



UPDATED POSTING
Original: T116
2/6/23 at 1:59pm

RECEIVED
2023 FEB 07 PM 02:16
NANTUCKET TOWN CLERK
Posting Number:T 121

MEETING POSTING

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)

Committee/Board/s	PLANNING BOARD
Day, Date, and Time	Thursday, February 9, 2023, 4:00 pm
Location / Address	REMOTE PARTICIPATION VIA ZOOM WEBINAR
Signature of Chair or Authorized Person	Megan Trudel, Land Use Specialist

WARNING: IF THERE IS NO 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: John Trudel, III (Chair), David Iverson (Vice-Chair), Nat Lowell, Barry Rector, Joseph Topham

Alternates: Stephen Welch, Carl Borchert, Abby De Molina

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

PLANNING BOARD
AGENDA 02-09-2023
(subject to change)

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

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

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

Webinar Registration Link:

https://us06web.zoom.us/webinar/register/WN_7o3ca7lZRXa7bX8FOzAV2Q

To View Meeting Only:

https://www.youtube.com/watch?v=PqrP3rpB_BI

I. Call to Order:

II. Approval of the Agenda:

III. Zoning Articles for 2023 Annual Town Meeting:

- **Zoning Bylaw Amendment: Definitions -Time Sharing or Time-Interval-Ownership Dwelling Unit or Dwelling (Article 40)** – to amend Section 139-2A “Definitions” to include language for fractional ownership.
CONTINUE TO MARCH 9, 2023
- **Zoning Bylaw Amendment: Preexisting Nonconforming Uses, Structures, and Lots (Article 62, draft 61)** to amend the Zoning Bylaw (Section 139-33 “Pre-existing non-conforming uses and structures”) to delete language that provides preexisting nonconforming status for lots, and any structures thereon, created pursuant to MGL 41-81L (Molden).
CONTINUE TO MARCH 9, 2023
- **Zoning Bylaw Amendment: Preexisting Nonconforming Uses, Structures, and Lots (Article 63, draft 62)** amend the Zoning Bylaw (Section 139-33 “Pre-existing non-conforming uses and structures”) to add language that would require any new structure or expansion or increase in “volume, area, or height” of a structure on a lot that was approved under MGL 41-81L to require a Special Permit from the Zoning Board of Appeals (Molden)
CONTINUE TO MARCH 9, 2023
- **Zoning Map Amendment: RC-2 to R-20 and LUG-2 – 91 and 95 Miacomet Avenue (Article 48, draft 47)** – to place properties at 91 Miacomet Avenue and 95 Miacomet Avenue (portion of) currently in the RC-2 district in the R-20 district and to place property located at 95 Miacomet Avenue (portion of) currently located in the RC-2 district in the LUG-3 district. (Planning Board)
CONTINUE TO MARCH 9, 2023
- **Zoning Map Amendment: RC-2 to R-5 and/or CTEC – Appleton Road (Article 45, draft 44)** – to place properties at 20, 22, 24 Appleton Road currently in the RC-2 district in the R-5 and/or CTEC district. (Planning Board)
- **Zoning Map Amendment: RC-2 to R-5 and/or CTEC – Nobska Way (Article 46, draft 45)** – to place properties at 3, 4, 5, 6, 8 Nobska Way currently in the RC-2 district in the R-5 and/or CTEC district. (Planning Board)
- **Zoning Map Amendment and County Overlay District Change: 69 Hummock Pond Road (Article 52, draft 51)** – to place property at 69 Hummock Pond Road currently in the LUG-2 district and County Overlay District into the R-20 district and the Town Overlay District. (Planning Board)
- **Zoning Map Amendment (Article 69, draft 68)** to place property located at 69 Hummock Pond Road currently in the Limited Use General-2 (“LUG-2”) district in the Residential-20 (“R-20”) district (Iller).
- **Zoning Bylaw Amendment: Swimming Pool Residential (Article 55)** to amend the definition of “Swimming Pool” as defined in the Zoning Bylaw (Section 139-2 “Definitions”) to include the language, “In R-10, R-10L, SR-10, R-20, and R-40 Districts only, the following criteria must be met: (1) the lot must meet or exceed the minimum lot size for the district, and (2) side and rear yard setbacks of 20 feet shall apply to the residential swimming pool and all associated mechanical equipment” (Sutton).
- **Zoning Map Amendment (Article 66, draft 65)** to place properties located at 105 and 107 Old South Road, 3 Miller Lane, portion of 17 Airport Road and Old South Road/Little Isle Lane (Map 68 Parcels 174 and 208) currently located in the Residential-20 (“R-20”) district in the Commercial Neighborhood (“CN”) district (Williams).

- **Zoning Bylaw Amendment: Swimming Pool-Residential (Article 39)**– to amend Section 139-2A “Definitions” to change “Swimming Pool” to “Recreational Outdoor Water Feature” and to define three types: “Hot tub/spa”, “Small swimming pool”, and “Large swimming pool”. The existing definition of “Hot tub/spa” is proposed to be deleted. Section 139-7A is proposed to be updated to insert the new terms, delete the existing “Hot tub/Spa” row, and to allow a “Recreational outdoor water feature” consistent with current bylaw provisions. (Planning Board)

IV. **Other Business**

- **Upcoming meetings:**
 - **Monday, February 13, 2023 via Zoom (Regular Monthly Meeting)**
 - **Planning Board regular meeting – Monday, March 13, 2023, at 4pm via Zoom**
 - **Planning Board joint meeting with Select Board and Fin Com – March 20, 2023, at 4pm via Zoom**

V. **Executive Session: Reason #3: To discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares (Edward J. Bartlett, Trustee, et al v. Town of Nantucket, Mass Appeals Court Case No. 2023-P-0090)**

Executive Session Zoom Link: <https://us06web.zoom.us/j/82437105450>

VI. **Adjournment**