The new crosswalk extending across Pleasant Street will increase pedestrian safety and perhaps reduce vehicle speeds in conjunction with the existing crosswalk located approximately 270 feet to the east;
- Promotes economic vitality:
  - The proposed bank will provide residents and visitors with another banking option, which may promote competitive pricing and services;

- New retail/service space is being created in a commercially zoned area, which has been identified through the MIPOD and the Master Plan as an area where commercial businesses should be encouraged.

The Board also finds that the proposed project meets the intent of the MCD Guidelines as amended through July 29, 2002 and adopted by the Planning Board:

- “Put the Project’s Best Face Forward”: the Board finds that the project’s “face” on Pleasant Street is the priority for design purposes. The location of the buildings, their design, and the proposed landscaping are consistent with this standard. The Historic District Commission (HDC) will review the architecture of these structures;
- “Put Signage on Buildings”: to be addressed by the HDC;
- “Use Open Space and Landscaping to Best Advantage”: the Board finds that significant landscaping around the perimeter of the site, and more specifically along Pleasant Street, will effectively screen the parking area and enhances the appearance of the site and the surrounding streets;
- “Break up Buildings: Small is Beautiful”: the scale and the rendering of the buildings is generally consistent with the area and the Board defers architectural detail to the HDC;
- “Consolidate Access”: the access is provided in a manner so that curb cuts are minimized, and parking circulation is adequate.

The Board also finds that the proposed uses on the site are in compliance with the vision articulated in the 2003 “Mid Island Area Plan”. Many of the fundamental recommendations are observed including:

- Buildings are placed at or near the street line to give a presence to the proposed buildings (page 24);
- Commercial space should be located on lower levels (page 21);
- Creation of pedestrian systems, including pedestrian crossings and plazas (page 19);
- Provision of green spaces or mini parks at key locations (page 26).

The Board also finds that the proposed parking waiver of fourteen (14) spaces is in harmony with the general purposes and intent of the Zoning Bylaw and that the provision of the complete off-street parking requirement would have a significant and adverse effect on the scenic integrity of the neighborhood. The current site configuration allows the parking to be screened from the street by structures located close to the street line and by dense landscaping around the periphery of the site.

## DECISION

The Board’s approval is based and conditioned upon compliance with the “General Description”, “Proposal”, and “Findings” as set forth in this decision, and as shown on the plans referenced herein. The Planning Board renders this decision based on compliance with the following sections of the Nantucket Zoning Bylaw: Residential Commercial (RC) zoning district (139-7); Major Commercial Development (139-11); Public Wellhead Recharge Overlay District (PWR) (139-12B); Town Overlay District (TOD) (139-12E); Mid-Island Planned Overlay District (MIPOD) (139-12G); Off-street Parking Requirements (139-18); Screening of Parking Areas and Lighting (139-19); Off-street Loading Facilities (139-20); Driveway Access (139-20.1), and Major Site Plan Review (139-23).

A motion was made, duly seconded, and adopted to **APPROVE** the requested special permits for a Major Commercial Development (MCD) within the Mid-Island Planned Overlay District (MIPOD) and for the waivers listed below:

- |    |         |   |
|----|---------|---|
| a. | 139-11G | Open Space<br>Waiver Granted – from 30% required to 26% provided.<br>Substantial landscaping improvements are proposed within and around the site, including the addition of a NRTA bus stop shelter with seating and surrounding |
|----|---------|---|

- vegetation and the improvement of the former rail road bed on the abutting Town of Nantucket property (11 Dave Street, Map 55 Parcel 428). The off-site improvements around the NRTA stop and on the Town owned parcel are more beneficial in this location than the preservation of open space on the site.
- b. 139-18B(2) Parking Requirements  
Waiver Granted – to waive fourteen (14) parking spaces. The applicant’s transportation engineer and the consultant retained by the Planning Board have demonstrated that the parking provided will be adequate for the demand. In addition, a principle of the MIPOD is to encourage shared parking and walking from one business to another. There are approximately 800 parking spaces located within 1,000 feet of this site.
- d. 139-19B Screening Requirements – substantial landscaping improvements are proposed within and around the site, including the addition of a NRTA bus stop shelter with seating and surrounding vegetation and the improvement of the former rail road bed on the abutting Town of Nantucket property (11 Dave Street, Map 55 Parcel 428). The off-site improvements around the NRTA stop and on the Town owned parcel are more beneficial in this location than the required planting strip and trees.
- e. 139-19E Driveway Width  
Waiver Granted – the proposed driveway width of eighteen (18) feet for the entrance driveway is necessary to accommodate large vehicles entering the site from both travel lanes on Pleasant Street. The proposed width of twenty-five (25) feet for the exit driveway is necessary to effectively merge vehicles existing the three (3) drive-through lanes;
- f. 139-20.1B(1) Driveway Access  
Waiver Granted – to allow two (2) driveway accesses on the site with direct access to Pleasant Street. The Board expressed a concern about two (2) way travel within the site, therefore one (1) entrance and one (1) exit driveway was required. In addition, there are other vehicular exits to access abutting properties. The number of driveways on the site will positively impact traffic flow and will not be contrary to sound traffic or safety considerations on surrounding streets and will not adversely impact the historic or scenic integrity of the area.

The approval is also subject to the following conditions:

1. Required Plan Modifications
  - 1.1 That the applicant submit a final plans within six (6) months from the date of the decision (July 9, 2012) including all engineering plans, landscaping plans, elevations, lighting plans, floor plans, etc. The set shall be uniform and shall have the Planning Board stamp in the lower right hand corner. The plans shall address any

outstanding engineering issues identified by Pesce Engineering & Associates, Inc. and any issues identified by the Wannacomet Water Company, as well as the following:

- 1.1.1 That in the event a portion of the overall property (Lot D) has been conveyed to another entity, the final plan required above shall eliminate that parcel and the registered deed shall be submitted to the Planning Board;
  - 1.1.2 That in the event a portion of the overall property (Lot D) will be conveyed to another entity after the final plan submission as required above, the plan shall depict the parcel to be conveyed and the registered deed shall be submitted to the Planning Board;
  - 1.1.3 That a minimum of two (2) bike racks shall be located on the site. The location of said racks shall be indicated on the final set of site plans;
  - 1.1.4 That the location of all directional signs within the site shall be indicated on the plans, along with images of the content to be included on the signs;
  - 1.1.5 That the general location of sidewalk and vehicular access easements shall be shown on the final plans;
  - 1.1.6 That construction notes detailing the measures to be taken to protect the sewer forcemain and existing drainage system on the Town of Nantucket owned property at 11 Dave Street, shown on Tax Assessors Map 55 as Parcel 428, shall be shown on the final plans. See condition 2.5 below;
  - 1.1.7 That a detailed landscaping plan in conformance with the representations made by the applicant and referenced in this decision shall be submitted. The landscaping plan shall also include detailed information for the portion of the site that will contain the NRTA bus stop shelter, as well as the portion of the Town owned land (11 Dave Street, Map 55 Parcel 428) directly adjacent to the future NRTA bus stop shelter portion of the site.
- 1.2 That the applicant shall create an Approval Not Required (ANR) plan removing Lot A from the subject site and adding Lot B to the subject site. The applicant represented during the public hearing that the abutting property owner was in agreement with this lot line adjustment. In the event this transfer cannot occur, the Planning Board shall determine at a public meeting whether or not this is a material change to the site plan;
  - 1.3 That a plan showing the extent of all easements shall be submitted to the Planning Board prior to the issuance of any Certificates of Occupancy;
  - 1.4 That a final as-built of all site improvements shall be submitted by the applicant and final site inspection shall be completed by the Planning Board prior to the issuance of the final Certificate of Occupancy.

#### Optional Plan Modifications

- 1.5 That the relocation or change in shape of any structure(s) as a result of HDC review shall not constitute a material change requiring a public hearing provided that:
  - 1.5.1 the number of parking spaces remains at twenty-six (26) and the distance between the Pleasant Street driveway exit and the Dan's Pharmacy driveway is not decreased;
  - 1.5.2 minor changes to the site plan resulting from the relocation or change in shape of the structure(s) do not affect the

intent or findings of this decision or the waivers granted in this decision.

- 1.6 That the applicant may include any or all of a portion of the site known as 11 Dave Street, shown on Tax Assessors Map 55, Parcel 428 without further relief from this Board and without holding a public hearing. Inclusion of this property will include an updated As-Built plan to be submitted to the Planning Board within six (6) months from the date of the property transfer.
2. Programmatic Issues
    - 2.1 That all employees shall be issued Nantucket Regional Transit Authority (NRTA) vouchers prior to July 1 of any given year. The tenant/operator of the businesses shall purchase the NRTA passes, however, it shall ultimately be the responsibility of the property owner to ensure that NRTA passes are purchased. The Planning Board may request verification of the number of employees/residents at any time;
    - 2.2 That the relocation or change in shape of any structure(s) as a result of HDC review shall not constitute a material change requiring a public hearing provided that:
      - 2.2.1 the number of parking spaces remains at twenty-six (26);
      - 2.2.2 minor changes to the site plan resulting from the relocation or change in shape of the structure(s) do not affect the intent or findings of this decision or the waivers granted in this decision.
    - 2.3 That the applicant has agreed to work with the Maria Mitchell Association to move a historic structure from Washington Street to the site to be used for the NRTA bus stop shelter. In the event this particular structure cannot be relocated, the applicant has agreed to construct a new structure in the general location shown on the referenced site plans;
    - 2.4 That the drainage systems (when completed) shall be maintained in accordance with the “Stormwater Operation & Maintenance Plan” contained within the document entitled “Drainage Report Executive Summary Relative to a Major Commercial Development at 112 Pleasant Street, Nantucket, MA, 02554” prepared by Blackwell & Associates, Inc., dated March 9, 2012 and revised through June 28, 2012. . This document shall be signed by the owner of the property and submitted to the Planning Board within six (6) months from the date of this decision (July 09, 2012);
    - 2.5 That the applicant has agreed to locate, through hand excavation, the sewer force main through the Town of Nantucket owned site known as 11 Dave Street and shown on Map 55 as Parcel 428. The applicant shall take all measures necessary to protect the sewer forcemain, as well as the existing drainage system, during construction. Construction notes detailing the measures to be taken shall be indicated on the final plans;
    - 2.6 That all landscaping, benches, bike racks, and other amenities shall be subject to replacement with like-kind and shall be maintained in accordance with the approved landscape plan for as long as the special permit remains in effect, including those within the public right-of-way. At the discretion of the Planning Board, minor changes of plant species and materials may be allowed without a public hearing;
    - 2.7 That all landscaping located within fifteen (15) feet of an intersection (either street to street to driveway to street) shall be maintained at a height of no greater than three (3) feet to ensure adequate sight distance;
    - 2.8 That all pavement markings within the site shall be re-painted on an annual basis between May 1 and June 1 of each year;
    - 2.9 That the applicant agrees to install the two (2) on-street parking spaces, the NRTA bus stop, and complete the NRTA bus stop shelter and associated landscaping prior to the issuance of a Certificate of Occupancy for the bank structure. In the event that the NRTA bus stop shelter is not constructed prior to the issuance of the Certificate of Occupancy for the bank structure, the applicant shall schedule an

update with the Planning Board at a regularly scheduled Planning Board meeting to provide the Planning Board with a status update.

### 3.0 Administrative

- 3.1 That prior to the issuance of any Building Permits, a pre-construction meeting shall take place at the site which shall include, at a minimum, the following: Planning Board staff, consulting engineers for the Planning Board, the contractor, the applicant or their representative, engineers for the applicant, utility company representatives, and staff from other Town departments;
- 3.2 That a construction management plan shall be submitted to the Planning Board prior to any site clearance and prior to the issuance of any Building Permits;
- 3.3 That a Certificate of Water Quality Compliance shall be obtained from the Wannacomet Water Company prior to the endorsement of the final plans;
- 3.4 That any deadlines contained within this decision may be extended by a majority vote of the Board without holding a public hearing.

### 4.0 Easements/Right-of-Way

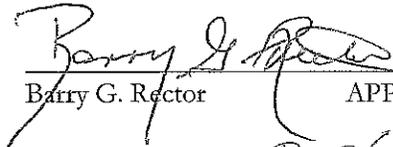
- 4.1 That the applicant has agreed to pursue obtaining an easement through Nantucket Commons to allow for a vehicular connection from the applicant's site through the Nantucket Commons site for traffic existing the applicant's site to common areas of the Nantucket Commons Condominium. The applicant shall notify the Planning Board within three (3) months from the date of this decision (July 09, 2012) as to whether the easement will be granted;
- 4.2 That the applicant has agreed to grant to the Town/County of Nantucket an easement for the portion of the Pleasant Street sidewalk located on the subject site. This easement shall be presented to the Town/County of Nantucket prior to the issuance of a Certificate of Occupancy for the bank structure;
- 4.3 That in the event the applicant does not convey a portion of the site (Lot D) to another entity, as noted in Conditions 1.1.1 and 1.1.2, the applicant has agreed to grant to the Town/County of Nantucket and/or the Nantucket Regional Transit Authority an easement to utilize this portion of the site for NRTA functions and public use of the seating area. This easement shall be presented to the NRTA and/or Town/County of Nantucket;
- 4.4 That cross-easements between the subject site and the Dan's Pharmacy site (Map 55 Parcels 148 and 149.1) shall be executed for access and parking. The easements shall be recorded at the Registry of Deeds and a copy shall be submitted to the Planning Board prior to the issuance of a Certificate of Occupancy.

### 5.0 Parking and Traffic

- 5.1 That the applicant has agreed to construct a six and half (6.5) foot wide brick sidewalk along the Pleasant Street frontage of the site. This work shall be completed prior to the issuance of a Certificate of Occupancy for the bank structure;
- 5.2 That the applicant agreed to install directional signs, as recommended by TetraTech in their report/letter dated June 7, 2012, within the site to control traffic flow. These signs shall be maintained and replaced on an annual basis if necessary;

**RECORD OF VOTE**

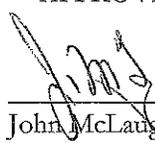
At the July 9, 2012 meeting, a motion was made and duly seconded to close the public hearing, the vote was 5-0 in favor. A motion was made and duly seconded to **APPROVE** this application and to **ENDORSE** this decision, the vote was 5-0 in favor.

  
Barry G. Rector APPROVED

Nathaniel Lowell APPROVED

  
Sylvia Howard APPROVED

  
Joseph Marcklinger APPROVED

  
John McLaughlin APPROVED

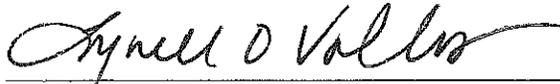
**COMMONWEALTH OF MASSACHUSETTS**

Nantucket, SS

July 24, 2012

On the 24<sup>th</sup> day of July, 2012, before me, the undersigned notary public,

personally appeared Joseph Marcklinger, 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