



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, April 11, 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:

- March 14, 2019
- March 26, 2019
- March 29, 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 MAY 9, 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).

- 01-19 Steven W. Russo, Tr., 43A Union Street Trust 43A Union St Reade
REQUEST TO WITHDRAW WITHOUT PREJUDICE
- 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):

- 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 MAY 9, 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).
- 06-19 Victor P. Haley 94 Orange Street Cohen
Action Deadline July 10, 2019
Applicant is requesting relief by Special Permit pursuant to Nantucket Zoning By-law Section 139-33.A, to alter and expand a pre-existing nonconforming dwelling in order to build a 2 story addition. The existing ground cover will be expanded by approximately 194 sq. ft. as a result of the enclosure of an existing deck, yielding a total proposed ground cover ratio of 34% where 50% is allowed. While the expansion will result in a vertical extension of the setback intrusion on the north elevation, the structure will be no closer to the northerly lot line than existing. To the extent necessary, Applicant further seeks rescission of prior relief (ZBA File No.s 021-80 and 071-97) granted in connection with the now abandoned commercial 'guest house' use to recognize the exclusively residential uses upon the Locus. Locus, an undersized lot of record, is situated at 94 Orange Street, shown on Assessor's Map 55.1.4 as Parcel 47 and upon Plan File 51-P. Evidence of owner's title is recorded in Book 1456, Page 28 on file at the Nantucket County Registry of Deeds. The site is zoned Residential Old Historic (ROH).
- 07-19 Kathy Herdt Charron & Paul R. Charron, Trustees, Paul R. Charron 48 Walsh Street Trust & Kathy Herdt Charron 48 Walsh Street Trust 48 Walsh Street Bracken
Action Deadline July 10, 2019
Applicant is requesting relief by Special Permit pursuant to Zoning By-law Section 139-17(c)(7) to demolish and reconstruct a dwelling and place it on a new foundation in conformance with applicable building codes and FEMA regulations. The proposed height is 28.5'± above the minimum first floor elevation of 8'± for an average height of 32.3'± where 30' is maximum allowed pursuant to Section 139-17.A. The existing structure is nonconforming as to front and rear yard setbacks. The proposed

structure will be sited so as to cure both the front and rear yard setback encroachments. Locus is situated at 48 Walsh Street, is shown on Assessor's Map 29 as Parcel 101 and as Lot 9 upon Land Court Plan 15800-F. Evidence of owners' title is registered on Certificate of Title No. 24495 at the Nantucket County District of the Land Court. The site is zoned Residential One (R-1).

- 08-19 Martin T. Long, Trustee, Martin T. Long Revocable Trust & Frances E. Long, Trustee, Frances E. Long Revocable Trust 100 Quidnet Road Glidden

REQUEST TO CONTINUE TO MAY 9, 2019, WITHOUT OPENING

Applicant is requesting Special Permit relief pursuant to Zoning By-law Section 139-16.C(1) to reduce the 10' side yard setback to 5'. In the alternative, applicant requests relief pursuant to Section 139-16.C(2) to validate an unintentional setback intrusion not greater than 5' into a required yard and not closer than 4' from a lot line. Varying and discrepant plans show the structure to be either a compliant 10.4'± from the southerly side yard lot line or as close as 9'±. Locus is situated at 100 Quidnet Road, shown on Assessor's Map 21 as Parcel 73 and as Lot 40 upon Land Court Plan 8506-C. Evidence of owners' title is registered on Certificate of Title No. 23478 at the Nantucket County District of the Land Court. The site is zoned Residential Twenty (R-20).

VI. OLD BUSINESS – (40B CONTINUED PUBLIC HEARING AND VOTES MAY TAKEN):

- 20-18 Surfside Crossing, LLC Surfside Crossing 40B Haverty / Reade / Hanley
Extended Close of Public Hearing Deadline April 11, 2019 (180 days from Initial Public Hearing)
Decision Action deadline May 20, 2019 (40 days from close of Public Hearing)

The Locus is situated at 3, 5, 7 and 9 South Shore Road and is shown on Assessor's Map 67 as Parcels 336, 336.9, 336.8, and 336.7 and is shown as Lots 4, 3, 2, and 1 on Plan Book 25, Page 50 as recorded at the Nantucket Registry of Deeds. The total lot area of the combined parcels is approximately 13.5 acres. Evidence of owner's title is recorded in Book 1612, Page 62 at the Nantucket Registry of Deeds. The property is located in a Limited Use General 2 (LUG-2) and within the Public Wellhead Recharge District.

ORIGINAL APPLICATION: The Applicant is seeking a Comprehensive Permit in accordance with M.G.L. Chapter 40B, pursuant to a project eligibility letter issued by MassHousing, in order to allow a multi-family project consisting of 156 for-sale dwelling units comprised of 60 stand-alone single-family cottages on fee simple lots and 96 condominium units in 6 multi-family buildings, with 25% (39 units, 15 cottages and 24 condominium units) designated as affordable units, with a total of 389 bedrooms. The existing lots will be subdivided into 60 fee simple lots, 4 open space lots, and a 3.6 acre condominium lot. Off-street parking will consist of 2 spaces per cottage and 148 spaces designated for the condominiums. Infrastructure and amenities will be provided, however, the proposed project is proposed to connect to municipal water and sewer infrastructure.

MODIFIED PROPOSAL *previously under consideration:*

A multi-family project consisting of 100 for-sale dwelling units comprised of 40 stand-alone single-family cottages on fee simple lots and 60 condominium units in 5 multi-family buildings, with 25% (25 units, 10 cottages and 15 condominium units) designated as affordable units, with a total of 285 bedrooms. The existing lots will be subdivided into 40 fee simple lots, a 3.3 acre condominium lot, a 0.5 acre community lot, and 2.8 acres of open space lots. A total of 244 parking spaces will be provide consisting of 80 off-street parking spaces (2 per cottage), 124 spaces for the condominiums, 20 spaces for the recreational community building, and 20 overflow on street spaces. Infrastructure and amenities will be provided, however, the proposed project is designed to connect to municipal water and sewer infrastructure.

MODIFIED PROPOSAL *currently under consideration:*

A multi-family project consisting of 92 for-sale dwelling units comprised of 44 stand-alone single-family cottages on fee simple lots, 40 multi-family condominium units in a mix of 8-unit and 4-unit buildings, and 8 units located in 4 duplex buildings, with 25% (23 units consisting of 11 single-family cottages, 10 condominium units, and 2 duplex units) designated as affordable units. Infrastructure and amenities will be provided, however, the proposed project is designed to connect to municipal water and sewer infrastructure.

VII. OTHER (VOTES MAY BE TAKEN)

VIII. ADJOURNMENT (VOTE WILL BE TAKEN)
