



UPDATED MEETING POSTING
Original Posting Date 6/10/2019 Original Posting Number T578

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NANTUCKET TOWN CLERK
Posting Number:T579

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, June 13, 2019 at 1:00 PM
Location / Address	4 Fairgrounds Road, Nantucket, MA PSF 2nd floor TRAINING 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.

UPDATED AGENDA¹

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:

- **REGULAR MEETING Minutes**
 - April 11, 2019
 - May 9, 2019
- **Surfside Crossing Deliberation Meetings**
 - May 20, 2019, *as amended* May 28, 2019
 - May 28, 2019
 - May 31, 2019
 - June 7, 2019
 - June 10, 2019

¹ Update reflects change of order of items.

IV. OLD BUSINESS: (DELIBERATIONS AND VOTES EXPECTED):

- 20-18 Surfside Crossing, LLC Surfside Crossing 40B

Deadline for Deliberations – June 13, 2019

Deadline for filing of written decision – June 14, 2019

Extended beyond 40 days from close of Public Hearing on April 11, 2019

The Board will have continued deliberations regarding the application for a Comprehensive Permit in accordance with M.G.L. Chapter 40B. 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.

Votes are expected.

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

- 051-03 Rugged Scott, LLC Rugged Scott a/k/a Beach Plum 40B Hanley
Action Deadline June 24, 2019 *to determine and notify Applicant if requested modification is deemed substantial or insubstantial*

The Applicant seeks a determination that a proposed modification to the Comprehensive Permit, as amended, and the plans approved therewith, may be considered insubstantial pursuant to 760 CMR 56.05 (11)(a)(b), and as such, may be authorized by the Zoning Board of Appeals. The proposed modifications for which applicant seeks approval consist of:

- 1) Consent to the waiver of the 50' setback restriction from the southeasterly boundary of the subdivision, only to the extent necessary, to allow for the proposed location of a shed on Lot 29 (2 Blue Flag Path);
- 2) Approval of the siting of the proposed shed approximately 30' from the southeasterly boundary line inclusive of the 5' setback from the boundary line of Lot 29 with buffer Lot 46, and the 25' width of buffer Lot 46.

- 23-18 Adam Ross and Emma Ross 50 Okorwaw Avenue Beaudette
Action Deadline June 14, 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

- 16-19 Paul M. O'Rourke & Elizabeth O. O'Rourke 54 Prospect Street O'Rourke
Action Deadline August 27, 2019

Applicant seeks Variance relief pursuant to Section 139-32.A for a waiver from the front yard setback provisions of Section 139-16.A in order to validate the placement of a front stoop/deck, a portion of which is sited slightly closer to the westerly front yard lot line than the prior dwelling, which was demolished and replaced with the existing structure. The demolished structure had been pre-existing nonconforming as to the required 10' front yard setback (0.9'). However, the inadvertent siting of the front stoop/deck (0.2') essentially increased the nonconformity. The Locus, an undersized lot of record, is situated at 54 Prospect Street, shown on Assessor's Map 55.4.1 as Parcel 54, and as Lot 2 upon Plan File 03-55. Evidence of owner's title is recorded in Book 1147, Page 324 on file at the Nantucket County Registry of Deeds. The site is zoned Residential One (R-1).

VII. OTHER (VOTES MAY BE TAKEN)

VIII. ADJOURNMENT (VOTE WILL BE TAKEN)