



**UPDATED MEETING POSTING**

Original Posting Date 1/3/2019 Original Posting Number 9  
Updated Posting Date 1/7/2019 Posting Number 29

TOWN OF NANTUCKET

Pursuant to MGL Chapter 30A, § 18-25

All meeting notices and agenda must be filed and time stamped with the  
Town Clerk's Office and posted at least 48 hours prior to the meeting  
(excluding Saturdays, Sundays and Holidays)

**RECEIVED**

2019 JAN 08 PM 12:34  
NANTUCKET TOWN CLERK  
Posting Number:35

**Committee/Board/s** | Zoning Board of Appeals

**Day, Date, and Time** | Thursday, January 10, 2019 at 1:00 PM

**Location / Address** | 4 Fairgrounds Road, Nantucket, MA  
**PSF COMMUNITY ROOM**

**Signature of Chair or Authorized Person** | Eleanor W. Antonietti, Zoning Administrator

**WARNING:** IF THERE IS NOT A QUORUM OF MEMBERS OR IF THE MEETING POSTING IS NOT IN COMPLIANCE WITH THE OPEN MEETING LAW, NO DELIBERATIONS MAY TAKE PLACE BUT THE MEMBERS MAY APPEAR AND ANNOUNCE A NEW SCHEDULE.

**UPDATED AGENDA<sup>1</sup>**

BELOW ARE THE TOPICS THE CHAIR REASONABLY ANTICIPATES WILL BE DISCUSSED AT THE MEETING.

**I. CALL TO ORDER:**

**II. APPROVAL OF THE AGENDA:**

**III. APPROVAL OF THE MINUTES:**

- October 11, 2018
- December 13, 2018

**IV. OLD BUSINESS (CONTINUED PUBLIC HEARINGS AND VOTES MAY TAKEN):**

- 19-18 ACK Crazy, LLC 9 West Chester Street Bencat/Cohen  
Action Deadline January 11, 2019  
Applicant is requesting Special Permit relief pursuant to Zoning By-law Sections 139-30.A and 139-33.A in order to alter the pre-existing nonconforming structure by demolishing the rear wing of the dwelling unit, renovating and/or replacing the existing foundation as needed, and reconstructing the wing in substantially the same footprint. The structure will be no closer to the westerly side yard lot line than the existing structure as a result of the proposed alterations, although there will be a vertical expansion within the setback. The Locus, an undersized lot, is situated at 9 West Chester Street, is

<sup>1</sup> To reflect requests to Withdraw without Prejudice Application No. 46-18 and to Continue various applications to 2/14/2019

shown on Nantucket Tax Assessor's Map 42.4.3 as Parcel 12, and as Lot 1 on Plan Book 17, Page 48 and Lot 4 on Plan Book 20, Page 1. Evidence of owner's title is recorded in Book 1618, Page 205. The site is zoned Residential Old Historic (ROH).

- 23-18 Adam Ross and Emma Ross 50 Okorwaw Avenue Beaudette  
**CONTINUED TO FEBRUARY 14, 2019**
  
- 46-18 TLJ Properties, LLC 18 Gladlands Avenue Alger  
**REQUEST TO WITHDRAW WITHOUT PREJUDICE**  
Appellant brings an appeal of a determination of the Zoning Enforcement Officer ("ZEO"), pursuant to M.G.L., c. 40A Sections 8 and 15 and Zoning By-Law Sections 139-29 and 139-31. Specially, Appellant requests that the Zoning Board of Appeals overturn the decisions of ZEO, and to the extent necessary, Building Permit No. 1602-18 by making a determination that the unenclosed roof connector of a pool cabana is excluded from ground cover pursuant to Section 139-2.A and that the ground cover of the subject cabana is 78 sq. ft. Appellant further requests that Building Permit Nos. 1602-18 and 1603-18 and their underlying applications be reformed to reflect an accurate ground cover. The Locus is situated at 18 Gladlands Avenue, is shown as Assessor's Map 80 as Parcel 221, and as Lot 19 on Plan File 11-A. Evidence of owner's title is recorded in Book 1645, Page 288 on file at the Nantucket County Registry of Deeds. The site is zoned Limited Use General 2 (LUG-2).
  
- 50-18 Milton C. Rowland and Roberta M. Rowland 2 Cottage Court Brescher  
Action Deadline March 13, 2019  
Applicants are seeking Special Permit relief pursuant to Zoning By-law Section 139-33.A in order to construct a 27 sq. ft. addition to connect the pre-existing nonconforming shed and garage, both sited as close as 0.1' from the easterly lot line where required side yard setback distance is 5'. Applicant further seeks approval of a change of use of the proposed merged structure into either a secondary dwelling or garage/studio. While the alteration consists of an expansion within the easterly side yard setback, the resulting single structure will be no closer to the side yard lot line than the existing structures. The Locus is situated at 2 Cottage Court, is shown on Assessor's Map 55.4.1 as Parcel 91, and as Lot 3 on Plan Book 15 Page 68. Evidence of owner's title is recorded in Book 1632, Page 92 on file at the Nantucket County Registry of Deeds. The site is zoned Residential Old Historic (ROH).

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**V. NEW BUSINESS (INITIAL PUBLIC HEARINGS AND VOTES MAY BE TAKEN):**

- 01-19 Steven W. Russo, Tr., 43A Union Street Trust 43A Union St Reade  
**REQUEST TO CONTINUE, WITHOUT OPENING, TO FEBRUARY 14, 2019**  
Applicant is seeking Special Permit relief pursuant to Zoning Bylaw Sections 139-7(a), 139-18, 139-30, and 139-33.A to allow the alteration, expansion, and change of use of a pre-existing nonconforming residential garage structure. Specifically, Applicant proposes to expand and convert the 190 sq. ft. garage into a 463 sq. ft. single family dwelling. The garage is a pre-existing nonconforming structure as to both side yard setback and use. While the existing side yard setback intrusion will remain, the proposed dwelling will be dimensionally compliant as to all other zoning requirements. Applicant is also requesting a parking waiver of the 1 required space pursuant to Section 139-18. The Locus, an undersized lot created pursuant to M.G.L., c. 41 Section 81L, is situated at 43A Union Street, is shown on Assessor's Map 42.3.2 as Parcel 29.1, and as Lot B on Plan No. 2017-98. Evidence of owner's title is recorded in Book 1673, Page 236 on file at the Nantucket County Registry of Deeds. The site is zoned Residential Old Historic (ROH).
  
- 02-19 DWZ, LLC 5 Mill Street Alger  
Action Deadline April 10, 2019  
Applicant is requesting Special Permit relief pursuant to Zoning By-law Sections 139-7(a), 139-30, and 139-33.A to convert a pre-existing nonconforming shed into a home office. Applicant also seeks Special Permit relief, or in the alternative Variance relief pursuant to Section 139-32, to relocate a pre-existing

nonconforming air conditioning unit, currently sited as close as 1.9' from the rear yard property line, to a new location as close as 3.8' from the side yard property line, where minimum side/rear yard setback is 5'. Locus is situated at 5 Mill Street, is shown on Assessor's Map 42.3.3 as Parcel 79, as Lot 1 upon Land Court Plan 17016-B. Evidence of owner's title is registered on Certificate of Title No. 25828 at the Nantucket County District of the Land Court. The site is zoned Residential Old Historic (ROH).

- 03-19 Estate of Nikki S. Toole; Edward S. Toole, Tr., ECMJ Nominee Trust; Sarah F. Alger, Tr.,  
15 Sandsbury Nominee Trust 11, 13, and 15 Sandsbury Road Alger

**REQUEST TO CONTINUE, WITHOUT OPENING, TO FEBRUARY 14, 2019**

Applicant is seeking Special Permit relief pursuant to Zoning By-law Sections 139-30 and 139-33.A, or in the alternative Variance relief pursuant to Section 139-32, to reconfigure 3 pre-existing nonconforming lots by way of lot line adjustments between the 3 owners. As proposed, Lot 707 would be less conforming as to area and frontage; Lot 717 would be more conforming as to area and frontage; Lots 718 and 719 would be less conforming as to area and unchanged as to frontage. Development potential as to ground cover and allowed number of bedrooms would remain unchanged as a result of the proposed reconfigurations. Locus is situated at 11, 13, and 15 Sandsbury Road, is shown on Assessor's Map 92.4 as Parcels 272, 284, and 285, and as Lot 707 upon Land Court Plan 5004-36 and Lots 717, 718, 719 upon LCP 5004-42. Evidence of owners' title is registered on Certificate of Title No.s 18503, 23750, and 24616 at the Nantucket County District of the Land Court. The site is zoned Limited Use General Three (LUG-3).

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**VI. OTHER (VOTES MAY BE TAKEN)**

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**VII. ADJOURNMENT (VOTE WILL BE TAKEN)**

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