

1. Staff Report 03.13.23

Documents:

[03.13.23 STAFF REPORT.PDF](#)



Nantucket Planning Board

STAFF REPORT

March 11, 2023

To: Planning Board

From: Megan Trudel,
Land Use Specialist

Re: Staff Report for March 13, 2023 Planning Board Meeting

Call to order:

Approval of the agenda:

Minutes:

- December 12, 2022
- January 12, 2023
- January 26, 2023
- February 9, 2023
- February 13, 2023

*****RECOMMEND MOTION for Secondary Dwellings/Garage Apartments/Tertiary Dwellings/*****

Motion to approve ALL of the secondary dwellings, garage apartments, and tertiary dwellings on the agenda with any findings and/or conditions as written in the draft approval letters included with your packet. *(pull any application(s) from this motion that the Board feels may require further discussion or if there are any applications where a Board member must recuse).*

Secondary Dwellings:

- Julia Morash – 18A Gray Avenue
- Joshua Malitsky & Anne Brynn – 253 Madaket Road

Garage Apartments:

- Madakiss Realty Trust – 7 Sandsbury Road
- Once Upon a Tide, LLC – 56R Madequecham Valley Road

Tertiary Dwellings:

- Irakli Jibladze – 30 Devon Street
- 15 Margrets Way, LLC – 15 Margaret’s Way

*****RECOMMEND MOTION for ANR’s*****

Motion to approve and endorse ALL of the ANR applications on the agenda, except for 67 Milestone Road, 5 Sleepy Hollow Road/5 Marble Way, and 18 Sleepy Hollow Road/68 Somerset Road, which will fist require the approval of a Special Permit.

ANR

- Robert J. Campese – 67 Milestone Road
SEE PUBLIC HEARING
- Christopher R. & Patricia Lynch and Christopher E. & Michelle O’Brien / Joy & Gregory Margolis – 5 Sleepy Hollow Road, Unit 1 & 5 Marble Way, Unit 2
SEE PUBLIC HEARING
- Philip W. & Cynthia Pillsbury, Trustees/Andrew & Erin MacIver –18 Sleepy Hollow Road, Unit 1 & 68 Somerset Road, Unit 2
SEE PUBLIC HEARING
- Town of Nantucket – Masaquet Avenue & Atlantic Avenue
Representation: Don Bracken
The purpose of this plan is to implement a taking/conveyance as a part of the yard sale program.
Planning staff recommends endorsement.
- Town of Nantucket – 10 & 11 Mississippi Avenue & 282 Madaket Road
Representation: Jeff Blackwell
The purpose of this plan is to implement a taking/conveyance as a part of the yard sale program.
Planning staff recommends endorsement.
- County of Nantucket – Red Barn and Sheep Pond Road areas
Representation: Paul Santos
The purpose of this plan is to implement a taking for access as approved at 2022 ATM. Planning staff recommends endorsement.

- **Kevin Jacobs, Trustee – 1 Judith Chase Lane**

Representation: Paul Santos

The purpose of this plan is to create and convey an unbuildable lot. Planning staff recommends endorsement.

- **Steven L. Cohen, Trustee of Third Time Trust – 41A Cliff Road**

Representation: Paul Santos

The purpose of this plan is to convey an unbuildable lot. Planning staff recommends endorsement.

Previous Plans:

- **Bittersweet Lane Subdivision, *Endorse legal documents***

Representation: Arthur Reade

Legal documents are included with the packet for your review. The plans are expected to be brought forward for endorsement next month. Planning staff recommends endorsement of the legal documents as submitted.

Open Space Plan

Included with your packet is an updated version of the Open Space Plan, which incorporates comments from applicable Town staff and Commission/Board members as well as conservation group stakeholders. As a step in the regulatory process, the Planning Board and the NP&EDC must accept the plan. The Select Board will be holding a public hearing on Wednesday, April 12th.

Planning staff requests that the Board accept the Open Space Plan.

Public Hearings (Applications):

- **The Westmoor Club, 105 W. Chester Street, 109 W. Chester Street & 10 Westmoor Lane, *action deadline 05-31-2023***

REQUEST TO CONTINUE

- **30 North Beach Street, LLC – “The Beachside” – 30 North Beach Street, *action deadline 05-14-2023***

REQUEST TO CONTINUE

- **23 Broad Street Owner, LLC “Brotherhood of Thieves” – 23 Broad Street, *action deadline 06-11-2023***

REQUEST TO CONTINUE

- **ACK Mid Island, LLC & ACK Offices, LLC – 18, 18A, 20, 22, 24 & 26 Sparks Avenue, *action deadline 03-31-2023***

REQUEST TO CONTINUE

- **Christopher R. & Patricia Lynch, Christopher E. & Michelle O'Brien & Joy & Gregory Margolis –5 Sleepy Hollow Road, Unit 1 & 5 Marble Way, Unit 2, *action deadline 6-11-2023***

Representation: Tori Ewing

The Applicant is requesting a Special Permit for a Secondary Residential Lot so that an existing condo covenant may be converted into two separate lots and the condominium will be dissolved. It is noted that the Board has supported several of these conversion requests in the same neighborhood in recent past. Additionally, the Applicant is requesting that each lot maintain a separate driveway access. The existing conditions provide access to the covenant unit on Marble Way and access to the market rate unit from Sleepy Hollow Road. The Applicant is requesting a waiver of the setbacks as it pertains to the interior lot line only. Finally, the Applicant is requesting a waiver to distribute the ground cover between the two lots, as long as the groundcover for the lots combined does not exceed 12.5%. The Applicant should specify how the ground cover allocation will be distributed in order to approve the waiver (this is a proposed language change to the Bylaw at upcoming ATM).

Planning staff recommends approval of the Applicant's request as proposed with the following findings and conditions:

Findings:

- 1) That the proposal advances the intent of the Zoning bylaw by creating housing for year-round residents.
- 2) That a second driveway access would not have a significant and adverse effect on the scenic or historic integrity of the neighborhood and is not contrary to sound traffic and safety considerations because the property abuts two streets

Conditions:

- 1) That the existing "Unit 2, Exclusive Use Area" shall be subject to a Nantucket Housing Needs Covenant Ownership form, which shall provide without limitation, that owners and any occupants of any dwelling thereon, shall earn at or below 150% of the Nantucket County median household income;
- 2) That the covenant lot shall be restricted to a single dwelling and the market rate lot may have a secondary dwelling pursuant to tertiary size standards as outlined in Section 139-2 of the Zoning bylaw;
- 3) That the setbacks from the interior lot line shall be waived;
- 4) That each lot may utilize a separate driveway access as shown on the attached site plan;
- 5) That the total ground cover ratio does not exceed the amount that would have been allowed for the original lot (12.5%);
- 6) That an Approval Not Required (ANR) plan to establish each lot is a necessary step to implement this permit.

*****The required vote for approval is 4/5***

ANR:

- **Christopher R. & Patricia Lynch, Christopher E. & Michelle O'Brien & Joy & Gregory Margolis – 5 Sleepy Hollow Road, Unit 1 & 5 Marble Way, Unit 2**

The purpose of this plan is to implement the Special Permit. If the Special Permit was approved, planning staff recommends endorsement of the plan.

- **Philip W. & Cynthia Pillsbury, Trustees/Andrew & Erin MacIver –18 Sleepy Hollow Road, Unit 1 & 68 Somerset Road, Unit 2, *action deadline 06-11-2023***

Representation: Linda Williams

The Applicant is requesting a Special Permit for a Secondary Residential Lot so that an existing condo covenant may be converted into two separate lots and the condominium will be dissolved. It is noted that the Board has supported several of these conversion requests in the same neighborhood in recent past. Additionally, the Applicant is requesting that each lot maintain a separate driveway access. The existing conditions provide access to the covenant unit on Somerset Road and access to the market rate unit from Sleepy Hollow Road. Finally, the Applicant is requesting a waiver of the setbacks as it pertains to the interior lot line only.

Planning staff recommends approval of the Applicant’s request as proposed with the following findings and conditions:

Findings:

- 1) That the proposal advances the intent of the Zoning bylaw by creating housing for year-round residents.
- 2) That a second driveway access would not have a significant and adverse effect on the scenic or historic integrity of the neighborhood and is not contrary to sound traffic and safety considerations because the property abuts two streets

Conditions:

- 1) That the existing “Lot 2” shall be subject to a Nantucket Housing Needs Covenant Ownership form, which shall provide without limitation, that owners and any occupants of any dwelling thereon, shall earn at or below 150% of the Nantucket County median household income;
- 2) That the covenant lot shall be restricted to a single dwelling and the market rate lot may have a secondary dwelling pursuant to tertiary size standards as outlined in Section 139-2 of the Zoning bylaw;
- 3) That the setbacks from the interior lot line shall be waived;
- 4) That each lot may utilize a separate driveway access as shown on the attached site plan;
- 5) That the total ground cover ratio does not exceed the amount that would have been allowed for the original lot (12.5%);
- 6) That an Approval Not Required (ANR) plan to establish each lot is a necessary step to implement this permit.

*****The required vote for approval is 4/5***

ANR:

- **Philip W. & Cynthia Pillsbury, Trustees/Andrew & Erin MacIver –18 Sleepy Hollow Road, Unit 1 & 68 Somerset Road, Unit 2**

The purpose of this plan is to implement the Special Permit. If the Special Permit was

approved, planning staff recommends endorsement of the plan.

- **Robert J. Campese, 67 Milestone Road, *action deadline 06-11-2023***

Representation:

The Applicant is requesting a Special Permit for a Tertiary Residential Lot. The market rate lot is shown as Lot 46, the existing Secondary Lot is shown as Lot 42 and the proposed Tertiary Lot is shown as Lot 45. The existing conditions of the dwelling units require a waiver of the setbacks as it pertains to the interior lot lines only. Additionally, the Applicant is requesting to amend the Secondary Residential Lot Special Permit to the extent necessary.

Planning staff recommends approval of the Applicant's request as proposed with the following findings and conditions:

Findings:

- 1) That the proposal advances the intent of the Zoning bylaw by creating housing for year-round residents.
- 2) That a second driveway access would not have a significant and adverse effect on the scenic or historic integrity of the neighborhood and is not contrary to sound traffic and safety considerations because the access exists in the current configuration.

Conditions:

- 1) That Lot 45 shall be subject to a Nantucket Housing Needs Covenant Ownership form, which shall provide without limitation, that owners and any occupants of any dwelling thereon, shall earn at or below 150% of the Nantucket County median household income;
- 2) That no additional dwelling units may be created on any of the lots (Lot 42, Lot 45, and Lot 46)
- 3) That the setbacks from the interior lot line shall be waived;
- 5) That the total ground cover ratio does not exceed the amount that would have been allowed for the original lot (3%);
- 6) That an Approval Not Required (ANR) plan to establish each lot is a necessary step to implement this permit.

*****The required vote for approval is 4/5***

ANR:

- **Robert J. Campese – 67 Milestone Road**

The purpose of this plan is to implement the Special Permit. If the Special Permit was approved, planning staff recommends endorsement of the plan.

- **“Sandpiper Place I” Beach Grass 43 ACK, LLC – 43 Beach Grass, *action deadline 04-28-2023***
- **“Sandpiper Place II” Nantucket Property Owner, LLC – 24 Honeysuckle Drive, *action deadline 04-28-2023***

**Note: Megan Trudel has recused from participating as a staff member in this application. See attached addendum prepared by Deputy Director of Planning, Leslie Snell*

- **Nantucket Cottage Hospital – 60 Meadow View Drive, *action deadline 06-11-2023***

Representation: Bryan Swain/Rick Beaudette

The Applicant is requesting a Special Permit to increase the bedroom count on the property from eight total bedrooms to ten total bedrooms. The Applicant is constructing a primary, secondary, and tertiary dwelling on the site to be utilized for employee housing and proposes to add an additional bedroom in both the primary dwelling and secondary dwelling. It is noted that the parking requirement would be satisfied for the increase in bedrooms, where seven spaces are required and eight spaces are provided.

Planning staff recommends approval of the Applicant's request as proposed with the following finding and condition:

Finding:

- 1) That the Applicant's request is in harmony with the general purpose and intent of the Zoning Bylaw.

Conditions:

- 1) That the relief granted in this Special Permit extends to the Applicant only, and any changes in control or ownership will either require the property to revert to eight bedrooms or modification to the Special Permit.

*****The required vote for approval is 4/5***

- **James & Michelle Starr – 9A Hussey Farm Road, *action deadline 06-11-2023***

Representation: Jay Starr

The Applicant is requesting a Special Permit for a second driveway access to create a parking area to accommodate two vehicles. Both driveway accesses will be located on Hussey Farm Road.

Planning staff recommends approval of the Applicant's request as proposed with the following findings and conditions:

Findings:

- 1) That the Special Permit relief for a second driveway access is within the general purpose and intent of the Zoning Bylaw.
- 2) That the second driveway is not contrary to sound traffic and safety considerations and would not have an adverse effect on the scenic and historic integrity of the neighborhood.

Recommended Conditions:

- 1) That an apron shall be installed with the new driveway intersection at Hussey Farm Road at a depth to the flare of the parking area, and that the aprons shall

- be maintained on both driveway accesses;
- 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.

*****The required vote for approval is 4/5***

- **18 Center Street LLC – 18 Center Street, *action deadline 06-11-2023***

Representation: Alyssa Corry

The Applicant is requesting a Special Permit for a waiver of the driveway design standards to create an approximate 10 x 15 parking space. Additionally, the space is adjacent to a public way, so a waiver is required to be located within 25'.

It is noted that no on street parking spaces are being eliminated as a part of the request.

Planning staff recommends approval of the Applicant's request as proposed with the following findings and no conditions:

Findings:

- 1) The request for a waiver from the design standards and placement of the parking area within 25' of a travelled way is in harmony with the general purpose and intent of the Zoning Bylaw;
- 2) The granting of a waiver from the design standards and placement of the parking area within 25' of a travelled way will not have a significant and adverse effect on the scenic or historic integrity of the neighborhood; and
- 3) The granting of a waiver from the design standards and placement of the parking area within 25' of a travelled way is not contrary to sound traffic and safety considerations.

*****The required vote for approval is 4/5***

- **Crib, LLC, 12 Nobska Way, *action deadline 06-11-2023***

Representation: Art Gasbarro

The Applicant is proposing a four (4) lot, three (3) buildable lot AR Subdivision. Lot 1 will contain approximately 5,154 square feet of lot area, Lot 2 will contain approximately 5,197 square feet of lot area, and Lot 3 will contain approximately 5,062 square feet of lot area. The roadway lot, shown as Lot 4, will contain approximately 1,645 square feet of lot area. The site is zoned R-5.

Note that the intent of this proposal is to receive approval and come back at a future meeting for a Rear Lot Subdivision Special Permit.

Included with your packet is a list of waivers being proposed by the Applicant and a report prepared by the Town's consulting engineer, Ed Pesce.

Planning Staff recommends approval of the applicant's request as proposed with the following finding and conditions:

Finding:

- 1) That the Applicant's proposal is in harmony with the general purpose and intent and aligns with the *Rules and Regulations Governing the Subdivision of Land*.

Conditions:

- 1) That recorded copies of all applicable legal documents (such as Covenant, Statement of Conditions, Grant of Right of Enforcement, Homeowners Association, etc.) shall be presented to the Planning Board within six (6) months of the filing of the decision;
- 2) That the definitive plan shall be presented to the Planning Board within six (6) months of the filing of the decision;
- 3) That each lot shall comply with the ground cover ratio, front setback, and side and rear yard setback requirements of the underlying R-5 zoning district;
- 4) That the remaining portion of Nobska Way shall be paved at the Applicant's expense;
- 5) That there shall be no further subdivision without further modification from the Planning Board. Minor lot line adjustments and conversion to a Rear Lot Subdivision may be permitted following the proper procedures;
- 6) That a gift in the amount of \$2,000 per lot shall be made to the Town to be utilized for area bike path and pedestrian improvements; and
- 7) That one of the two lots and the roadway lot shall be eligible for release after the endorsement of the legal documents and definitive plan.

*****The required vote for approval is 3/5***

- **40 Old South Road, LLC – 2A Forrest Avenue, *action deadline 06-11-2023***

Representation: Art Gasbarro

The Applicant is proposing a mixed use structure, which will contain a commercial use take out food establishment and retail area on the first floor and two apartments with a total of five bedrooms on the second and third floors. The basement will contain storage, mechanicals, a breakroom, and an office space ancillary to the commercial business on the first floor. The site is located in the CN zoning district, where Apartments and retail uses are allowed by-right and a take-out food establishment requires the issuance of a Special Permit.

The site will be serviced by a driveway entrance on Forrest Avenue. The Applicant complies with the open space requirement, providing approximately 31%, where 20% is required. The ground cover of the structure is approximately 20%, where 40% is allowed. The Applicant is requesting a waiver of the parking requirement, and will provide (12) twelve on-site parking spaces, where (17) seventeen are required. Screening will be installed around the parking area.

Planning staff is supportive of the Applicant's request and recommends approval after the Board discusses with the Applicant conditions such as proposed hours of operation, bike rack installation, monetary contribution for area pedestrian/bike improvements and/or maintenance, NRTA passes for

employees, etc.

*****The required vote for approval is 4/5***

- **Fair City LLC – 115 & 117 Old South Road, *action deadline 04-28-2023***

Voting: John Trudel, Dave Iverson, Nat Lowell, Barry Rector, Joseph Topham

FROM THE NOVEMBER STAFF REPORT:

Representation: Art Gasbarro

The Applicant is requesting a Special Permit for a Major Commercial Development for a contractor shop with exterior storage and warehousing and several structures.

There is a detailed narrative of the request provided by the Applicant included with your packet.

Planning staff suggests that the Board discuss with the Applicant the specific uses on the site, what materials are proposed to be stored on both the interior and exterior, and whether those uses conform to the requirements of the Public Wellhead Recharge District. Additionally, staff recommends time be given for the Applicant to address the items listed in Pesce Engineering's letter dated November 9, 2022, as it may impact suggested conditions.

UPDATE:

The Applicant has provided an updated plan and response which includes hours of operation, confirmation that manufacturing is not proposed, updated drainage plans, and responses to Mr. Pesce's initial comments.

The Applicant should identify what specific uses are being requested on the site and submit a letter of compliance from Wannacommet Water Co. Included with the packet is an updated comment letter from Mr. Pesce. Mr. Pesce has made several suggestions for further update/clarification and it's staff's opinion that these updates can be made between coordination of staff, Mr. Pesce, and the Applicant.

Planning staff is supportive of the Applicant's request pending receipt of the information noted above.

*****The required vote for approval is 4/5***

Public Hearings (Zoning Articles), *only if needed as carry over from March 9, 2023*

These articles were voted on at the March 9th meeting and were only included on the agenda due to OML required posting times and the potential for continued discussion. There is no need for discussion at this time as this public hearing has been closed. Please remove these as public hearing items.

Zoning Articles Proposed by Citizen Petition:

- ~~(Re Advertisement) Zoning Bylaw Amendment~~ 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 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 noneonforming status for lots, and any structures thereon, created pursuant to MGL 41-81L (Molden).
- ~~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).

Zoning Article Proposed by the Planning Board:

- ~~Zoning Bylaw Amendment: Definitions Time Sharing or Time Interval Ownership Dwelling Unit or Dwelling~~ to amend Section 139-2A “Definitions” to include language for fractional ownership.
- ~~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.
- ~~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.
- ~~Zoning Map Amendment: R-1 to R-5, CN, and CMI Pleasant Street, Kimberly Way, Williams Lane, Cherry Street, Bear Street, and Madison Court~~ to place properties at 78/80/ 82/ 84/ 86/88 (portion of) Pleasant Street, 5/11 Kimberly Way, 3/5/7/9/11/16/18 Williams Street, 3/3B/5/6/6/7/8/9/10/10/14/15/16/18/20 (portion of) Cherry Street, 3/5/11/13/13/15 Bear Street, and 1/3/5 Madison Court currently in the R-1 district in the R-5 district; to place properties at 20 (portion of) Cherry Street and 88 (portion of)/90/92/94 (portion of) Pleasant Street currently in the R-1 district in the CN district; and to place properties at 20 (portion of) Cherry Street and 94 (portion of) Pleasant Street currently in the R-1 district in the CMI district.
- ~~Zoning Map Amendment: RC-2 to R-20 and LUG-3 91 and 95 Miacomet Avenue~~ 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 Motions and Comments on all articles,

Document will be circulated via email in advance of the meeting/will be available for screen share at the meeting.

Public Comment *for items not listed on the agenda*

Other Business:

- **Planning Board joint meeting with Select Board and Fin Com – March 20, 2023, at 4pm via Zoom**
- **Planning Board regular meeting – Monday, April 10, 2023, at 4PM location vs Zoom TBD**

Note that while the House has approved an extension of remote meetings, this has not yet been signed by the Governor. If the Governor has not signed by the time the legal notice is due for publication, we will have to conduct April's meeting in-person. If the Governor does sign the extension prior to the time the legal notice is due for publication, the meeting will be held via Zoom.

Adjournment:

ADDENDUM RE: SANDPIPER PLACE

Prepared by Leslie Snell, Deputy Director of Planning

- Sandpiper Place I” Beach Grass 43 ACK, 43 Beach Grass Road
- Sandpiper Place II” Nantucket Property Owner, LLC, 24 Honeysuckle Drive
Voting: John Trudel, Dave Iverson, Nat Lowell, Barry Rector, Joseph Topham

From November meeting:

This proposed modification is technically two separate Special Permit requests but are dependent on one another. Two votes must be taken, and two decisions will be filed, but the contents and merits of the request should be discussed together.

Representation: Rick Beaudette/Bryan Swain

The Applicant is proposing to modify both the Sandpiper I and Sandpiper II Workforce Housing Special Permits so that a designated 175%AMI unit at 24 Honeysuckle Drive (Sandpiper II) may be relocated, to a duplex market rate at 43 Beach Grass Road. This will remove one single family home 175% unit from Sandpiper II but will add two units in the duplex located in Sandpiper I. The Applicant then proposes to construct a community pool, outbuilding (containing a fitness studio, community space, and restrooms), outdoor putting green, and recreational lawn game area at 24 Honeysuckle Drive. Included with your packet is a proposed site plan and proposed rules and regulations for the pool/clubhouse.

The board should discuss with the Applicant the following concepts:

- Eliminating the turning easement at the end of Mayflower Circle. Mayflower Circle is a short, wide, dead-end street servicing only two properties.
- Submitting an updated proposed site plan for 24 Honeysuckle Drive which would include both the elimination of the easement and a couple of on-site parking spaces.
- Whether the intent to disburse the AMI units throughout the development is still being met with relocating a single unit from 24 Honeysuckle Drive to two units at 43 Beach Grass Road.
- Whether the requirements of the MOA with the Select Board is still being met.
- Confirmation, in writing, support of the Applicant’s proposal from both the Municipal Housing Director and DHCD, as an AMI unit is impacted by the proposal.
- Detailing changes to the HOA, pricing impacts to the existing and future community members of both Sandpiper I and Sandpiper II (both market rate and AMI restricted units) and any potential impacts to other relevant legal documents that are connected to the Sandpiper Place Subdivision decisions or Special Permit decisions.

From the December Staff Report:

The Applicant has submitted an updated proposed site plan and an updated initiation fee schedule. Planning staff met with the Applicant’s attorney, and suggested adding at least two more parking spaces than what is being proposed. Additionally, staff has not received an update regarding the following items, as was suggested at the November meeting: 14

- Whether the intent to disburse the AMI units throughout the development is still being met with relocating a single unit from 24 Honeysuckle Drive to two units at 43 Beach Grass Road.

- Whether the requirements of the MOA with the Select Board is still being met.
- Confirmation, in writing, support of the Applicant's proposal from both the Municipal Housing Director and DHCD, as an AMI unit is impacted by the proposal.

It is recommended that these items be addressed prior to the Board making a decision.

Update:

See updated materials included in the packet. An update to the staff recommendation will be provided in advance of the meeting.