



MEETING POSTING

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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 | Zoning Board of Appeals

Day, Date, and Time | Thursday, March 14, 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.**

AGENDA

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:

- February 14, 2019 – *if not approved on March 11, 2019*

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

- 23-18 Adam Ross and Emma Ross 50 Okorwaw Avenue Beaudette

REQUEST TO CONTINUE TO APRIL 11, 2019

Applicants are seeking to vacate and rescind prior relief by Variance granted pursuant to Zoning By-law Section 139-32 in order to validate the lot as a nonconforming lot of record and a residential building lot. At the time the relief was granted, the 44,813 sq. ft. lot was undersized for the LUG-2 zoning district in which it was situated. When the zoning was changed to LUG-1 in 2017, the lot became conforming in all respects, rendering the need for relief obsolete. The Locus is situated at 50 Okorwaw Avenue, is shown on Tax Assessor’s Map 79 as Parcel 63, and as Lot 1 upon Plan No. 2012-82. Evidence of owner’s title is recorded in Book 1375, Page 117 on file at the Nantucket Registry of Deeds. The site is zoned Limited Use One (LUG-1).

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| 04-19 | Linda A. Yates | 21 Derrymore Road | Cohen |
| Action Deadline May 15, 2019 | | | |
| Applicant is requesting relief by Variance pursuant to Zoning By-law Section 139-32 for a waiver from the 5 foot side yard setback provision in Section 139-16 in order to construct a new dwelling as close as 2 feet from the northerly side yard lot line. The property is located at 21 Derrymore Road, shown on Assessor's Map 41 as Parcel 117 and as Lot 51 upon Land Court Plan 13199-V. Evidence of owner's title is registered on Certificate of Title No. 22854 at the Nantucket County District of the Land Court. The site is zoned Residential -1 (R-1). | | | |

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

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| 01-19 | Steven W. Russo, Tr., 43A Union Street Trust | 43A Union St | Reade |
| Action Deadline June 12, 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). | | | |

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| 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 TO APRIL 11, 2019 WITHOUT OPENING | | | |
| 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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| 05-19 | Why Worry II, LLC | 8 Towaddy Lane | Kelsey |
| Action Deadline June 12, 2019 | | | |
| Applicant is requesting relief by Special Permit pursuant to Nantucket Zoning By-law Section 139-33.A, to allow a change of use from accessory to residential of a pre-existing nonconforming attached a shed and to alter a pre-existing nonconforming shed and dwelling structure by enclosing a deck (stoop) to be converted into a bedroom. The resulting footprint of the pre-existing nonconforming structure will remain unchanged. The existing ground cover will be expanded by approximately 28 square feet as a result of the enclosure, yielding a total proposed ground cover of 1,499 sq. ft. where maximum allowable ground cover pursuant to Section 139-33.E(1)(b) is 1,500 sq. ft. Locus, an undersized lot of record, is located at 8 Towaddy Lane, shown on Assessor's Map 49.3.2 as Parcel 15.5 and as Lot 6 on Plan File 9-E. Evidence of owner's title is recorded in Book 1443, Page 28 on file at the Nantucket County Registry of Deeds. The site is zoned Sconset Residential Twenty (SR-20). | | | |

VI. OTHER (VOTES MAY BE TAKEN)

- **ANNUAL TOWN MEETING** – General Timeline & Information
 - Warrant as adopted available on Town website – Friday, March 8, 2019
 - Printed Warrant mailed out to registered voters – Thursday, March 21, 2019
 - ATM – Monday, **April 1, 2019 at 6pm**

- **ANNUAL TOWN ELECTION** – Tuesday, **April 9, 2019**

VII. EXECUTIVE SESSION: (Votes may be taken).

The Board may entertain a motion to go into executive session under G.L.c.30A, §21(a)(3) for the purpose of discussing strategy with respect to litigation, which are known as 1) Rugged Scott LLC v. Nantucket Zoning Board of Appeals, Housing Appeals Committee No. 2018-01 and concerns a denial by the Zoning Board of Appeals of a request by Rugged Scott LLC to modify the Beach Plum Comprehensive Permit so as to allow a garage to be placed upon Lot 27 Beach Plum (8 Blazing Star Road), an affordable lot, for the benefit of and for the purpose of serving Lot 28 Beach Plum (1 Blue Flag Path), an adjacent market rate lot; and 2) Rugged Scott LLC v. Zoning Board of Appeals, Housing Appeals Committee No. 2018-04, which concerns a denial by the ZBA of a request by Rugged Scott LLC to modify the Beach Plum Comprehensive Permit so as to allow a garage built on Lot 24 Beach Plum (12 Blazing Star Road), an affordable lot, to be used for the benefit of Lot 23 Beach Plum (14 Blazing Star Road), a market rate lot, because an open meeting discussion may have a detrimental effect on the litigating position of the Board.

VIII. ADJOURNMENT (VOTE WILL BE TAKEN)
