



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, May 9, 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:

- April 11, 2019

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

- 76-11 Sachems Path Nantucket, LLC Sachems Path 40B
Vote to release \$50,000 Landscape Security Escrow being held by the Town pursuant to Massachusetts General Laws, Chapter 41, Section 81U (¶7)(2), and as required by Condition F.4(g) of the Comprehensive Permit, as amended and restated.
- 23-18 Adam Ross and Emma Ross 50 Okorwaw Avenue Beaudette
REQUEST TO CONTINUE TO JUNE 13, 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).

- 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).

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 WITHDRAW WITHOUT PREJUDICE
- 08-19 Martin T. Long, Trustee, Martin T. Long Revocable Trust & Frances E. Long, Trustee,
Frances E. Long Revocable Trust 100 Quidnet Road Glidden
Action Deadline August 7, 2019
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).
- 09-19 Andres J. Recoder & Isabelle Schiavi 22 Bassett Road Brescher
Action Deadline August 7, 2019
Applicant is requesting relief by Special Permit pursuant to Zoning By-law Section 139-33.A, to allow an extension, alteration, or change in the pre-existing nonconforming ground cover. The property, improved with two dwellings and a barn, is also pre-existing nonconforming as to frontage and setback. To the extent necessary, Applicant seeks to modify relief granted to prior owner in 2002 (ZBA File No. 064-02) which permitted a ground cover of up to 6,539 SF for a Ground Cover Ratio ("GCR") of 5.13% where maximum allowed is 3% of the lot area of 127,414± SF. However, when the work authorized in part by the 2002 Special Permit was completed, the resulting overall ground cover was less than that proposed. Therefore, the existing nonconforming ground cover is 6,207± SF, for a GCR of roughly 4.9%. Applicant proposes to enlarge one of the dwellings which will result in a net increase of 257± SF for an overall ground cover of 6,464± SF or a GCR of 5.07%. Locus is situated at 22 Bassett Road, shown on Assessor's Map 26 as Parcel 46 and upon Land Court Plan 37002-A. Evidence of owners' title is registered on Certificate of Title No. 21554 at the Nantucket County District of the Land Court. The site is zoned Limited Use General Three (LUG-3).

- 10-19
Rock D. Gonnella, Trustee, North Nom. Tr.
73 Easton St.
Nathan Barber
Action Deadline July 19, 2019
Applicant is requesting relief by Variance pursuant to Zoning By-law Section 139-32 for a waiver from the 5' side yard setback provision in Section 139-16 in order to validate the placement of an outdoor shower, a portion of which is sited as close as 2.4' from the easterly lot line. Locus is otherwise dimensionally conforming to the provisions of the Zoning By-law. Locus is situated at 73 Easton Street, is shown on Assessor's Map 42.4.1 as Parcel 109 and as Lot 5 upon Plan No. 03-57. Evidence of owner's title is recorded in Book 1343, Page 84 on file at the Nantucket County Registry of Deeds. The site is zoned Residential Old Historic (ROH).

- 11-19
Cynthia M. Cassano, Trustee, Doris Murray Trust (Owner) and Randolph G. Sharp, Jr., Trustee, Randolph G. Sharp, Jr. Trust (Applicant)
76 Polpis Road
Cohen
Action Deadline August 7, 2019
Applicant is requesting relief by Special Permit pursuant to Zoning By-law Section 139-33(A)4 in order to demolish a pre-existing nonconforming structure having 2,293± SF for a ground cover ratio of 3.6% where 3.0% is allowed, and to replace it with a new structure that retains the nonconforming ground cover ratio. Locus is situated at 76 Polpis Road, shown on Assessor's Map 43 as Parcel 177 and as Lot 2 upon Plan Book 19, Page 126. Evidence of owner's title is recorded in Book 1496, Page 192 on file at the Nantucket County Registry of Deeds. The site is zoned Limit Use General-3 (LUG-3).

- 12-19
Nantucket Point of View, LLC (Owner); Christopher F. McCausland & Elizabeth J. McCausland, Trustees, Eleven Lincoln Avenue Trust; Peter McCausland & Bonnie F. McCausland, Trustees, Seven Doors Nominee Trust; Peter McCausland & Bonnie F. McCausland, Trustees, Pug Cottage Nominee Trust (Appellants)
9 Lincoln Avenue
Cohen
Action Deadline July 19, 2019
Appellants bring an appeal of a decision by the Building Commissioner, pursuant to Zoning By-law Sections 139-29.E(1) and 139-31. Specifically, Appellants request that the Zoning Board of Appeals overturn the determination of the Building Commissioner in his refusal to revoke Building Permit No. 1868-18 for the construction of a pool at 9 Lincoln Avenue. Appellants had requested such revocation pursuant to Section 139-26.F on the basis that the Building Permit was issued under false or misrepresented facts, as the application did not disclose that the required Certificate of Appropriateness (COA No. 71235) was under appeal. Locus is situated at 9 Lincoln Avenue, shown on Assessor's Map 30 as Parcel 137, as Lots 3 and 4 upon Land Court Plan 14438-C and upon Land Court Plan LCP 43204-A. Evidence of owner's title is registered on Certificate of Title No. 26591 at the Nantucket County District of the Land Court. The site is zoned Residential One (R-1).

- 13-19
David J. Murphy, Trustee, 262 Polpis Nom. Tr.
262 Polpis Road
Cohen
Action Deadline August 7, 2019
Applicant is requesting relief by Special Permit pursuant to Zoning By-law Section 139-33.A(1) to alter a nonconforming use (third dwelling) by demolishing a pre-existing nonconforming third dwelling and replacing it with a new nonconforming third dwelling. The existing structure is a two bedroom dwelling with 1,176± SF of ground cover, and the replacement structure is proposed to be three bedrooms with 1,700± SF of ground cover. The Locus is otherwise conforming to the provisions of the By-law. Locus is situated at 262 Polpis Road, shown on Assessor's Map 25 as Parcel 1, and as Lots 3, 4, and 5 upon Land Court Plan 11931-C. Evidence of owner's title is registered on Certificate of Title No. 27117 at the Nantucket County District of the Land Court. The site is zoned Limit Use General-3 (LUG-3).

VI. OTHER (VOTES MAY BE TAKEN)

VII. ADJOURNMENT (VOTE WILL BE TAKEN)
