



UPDATE

Original Meeting Posting Date: 02-03-2021

Time: 3:42PM Posting Number: T 114

MEETING POSTING

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

2021 FEB 05 PM 02:32
NANTUCKET TOWN CLERK
Posting Number:T 124

Committee/Board/s	PLANNING BOARD
Day, Date, and Time	MONDAY, FEBRUARY 8, 2021 @ 4:00PM
Location / Address	<p>REMOTE PARTICIPATION VIA ZOOM WEBINAR <i>*Pursuant to Governor Baker's March 12, 2020 Order Regarding Open Meeting Law (Attached). Information on viewing the meeting can be found at http://www.nantucket-ma.gov/138/Boards-Commissions-Committees</i></p>
Signature of Chair or Authorized Person	<p>MEGAN TRUDEL LAND-USE SPECIALIST</p>

WARNING: IF THERE IS NOT A QUORUM OF MEMBERS PRESENT, OR IF MEETING POSTING IS NOT IN COMPLIANCE WITH THE OML STATUTE, NO MEETING MAY BE HELD!

**The Planning Board meeting will be audio and video recorded*

Board Members: Judith Welch Wegner (Chair), John Trudel, III (Vice-Chair), Nat Lowell, "Fritz" McClure, and David Iverson

Alternates: Stephen Welch, Campbell Sutton and David Callahan

Staff: Andrew Vorce (Planning Director), Leslie Snell (Deputy Director of Planning), Meg Trudel (Land Use Planner) and Catherine Ancero (Administrative Specialist)

PLANNING BOARD AGENDA 02-08-2021

(Subject to change)

Please list below the topics the chair reasonably anticipates will be discussed at the meeting

*The complete text, plans, application, or other material relative to each agenda items are available for inspection digitally. Email requests may be sent to mtrudel@nantucket-ma.gov *

Participation in Public Hearings and Public Comment will be available through Zoom Webinar. You must register in advance in order to participate. Use the below link to register for Zoom participation. Contact mtrudel@nantucket-ma.gov with any questions.

ZOOM WEBINAR REGISTRATION LINK:

https://zoom.us/webinar/register/WN_ZzKjbOa6R0ycJUdVytjkWg

To view the meeting only, see link below: YouTube Link:

<https://youtu.be/rpG-mhhZYfw>

I. Call to order:

II. Approval of the agenda:

III. Minutes:

- September 14, 2020
- October 26, 2020

IV. Second Dwellings:

- Rafael Osona, 8 Boulevarde (Map 80, Parcel 75)
- EPR RGH LLC, 119 Eel Point Road (Map 33, Parcel 17.2)
- Jayne C. DeBiasio & Brian F. DeBiasio, 39 Meadow View Drive (Map 56, Parcel 133)
SEE PUBLIC HEARING
- Kyle Snell, 5 Pine Crest Drive (Map 68, Parcel 427)
- 2 Mayflower Circle LLC, Frank Glaser, 2 Mayflower Circle (Map 68, Parcel 725)
- 14 North Road LLC, 14 North Road (Map 43, Parcel 83)
- Catherine Kinsella, 19B Hummock Pond Road (Map 56, Parcel 468)
- Robert & Linda Flanagan, 19 Longwood Drive (Map 71, Parcel 41)
- Mark & Lynda Cutone, 35 Chuck Hollow Road (Map 75, Parcel 105)
- Kingfisher Realty Trust, 278 Polpis Road (Map 25, Parcel 2)
- James Fong, 85 Tom Nevers Road (Map 91, Parcel 14)
- FAE Andrew Perlman LLC, 17 Sherburne Turnpike (Map 30, Parcel 172.1)
- Nantucket 62 Walsh LLC, 60-62 Walsh Street (Map 29, Parcels 85 & 85.2)
- 5 Luff Road LLC, 5 Luff Road (Map 66, Parcel 351)
- Samuel & T. Michelle Oliva, 7 Shady Lane (Map 30, Parcel 171)

V. Tertiary Dwellings:

- FAE Andrew Perlman LLC, 17 Sherburne Turnpike (Map 30 Parcel 172.1)

VI. ANR Plans:

- Timothy Parsons, 33 Hinsdale Road (Map 68 Parcel 411)
- Marylin Lane Homeowners Association Trust, 9 Correia Lane (Map 80 Parcel 58)
- Samuel Limperis, 12 Lovers Lane (Map 68 Parcel 196)
- Kyle M. & Michelle J. Roberts, 8 Green Meadows (Map 67 Parcel 381)
- George U. & Susan M. Carneal, Trustees of the Carneal Nantucket Trust, 19 Sherburne Turnpike Road (Map 30 Parcel 173),
- James G. & Sarah R. Tyler, 47 Millbrook Road (Map 56 Parcel 231)

VII. Previous Plans:

- #7661 Woodland Hill Lot Release
- #7321 White Whale Lane Lot Release
- #8254 Reliance Way Lot Release

VIII. Public Hearings:

- PLSP-2020-11-0092 2 Mayflower Circle LLC, 2 Mayflower Circle, *action deadline 06-15-2021*
REQUEST TO CONTINUE
- PLSP-2020-12-0098 5 Luff Road LLC, 5 Luff Road, *action deadline 04-11-2021*
REQUEST FOR WITHDRAWAL
- PLSP-2020-10-0089 & PLSP-2020-10-0090 10 Cliff Road LLC, 10A & 10B Cliff Road, *action deadline 02-21-2021*
- PLSP-2020-11-0094 Nantucket Boys and Girls Club, 69 Sparks Avenue, *action deadline 06-15-2021*
- PLSP-2020-12-0095 Elena & Veselin Nikolova, 5 Bailey Road, *action deadline 04-11-2021*
- PLSP-2020-12-00102 Isaiah Stover, 63 Cato Lane, *action deadline 05-09-2021*
- PLSP-2021-01-00101 Charles & Myra Wrubel Trustees of Reedy Owl Realty Trust, 8 Walbang Avenue, *action deadline 05-09-2021*
- PLSP-2021-01-00103 Jayne C. DeBiasio & Brian F. DeBiasio, 39 Meadow View Drive, *action deadline 05-09-2021*
- PLSP-2021-01-00105 LMD Investment Limited Partnership, 140 & 144 Pleasant Street, *action deadline 05-09-2021*
- PLSP-2021-01-00104 Six Essex Road Condominium, 6B Essex Road, *action deadline 05-09-2021*

IX. ATM Warrant Articles (*Carry over from the February 4, 2021 Planning Board meeting if necessary. An updated meeting posting will be posted on Friday, February 5, 2021*)

❖ Zoning Articles Proposed by the Planning Board:

- Zoning Map amendment to place properties off of Tautemo and Osprey Ways and Hummock Pond Road currently located in the Residential 20 (R-20) district and Limited Use General 2 (LUG-2) district in the Village Residential (VR) district and/or Limited Use General 1 (LUG-1) district;

❖ Zoning Articles Proposed by Citizen Petition:

- Zoning Bylaw amendment to reduce the maximum allowed height in the Commercial Mid-Island (CMI) district from 40 feet to 30 feet; **REQUEST FOR WITHDRAWAL/TAKE NO ACTION**
- Zoning Map amendment to place a property at 10 Clifton Street currently located in the Sconset Residential 1 (SR-1) district in the Sconset Old Historic (SOH) district;
- Zoning Map amendment to place 8 properties on the north side of Polpis Road currently located in the Village Residential (VR) district in the Village Neighborhood (VN) district;
- Zoning Map amendment to place properties located off Chatham Road, Monomoy Road, Polpis Road, and Milestone Road currently located in the Village Residential (VR) district in the Residential 20 (R-20) district and a Zoning Bylaw amendment to remove the same properties from the Country Overlay District and to place them in the Town Overlay District;
- Zoning Map amendment to place properties at 8 and 10 Chatham Road currently located in the Limited Use General 1 (LUG-1) district in the Village Residential (VR) district;

- Zoning Map amendment to place properties of Old South Road and Airport Road currently located in the Residential 20 (R-20) district in the Commercial Trade Entrepreneurship and Craft (CTEC) and/or the Commercial Neighborhood (CN) district;
- Zoning Map amendment to place property at 18 Evergreen Way currently located in the Limited Use General 1 (LUG-1) district in the Residential 40 (R-40) district;
- Zoning Map amendment to place a property at 25 Rugged Road currently located in the Limited Use General 2 (LUG-2) district in the Residential 20 (R-20) district;

X. Public Comment:

XI. Other Business:

- Planning Board meeting for ATM Articles, public hearings, Wednesday, February 17th at 1PM via Zoom/YouTube
- Next regular Planning Board meeting, Monday, March 8, 2021 at 4PM via Zoom/YouTube

XI. Adjournment:



OFFICE OF THE GOVERNOR
COMMONWEALTH OF MASSACHUSETTS
STATE HOUSE • BOSTON, MA 02133
(617) 725-4000

CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

**ORDER SUSPENDING CERTAIN PROVISIONS
OF THE OPEN MEETING LAW, G. L. c. 30A, § 20**

WHEREAS, on March 10, 2020, I, Charles D. Baker, Governor of the Commonwealth of Massachusetts, acting pursuant to the powers provided by Chapter 639 of the Acts of 1950 and Section 2A of Chapter 17 of the General Laws, declared that there now exists in the Commonwealth of Massachusetts a state of emergency due to the outbreak of the 2019 novel Coronavirus ("COVID-19"); and

WHEREAS, many important functions of State and Local Government are executed by "public bodies," as that term is defined in G. L. c. 30A, § 18, in meetings that are open to the public, consistent with the requirements of law and sound public policy and in order to ensure active public engagement with, contribution to, and oversight of the functions of government; and

WHEREAS, both the Federal Centers for Disease Control and Prevention ("CDC") and the Massachusetts Department of Public Health ("DPH") have advised residents to take extra measures to put distance between themselves and other people to further reduce the risk of being exposed to COVID-19. Additionally, the CDC and DPH have advised high-risk individuals, including people over the age of 60, anyone with underlying health conditions or a weakened immune system, and pregnant women, to avoid large gatherings.

WHEREAS, sections 7, 8, and 8A of Chapter 639 of the Acts of 1950 authorize the Governor, during the effective period of a declared emergency, to exercise authority over public assemblies as necessary to protect the health and safety of persons; and

WHEREAS, low-cost telephone, social media, and other internet-based technologies are currently available that will permit the convening of a public body through virtual means and allow real-time public access to the activities of the public body; and

WHEREAS section 20 of chapter 30A and implementing regulations issued by the Attorney General currently authorize remote participation by members of a public body, subject to certain limitations;



NOW THEREFORE, I hereby order the following:

(1) A public body, as defined in section 18 of chapter 30A of the General Laws, is hereby relieved from the requirement of section 20 of chapter 30A that it conduct its meetings in a public place that is open and physically accessible to the public, provided that the public body makes provision to ensure public access to the deliberations of the public body for interested members of the public through adequate, alternative means.

Adequate, alternative means of public access shall mean measures that provide transparency and permit timely and effective public access to the deliberations of the public body. Such means may include, without limitation, providing public access through telephone, internet, or satellite enabled audio or video conferencing or any other technology that enables the public to clearly follow the proceedings of the public body while those activities are occurring. Where allowance for active, real-time participation by members of the public is a specific requirement of a general or special law or regulation, or a local ordinance or by-law, pursuant to which the proceeding is conducted, any alternative means of public access must provide for such participation.

A municipal public body that for reasons of economic hardship and despite best efforts is unable to provide alternative means of public access that will enable the public to follow the proceedings of the municipal public body as those activities are occurring in real time may instead post on its municipal website a full and complete transcript, recording, or other comprehensive record of the proceedings as soon as practicable upon conclusion of the proceedings. This paragraph shall not apply to proceedings that are conducted pursuant to a general or special law or regulation, or a local ordinance or by-law, that requires allowance for active participation by members of the public.

A public body must offer its selected alternative means of access to its proceedings without subscription, toll, or similar charge to the public.

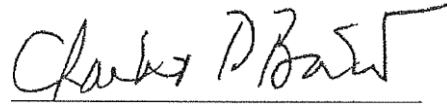
(2) Public bodies are hereby authorized to allow remote participation by all members in any meeting of the public body. The requirement that a quorum of the body and the chair be physically present at a specified meeting location, as provided in G. L. c. 30A, § 20(d) and in 940 CMR 29.10(4)(b), is hereby suspended.

(3) A public body that elects to conduct its proceedings under the relief provided in sections (1) or (2) above shall ensure that any party entitled or required to appear before it shall be able to do so through remote means, as if the party were a member of the public body and participating remotely as provided in section (2).

(4) All other provisions of sections 18 to 25 of chapter 30A and the Attorney General's implementing regulations shall otherwise remain unchanged and fully applicable to the activities of public bodies.

This Order is effective immediately and shall remain in effect until rescinded or until the State of Emergency is terminated, whichever happens first.

Given in Boston at { *'-f* } Mthis 12th day of
March, two thousand and twenty.

A handwritten signature in cursive script, appearing to read "Charles D. Baker", written over a horizontal line.

CHARLES D. BAKER
GOVERNOR
Commonwealth of Massachusetts